

**As Pending in the Senate Transportation Committee**

**136th General Assembly**

**Regular Session**

**2025-2026**

**Sub. H. B. No. 54**

**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 117.12, 154.01, 306.43, 717.02, 1  
1548.061, 3503.11, 3704.14, 4501.01, 4503.10, 2  
4503.102, 4503.103, 4505.08, 4506.01, 4506.09, 3  
4506.11, 4507.01, 4507.061, 4507.13, 4507.21, 4  
4507.52, 4508.02, 4511.01, 4511.09, 4511.091, 5  
4511.092, 4511.093, 4511.094, 4511.11, 4511.13, 6  
4511.131, 4511.132, 4511.18, 4511.204, 4511.211, 7  
4511.214, 4511.432, 4511.46, 4511.48, 4511.512, 8  
4511.61, 4511.62, 4511.64, 4511.65, 4511.68, 9  
4511.701, 4511.712, 4511.76, 4513.071, 4513.38, 10  
4513.41, 4517.02, 4517.24, 4519.401, 4955.50, 11  
4955.51, 5501.20, 5501.441, 5512.07, 5513.01, 12  
5517.02, 5517.021, 5521.01, 5525.03, 5525.04, 13  
5525.08, 5525.14, 5525.16, 5537.02, 5571.01, and 14  
5747.502; to enact sections 117.56, 1548.062, 15  
4503.183, 4505.072, 4511.15, 4511.206, 4511.765, 16  
4923.12, 4955.52, 4955.53, 4955.55, 4955.57, 17

5515.10, 5517.012, and 5517.08; and to repeal 18  
sections 4506.072, 4507.021, 4507.063, 4507.511, 19  
4511.351, and 4511.491 of the Revised Code and 20  
to amend Sections 243.10 and 243.20 of H.B. 2 of 21  
the 135th General Assembly to make 22  
appropriations for programs related to 23  
transportation for the biennium beginning July 24  
1, 2025, and ending June 30, 2027, and to 25  
provide authorization and conditions for the 26  
operation of those programs. 27

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

**Section 101.01.** That sections 117.12, 154.01, 306.43, 28  
717.02, 1548.061, 3503.11, 3704.14, 4501.01, 4503.10, 4503.102, 29  
4503.103, 4505.08, 4506.01, 4506.09, 4506.11, 4507.01, 4507.061, 30  
4507.13, 4507.21, 4507.52, 4508.02, 4511.01, 4511.09, 4511.091, 31  
4511.092, 4511.093, 4511.094, 4511.11, 4511.13, 4511.131, 32  
4511.132, 4511.18, 4511.204, 4511.211, 4511.214, 4511.432, 33  
4511.46, 4511.48, 4511.512, 4511.61, 4511.62, 4511.64, 4511.65, 34  
4511.68, 4511.701, 4511.712, 4511.76, 4513.071, 4513.38, 35  
4513.41, 4517.02, 4517.24, 4519.401, 4955.50, 4955.51, 5501.20, 36  
5501.441, 5512.07, 5513.01, 5517.02, 5517.021, 5521.01, 5525.03, 37  
5525.04, 5525.08, 5525.14, 5525.16, 5537.02, 5571.01, and 38  
5747.502 be amended and sections 117.56, 1548.062, 4503.183, 39  
4505.072, 4511.15, 4511.206, 4511.765, 4923.12, 4955.52, 40  
4955.53, 4955.55, 4955.57, 5515.10, 5517.012, and 5517.08 of the 41  
Revised Code be enacted to read as follows: 42

**Sec. 117.12.** (A) Any certified public accountant engaged 43  
to perform an audit pursuant to division (C) of section 117.11 44

or section 117.56 of the Revised Code shall conduct the audit 45  
pursuant to the standards, procedures, and guidelines of the 46  
auditor of state for such audits. The auditor of state shall 47  
establish these standards, procedures, and guidelines by rule. 48  
The audit shall cover the period beginning with the termination 49  
date of the most recent audit conducted under this section or 50  
under section 117.11 of the Revised Code, and ending on the date 51  
specified by the auditor of state. The accountant shall inquire 52  
into the methods, accuracy, and legality of the accounts, 53  
records, files, and reports of the public office and shall note 54  
whether, in the accountant's opinion, the laws, rules, 55  
ordinances, and orders pertaining to the public office have been 56  
complied with. 57

(B) The certified public accountant shall have no 58  
authority to make formal findings of illegality, malfeasance, or 59  
gross neglect under this section or section 117.23 of the 60  
Revised Code. 61

**Sec. 117.56.** During the course of an audit, including a 62  
performance audit, of the department of transportation, the 63  
auditor of state, and any independent accountants or consultants 64  
necessary to carry out the statutory responsibilities of the 65  
auditor of state, may access any system the department uses or 66  
maintains. The director of transportation and employees of the 67  
department shall assist the auditor of state with accessing the 68  
department's systems. The auditor of state, and independent 69  
accountants and consultants retained by the auditor of state, 70  
shall comply with all state and federal privacy and 71  
confidentiality laws that apply to the content of the systems 72  
the auditor of state accesses. 73

**Sec. 154.01.** As used in this chapter: 74

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| (A) "Commission" means the Ohio public facilities                | 75  |
| commission created in section 151.02 of the Revised Code.        | 76  |
| (B) "Obligations" means bonds, notes, or other evidences         | 77  |
| of obligation, including interest coupons pertaining thereto,    | 78  |
| issued pursuant to Chapter 154. of the Revised Code.             | 79  |
| (C) "Bond proceedings" means the order or orders,                | 80  |
| resolution or resolutions, trust agreement, indenture, lease,    | 81  |
| and other agreements, amendments and supplements to the          | 82  |
| foregoing, or any combination thereof, authorizing or providing  | 83  |
| for the terms and conditions applicable to, or providing for the | 84  |
| security of, obligations issued pursuant to Chapter 154. of the  | 85  |
| Revised Code, and the provisions contained in such obligations.  | 86  |
| (D) "State agencies" means the state of Ohio and officers,       | 87  |
| boards, commissions, departments, divisions, or other units or   | 88  |
| agencies of the state.   | 89  |
| (E) "Governmental agency" means state agencies, state            | 90  |
| supported and assisted institutions of higher education,         | 91  |
| municipal corporations, counties, townships, school districts,   | 92  |
| and any other political subdivision or special district in this  | 93  |
| state established pursuant to law, and, except where otherwise   | 94  |
| indicated, also means the United States or any department,       | 95  |
| division, or agency thereof, and any agency, commission, or      | 96  |
| authority established pursuant to an interstate compact or       | 97  |
| agreement.   | 98  |
| (F) "Institutions of higher education" and "state                | 99  |
| supported or state assisted institutions of higher education"    | 100 |
| means the state universities identified in section 3345.011 of   | 101 |
| the Revised Code, the northeast Ohio medical university, state   | 102 |
| universities or colleges at any time created, community college  | 103 |

districts, university branch districts, and technical college 104  
districts at any time established or operating under Chapter 105  
3354., 3355., or 3357. of the Revised Code, and other 106  
institutions for education, including technical education, 107  
beyond the high school, receiving state support or assistance 108  
for their expenses of operation. 109

(G) "Governing body" means: 110

(1) In the case of institutions of higher education, the 111  
board of trustees, board of directors, commission, or other body 112  
vested by law with the general management, conduct, and control 113  
of one or more institutions of higher education; 114

(2) In the case of a county, the board of county 115  
commissioners or other legislative body; in the case of a 116  
municipal corporation, the council or other legislative body; in 117  
the case of a township, the board of township trustees; in the 118  
case of a school district, the board of education; 119

(3) In the case of any other governmental agency, the 120  
officer, board, commission, authority or other body having the 121  
general management thereof or having jurisdiction or authority 122  
in the particular circumstances. 123

(H) "Person" means any person, firm, partnership, 124  
association, or corporation. 125

(I) "Bond service charges" means principal, including 126  
mandatory sinking fund requirements for retirement of 127  
obligations, and interest, and redemption premium, if any, 128  
required to be paid by the state on obligations. If not 129  
prohibited by the applicable bond proceedings, bond service 130  
charges may include costs relating to credit enhancement 131  
facilities that are related to and represent, or are intended to 132

provide a source of payment of or limitation on, other bond 133  
service charges. 134

(J) "Capital facilities" means buildings, structures, and 135  
other improvements, and equipment, real estate, and interests in 136  
real estate therefor, within the state, and any one, part of, or 137  
combination of the foregoing, to serve the general purposes for 138  
which the issuing authority is authorized to issue obligations 139  
pursuant to Chapter 154. of the Revised Code, including, but not 140  
limited to, highways, drives, roadways, parking facilities, 141  
walks, lighting, machinery, furnishings, utilities, landscaping, 142  
wharves, docks, piers, reservoirs, dams, tunnels, bridges, 143  
retaining walls, riprap, culverts, ditches, channels, 144  
watercourses, retention basins, standpipes and water storage 145  
facilities, waste treatment and disposal facilities, heating, 146  
air conditioning and communications facilities, inns, lodges, 147  
cabins, camping sites, golf courses, boat and bathing 148  
facilities, athletic and recreational facilities, and site 149  
improvements. 150

(K) "Costs of capital facilities" means the costs of 151  
acquiring, constructing, reconstructing, rehabilitating, 152  
remodeling, renovating, enlarging, improving, equipping, or 153  
furnishing capital facilities, and the financing thereof, 154  
including the cost of clearance and preparation of the site and 155  
of any land to be used in connection with capital facilities, 156  
the cost of any indemnity and surety bonds and premiums on 157  
insurance, all related direct administrative expenses and 158  
allocable portions of direct costs of the commission or issuing 159  
authority and department of administrative services, or other 160  
designees of the commission under section 154.17 of the Revised 161  
Code, cost of engineering and architectural services, designs, 162  
plans, specifications, surveys, and estimates of cost, legal 163

fees, fees and expenses of trustees, depositories, and paying 164  
agents for the obligations, cost of issuance of the obligations 165  
and financing charges and fees and expenses of financial 166  
advisers and consultants in connection therewith, interest on 167  
obligations, including but not limited to, interest from the 168  
date of their issuance to the time when interest is to be 169  
covered from sources other than proceeds of obligations, amounts 170  
necessary to establish reserves as required by the bond 171  
proceedings, costs of audits, the reimbursement of all moneys 172  
advanced or applied by or borrowed from any governmental agency, 173  
whether to or by the commission or others, from whatever source 174  
provided, for the payment of any item or items of cost of the 175  
capital facilities, any share of the cost undertaken by the 176  
commission pursuant to arrangements made with governmental 177  
agencies under division (H) of section 154.06 of the Revised 178  
Code, and all other expenses necessary or incident to planning 179  
or determining feasibility or practicability with respect to 180  
capital facilities, and such other expenses as may be necessary 181  
or incident to the acquisition, construction, reconstruction, 182  
rehabilitation, remodeling, renovation, enlargement, 183  
improvement, equipment, and furnishing of capital facilities, 184  
the financing thereof and the placing of the same in use and 185  
operation, including any one, part of, or combination of such 186  
classes of costs and expenses. 187

(L) "Public service facilities" means inns, lodges, 188  
hotels, cabins, camping sites, scenic trails, picnic sites, 189  
restaurants, commissaries, golf courses, boating and bathing 190  
facilities and other similar facilities in state parks. 191

(M) "State parks" means: 192

(1) State reservoirs described and identified in section 193

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| 1546.11 of the Revised Code;  | 194   |
| (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;  | 195<br>196<br>197<br>198<br>199<br>200<br>201               |
| (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.   | 202<br>203<br>204<br>205                                    |
| 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. | 206<br>207<br>208<br>209<br>210<br>211<br>212<br>213<br>214 |
| (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.   | 215<br>216<br>217<br>218<br>219                             |
| (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,   | 220<br>221<br>222   |



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| including all moneys and investments, and earnings from          | 223 |
| investments, credited and to be credited thereto.                | 224 |
| (P) "Special funds" or "funds" means, except where the           | 225 |
| context does not permit, the bond service funds, the             | 226 |
| improvements funds, and any other funds for similar or different | 227 |
| purposes created under bond proceedings, including all moneys    | 228 |
| and investments, and earnings from investments, credited and to  | 229 |
| be credited thereto.   | 230 |
| (Q) "Year" unless the context indicates a different              | 231 |
| meaning or intent, means a calendar year beginning on the first  | 232 |
| day of January and ending on the thirty-first day of December.   | 233 |
| (R) "Fiscal year" means the period of twelve months              | 234 |
| beginning on the first day of July and ending on the thirtieth   | 235 |
| day of June.   | 236 |
| (S) "Issuing authority" means the treasurer of state or          | 237 |
| the officer or employee who by law performs the functions of     | 238 |
| that office.   | 239 |
| (T) "Credit enhancement facilities" has the same meaning         | 240 |
| as in section 133.01 of the Revised Code.                        | 241 |
| (U) "Ohio cultural facility" and "Ohio sports facility"          | 242 |
| have the same meanings as in section 123.28 of the Revised Code. | 243 |
| <b>Sec. 306.43.</b> (A) The board of trustees of a regional      | 244 |
| transit authority or any officer or employee designated by such  | 245 |
| board may make any contract for the purchase of goods or         | 246 |
| services, the cost of which does not exceed one hundred thousand | 247 |
| dollars. When an expenditure, other than for the acquisition of  | 248 |
| real estate, the discharge of claims, or the acquisition of      | 249 |
| goods or services under the circumstances described in division  | 250 |
| (H) of this section, is expected to exceed one hundred thousand  | 251 |

dollars, such expenditure shall be made through full and open 252  
competition by the use of competitive procedures. The regional 253  
transit authority shall use the competitive procedure, as set 254  
forth in divisions (B), (C), (D), and (E) of this section, that 255  
is most appropriate under the circumstances of the procurement. 256

(B) Competitive sealed bidding is the preferred method of 257  
procurement and a regional transit authority shall use that 258  
method if all of the following conditions exist: 259

(1) A clear, complete, and adequate description of the 260  
goods, services, or work is available; 261

(2) Time permits the solicitation, submission, and 262  
evaluation of sealed bids; 263

(3) The award will be made on the basis of price and other 264  
price-related factors; 265

(4) It is not necessary to conduct discussions with 266  
responding offerors about their bids; 267

(5) There is a reasonable expectation of receiving more 268  
than one sealed bid. 269

A regional transit authority shall publish a notice 270  
calling for bids once a week for no less than two consecutive 271  
weeks in a newspaper of general circulation within the 272  
territorial boundaries of the regional transit authority, or as 273  
provided in section 7.16 of the Revised Code. A regional transit 274  
authority may require that a bidder for any contract other than 275  
a construction contract provide a bid guaranty in the form, 276  
quality, and amount considered appropriate by the regional 277  
transit authority. The board may let the contract to the lowest 278  
responsive and responsible bidder. Where fewer than two 279  
responsive bids are received, a regional transit authority may 280

negotiate price with the sole responsive bidder or may rescind 281  
the solicitation and procure under division (H) (2) of this 282  
section. 283

(C) A regional transit authority may use two-step 284  
competitive bidding, consisting of a technical proposal and a 285  
separate, subsequent sealed price bid from those submitting 286  
acceptable technical proposals, if both of the following 287  
conditions exist: 288

(1) A clear, complete, and adequate description of the 289  
goods, services, or work is not available, but definite criteria 290  
exist for the evaluation of technical proposals; 291

(2) It is necessary to conduct discussions with responding 292  
offerors. 293

A regional transit authority shall publish a notice 294  
calling for technical proposals once a week for no less than two 295  
consecutive weeks in a newspaper of general circulation within 296  
the territorial boundaries of the regional transit authority, or 297  
as provided in section 7.16 of the Revised Code. A regional 298  
transit authority may require a bid guaranty in the form, 299  
quality, and amount the regional transit authority considers 300  
appropriate. The board may let the contract to the lowest 301  
responsive and responsible bidder. Where fewer than two 302  
responsive and responsible bids are received, a regional transit 303  
authority may negotiate price with the sole responsive and 304  
responsible bidder or may rescind the solicitation and procure 305  
under division (H) (2) of this section. 306

(D) A regional transit authority shall make a procurement 307  
by competitive proposals if competitive sealed bidding or two- 308  
step competitive bidding is not appropriate. 309

A regional transit authority shall publish a notice 310  
calling for proposals once a week for no less than two 311  
consecutive weeks in a newspaper of general circulation within 312  
the territorial boundaries of the regional transit authority, or 313  
as provided in section 7.16 of the Revised Code. A regional 314  
transit authority may require a proposal guaranty in the form, 315  
quality, and amount considered appropriate by the regional 316  
transit authority. The board may let the contract to the 317  
proposer making the offer considered most advantageous to the 318  
authority. Where fewer than two competent proposals are 319  
received, a regional transit authority may negotiate price and 320  
terms with the sole proposer or may rescind the solicitation and 321  
procure under division (H) (2) of this section. 322

(E) (1) A regional transit authority shall procure the 323  
services of an architect or engineer in the manner prescribed by 324  
the "Federal Mass Transportation Act of 1987," Public Law No. 325  
100-17, section 316, 101 Stat. 227, 232-234, 49 U.S.C.A. app. 326  
1608 and the services of a construction manager in the manner 327  
prescribed by sections 9.33 to 9.332 of the Revised Code. 328

(2) A regional transit authority may procure revenue 329  
rolling stock in the manner prescribed by division (B), (C), or 330  
(D) of this section. 331

(3) All contracts for construction in excess of one 332  
hundred thousand dollars shall be made only after the regional 333  
transit authority has published a notice calling for bids once a 334  
week for two consecutive weeks in a newspaper of general 335  
circulation within the territorial boundaries of the regional 336  
transit authority, or as provided in section 7.16 of the Revised 337  
Code. The board may award a contract to the lowest responsive 338  
and responsible bidder. Where only one responsive and 339

responsible bid is received, the regional transit authority may 340  
negotiate price with the sole responsive bidder or may rescind 341  
the solicitation. The regional transit authority shall award 342  
construction contracts in accordance with sections 153.12 to 343  
153.14 and 153.54 of the Revised Code. Divisions (B) and (C) of 344  
this section shall not apply to the award of contracts for 345  
construction. 346

~~(F)~~ (F) (1) As used in division (F) (2) of this section, 347  
"simplified acquisition threshold" means the amount set forth in 348  
41 U.S.C. 134. 349

(2) The board may adopt a policy on whether board approval 350  
is required to enter into a contract involving expenditures 351  
below the simplified acquisition threshold. The board shall 352  
approve all contracts involving expenditures at or above the 353  
simplified acquisition threshold. 354

(3) All contracts involving expenditures in excess of ~~one~~ 355  
hundred thousand dollars the amount for which board approval is 356  
required shall be in writing and shall be accompanied by or 357  
shall refer to plans and specifications for the work to be done. 358  
The plans and specifications shall at all times be made and 359  
considered part of the contract. For all contracts other than 360  
construction contracts, a regional transit authority may require 361  
performance, payment, or maintenance guaranties or any 362  
combination of such guaranties in the form, quality, and amount 363  
it considers appropriate. The contract shall be approved by the 364  
board and signed on behalf of the regional transit authority and 365  
by the contractor. 366

(G) In making a contract, a regional transit authority may 367  
give preference to goods produced in the United States in 368  
accordance with the Buy America requirements in the "Surface 369

Transportation Assistance Act of 1982," Public Law No. 97-424, 370  
section 165, 96 Stat. 2097, 23 U.S.C.A. 101 note, as amended, 371  
and the rules adopted thereunder. The regional transit authority 372  
also may give preference to providers of goods produced in and 373  
services provided in labor surplus areas as defined by the 374  
United States department of labor in 41 U.S.C.A. 401 note, 375  
Executive Order No. 12073, August 16, 1978, 43 Fed. Reg. 36873, 376  
as amended. 377

(H) Competitive procedures under this section are not 378  
required in any of the following circumstances: 379

(1) The board of trustees of a regional transit authority, 380  
by a two-thirds affirmative vote of its members, determines that 381  
a real and present emergency exists under any of the following 382  
conditions, and the board enters its determination and the 383  
reasons for it in its proceedings: 384

(a) Affecting safety, welfare, or the ability to deliver 385  
transportation services; 386

(b) Arising out of an interruption of contracts essential 387  
to the provision of daily transit services; 388

(c) Involving actual physical damage to structures, 389  
supplies, equipment, or property. 390

(2) The purchase consists of goods or services, or any 391  
combination thereof, and after reasonable inquiry the board or 392  
any officer or employee the board designates finds that only one 393  
source of supply is reasonably available. 394

(3) The expenditure is for a renewal or renegotiation of a 395  
lease or license for telecommunications or electronic data 396  
processing equipment, services, or systems, or for the upgrade 397  
of such equipment, services, or systems, or for the maintenance 398

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| thereof as supplied by the original source or its successors or assigns.   | 399<br>400   |
| (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.   | 401<br>402<br>403<br>404<br>405<br>406<br>407        |
| (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.  | 408<br>409<br>410                                    |
| (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. | 411<br>412<br>413<br>414<br>415<br>416<br>417<br>418 |
| (7) Services or supplies are available from a qualified nonprofit agency pursuant to sections 4115.31 to 4115.35 of the Revised Code.  | 419<br>420<br>421                                    |
| (8) The purchase consists of the product or services of a public utility.  | 422<br>423   |
| (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   | 424<br>425<br>426<br>427                             |

individuals with disabilities, whether or not that corporation 428  
or association is funded entirely or in part by the federal 429  
government, or the purchase is for services provided by a 430  
nonprofit corporation or association whose purpose is to assist 431  
individuals with disabilities, whether or not that corporation 432  
or association is funded entirely or in part by the federal 433  
government. For purposes of division (H) (9) of this section, 434  
"disability" has the same meaning as in section 4112.01 of the 435  
Revised Code. 436

(I) A regional transit authority may enter into blanket 437  
purchase agreements for purchases of maintenance, operating, or 438  
repair goods or services where the item cost does not exceed 439  
five hundred dollars and the annual expenditure does not exceed 440  
one hundred thousand dollars. 441

(J) Nothing contained in this section prohibits a regional 442  
transit authority from participating in intergovernmental 443  
cooperative purchasing arrangements. 444

(K) Except as otherwise provided in this chapter, a 445  
regional transit authority shall make a sale or other 446  
disposition of property through full and open competition. 447  
Except as provided in division (L) of this section, all 448  
dispositions of personal property and all grants of real 449  
property for terms exceeding five years shall be made by public 450  
auction or competitive procedure. 451

(L) The competitive procedures required by division (K) of 452  
this section are not required in any of the following 453  
circumstances: 454

(1) The grant is a component of a joint development 455  
between public and private entities and is intended to enhance 456



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| or benefit public transit.   | 457   |
| (2) The grant of a limited use or of a license affecting land is made to an owner of abutting real property.   | 458<br>459  |
| (3) The grant of a limited use is made to a public utility.  | 460<br>461  |
| (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.  | 462<br>463<br>464   |
| (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.   | 465<br>466<br>467   |
| (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.   | 468<br>469<br>470<br>471<br>472                             |
| (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. | 473<br>474<br>475<br>476<br>477<br>478<br>479<br>480<br>481 |
| (N) As used in this section:   | 482   |
| (1) "Goods" means all things, including specially manufactured goods, that are movable at the time of  | 483<br>484  |

identification to the contract for sale other than the money in 485  
which the price is to be paid, investment securities, and things 486  
in action. "Goods" also includes other identified things 487  
attached to realty as described in section 1302.03 of the 488  
Revised Code. 489

(2) "Services" means the furnishing of labor, time, or 490  
effort by a contractor, not involving the delivery of goods or 491  
reports other than goods or reports that are merely incidental 492  
to the required performance, including but not limited to 493  
insurance, bonding, or routine operation, routine repair, or 494  
routine maintenance of existing structures, buildings, real 495  
property, or equipment, but does not include employment 496  
agreements, collective bargaining agreements, or personal 497  
services. 498

(3) "Construction" means the process of building, 499  
altering, repairing, improving, painting, decorating, or 500  
demolishing any structure or building, or other improvements of 501  
any kind to any real property owned or leased by a regional 502  
transit authority. 503

(4) "Full and open competition" has the same meaning as in 504  
the "Office of Federal Procurement Policy Act," Public Law No. 505  
98-369, section 2731, 98 Stat. 1195 (1984), 41 U.S.C.A. 403. 506

(5) A bidder is "responsive" if, applying the criteria of 507  
division (A) of section 9.312 of the Revised Code, the bidder is 508  
"responsive" as described in that section. 509

(6) A bidder is "responsible" if, applying the criteria of 510  
division (B) of section 9.312 of the Revised Code and of the 511  
"Office of Federal Procurement Policy Act," Public Law No. 98- 512  
369, section 2731, 98 Stat. 1195 (1984), 41 U.S.C.A. 403, the 513

bidder is "responsible" as described in those sections. 514

**Sec. 717.02.** (A) As used in this section: 515

(1) "Energy conservation measure" means the construction 516  
of, installation or modification of an installation in, or 517  
remodeling of, a new or existing building or infrastructure, to 518  
reduce energy consumption. It includes: 519

(a) Insulation of the building structure and of systems 520  
within the building; 521

(b) Storm windows and doors, multiglazed windows and 522  
doors, heat-absorbing or heat-reflective glazed and coated 523  
window and door systems, additional glazing, reductions in glass 524  
area, and other window and door system modifications that reduce 525  
energy consumption; 526

(c) Automatic energy control systems; 527

(d) Heating, ventilating, or air conditioning system 528  
modifications or replacements; 529

(e) Caulking and weatherstripping; 530

(f) Replacement or modification of lighting fixtures to 531  
increase the energy efficiency of the system without increasing 532  
the overall illumination of a facility, unless such an increase 533  
in illumination is necessary to conform to the applicable state 534  
or local building code for the proposed lighting system; 535

(g) Energy recovery systems; 536

(h) Cogeneration systems that produce steam or forms of 537  
energy such as heat, as well as electricity, for use primarily 538  
within a building or complex of buildings; 539

(i) Acquiring, constructing, furnishing, equipping, 540

improving the site of, or otherwise improving a central utility 541  
plant to provide heating and cooling services to a building or 542  
building infrastructure together with distribution piping and 543  
ancillary distribution controls, equipment, and related 544  
facilities from the central utility plant to the building or 545  
building infrastructure; 546

(j) Meter replacement, installation of an automatic meter 547  
reading system, or any other construction, modification, 548  
installation, or remodeling of water, electric, gas, or any 549  
other municipally supplied utility system; 550

(k) Any other construction, modification, installation, or 551  
remodeling approved by the legislative authority of the 552  
municipal corporation as an energy conservation measure. 553

(2) "Infrastructure" includes, but is not limited to, a 554  
water, gas, or electric utility, renewable energy system or 555  
technology, highway traffic ~~control~~-signal, or any other asset 556  
owned, operated, or maintained by a municipal corporation. 557

(B) For the purpose of evaluating buildings owned by a 558  
municipal corporation for energy conservation measures, a 559  
legislative authority of a municipal corporation may contract 560  
with an architect, professional engineer, energy services 561  
company, contractor, or other person experienced in the design 562  
and implementation of energy conservation measures for an energy 563  
conservation report. The report shall include all of the 564  
following: 565

(1) Analyses of the energy needs of the buildings owned by 566  
that municipal corporation and recommendations for building 567  
installations, modifications of existing installations, or 568  
building remodeling that would significantly reduce energy 569

|  |     |
|--|-----|
| consumption in the buildings;                                    | 570 |
| (2) Estimates of all costs of the recommended                    | 571 |
| installations, modifications, or remodeling, including costs of  | 572 |
| design, engineering, installation, maintenance, and repair;      | 573 |
| (3) Estimates of the amounts by which energy consumption         | 574 |
| could be reduced;  | 575 |
| (4) The interest rate used to estimate the costs of any          | 576 |
| energy conservation measures that are to be financed by the      | 577 |
| municipal corporation;   | 578 |
| (5) The average system life of the energy conservation           | 579 |
| measures;  | 580 |
| (6) Estimates of the likely savings that will result from        | 581 |
| the reduction in energy consumption over the average system life | 582 |
| of the energy conservation measures, including the methods used  | 583 |
| to estimate the savings;   | 584 |
| (7) A certification under the seal of a registered               | 585 |
| professional engineer that the energy conservation report uses   | 586 |
| reasonable methods of analysis and estimation.                   | 587 |
| (C) (1) A municipal corporation desiring to implement            | 588 |
| energy conservation measures may proceed under any of the        | 589 |
| following methods:   | 590 |
| (a) Procure the energy conservation measures in any manner       | 591 |
| authorized by the municipal corporation's charter, ordinances,   | 592 |
| or any other existing authority;                                 | 593 |
| (b) Advertise for bids using a report or any part of an          | 594 |
| energy conservation report prepared under division (B) of this   | 595 |
| section, and, except as otherwise provided in this section,      | 596 |
| comply with competitive bidding requirements;                    | 597 |

(c) Notwithstanding any requirement in the Revised Code 598  
that requires competitive bidding or specifies bidding 599  
procedures, request proposals from at least three vendors for 600  
the implementation of energy conservation measures. A request 601  
for proposals shall require the vendor that is awarded a 602  
contract under division (C)(2)(b) of this section to prepare an 603  
energy conservation report in accordance with division (B) of 604  
this section. 605

Prior to sending any vendor a copy of any request for 606  
proposals, the legislative authority shall advertise its intent 607  
to request proposals for the installation of energy conservation 608  
measures in a newspaper of general circulation in the municipal 609  
corporation once a week for two consecutive weeks. The notice 610  
shall state that the legislative authority intends to request 611  
proposals for the installation of energy conservation measures, 612  
indicate the date on which the request for proposals will be 613  
mailed to vendors, which shall be at least ten days after the 614  
second publication in the newspaper, and state that any vendor 615  
interested in receiving the request for proposals shall submit 616  
written notice to the legislative authority not later than noon 617  
of the day on which the request for proposals is to be mailed. 618

(2) (a) Upon receiving bids under division (C)(1)(b) of 619  
this section, the legislative authority shall analyze them and 620  
select the lowest and best bid or bids most likely to result in 621  
the greatest energy savings considering the cost of the project 622  
and the legislative authority's ability to pay for the 623  
improvements with current revenues or by financing the 624  
improvements. 625

(b) Upon receiving proposals under division (C)(1)(c) of 626  
this section, the legislative authority shall analyze the 627

proposals and the vendors' qualifications and select the most 628  
qualified vendor to prepare an energy conservation report in 629  
accordance with division (B) of this section. After receipt and 630  
review of the energy conservation report, the legislative 631  
authority may award a contract to the selected vendor to install 632  
the energy conservation measures that are most likely to result 633  
in the greatest energy savings considering the cost of the 634  
project and the legislative authority's ability to pay for the 635  
improvements with current revenues or by financing the 636  
improvements. 637

(c) The awarding of a contract to install energy 638  
conservation measures under division (C) (2) (a) or (b) of this 639  
section shall be conditioned upon a finding by the contracting 640  
authority that the amount of money spent on energy conservation 641  
measures is not likely to exceed the amount of money the 642  
municipal corporation would save in energy, operating, 643  
maintenance, and avoided capital costs over the average system 644  
life of the energy conservation measures as specified in the 645  
energy conservation report. In making such a finding, the 646  
contracting authority may take into account the increased costs 647  
due to inflation as shown in the energy conservation report. 648  
Nothing in this division prohibits a municipal corporation from 649  
rejecting all bids or proposals under division (C) (1) (b) or (c) 650  
of this section or from selecting more than one bid or proposal. 651

(D) The legislative authority of a municipal corporation 652  
may enter into an installment payment contract for the purchase 653  
and installation of energy conservation measures. Provisions of 654  
installment payment contracts that deal with interest charges 655  
and financing terms shall not be subject to competitive bidding 656  
requirements and shall be on the following terms: 657

(1) Not less than a specified percentage of the costs of 658  
the contract shall be paid within two years from the date of 659  
purchase, as determined and approved by the legislative 660  
authority of a municipal corporation. 661

(2) The remaining balance of the costs of the contract 662  
shall be paid within the lesser of the average system life of 663  
the energy conservation measures as specified in the energy 664  
conservation report or thirty years. 665

(E) The legislative authority of a municipal corporation 666  
may issue the notes of the municipal corporation specifying the 667  
terms of a purchase of energy conservation measures under this 668  
section and securing any deferred payments provided for in 669  
division ~~(C)~~ (D) of this section. The notes shall be payable at 670  
the times provided and bear interest at a rate not exceeding the 671  
rate determined as provided in section 9.95 of the Revised Code. 672  
The notes may contain an option for prepayment and shall not be 673  
subject to Chapter 133. of the Revised Code. Revenues derived 674  
from local taxes or otherwise, for the purpose of conserving 675  
energy or for defraying the current operating expenses of the 676  
municipal corporation, may be pledged and applied to the payment 677  
of interest and the retirement of the notes. The notes may be 678  
sold at private sale or given to the contractor under an 679  
installment payment contract authorized by division ~~(C)~~ (D) of 680  
this section. 681

(F) Debt incurred under this section shall not be included 682  
in the calculation of the net indebtedness of a municipal 683  
corporation under section 133.05 of the Revised Code. 684

**Sec. 1548.061.** (A) Notwithstanding any general requirement 685  
in this chapter to the effect that an application for a 686  
certificate of title to a watercraft or outboard motor shall be 687



"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 716  
become the principal's attorney in fact. 717

(2) The power of attorney granted under division (A) (1) of 718  
this section may be used only when the granting instrument 719  
limits the power of the attorney in fact to act on the 720  
principal's behalf for either of the following: 721

(a) Making an assignment of a certificate of title; 722

(b) Completing an application for a certificate of title. 723

(3) Such instrument shall state the following, as 724  
applicable, to which the grant of power applies: 725

(a) A description of the watercraft, including the make, 726  
year, length, series or model, if any, body type, hull 727  
identification number or serial number, and make, manufacturer's 728  
serial number, and horsepower of any inboard motor; 729

(b) A description of the outboard motor, including the 730  
make, year, series or model, if any, manufacturer's serial 731  
number, and horsepower. 732

(B) The power of attorney is exempt from the requirements 733  
of notarization and verification as described in this chapter 734  
and in section 1337.25 of the Revised Code, and the documents 735  
may be signed electronically. This power of attorney shall be 736  
presented to the clerk of the court of common pleas when used to 737  
transfer title to a watercraft or outboard motor and shall be 738  
retained by the clerk in the same manner that a certificate of 739  
title is retained. 740

**Sec. 3503.11.** (A) (1) When any person applies for a 741  
driver's license, commercial driver's license, a state of Ohio 742  
identification card issued under section 4507.50 of the Revised 743

Code, or motorcycle operator's license or endorsement, or the 744  
renewal or duplicate of any license or endorsement under Chapter 745  
4506. or 4507. of the Revised Code, and the person presents 746  
proof of United States citizenship to the registrar of motor 747  
vehicles or the deputy registrar or has previously presented 748  
proof of United States citizenship to the registrar or any 749  
deputy registrar, the registrar or deputy registrar shall offer 750  
the applicant the opportunity to register to vote or to update 751  
the applicant's voter registration by electronic means in 752  
conjunction with the person's transaction with the registrar or 753  
deputy registrar, in a manner prescribed by the secretary of 754  
state. 755

(2) When any person submits a notice of change of address 756  
to the registrar under division (C) of section 4507.09 of the 757  
Revised Code, the registrar shall offer the applicant the 758  
opportunity to submit a notice of change of address for voter 759  
registration purposes by electronic means in conjunction with 760  
the person's transaction with the registrar, in a manner 761  
prescribed by the secretary of state. 762

(3) When a person registers to vote or updates the 763  
person's voter registration under division (A) (1) or (2) of this 764  
section, the registrar or deputy registrar shall electronically 765  
transmit the person's signature that is on file with the bureau 766  
of motor vehicles with the electronic record of the voter 767  
registration or update, and that signature shall be considered 768  
the person's signature on the voter registration or update and 769  
for all other election and signature-matching purposes. 770

(B) Within twenty-four hours after a person registers to 771  
vote or updates the person's voter registration under division 772  
(A) of this section, the registrar or deputy registrar shall 773

transmit the electronic record of the voter registration or 774  
update to the secretary of state by electronic means in a manner 775  
prescribed by the secretary of state by rule. Rules adopted 776  
under this division shall do all of the following: 777

(1) Prohibit any direct electronic connection between the 778  
office of the registrar or a deputy registrar and the statewide 779  
voter registration database; 780

(2) Require any voter registration information to be 781  
verified by the secretary of state or a board of elections 782  
before the information is added to the statewide voter 783  
registration database; 784

(3) Require the registrar or deputy registrar to 785  
electronically date stamp each electronic record in a manner 786  
that does not disclose the identity of the office that receives 787  
the voter registration or update. 788

(C) (1) The registrar of motor vehicles and each deputy 789  
registrar also shall make available to all other customers paper 790  
voter registration applications and update forms, but are not 791  
required to offer assistance to customers in completing those 792  
forms. The bureau of motor vehicles shall supply all of its 793  
deputy registrars with a sufficient number of voter registration 794  
applications and update forms. 795

(2) Within five days after a person submits a completed 796  
paper voter registration application or update form to the 797  
registrar or a deputy registrar, the registrar or deputy 798  
registrar shall send the form to the board of elections of the 799  
county in which the office of the registrar or deputy registrar 800  
is located. 801

(D) The registrar shall collect from each deputy registrar 802

through the reports filed under division (J) of section 4503.03 803  
of the Revised Code and transmit to the secretary of state 804  
information on the number of voter registration applications and 805  
change of residence or change of name forms completed or 806  
declined, and any additional information required by the 807  
secretary of state to comply with the National Voter 808  
Registration Act of 1993. No information relating to an 809  
applicant's decision to decline to register or update the 810  
applicant's voter registration at the office of the registrar or 811  
deputy registrar may be used for any purpose other than voter 812  
registration record-keeping required by the secretary of state, 813  
and all such information shall be kept confidential. 814

**Sec. 3704.14.** (A) (1) If the director of environmental 815  
protection determines that implementation of a motor vehicle 816  
inspection and maintenance program is necessary for the state to 817  
effectively comply with the federal Clean Air Act after June 30, 818  
2023, the director may provide for the implementation of the 819  
program in those counties in this state in which such a program 820  
is federally mandated. Upon making such a determination, the 821  
director of environmental protection may request the director of 822  
administrative services to extend the terms of the contract that 823  
was entered into under the authority of Am. Sub. H.B. 64 of the 824  
131st general assembly. Upon receiving the request, the director 825  
of administrative services shall extend the contract, beginning 826  
on July 1, 2023, in accordance with this section. The contract 827  
shall be extended for a period of up to twenty-four months with 828  
the contractor who conducted the motor vehicle inspection and 829  
maintenance program under that contract. 830

(2) Prior to the expiration of the contract extension that 831  
is authorized by division (A) (1) of this section, the director 832  
of environmental protection shall request the director of 833

administrative services to enter into a contract with a vendor 834  
to operate a decentralized motor vehicle inspection and 835  
maintenance program in each county in this state in which such a 836  
program is federally mandated through June 30, 2027, with an 837  
option for the state to renew the contract for a period of up to 838  
twenty-four months through June 30, 2029. The contract shall 839  
ensure that the decentralized motor vehicle inspection and 840  
maintenance program achieves at least the same emission 841  
reductions as achieved by the program operated under the 842  
authority of the contract that was extended under division (A) 843  
(1) of this section. The director of administrative services 844  
shall select a vendor through a competitive selection process in 845  
compliance with Chapter 125. of the Revised Code. 846

(3) Notwithstanding any law to the contrary, the director 847  
of administrative services shall ensure that a competitive 848  
selection process regarding a contract to operate a 849  
decentralized motor vehicle inspection and maintenance program 850  
in this state incorporates the following, which shall be 851  
included in the contract: 852

(a) For purposes of expanding the number of testing 853  
locations for consumer convenience, a requirement that the 854  
vendor utilize established local businesses, auto repair 855  
facilities, or leased properties to operate state-approved 856  
inspection and maintenance testing facilities; 857

(b) A requirement that the vendor selected to operate the 858  
program provide notification of the program's requirements to 859  
each owner of a motor vehicle that is required to be inspected 860  
under the program. The contract shall require the notification 861  
to be provided not later than sixty days prior to the date by 862  
which the owner of the motor vehicle is required to have the 863

motor vehicle inspected. The director of environmental 864  
protection and the vendor shall jointly agree on the content of 865  
the notice. However, the notice shall include at a minimum the 866  
locations of all inspection facilities within a specified 867  
distance of the address that is listed on the owner's motor 868  
vehicle registration; 869

(c) A requirement that the vendor comply with testing 870  
methodology and supply the required equipment approved by the 871  
director of environmental protection as specified in the 872  
competitive selection process in compliance with Chapter 125. of 873  
the Revised Code. 874

(4) A decentralized motor vehicle inspection and 875  
maintenance program operated under this section shall comply 876  
with division (B) of this section. The director of environmental 877  
protection shall administer the decentralized motor vehicle 878  
inspection and maintenance program operated under this section. 879

(B) The director shall establish a decentralized motor 880  
vehicle inspection and maintenance program as authorized by this 881  
section and, at a minimum, the director shall ~~do~~ ensure that the 882  
program does all of the following: 883

(1) ~~Comply~~ Complies with the federal Clean Air Act; 884

(2) ~~Provide~~ Provides for the issuance of inspection 885  
certificates and alternative emissions certificates as specified 886  
in rules adopted under division (C) (2) of this section; 887

(3) ~~Provide~~ Provides for a new car exemption for motor 888  
vehicles ~~four~~ six years old or newer and ~~provide~~ provides that a 889  
new motor vehicle is exempt for ~~four~~ six years regardless of 890  
whether legal title to the motor vehicle is transferred during 891  
that period; 892

(4) ~~Provide~~ Provides for an exemption for battery electric motor vehicles; 893  
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(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. 895  
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(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. 899  
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~~(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:~~ 908  
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~~(a) The individual holds a certificate or license in another state.~~ 912  
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~~(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 914  
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motor vehicle passes an emissions inspection conducted in 922  
accordance with the motor vehicle inspection and maintenance 923  
program established under this section. In lieu of obtaining an 924  
inspection certificate, the rules shall establish a system by 925  
which the owner or lessee of a motor vehicle may request an 926  
alternative emissions certificate from the director. 927

(a) The rules providing for the issuance of alternative 928  
emissions certificates shall require an owner or lessee of a 929  
motor vehicle to do the following in order to receive the 930  
certificate: 931

(i) Complete and submit an attestation form created by the 932  
director that includes a statement that reads substantially as 933  
follows: 934

"I, \_\_\_\_\_, attest that, to the best of my knowledge, the 935  
motor vehicle concerning which I am the owner or lessee complies 936  
with all laws of Ohio and the United States governing motor 937  
vehicle emissions. I, \_\_\_\_\_, am aware that a false statement on 938  
this form is not permitted." 939

(ii) Sign and date the form either manually or 940  
electronically; 941

(iii) Submit the form to the director either by regular 942  
mail, certified mail, or electronically. 943

(b) The rules shall require the director to include both 944  
of the following additional information on the attestation form: 945

(i) A provision that allows the owner or lessee of a motor 946  
vehicle to specify one of the following methods by which the 947  
owner or lessee may request delivery of the alternative 948  
emissions certificate: certified mail, noncertified mail, or 949  
electronically; 950

(ii) A provision that allows the owner or lessee of a 951  
motor vehicle to specify the vehicle identification number, 952  
make, model, and year of the relevant motor vehicle and the date 953  
the attestation form is submitted to the director. 954

(c) Subject to division (C) (2) (d) of this section, the 955  
rules shall require the director to deliver an alternative 956  
emission certificate to the owner or lessee of a motor vehicle 957  
who complies with rules adopted under division (C) (2) (a) of this 958  
section. The director shall deliver the certificate within 959  
thirty business days after the director's receipt of the 960  
attestation form or, if the owner or lessee submits the form 961  
electronically, within five business days after receipt of the 962  
form. The director shall confirm the receipt of the attestation 963  
form if the director receives it by electronic means. 964

(d) The rules shall require the director to reject an 965  
attestation form for any of the following reasons: 966

(i) The motor vehicle that is the subject of the 967  
attestation form was in an accident or collision within the two 968  
years prior to the date of submission of the form, and the 969  
accident or collision caused substantial damage to the internal 970  
structure of the motor vehicle. 971

(ii) The owner or lessee of the motor vehicle that is the 972  
subject of the attestation form has received a ticket, citation, 973  
or summons with regard to that motor vehicle within the two 974  
years prior to the date of submission of the form for a 975  
violation of section 4513.22 of the Revised Code or 976  
substantially equivalent municipal ordinance. 977

(iii) The information in the attestation form is 978  
determined by the director to be false. 979

If the director rejects an attestation form under division 980  
(C) (2) (d) (iii) of this section, the director shall provide 981  
notice to the owner or lessee that the attestation form was 982  
determined to be false. The notice shall inform the owner or 983  
lessee that the owner or lessee may submit a corrected form to 984  
the director within thirty days of the receipt of the notice. If 985  
the owner or lessee submits a corrected attestation form that 986  
complies with rules adopted under division (C) (2) of this 987  
section within that thirty-day period, the director shall issue 988  
an alternative emissions certificate to the owner or lessee. If 989  
the owner or lessee fails to correct the attestation form, the 990  
director shall require the owner or lessee to complete an 991  
emissions inspection and obtain an inspection certificate in 992  
accordance with rules adopted under this section. 993

If the director rejects an attestation form under division 994  
(C) (2) (d) (i) or (ii) of this section, the director shall require 995  
the owner or lessee to complete an emissions inspection and 996  
obtain an inspection certificate in accordance with rules 997  
adopted under this section. 998

(e) In adopting rules under division (C) (2) of this 999  
section, the director shall ensure that the owner or lessee of a 1000  
motor vehicle who falsifies an attestation form receives a 1001  
notice that includes a statement that reads substantially as 1002  
follows: "You have falsified an attestation form for your 1003  
vehicle under the E-Check/motor vehicle emissions testing 1004  
program. Your vehicle is registered in one of [insert the number 1005  
of counties] counties in this state that has federal emission 1006  
mandates imposed on it that the State of Ohio is required, under 1007  
threat of penalty, to enforce. This letter serves as Ohio's only 1008  
penalty for falsification of an attestation form. You have 1009  
thirty days from the date of this notice to amend your 1010

attestation form and submit the amended form to the 1011  
Environmental Protection Agency. However, if you choose not to 1012  
submit an amended attestation form, you must have a motor 1013  
vehicle emissions inspection conducted for your vehicle in 1014  
accordance with section 3704.14 of the Revised Code and rules 1015  
adopted under it." 1016

(f) No penalties apply to a person who the director has 1017  
determined to have falsified an attestation form, other than the 1018  
issuance of the notice required under division (C) (2) (e) of this 1019  
section. 1020

(D) There is hereby created in the state treasury the auto 1021  
emissions test fund, which shall consist of money received by 1022  
the director from any cash transfers, state and local grants, 1023  
and other contributions that are received for the purpose of 1024  
funding the program established under this section. The director 1025  
of environmental protection shall use money in the fund solely 1026  
for the implementation, supervision, administration, operation, 1027  
and enforcement of the motor vehicle inspection and maintenance 1028  
program established under this section. Money in the fund shall 1029  
not be used for either of the following: 1030

(1) To pay for the inspection costs incurred by a motor 1031  
vehicle dealer so that the dealer may provide inspection 1032  
certificates to an individual purchasing a motor vehicle from 1033  
the dealer when that individual resides in a county that is 1034  
subject to the motor vehicle inspection and maintenance program; 1035

(2) To provide payment for more than one free passing 1036  
emissions inspection or a total of three emissions inspections 1037  
for a motor vehicle in any three-hundred-sixty-five-day period. 1038  
The owner or lessee of a motor vehicle is responsible for 1039  
inspection fees that are related to emissions inspections beyond 1040

one free passing emissions inspection or three total emissions 1041  
inspections in any three-hundred-sixty-five-day period. 1042  
Inspection fees that are charged by a contractor conducting 1043  
emissions inspections under a motor vehicle inspection and 1044  
maintenance program shall be approved by the director of 1045  
environmental protection. 1046

(E) The motor vehicle inspection and maintenance program 1047  
established under this section expires upon the termination of 1048  
all contracts entered into under this section and shall not be 1049  
implemented beyond the final date on which termination occurs. 1050

(F) As used in this section "battery electric motor 1051  
vehicle" ~~has~~ and "hybrid motor vehicle" have the same ~~meaning~~ 1052  
meanings as in section 4501.01 of the Revised Code. 1053

(G) On the effective date of this amendment, the director 1054  
shall immediately begin procedures to submit to the United 1055  
States environmental protection agency the alternative emissions 1056  
certification program for approval as part of the Ohio state 1057  
implementation plan. If the United States environmental 1058  
protection agency approves the modification of the decentralized 1059  
motor vehicle inspection and maintenance program as providing 1060  
sufficient air pollution reductions to meet the federal Clean 1061  
Air Act requirements for a vehicle inspection and maintenance 1062  
program and modifies the Ohio state implementation plan, the 1063  
director shall immediately begin to modify the Ohio 1064  
environmental protection agency rules to implement the 1065  
alternative emissions certification program. Nothing in this 1066  
division requires the Ohio environmental protection agency to 1067  
take action to implement the alternative emissions certification 1068  
program until the United States environmental protection agency 1069  
approves the alternative program as part of the Ohio state 1070

implementation plan. 1071

**Sec. 4501.01.** As used in this chapter and Chapters 4503., 1072  
4505., 4507., 4509., 4510., ~~4511.,~~4513., 4515., and 4517. of 1073  
the Revised Code, and in the penal laws, except as otherwise 1074  
provided: 1075

(A) "Vehicles" means everything on wheels or runners, 1076  
including motorized bicycles, but does not mean electric 1077  
personal assistive mobility devices, low-speed micromobility 1078  
devices, vehicles that are operated exclusively on rails or 1079  
tracks or from overhead electric trolley wires, and vehicles 1080  
that belong to any police department, municipal fire department, 1081  
or volunteer fire department, or that are used by such a 1082  
department in the discharge of its functions. 1083

(B) "Motor vehicle" means any vehicle, including mobile 1084  
homes and recreational vehicles, that is propelled or drawn by 1085  
power other than muscular power or power collected from overhead 1086  
electric trolley wires. "Motor vehicle" does not include utility 1087  
vehicles as defined in division (VV) of this section, under- 1088  
speed vehicles as defined in division (XX) of this section, 1089  
mini-trucks as defined in division (BBB) of this section, 1090  
motorized bicycles, electric bicycles, road rollers, traction 1091  
engines, power shovels, power cranes, and other equipment used 1092  
in construction work and not designed for or employed in general 1093  
highway transportation, well-drilling machinery, ditch-digging 1094  
machinery, farm machinery, and trailers that are designed and 1095  
used exclusively to transport a boat between a place of storage 1096  
and a marina, or in and around a marina, when drawn or towed on 1097  
a public road or highway for a distance of no more than ten 1098  
miles and at a speed of twenty-five miles per hour or less. 1099

(C) "Agricultural tractor" and "traction engine" mean any 1100

self-propelling vehicle that is designed or used for drawing 1101  
other vehicles or wheeled machinery, but has no provisions for 1102  
carrying loads independently of such other vehicles, and that is 1103  
used principally for agricultural purposes. 1104

(D) "Commercial tractor," except as defined in division 1105  
(C) of this section, means any motor vehicle that has motive 1106  
power and either is designed or used for drawing other motor 1107  
vehicles, or is designed or used for drawing another motor 1108  
vehicle while carrying a portion of the other motor vehicle or 1109  
its load, or both. 1110

(E) "Passenger car" means any motor vehicle that is 1111  
designed and used for carrying not more than nine persons and 1112  
includes any motor vehicle that is designed and used for 1113  
carrying not more than fifteen persons in a ridesharing 1114  
arrangement. 1115

(F) "Collector's vehicle" means any motor vehicle or 1116  
agricultural tractor or traction engine that is of special 1117  
interest, that has a fair market value of one hundred dollars or 1118  
more, whether operable or not, and that is owned, operated, 1119  
collected, preserved, restored, maintained, or used essentially 1120  
as a collector's item, leisure pursuit, or investment, but not 1121  
as the owner's principal means of transportation. "Licensed 1122  
collector's vehicle" means a collector's vehicle, other than an 1123  
agricultural tractor or traction engine, that displays current, 1124  
valid license tags issued under section 4503.45 of the Revised 1125  
Code, or a similar type of motor vehicle that displays current, 1126  
valid license tags issued under substantially equivalent 1127  
provisions in the laws of other states. 1128

(G) "Historical motor vehicle" means any motor vehicle 1129  
that is over twenty-five years old and is owned solely as a 1130

collector's item and for participation in club activities, 1131  
exhibitions, tours, parades, and similar uses, but that in no 1132  
event is used for general transportation. 1133

(H) "Noncommercial motor vehicle" means any motor vehicle, 1134  
including a farm truck as defined in section 4503.04 of the 1135  
Revised Code, that is designed by the manufacturer to carry a 1136  
load of no more than one ton and is used exclusively for 1137  
purposes other than engaging in business for profit. 1138

(I) "Bus" means any motor vehicle that has motor power and 1139  
is designed and used for carrying more than nine passengers, 1140  
except any motor vehicle that is designed and used for carrying 1141  
not more than fifteen passengers in a ridesharing arrangement. 1142

(J) "Commercial car" or "truck" means any motor vehicle 1143  
that has motor power and is designed and used for carrying 1144  
merchandise or freight, or that is used as a commercial tractor. 1145

(K) ~~"Bicycle" means every device, other than a device that~~ 1146  
~~is designed solely for use as a play vehicle by a child, that is~~ 1147  
~~propelled solely by human power upon which a person may ride,~~ 1148  
~~and that has two or more wheels, any of which is more than~~ 1149  
~~fourteen inches in diameter~~has the same meaning as in section 1150  
4511.01 of the Revised Code. 1151

(L) "Motorized bicycle" or "moped" means any vehicle that 1152  
either has two tandem wheels or one wheel in the front and two 1153  
wheels in the rear, that may be pedaled, and that is equipped 1154  
with a helper motor of not more than fifty cubic centimeters 1155  
piston displacement that produces no more than one brake 1156  
horsepower and is capable of propelling the vehicle at a speed 1157  
of no greater than twenty miles per hour on a level surface. 1158  
"Motorized bicycle" or "moped" does not include an electric 1159



bicycle. 1160

(M) "Trailer" means any vehicle without motive power that 1161  
is designed or used for carrying property or persons wholly on 1162  
its own structure and for being drawn by a motor vehicle, and 1163  
includes any such vehicle that is formed by or operated as a 1164  
combination of a semitrailer and a vehicle of the dolly type 1165  
such as that commonly known as a trailer dolly, a vehicle used 1166  
to transport agricultural produce or agricultural production 1167  
materials between a local place of storage or supply and the 1168  
farm when drawn or towed on a public road or highway at a speed 1169  
greater than twenty-five miles per hour, and a vehicle that is 1170  
designed and used exclusively to transport a boat between a 1171  
place of storage and a marina, or in and around a marina, when 1172  
drawn or towed on a public road or highway for a distance of 1173  
more than ten miles or at a speed of more than twenty-five miles 1174  
per hour. "Trailer" does not include a manufactured home or 1175  
travel trailer. 1176

(N) "Noncommercial trailer" means any trailer, except a 1177  
travel trailer or trailer that is used to transport a boat as 1178  
described in division (B) of this section, but, where 1179  
applicable, includes a vehicle that is used to transport a boat 1180  
as described in division (M) of this section, that has a gross 1181  
weight of no more than ten thousand pounds, and that is used 1182  
exclusively for purposes other than engaging in business for a 1183  
profit, such as the transportation of personal items for 1184  
personal or recreational purposes. 1185

(O) "Mobile home" means a building unit or assembly of 1186  
closed construction that is fabricated in an off-site facility, 1187  
is more than thirty-five body feet in length or, when erected on 1188  
site, is three hundred twenty or more square feet, is built on a 1189

permanent chassis, is transportable in one or more sections, and 1190  
does not qualify as a manufactured home as defined in division 1191  
(C) (4) of section 3781.06 of the Revised Code or as an 1192  
industrialized unit as defined in division (C) (3) of section 1193  
3781.06 of the Revised Code. 1194

(P) "Semitrailer" means any vehicle of the trailer type 1195  
that does not have motive power and is so designed or used with 1196  
another and separate motor vehicle that in operation a part of 1197  
its own weight or that of its load, or both, rests upon and is 1198  
carried by the other vehicle furnishing the motive power for 1199  
propelling itself and the vehicle referred to in this division, 1200  
and includes, for the purpose only of registration and taxation 1201  
under those chapters, any vehicle of the dolly type, such as a 1202  
trailer dolly, that is designed or used for the conversion of a 1203  
semitrailer into a trailer. 1204

(Q) "Recreational vehicle" means a vehicular portable 1205  
structure that meets all of the following conditions: 1206

(1) It is designed for the sole purpose of recreational 1207  
travel. 1208

(2) It is not used for the purpose of engaging in business 1209  
for profit. 1210

(3) It is not used for the purpose of engaging in 1211  
intrastate commerce. 1212

(4) It is not used for the purpose of commerce as defined 1213  
in 49 C.F.R. 383.5, as amended. 1214

(5) It is not regulated by the public utilities commission 1215  
pursuant to Chapter 4905., 4921., or 4923. of the Revised Code. 1216

(6) It is classed as one of the following: 1217

(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 1247  
tires of similar material, that are inflated with air. 1248

(S) "Solid tires" means tires of rubber or similar elastic 1249  
material that are not dependent upon confined air for support of 1250  
the load. 1251

(T) "Solid tire vehicle" means any vehicle that is 1252  
equipped with two or more solid tires. 1253

(U) "Farm machinery" means all machines and tools that are 1254  
used in the production, harvesting, and care of farm products, 1255  
and includes trailers that are used to transport agricultural 1256  
produce or agricultural production materials between a local 1257  
place of storage or supply and the farm, agricultural tractors, 1258  
threshing machinery, hay-baling machinery, corn shellers, 1259  
hammermills, and machinery used in the production of 1260  
horticultural, agricultural, and vegetable products. 1261

(V) "Owner" includes any person or firm, other than a 1262  
manufacturer or dealer, that has title to a motor vehicle, 1263  
except that, in sections 4505.01 to 4505.19 of the Revised Code, 1264  
"owner" includes in addition manufacturers and dealers. 1265

(W) "Manufacturer" and "dealer" include all persons and 1266  
firms that are regularly engaged in the business of 1267  
manufacturing, selling, displaying, offering for sale, or 1268  
dealing in motor vehicles, at an established place of business 1269  
that is used exclusively for the purpose of manufacturing, 1270  
selling, displaying, offering for sale, or dealing in motor 1271  
vehicles. A place of business that is used for manufacturing, 1272  
selling, displaying, offering for sale, or dealing in motor 1273  
vehicles shall be deemed to be used exclusively for those 1274  
purposes even though snowmobiles or all-purpose vehicles are 1275

sold or displayed for sale thereat, even though farm machinery 1276  
is sold or displayed for sale thereat, or even though repair, 1277  
accessory, gasoline and oil, storage, parts, service, or paint 1278  
departments are maintained thereat, or, in any county having a 1279  
population of less than seventy-five thousand at the last 1280  
federal census, even though a department in a place of business 1281  
is used to dismantle, salvage, or rebuild motor vehicles by 1282  
means of used parts, if such departments are operated for the 1283  
purpose of furthering and assisting in the business of 1284  
manufacturing, selling, displaying, offering for sale, or 1285  
dealing in motor vehicles. Places of business or departments in 1286  
a place of business used to dismantle, salvage, or rebuild motor 1287  
vehicles by means of using used parts are not considered as 1288  
being maintained for the purpose of assisting or furthering the 1289  
manufacturing, selling, displaying, and offering for sale or 1290  
dealing in motor vehicles. 1291

(X) "Operator" includes any person who drives or operates 1292  
a motor vehicle upon the public highways. 1293

(Y) "Chauffeur" means any operator who operates a motor 1294  
vehicle, other than a taxicab, as an employee for hire; or any 1295  
operator whether or not the owner of a motor vehicle, other than 1296  
a taxicab, who operates such vehicle for transporting, for gain, 1297  
compensation, or profit, either persons or property owned by 1298  
another. Any operator of a motor vehicle who is voluntarily 1299  
involved in a ridesharing arrangement is not considered an 1300  
employee for hire or operating such vehicle for gain, 1301  
compensation, or profit. 1302

(Z) "State" includes the territories and federal districts 1303  
of the United States, and the provinces of Canada. 1304

(AA) "Public roads and highways" for vehicles includes all 1305

public thoroughfares, bridges, and culverts. 1306

(BB) "Manufacturer's number" means the manufacturer's 1307  
original serial number that is affixed to or imprinted upon the 1308  
chassis or other part of the motor vehicle. 1309

(CC) "Motor number" means the manufacturer's original 1310  
number that is affixed to or imprinted upon the engine or motor 1311  
of the vehicle. 1312

(DD) "Distributor" means any person who is authorized by a 1313  
motor vehicle manufacturer to distribute new motor vehicles to 1314  
licensed motor vehicle dealers at an established place of 1315  
business that is used exclusively for the purpose of 1316  
distributing new motor vehicles to licensed motor vehicle 1317  
dealers, except when the distributor also is a new motor vehicle 1318  
dealer, in which case the distributor may distribute at the 1319  
location of the distributor's licensed dealership. 1320

(EE) "Ridesharing arrangement" means the transportation of 1321  
persons in a motor vehicle where the transportation is 1322  
incidental to another purpose of a volunteer driver and includes 1323  
ridesharing arrangements known as carpools, vanpools, and 1324  
buspools. 1325

(FF) "Apportionable vehicle" means any vehicle that is 1326  
used or intended for use in two or more international 1327  
registration plan member jurisdictions that allocate or 1328  
proportionally register vehicles, that is used for the 1329  
transportation of persons for hire or designed, used, or 1330  
maintained primarily for the transportation of property, and 1331  
that meets any of the following qualifications: 1332

(1) Is a power unit having a gross vehicle weight in 1333  
excess of twenty-six thousand pounds; 1334

(2) Is a power unit having three or more axles, regardless 1335  
of the gross vehicle weight; 1336

(3) Is a combination vehicle with a gross vehicle weight 1337  
in excess of twenty-six thousand pounds. 1338

"Apportionable vehicle" does not include recreational 1339  
vehicles, vehicles displaying restricted plates, city pick-up 1340  
and delivery vehicles, or vehicles owned and operated by the 1341  
United States, this state, or any political subdivisions 1342  
thereof. 1343

(GG) "Chartered party" means a group of persons who 1344  
contract as a group to acquire the exclusive use of a passenger- 1345  
carrying motor vehicle at a fixed charge for the vehicle in 1346  
accordance with the carrier's tariff, lawfully on file with the 1347  
United States department of transportation, for the purpose of 1348  
group travel to a specified destination or for a particular 1349  
itinerary, either agreed upon in advance or modified by the 1350  
chartered group after having left the place of origin. 1351

(HH) "International registration plan" means a reciprocal 1352  
agreement of member jurisdictions that is endorsed by the 1353  
American association of motor vehicle administrators, and that 1354  
promotes and encourages the fullest possible use of the highway 1355  
system by authorizing apportioned registration of fleets of 1356  
vehicles and recognizing registration of vehicles apportioned in 1357  
member jurisdictions. 1358

(II) "Restricted plate" means a license plate that has a 1359  
restriction of time, geographic area, mileage, or commodity, and 1360  
includes license plates issued to farm trucks under division (J) 1361  
of section 4503.04 of the Revised Code. 1362

(JJ) "Gross vehicle weight," with regard to any commercial 1363

car, trailer, semitrailer, or bus that is taxed at the rates 1364  
established under section 4503.042 or 4503.65 of the Revised 1365  
Code, means the unladen weight of the vehicle fully equipped 1366  
plus the maximum weight of the load to be carried on the 1367  
vehicle. 1368

(KK) "Combined gross vehicle weight" with regard to any 1369  
combination of a commercial car, trailer, and semitrailer, that 1370  
is taxed at the rates established under section 4503.042 or 1371  
4503.65 of the Revised Code, means the total unladen weight of 1372  
the combination of vehicles fully equipped plus the maximum 1373  
weight of the load to be carried on that combination of 1374  
vehicles. 1375

(LL) "Chauffeured limousine" means a motor vehicle that is 1376  
designed to carry nine or fewer passengers and is operated for 1377  
hire pursuant to a prearranged contract for the transportation 1378  
of passengers on public roads and highways along a route under 1379  
the control of the person hiring the vehicle and not over a 1380  
defined and regular route. "Prearranged contract" means an 1381  
agreement, made in advance of boarding, to provide 1382  
transportation from a specific location in a chauffeured 1383  
limousine. "Chauffeured limousine" does not include any vehicle 1384  
that is used exclusively in the business of funeral directing. 1385

(MM) "Manufactured home" has the same meaning as in 1386  
division (C) (4) of section 3781.06 of the Revised Code. 1387

(NN) "Acquired situs," with respect to a manufactured home 1388  
or a mobile home, means to become located in this state by the 1389  
placement of the home on real property, but does not include the 1390  
placement of a manufactured home or a mobile home in the 1391  
inventory of a new motor vehicle dealer or the inventory of a 1392  
manufacturer, remanufacturer, or distributor of manufactured or 1393



mobile homes. 1394

(OO) "Electronic" includes electrical, digital, magnetic, 1395  
optical, electromagnetic, or any other form of technology that 1396  
entails capabilities similar to these technologies. 1397

(PP) "Electronic record" means a record generated, 1398  
communicated, received, or stored by electronic means for use in 1399  
an information system or for transmission from one information 1400  
system to another. 1401

(QQ) "Electronic signature" means a signature in 1402  
electronic form attached to or logically associated with an 1403  
electronic record. 1404

(RR) "Financial transaction device" has the same meaning 1405  
as in division (A) of section 113.40 of the Revised Code. 1406

(SS) "Electronic motor vehicle dealer" means a motor 1407  
vehicle dealer licensed under Chapter 4517. of the Revised Code 1408  
whom the registrar of motor vehicles determines meets the 1409  
criteria designated in section 4503.035 of the Revised Code for 1410  
electronic motor vehicle dealers and designates as an electronic 1411  
motor vehicle dealer under that section. 1412

(TT) "Electric personal assistive mobility device" means a 1413  
self-balancing two non-tandem wheeled device that is designed to 1414  
transport only one person, has an electric propulsion system of 1415  
an average of seven hundred fifty watts, and when ridden on a 1416  
paved level surface by an operator who weighs one hundred 1417  
seventy pounds has a maximum speed of less than twenty miles per 1418  
hour. 1419

(UU) "Limited driving privileges" means the privilege to 1420  
operate a motor vehicle that a court grants under section 1421  
4510.021 of the Revised Code to a person whose driver's or 1422

commercial driver's license or permit or nonresident operating 1423  
privilege has been suspended. 1424

(VV) "Utility vehicle" means a self-propelled vehicle 1425  
designed with a bed, principally for the purpose of transporting 1426  
material or cargo in connection with construction, agricultural, 1427  
forestry, grounds maintenance, lawn and garden, materials 1428  
handling, or similar activities. 1429

(WW) "Low-speed vehicle" means a three- or four-wheeled 1430  
motor vehicle with an attainable speed in one mile on a paved 1431  
level surface of more than twenty miles per hour but not more 1432  
than twenty-five miles per hour and with a gross vehicle weight 1433  
rating less than three thousand pounds. 1434

(XX) "Under-speed vehicle" means a three- or four-wheeled 1435  
vehicle, including a vehicle commonly known as a golf cart, with 1436  
an attainable speed on a paved level surface of not more than 1437  
twenty miles per hour and with a gross vehicle weight rating 1438  
less than three thousand pounds. 1439

(YY) "Motor-driven cycle or motor scooter" means any 1440  
vehicle designed to travel on not more than three wheels in 1441  
contact with the ground, with a seat for the driver and floor 1442  
pad for the driver's feet, and is equipped with a motor with a 1443  
piston displacement between fifty and one hundred cubic 1444  
centimeters piston displacement that produces not more than five 1445  
brake horsepower and is capable of propelling the vehicle at a 1446  
speed greater than twenty miles per hour on a level surface. 1447

(ZZ) "Motorcycle" means a motor vehicle with motive power 1448  
having a seat or saddle for the use of the operator, designed to 1449  
travel on not more than three wheels in contact with the ground, 1450  
and having no occupant compartment top or occupant compartment 1451

top that can be installed or removed by the user. 1452

(AAA) "Cab-enclosed motorcycle" means a motor vehicle with 1453  
motive power having a seat or saddle for the use of the 1454  
operator, designed to travel on not more than three wheels in 1455  
contact with the ground, and having an occupant compartment top 1456  
or an occupant compartment top that is installed. 1457

(BBB) "Mini-truck" means a vehicle that has four wheels, 1458  
is propelled by an electric motor with a rated power of seven 1459  
thousand five hundred watts or less or an internal combustion 1460  
engine with a piston displacement capacity of six hundred sixty 1461  
cubic centimeters or less, has a total dry weight of nine 1462  
hundred to two thousand two hundred pounds, contains an enclosed 1463  
cabin and a seat for the vehicle operator, resembles a pickup 1464  
truck or van with a cargo area or bed located at the rear of the 1465  
vehicle, and was not originally manufactured to meet federal 1466  
motor vehicle safety standards. 1467

(CCC) "Autocycle" means a three-wheeled motorcycle that is 1468  
manufactured to comply with federal safety requirements for 1469  
motorcycles and that is equipped with safety belts, a steering 1470  
wheel, and seating that does not require the operator to 1471  
straddle or sit astride to ride the motorcycle. 1472

(DDD) "Plug-in hybrid electric motor vehicle" means a 1473  
passenger car powered in part by a battery cell energy system 1474  
that can be recharged via an external source of electricity. 1475

(EEE) "Hybrid motor vehicle" means a passenger car powered 1476  
by an internal propulsion system consisting of both of the 1477  
following: 1478

(1) A combustion engine; 1479

(2) A battery cell energy system that cannot be recharged 1480

via an external source of electricity but can be recharged by 1481  
other vehicle mechanisms that capture and store electric energy. 1482

(FFF) "Low-speed micromobility device" means a device 1483  
weighing less than one hundred pounds that has handlebars, is 1484  
propelled by an electric motor or human power, and has an 1485  
attainable speed on a paved level surface of not more than 1486  
twenty miles per hour when propelled by the electric motor. 1487

(GGG) "Specialty license plate" means a license plate, 1488  
authorized by the general assembly, that displays a combination 1489  
of words, markings, logos, or other graphic artwork that is in 1490  
addition to the words, images, and distinctive numbers and 1491  
letters required by section 4503.22 of the Revised Code. 1492

(HHH) "Battery electric motor vehicle" means a passenger 1493  
car powered wholly by a battery cell energy system that can be 1494  
recharged via an external source of electricity. 1495

(III) "Adaptive mobility vehicle" means ~~either a new~~ 1496  
~~passenger car or bus purchased from a new motor vehicle dealer~~ 1497  
~~or a used passenger car or bus, provided that such passenger car~~ 1498  
~~or bus that is~~ designed, modified, or equipped to enable an 1499  
individual with a disability to operate or to be transported in 1500  
the passenger car or bus, in accordance with 49 C.F.R. part 568 1501  
or 595, and contains at least one of the following: 1502

(1) An electronic or mechanical lift that enables a person 1503  
to enter or exit the motor vehicle while occupying a wheelchair 1504  
or scooter; 1505

(2) An electronic or mechanical wheelchair ramp; 1506

(3) A system to secure a wheelchair or scooter in order to 1507  
allow a person to operate or be transported safely while 1508  
occupying that wheelchair or scooter. 1509

(JJJ) "Replica motor vehicle" means a motor vehicle that 1510  
is constructed, assembled, or modified so as to replicate the 1511  
make, model, and model year of a motor vehicle that is at least 1512  
twenty-five years old. 1513

**Sec. 4503.10.** (A) The owner of every snowmobile, off- 1514  
highway motorcycle, and all-purpose vehicle required to be 1515  
registered under section 4519.02 of the Revised Code shall file 1516  
an application for registration under section 4519.03 of the 1517  
Revised Code. The owner of a motor vehicle, other than a 1518  
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 1519  
is not designed and constructed by the manufacturer for 1520  
operation on a street or highway may not register it under this 1521  
chapter except upon certification of inspection pursuant to 1522  
section 4513.02 of the Revised Code by the sheriff, or the chief 1523  
of police of the municipal corporation or township, with 1524  
jurisdiction over the political subdivision in which the owner 1525  
of the motor vehicle resides. Except as provided in sections 1526  
4503.103 and 4503.107 of the Revised Code, every owner of every 1527  
other motor vehicle not previously described in this section and 1528  
every person mentioned as owner in the last certificate of title 1529  
of a motor vehicle that is operated or driven upon the public 1530  
roads or highways shall cause to be filed each year, by mail or 1531  
otherwise, in the office of the registrar of motor vehicles or a 1532  
deputy registrar, a written or electronic application or a 1533  
preprinted registration renewal notice issued under section 1534  
4503.102 of the Revised Code, the form of which shall be 1535  
prescribed by the registrar, for registration for the following 1536  
registration year, which shall begin on the first day of January 1537  
of every calendar year and end on the thirty-first day of 1538  
December in the same year. Applications for registration and 1539  
registration renewal notices shall be filed at the times 1540

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; 1570

(6) Whether the fees required to be paid for the 1571  
registration or transfer of the motor vehicle, during the 1572  
preceding registration year and during the preceding period of 1573  
the current registration year, have been paid. Each application 1574  
for registration shall be signed by the owner, either manually 1575  
or by electronic signature, or pursuant to obtaining a limited 1576  
power of attorney authorized by the registrar for registration, 1577  
or other document authorizing such signature. If the owner 1578  
elects to apply for or renew the motor vehicle registration with 1579  
the registrar by electronic means, the owner's manual signature 1580  
is not required. 1581

(7) The owner's social security number, driver's license 1582  
number, or state identification number, or, where a motor 1583  
vehicle to be registered is used for hire or principally in 1584  
connection with any established business, the owner's federal 1585  
taxpayer identification number. The bureau of motor vehicles 1586  
shall retain in its records all social security numbers provided 1587  
under this section, but the bureau shall not place social 1588  
security numbers on motor vehicle certificates of registration. 1589

(8) Whether the applicant wishes to certify willingness to 1590  
make an anatomical gift if an applicant has not so certified 1591  
under section 2108.05 of the Revised Code. The applicant's 1592  
response shall not be considered in the decision of whether to 1593  
approve the application for registration. 1594

(B) (1) When an applicant first registers a motor vehicle 1595  
in the applicant's name, the applicant shall provide proof of 1596  
ownership of that motor vehicle. Proof of ownership may include 1597  
any of the following: 1598

(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. 1627

(d) All registration and transfer fees for the motor 1628  
vehicle, for the preceding year or the preceding period of the 1629  
current registration year, have not been paid. 1630

(e) The owner or lessee does not have an inspection 1631  
certificate or alternative emissions certificate for the motor 1632  
vehicle as provided in section 3704.14 of the Revised Code, and 1633  
rules adopted under it, if that section is applicable. 1634

(4) This section does not require the payment of license 1635  
or registration taxes on a motor vehicle for any preceding year, 1636  
or for any preceding period of a year, if the motor vehicle was 1637  
not taxable for that preceding year or period under sections 1638  
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 1639  
of the Revised Code. 1640

(5) When a certificate of registration is issued upon the 1641  
first registration of a motor vehicle by or on behalf of the 1642  
owner, the official issuing the certificate shall indicate the 1643  
issuance with a stamp on the certificate of title or memorandum 1644  
certificate or, in the case of an electronic certificate of 1645  
title or electronic verification of ownership, an electronic 1646  
stamp or other notation as specified in rules adopted by the 1647  
registrar, and with a stamp on the inspection certificate for 1648  
the motor vehicle, if any. 1649

(6) The official also shall indicate, by a stamp or by 1650  
other means the registrar prescribes, on the registration 1651  
certificate issued upon the first registration of a motor 1652  
vehicle by or on behalf of the owner the odometer reading of the 1653  
motor vehicle as shown in the odometer statement included in or 1654  
attached to the certificate of title. Upon each subsequent 1655

registration of the motor vehicle by or on behalf of the same 1656  
owner, the official also shall so indicate the odometer reading 1657  
of the motor vehicle as shown on the immediately preceding 1658  
certificate of registration. 1659

(7) The registrar shall include in the permanent 1660  
registration record of any vehicle required to be inspected 1661  
under section 3704.14 of the Revised Code the inspection 1662  
certificate number from the inspection certificate or the 1663  
alternative emissions certificate number from the alternative 1664  
emissions certificate that is presented at the time of 1665  
registration of the vehicle as required under this division. 1666

(C) (1) Except as otherwise provided in division (C) (1) of 1667  
this section, the registrar and each deputy registrar shall 1668  
collect an additional fee of eleven dollars for each application 1669  
for registration and registration renewal received. For vehicles 1670  
specified in divisions (A) (1) to (21) of section 4503.042 of the 1671  
Revised Code, the registrar and deputy registrar shall collect 1672  
an additional fee of thirty dollars for each application for 1673  
registration and registration renewal received. No additional 1674  
fee shall be charged for vehicles registered under section 1675  
4503.65 of the Revised Code. The additional fee is for the 1676  
purpose of defraying the department of public safety's costs 1677  
associated with the administration and enforcement of the motor 1678  
vehicle and traffic laws of Ohio. Each deputy registrar shall 1679  
transmit the fees collected under divisions (C) (1) and (3) of 1680  
this section in the time and manner provided in this section. 1681  
The registrar shall deposit all moneys received under division 1682  
(C) (1) of this section into the public safety - highway purposes 1683  
fund established in section 4501.06 of the Revised Code. 1684

(2) In addition, a charge of twenty-five cents shall be 1685

made for each reflectorized safety license plate issued, and a 1686  
single charge of twenty-five cents shall be made for each county 1687  
identification sticker or each set of county identification 1688  
stickers issued, as the case may be, to cover the cost of 1689  
producing the license plates and stickers, including material, 1690  
manufacturing, and administrative costs. Those fees shall be in 1691  
addition to the license tax. If the total cost of producing the 1692  
plates is less than twenty-five cents per plate, or if the total 1693  
cost of producing the stickers is less than twenty-five cents 1694  
per sticker or per set issued, any excess moneys accruing from 1695  
the fees shall be distributed in the same manner as provided by 1696  
section 4501.04 of the Revised Code for the distribution of 1697  
license tax moneys. If the total cost of producing the plates 1698  
exceeds twenty-five cents per plate, or if the total cost of 1699  
producing the stickers exceeds twenty-five cents per sticker or 1700  
per set issued, the difference shall be paid from the license 1701  
tax moneys collected pursuant to section 4503.02 of the Revised 1702  
Code. 1703

(3) The registrar and each deputy registrar shall collect 1704  
the following additional fee, as applicable, for each 1705  
application for registration or registration renewal received 1706  
for any hybrid motor vehicle, plug-in hybrid electric motor 1707  
vehicle, or battery electric motor vehicle: 1708

(a) One hundred dollars for a hybrid motor vehicle; 1709

(b) One hundred fifty dollars for a plug-in hybrid 1710  
electric motor vehicle; 1711

(c) Two hundred dollars for a battery electric motor 1712  
vehicle. 1713

Each fee imposed under this division shall be prorated 1714

based on the number of months for which the vehicle is 1715  
registered. The registrar shall transmit all money arising from 1716  
each fee to the treasurer of state for distribution in 1717  
accordance with division (E) of section 5735.051 of the Revised 1718  
Code, subject to division (D) of section 5735.05 of the Revised 1719  
Code. 1720

(D) Each deputy registrar shall be allowed a fee equal to 1721  
the amount established under section 4503.038 of the Revised 1722  
Code for each application for registration and registration 1723  
renewal notice the deputy registrar receives, which shall be for 1724  
the purpose of compensating the deputy registrar for the deputy 1725  
registrar's services, and such office and rental expenses, as 1726  
may be necessary for the proper discharge of the deputy 1727  
registrar's duties in the receiving of applications and renewal 1728  
notices and the issuing of registrations. 1729

(E) Upon the certification of the registrar, the county 1730  
sheriff or local police officials shall recover license plates 1731  
erroneously or fraudulently issued. 1732

(F) Each deputy registrar, upon receipt of any application 1733  
for registration or registration renewal notice, together with 1734  
the license fee and any local motor vehicle license tax levied 1735  
pursuant to Chapter 4504. of the Revised Code, shall transmit 1736  
that fee and tax, if any, in the manner provided in this 1737  
section, together with the original and duplicate copy of the 1738  
application, to the registrar. The registrar, subject to the 1739  
approval of the director of public safety, may deposit the funds 1740  
collected by those deputies in a local bank or depository to the 1741  
credit of the "state of Ohio, bureau of motor vehicles." Where a 1742  
local bank or depository has been designated by the registrar, 1743  
each deputy registrar shall deposit all moneys collected by the 1744

deputy registrar into that bank or depository not more than one 1745  
business day after their collection and shall make reports to 1746  
the registrar of the amounts so deposited, together with any 1747  
other information, some of which may be prescribed by the 1748  
treasurer of state, as the registrar may require and as 1749  
prescribed by the registrar by rule. The registrar, within three 1750  
days after receipt of notification of the deposit of funds by a 1751  
deputy registrar in a local bank or depository, shall draw on 1752  
that account in favor of the treasurer of state. The registrar, 1753  
subject to the approval of the director and the treasurer of 1754  
state, may make reasonable rules necessary for the prompt 1755  
transmittal of fees and for safeguarding the interests of the 1756  
state and of counties, townships, municipal corporations, and 1757  
transportation improvement districts levying local motor vehicle 1758  
license taxes. The registrar may pay service charges usually 1759  
collected by banks and depositories for such service. If deputy 1760  
registrars are located in communities where banking facilities 1761  
are not available, they shall transmit the fees forthwith, by 1762  
money order or otherwise, as the registrar, by rule approved by 1763  
the director and the treasurer of state, may prescribe. The 1764  
registrar may pay the usual and customary fees for such service. 1765

(G) This section does not prevent any person from making 1766  
an application for a motor vehicle license directly to the 1767  
registrar by mail, by electronic means, or in person at any of 1768  
the registrar's offices, upon payment of a service fee equal to 1769  
the amount established under section 4503.038 of the Revised 1770  
Code for each application. 1771

(H) No person shall make a false statement as to the 1772  
district of registration in an application required by division 1773  
(A) of this section. Violation of this division is falsification 1774  
under section 2921.13 of the Revised Code and punishable as 1775

specified in that section. 1776

(I) (1) Where applicable, the requirements of division (B) 1777  
of this section relating to the presentation of an inspection 1778  
certificate issued under section 3704.14 of the Revised Code and 1779  
rules adopted under it for a motor vehicle, the refusal of a 1780  
license for failure to present an inspection certificate or 1781  
alternative emissions certificate, and the stamping of the 1782  
inspection certificate or alternative emissions certificate by 1783  
the official issuing the certificate of registration apply to 1784  
the registration of and issuance of license plates for a motor 1785  
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 1786  
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 1787  
4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 1788  
Code. 1789

(2) (a) The registrar shall adopt rules ensuring that each 1790  
owner registering a motor vehicle in a county where a motor 1791  
vehicle inspection and maintenance program is in effect under 1792  
section 3704.14 of the Revised Code and rules adopted under it 1793  
receives information about the requirements established in that 1794  
section and those rules and about the need in those counties to 1795  
present an inspection certificate or an alternative emissions 1796  
certificate with an application for registration or 1797  
preregistration. 1798

(b) Upon request, the registrar shall provide the director 1799  
of environmental protection, or any person that has been awarded 1800  
a contract under section 3704.14 of the Revised Code, an on-line 1801  
computer data link to registration information for all passenger 1802  
cars, noncommercial motor vehicles, and commercial cars that are 1803  
subject to that section. The registrar also shall provide to the 1804  
director of environmental protection a magnetic data tape 1805

containing registration information regarding passenger cars, 1806  
noncommercial motor vehicles, and commercial cars for which a 1807  
multi-year registration is in effect under section 4503.103 of 1808  
the Revised Code or rules adopted under it, including, without 1809  
limitation, the date of issuance of the multi-year registration, 1810  
the registration deadline established under rules adopted under 1811  
section 4503.101 of the Revised Code that was applicable in the 1812  
year in which the multi-year registration was issued, and the 1813  
registration deadline for renewal of the multi-year 1814  
registration. 1815

(J) Subject to division (K) of this section, application 1816  
for registration under the international registration plan, as 1817  
set forth in sections 4503.60 to 4503.66 of the Revised Code, 1818  
shall be made to the registrar on forms furnished by the 1819  
registrar. In accordance with international registration plan 1820  
guidelines and pursuant to rules adopted by the registrar, the 1821  
forms shall include the following: 1822

(1) A uniform mileage schedule; 1823

(2) The gross vehicle weight of the vehicle or combined 1824  
gross vehicle weight of the combination vehicle as declared by 1825  
the registrant; 1826

(3) Any other information the registrar requires by rule. 1827

(K) The registrar shall determine the feasibility of 1828  
implementing an electronic commercial fleet licensing and 1829  
management program that will enable the owners of commercial 1830  
tractors, commercial trailers, and commercial semitrailers to 1831  
conduct electronic transactions by July 1, 2010, or sooner. If 1832  
the registrar determines that implementing such a program is 1833  
feasible, the registrar shall adopt new rules under this 1834

division or amend existing rules adopted under this division as 1835  
necessary in order to respond to advances in technology. 1836

If international registration plan guidelines and 1837  
provisions allow member jurisdictions to permit applications for 1838  
registrations under the international registration plan to be 1839  
made via the internet, the rules the registrar adopts under this 1840  
division shall permit such action. 1841

**Sec. 4503.102.** (A) The registrar of motor vehicles shall 1842  
adopt rules to establish a centralized system of motor vehicle 1843  
registration renewal by mail or by electronic means. Any person 1844  
owning a motor vehicle that was registered in the person's name 1845  
during the preceding registration year shall renew the 1846  
registration of the motor vehicle not more than ninety days 1847  
prior to the expiration date of the registration either by mail 1848  
or by electronic means through the centralized system of 1849  
registration established under this section, or in person at any 1850  
office of the registrar or at a deputy registrar's office. 1851

(B) (1) Except as provided in division (B) (2) of this 1852  
section, no less than forty-five days prior to the expiration 1853  
date of any motor vehicle registration, the registrar shall mail 1854  
a renewal notice to the person in whose name the motor vehicle 1855  
is registered. The renewal notice shall clearly state that the 1856  
registration of the motor vehicle may be renewed by mail or 1857  
electronic means through the centralized system of registration 1858  
or in person at any office of the registrar or at a deputy 1859  
registrar's office and shall be preprinted with information 1860  
including, but not limited to, the owner's name and residence 1861  
address as shown in the records of the bureau of motor vehicles, 1862  
a brief description of the motor vehicle to be registered, 1863  
notice of the license taxes and fees due on the motor vehicle, 1864



the toll-free telephone number of the registrar as required 1865  
under division (D) (1) of section 4503.031 of the Revised Code, a 1866  
statement that payment for a renewal may be made by financial 1867  
transaction device using the toll-free telephone number, and any 1868  
additional information the registrar may require by rule. The 1869  
renewal notice shall not include the social security number of 1870  
either the owner of the motor vehicle or the person in whose 1871  
name the motor vehicle is registered. The renewal notice shall 1872  
be sent by regular mail to the owner's last known address as 1873  
shown in the records of the bureau of motor vehicles. 1874

(2) The registrar is not required to mail a renewal notice 1875  
if either of the following applies: 1876

(a) The owner of the vehicle has consented to receiving 1877  
the renewal notice by electronic means only. 1878

(b) The application for renewal of the registration of a 1879  
motor vehicle is prohibited from being accepted by the registrar 1880  
or a deputy registrar by division (D) of section 2935.27, 1881  
division (A) of section 4503.13, division (B) of section 1882  
4510.22, division (D) of section 4503.234, division (B) (1) of 1883  
section 4521.10, or division (B) of section 5537.041 of the 1884  
Revised Code. 1885

(3) If the owner of a motor vehicle has consented to 1886  
receiving a renewal notice by electronic means only, the 1887  
registrar shall send an electronic renewal notice to the owner 1888  
that contains the information specified in division (B) (1) of 1889  
this section at the time specified under that division. 1890

(C) The owner of the motor vehicle shall verify the 1891  
information contained in the notice, sign it either manually or 1892  
by electronic means, and return it, either by mail or electronic 1893

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 1925  
for any preceding period of a year, if the motor vehicle was not 1926  
taxable for that preceding year or period under section 4503.02, 1927  
4503.04, 4503.11, 4503.12, or 4503.16 or Chapter 4504. of the 1928  
Revised Code. 1929

(E) (1) Failure to receive a renewal notice does not 1930  
relieve a motor vehicle owner from the responsibility to renew 1931  
the registration for the motor vehicle. Any person who has a 1932  
motor vehicle registered in this state and who does not receive 1933  
a renewal notice as provided in division (B) of this section 1934  
prior to the expiration date of the registration shall request 1935  
an application for registration from the registrar or a deputy 1936  
registrar and sign the application manually or by electronic 1937  
means and submit the application and pay any applicable license 1938  
taxes and fees to the registrar or deputy registrar. 1939

(2) If the owner of a motor vehicle submits an application 1940  
for registration and the registrar is prohibited by division (D) 1941  
of section 2935.27, division (A) of section 4503.13, division 1942  
(B) of section 4510.22, division (D) of section 4503.234, 1943  
division (B) (1) of section 4521.10, or division (B) of section 1944  
5537.041 of the Revised Code from accepting the application, the 1945  
registrar shall return the application and the payment to the 1946  
owner. If the owner of a motor vehicle submits a registration 1947  
renewal application to the registrar by electronic means and the 1948  
registrar is prohibited from accepting the application as 1949  
provided in this division, the registrar shall notify the owner 1950  
of this fact and deny the application and return the payment or 1951  
give a credit on the financial transaction device account of the 1952  
owner in the manner the registrar prescribes by rule adopted 1953  
pursuant to division (A) of this section. 1954

(F) Every deputy registrar shall post in a prominent place 1955  
at the deputy's office a notice informing the public of the mail 1956  
registration system required by this section and also shall post 1957  
a notice that every owner of a motor vehicle and every chauffeur 1958  
holding a certificate of registration is required to notify the 1959  
registrar in writing of any change of residence within ten days 1960  
after the change occurs. The notice shall be in such form as the 1961  
registrar prescribes by rule. 1962

(G) The service fee equal to the amount established under 1963  
section 4503.038 of the Revised Code that is collected from a 1964  
person who renews a motor vehicle registration by electronic 1965  
means or by mail, plus postage collected by the registrar and 1966  
any financial transaction device surcharge collected by the 1967  
registrar, shall be paid to the credit of the public safety - 1968  
highway purposes fund established by section 4501.06 of the 1969  
Revised Code. 1970

(H) (1) Pursuant to section 113.40 of the Revised Code, the 1971  
registrar shall implement a program permitting payment of motor 1972  
vehicle registration taxes and fees, driver's license and 1973  
commercial driver's license fees, and any other taxes, fees, 1974  
penalties, or charges imposed or levied by the state by means of 1975  
a financial transaction device for transactions occurring 1976  
online, at any office of the registrar, and at all deputy 1977  
registrar locations. The program shall take effect not later 1978  
than July 1, 2016. The registrar shall adopt rules as necessary 1979  
for this purpose, but all such rules are subject to any action, 1980  
policy, or procedure of the board of deposit or treasurer of 1981  
state taken or adopted under section 113.40 of the Revised Code. 1982

(2) The rules adopted under division (H) (1) of this 1983  
section shall require a deputy registrar to accept payments by 1984

means of a financial transaction device beginning on the 1985  
effective date of the rules unless the deputy registrar contract 1986  
entered into by the deputy registrar prohibits the acceptance of 1987  
such payments by financial transaction device. However, 1988  
commencing with deputy registrar contract awards that have a 1989  
start date of July 1, 2016, and for all contract awards 1990  
thereafter, the registrar shall require that the proposer accept 1991  
payment by means of a financial transaction device, including 1992  
credit cards and debit cards, for all department of public 1993  
safety transactions conducted at that deputy registrar location. 1994

The bureau and deputy registrars are not required to pay 1995  
any costs that result from accepting payment by means of a 1996  
financial transaction device. A deputy registrar may charge a 1997  
person who tenders payment for a department transaction by means 1998  
of a financial transaction device any cost the deputy registrar 1999  
incurs from accepting payment by the financial transaction 2000  
device, but the deputy registrar shall not require the person to 2001  
pay any additional fee of any kind in connection with the use by 2002  
the person of the financial transaction device. 2003

(3) In accordance with division (H) (1) of this section and 2004  
rules adopted by the registrar under that division, a county 2005  
auditor or clerk of a court of common pleas that is designated a 2006  
deputy registrar shall accept payment by means of a financial 2007  
transaction device, including credit cards and debit cards, for 2008  
all department transactions conducted at the office of the 2009  
county auditor or clerk in the county auditor's or clerk's 2010  
capacity as deputy registrar. The bureau is not required to pay 2011  
any costs incurred by a county auditor or clerk that result from 2012  
accepting payment by means of a financial transaction device for 2013  
any department transaction. 2014

(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: 2045

(i) As applicable, either the annual tax prescribed in 2046  
division (C) (1) of section 4503.042 of the Revised Code for each 2047  
year for which the applicant is registering or the annual tax 2048  
prescribed in division (C) (2) of section 4503.042 of the Revised 2049  
Code, unless the applicant previously paid the tax specified in 2050  
division (C) (2) of that section for the trailer or semitrailer 2051  
being registered. However, an applicant paying the annual tax 2052  
under division (C) (1) of section 4503.042 of the Revised Code 2053  
shall not pay more than eight times the annual taxes due, 2054  
regardless of the number of years for which the applicant is 2055  
registering. 2056

(ii) The additional fee established under division (C) (1) 2057  
of section 4503.10 of the Revised Code for each year of 2058  
registration, provided that not more than eight times the 2059  
additional fee due shall be paid, regardless of the number of 2060  
years for which the applicant is registering. 2061

(iii) One single deputy registrar service fee in the 2062  
amount specified in division (D) of section 4503.10 of the 2063  
Revised Code or one single bureau of motor vehicles service fee 2064  
in the amount specified in division (G) of that section, as 2065  
applicable, regardless of the number of years for which the 2066  
applicant is registering. 2067

(b) In addition, each applicant registering a trailer or 2068  
semitrailer under division (A) (2) (a) of this section shall pay 2069  
any applicable local motor vehicle license tax levied under 2070  
Chapter 4504. of the Revised Code for each year for which the 2071  
applicant is registering, provided that not more than eight 2072  
times any such annual local taxes shall be due upon 2073  
registration. 2074

(c) The period of registration for a trailer or 2075  
semitrailer registered under division (A) (2) (a) of this section 2076  
is exclusive to the trailer or semitrailer for which that 2077  
certificate of registration is issued and is not transferable to 2078  
any other trailer or semitrailer if the registration is a 2079  
permanent registration. 2080

(3) Except as provided in division (A) (4) of this section, 2081  
the registrar shall adopt rules to permit any person who owns a 2082  
motor vehicle to file an application for registration for not 2083  
more than five succeeding registration years. At the time of 2084  
application, the person shall pay the annual taxes and fees for 2085  
each registration year, calculated in accordance with division 2086  
(C) of section 4503.11 of the Revised Code. A person who is 2087  
registering a vehicle under division (A) (3) of this section 2088  
shall pay for each year of registration the additional fee 2089  
established under division (C) (1) or (3) of section 4503.10 of 2090  
the Revised Code, as applicable. The person shall also pay the 2091  
deputy registrar service fee or the bureau of motor vehicles 2092  
service fee equal to the amount established under section 2093  
4503.038 of the Revised Code. 2094

(4) Division (A) (3) of this section does not apply to a 2095  
person receiving an apportioned license plate under the 2096  
international registration plan, or the owner of a commercial 2097  
car used solely in intrastate commerce, or the owner of a bus as 2098  
defined in section 4513.50 of the Revised Code. 2099

(5) A person registering a noncommercial trailer 2100  
permanently shall register the trailer under section 4503.107 of 2101  
the Revised Code. 2102

(B) No person applying for a multi-year registration under 2103  
division (A) of this section is entitled to a refund of any 2104



taxes or fees paid. 2105

(C) The registrar shall not issue to any applicant who has 2106  
been issued a final, nonappealable order under division (D) of 2107  
this section a multi-year registration or renewal thereof under 2108  
this division or rules adopted under it for any motor vehicle 2109  
that is required to be inspected under section 3704.14 of the 2110  
Revised Code the district of registration of which, as 2111  
determined under section 4503.10 of the Revised Code, is or is 2112  
located in the county named in the order. 2113

(D) Upon receipt from the director of environmental 2114  
protection of a notice issued under rules adopted under section 2115  
3704.14 of the Revised Code indicating that an owner of a motor 2116  
vehicle that is required to be inspected under that section who 2117  
obtained a multi-year registration for the vehicle under 2118  
division (A) of this section or rules adopted under that 2119  
division has not obtained a required inspection certificate or 2120  
alternative emissions certificate for the vehicle, the registrar 2121  
in accordance with Chapter 119. of the Revised Code shall issue 2122  
an order to the owner impounding the certificate of registration 2123  
and identification license plates for the vehicle. The order 2124  
also shall prohibit the owner from obtaining or renewing a 2125  
multi-year registration for any vehicle that is required to be 2126  
inspected under that section, the district of registration of 2127  
which is or is located in the same county as the county named in 2128  
the order during the number of years after expiration of the 2129  
current multi-year registration that equals the number of years 2130  
for which the current multi-year registration was issued. 2131

An order issued under this division shall require the 2132  
owner to surrender to the registrar the certificate of 2133  
registration and license plates for the vehicle named in the 2134

order within five days after its issuance. If the owner fails to 2135  
do so within that time, the registrar shall certify that fact to 2136  
the county sheriff or local police officials who shall recover 2137  
the certificate of registration and license plates for the 2138  
vehicle. 2139

(E) Upon the occurrence of either of the following 2140  
circumstances, the registrar in accordance with Chapter 119. of 2141  
the Revised Code shall issue to the owner a modified order 2142  
rescinding the provisions of the order issued under division (D) 2143  
of this section impounding the certificate of registration and 2144  
license plates for the vehicle named in that original order: 2145

(1) Receipt from the director of environmental protection 2146  
of a subsequent notice under rules adopted under section 3704.14 2147  
of the Revised Code that the owner has obtained the inspection 2148  
certificate or alternative emissions certificate for the vehicle 2149  
as required under those rules; 2150

(2) Presentation to the registrar by the owner of the 2151  
required inspection certificate or alternative emissions 2152  
certificate for the vehicle. 2153

(F) The owner of a motor vehicle for which the certificate 2154  
of registration and license plates have been impounded pursuant 2155  
to an order issued under division (D) of this section, upon 2156  
issuance of a modified order under division (E) of this section, 2157  
may apply to the registrar for their return. A fee of two 2158  
dollars and fifty cents shall be charged for the return of the 2159  
certificate of registration and license plates for each vehicle 2160  
named in the application. 2161

**Sec. 4503.183.** (A) No person shall use a replica motor 2162  
vehicle for general transportation. However, a person may 2163

operate a replica motor vehicle registered under this section on 2164  
the public roads and highways as follows: 2165

(1) For club activities, exhibitions, tours, parades, and 2166  
similar uses; 2167

(2) To and from a location where maintenance is performed 2168  
on the replica motor vehicle. 2169

(B) In lieu of the annual license tax levied in sections 2170  
4503.02 and 4503.04 of the Revised Code, the registrar of motor 2171  
vehicles or a deputy registrar shall collect a license fee of 2172  
ten dollars for the registration of a replica motor vehicle 2173  
under this section. The fee shall be deposited into the public 2174  
safety - highway purposes fund established in section 4501.06 of 2175  
the Revised Code. 2176

(C) A person who owns a replica motor vehicle and applies 2177  
for registration and a replica license plate under this section 2178  
shall execute an affidavit that the replica motor vehicle for 2179  
which the plate is requested is owned and operated solely for 2180  
the purposes enumerated in division (A) of this section. The 2181  
affidavit also shall set forth that the replica motor vehicle 2182  
has been inspected and found safe to operate on the public roads 2183  
and highways in the state. No registration issued pursuant to 2184  
this section need specify the weight of the replica motor 2185  
vehicle. 2186

(D) The owner of a replica motor vehicle registered under 2187  
this section shall display in plain view on the rear of the 2188  
replica motor vehicle a replica license plate issued by the 2189  
registrar. A replica license plate shall not display a date, but 2190  
shall display the inscription "Replica Motor Vehicle--Ohio" and 2191  
the registration number assigned to that replica motor vehicle. 2192

(E) A replica license plate is valid without renewal as 2193  
long as the replica motor vehicle for which it was issued or 2194  
procured is in existence. A replica license plate is issued for 2195  
the owner's use only for such replica motor vehicle unless later 2196  
transferred to another replica motor vehicle owned by that 2197  
person. In order to effect such a transfer, the owner of the 2198  
replica motor vehicle that originally displayed the replica 2199  
license plate shall comply with division (C) of this section. In 2200  
the event of a transfer of title, the transferor shall surrender 2201  
the replica license plate or transfer it to another replica 2202  
motor vehicle owned by the transferor. The registrar may revoke 2203  
any replica license plate issued under this section, for cause 2204  
shown and after a hearing, for failure of the applicant to 2205  
comply with this section. Upon revocation, a replica license 2206  
plate shall be surrendered. 2207

**Sec. 4505.072.** (A) The owner of a motor vehicle seeking to 2208  
obtain a certificate of title indicating that the motor vehicle 2209  
is a replica motor vehicle shall do all of the following: 2210

(1) Have that motor vehicle inspected by the state highway 2211  
patrol in the manner specified in section 4505.111 of the 2212  
Revised Code and obtain an inspection report from the state 2213  
highway patrol; 2214

(2) Obtain a signed written statement from a person or 2215  
nonprofit corporation with expertise in historical motor 2216  
vehicles that the owner's motor vehicle reasonably replicates 2217  
the make, model, and model year of motor vehicle that the owner 2218  
is intending to replicate; 2219

(3) Sign the written statement and have it notarized by a 2220  
notary public. 2221

(B) When a clerk of a court of common pleas issues a physical or electronic certificate of title for a replica motor vehicle, the certificate of title shall indicate that the motor vehicle is a replica motor vehicle. 2222  
2223  
2224  
2225

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. 2226  
2227  
2228  
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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. 2230  
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2232  
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(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. 2235  
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2237  
2238

(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. 2239  
2240  
2241  
2242  
2243  
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(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: 2245  
2246  
2247

(a) It is in the same form as the original certificate of title. 2248  
2249

(b) It displays the word "REPLICA" in black boldface 2250

letters on its face. 2251

(c) It includes the make, model, and model year of motor 2252  
vehicle that the owner is intending the motor vehicle to 2253  
replicate. 2254

(d) It includes the year the replica motor vehicle was 2255  
constructed, assembled, or modified. 2256

(2) The registrar shall determine the exact location on 2257  
the face of the certificate of title of the word "REPLICA," the 2258  
make, model, and model year of motor vehicle the owner is 2259  
intending to replicate, and the year the replica motor vehicle 2260  
was constructed, assembled, or modified. The registrar shall 2261  
develop an automated procedure within the automated title 2262  
processing system for purposes of this section. 2263

(3) Every memorandum certificate of title or duplicate 2264  
certificate of title issued for a replica motor vehicle for 2265  
which a certificate of title has been issued under this section 2266  
shall display the same information as is required under division 2267  
(D) (1) of this section. 2268

Any subsequent certificate of title issued for a replica 2269  
motor vehicle for which a certificate of title has been issued 2270  
under this section shall display the same information as is 2271  
required under division (D) (1) of this section. 2272

(E) (1) The owner of a replica motor vehicle who titles 2273  
that vehicle as a replica motor vehicle under this section shall 2274  
obtain replica license plates and comply with the requirements 2275  
of section 4503.183 of the Revised Code. 2276

(2) The owner of a replica motor vehicle who does not 2277  
title that motor vehicle as a replica motor vehicle under this 2278  
section is not required to obtain replica motor vehicle license 2279

plates and comply with the requirements of section 4503.183 of 2280  
the Revised Code. Such an owner is subject to the general 2281  
registration requirements of Chapter 4503., the titling 2282  
requirements of Chapter 4505., and the equipment requirements of 2283  
Chapter 4513. of the Revised Code. 2284

**Sec. 4505.08.** (A) When the clerk of a court of common 2285  
pleas issues a physical certificate of title, the clerk shall 2286  
issue the certificate of title on a form and in a manner 2287  
prescribed by the registrar of motor vehicles. The clerk shall 2288  
file a copy of the physical evidence for the creation of the 2289  
certificate of title in a manner prescribed by the registrar. A 2290  
clerk may retain digital images of documents used as evidence 2291  
for issuance of a certificate of title. Certified printouts of 2292  
documents retained as digital images shall have the same 2293  
evidentiary value as the original physical documents. The record 2294  
of the issuance of the certificate of title shall be maintained 2295  
in the automated title processing system. The clerk shall sign 2296  
and affix the clerk's seal to the original certificate of title 2297  
and, if there are no liens on the motor vehicle, shall deliver 2298  
the certificate to the applicant or the selling dealer. If there 2299  
are one or more liens on the motor vehicle, the certificate of 2300  
title shall be delivered to the holder of the first lien or the 2301  
selling dealer, who shall deliver the certificate of title to 2302  
the holder of the first lien. 2303

The registrar shall prescribe a uniform method of 2304  
numbering certificates of title, and such numbering shall be in 2305  
such manner that the county of issuance is indicated. The clerk 2306  
shall assign numbers to certificates of title in the manner 2307  
prescribed by the registrar. The clerk shall file all 2308  
certificates of title according to rules to be prescribed by the 2309  
registrar, and the clerk shall maintain in the clerk's office 2310

indexes for the certificates of title. 2311

The clerk need not retain on file any current certificates 2312  
of title, current duplicate certificates of title, current 2313  
memorandum certificates of title, or current salvage 2314  
certificates of title, or supporting evidence of them covering 2315  
any motor vehicle or manufactured or mobile home for a period 2316  
longer than seven years after the date of its filing; 2317  
thereafter, the documents and supporting evidence may be 2318  
destroyed. The clerk need not retain on file any inactive 2319  
records, including certificates of title, duplicate certificates 2320  
of title, or memorandum certificates of title, or supporting 2321  
evidence of them, including the electronic record described in 2322  
division (A) of section 4505.06 of the Revised Code, covering 2323  
any motor vehicle or manufactured or mobile home for a period 2324  
longer than five years after the date of its filing; thereafter, 2325  
the documents and supporting evidence may be destroyed. 2326

The automated title processing system shall contain all 2327  
active records and an index of the active records, a record and 2328  
index of all inactive titles for ten years, and a record and 2329  
index of all inactive titles for manufactured and mobile homes 2330  
for thirty years. If the clerk provides a written copy of any 2331  
information contained in the database, the copy shall be 2332  
considered the original for purposes of the clerk certifying the 2333  
record of the information for use in any legal proceeding. 2334

(B) (1) If the clerk issues a certificate of title for a 2335  
motor vehicle that was last previously registered in another 2336  
state, the clerk shall record verbatim, where practicable, in 2337  
the space on the title described in division (B) (19) of section 2338  
4505.07 of the Revised Code, the words that appear as a notation 2339  
to the vehicle on the title issued by the previous state. These 2340



notations may include, but are not limited to, words to the 2341  
effect that the vehicle was considered or was categorized by the 2342  
state in which it was last previously registered to be a law 2343  
enforcement vehicle or a taxicab or was once in a flood. 2344

(2) If the clerk, while issuing a certificate of title for 2345  
a motor vehicle that was last previously registered in another 2346  
state, receives information from the automated title processing 2347  
system indicating that a title to the vehicle previously was 2348  
issued by this state and that the previous title contained 2349  
notations that appeared in the space described in division (B) 2350  
(19) or (20) of section 4505.07 of the Revised Code, the clerk 2351  
shall enter the notations that appeared on the previous 2352  
certificate of title issued by this state on the new certificate 2353  
of title in the space described in division (B) (19) or (20) of 2354  
section 4505.07 of the Revised Code, irrespective of whether the 2355  
notations appear on the certificate of title issued by the state 2356  
in which the vehicle was last previously registered. 2357

(3) If the clerk, while issuing a certificate of title for 2358  
a motor vehicle that was last previously registered in another 2359  
state, receives information from the automated title processing 2360  
system indicating that the vehicle was previously issued a title 2361  
by this state and that the previous title bore the notation 2362  
"REBUILT SALVAGE" as required by division (E) of section 4505.11 2363  
of the Revised Code, or the previous title to the vehicle issued 2364  
by this state was a salvage certificate of title, the clerk 2365  
shall cause the certificate of title the clerk issues to bear 2366  
the notation "REBUILT SALVAGE" in the location prescribed by the 2367  
registrar pursuant to that division. 2368

(4) If the clerk, while issuing a certificate of title for 2369  
a motor vehicle that was last previously registered in another 2370

state, receives information from the automated title processing 2371  
system indicating that the vehicle was previously issued a title 2372  
by this state and that the previous title included the notation 2373  
"REPLICA" in accordance with section 4505.072 of the Revised 2374  
Code, or the previous title to the vehicle issued by another 2375  
state indicates that the vehicle is a replica motor vehicle, the 2376  
clerk shall cause the certificate of title the clerk issues to 2377  
display the notation "REPLICA" in the location prescribed by the 2378  
registrar pursuant to that section. 2379

(C) When the clerk issues a certificate of title for a 2380  
motor vehicle that was last previously registered in this state 2381  
and was a law enforcement vehicle or a taxicab or was once in a 2382  
flood, the clerk shall record that information in the space on 2383  
the title described in division (B) (20) of section 4505.07 of 2384  
the Revised Code. The registrar, by rule, may prescribe any 2385  
additional uses of or happenings to a motor vehicle that the 2386  
registrar has reason to believe should be noted on the 2387  
certificate of title as provided in this division. 2388

(D) The clerk shall use reasonable care in recording or 2389  
entering onto titles the clerk issues any notation and 2390  
information the clerk is required by divisions (B) and (C) of 2391  
this section to record or enter and in causing the titles the 2392  
clerk issues to bear any notation required by those divisions, 2393  
but the clerk is not liable for any of the clerk's errors or 2394  
omissions or those of the clerk's deputies, or the automated 2395  
title processing system, in the performance of the duties 2396  
imposed on the clerk by this section. 2397

(E) The clerk may issue a duplicate title, when duly 2398  
applied for, of any title that has been destroyed as herein 2399  
provided. 2400

(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 2430  
alcohol in a person's blood, breath, or urine. When expressed as 2431  
a percentage, it means grams of alcohol per the following: 2432

(1) One hundred milliliters of whole blood, blood serum, 2433  
or blood plasma; 2434

(2) Two hundred ten liters of breath; 2435

(3) One hundred milliliters of urine. 2436

~~(B) (1) (B) "Commercial driver's license" means a license 2437  
issued in accordance with this chapter that authorizes an 2438  
individual to drive a commercial motor vehicle. Except as 2439  
otherwise specifically provided, "commercial driver's license" 2440  
includes an "enhanced commercial driver's license." 2441~~

~~(2) "Enhanced commercial driver's license" means a 2442  
commercial driver's license issued in accordance with sections 2443  
4507.021 and 4506.072 of the Revised Code that denotes 2444  
citizenship and identity and is approved by the United States 2445  
secretary of homeland security or other designated federal 2446  
agency for purposes of entering the United States. 2447~~

(C) "Commercial driver's license information system" means 2448  
the information system established pursuant to the requirements 2449  
of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 2450  
3207-171, 49 U.S.C.A. App. 2701. 2451

(D) Except when used in section 4506.25 of the Revised 2452  
Code, "commercial motor vehicle" means any motor vehicle 2453  
designed or used to transport persons or property that meets any 2454  
of the following qualifications: 2455

(1) Any combination of vehicles with a gross vehicle 2456  
weight or combined gross vehicle weight rating of twenty-six 2457

thousand one pounds or more, provided the gross vehicle weight 2458  
or gross vehicle weight rating of the vehicle or vehicles being 2459  
towed is in excess of ten thousand pounds; 2460

(2) Any single vehicle with a gross vehicle weight or 2461  
gross vehicle weight rating of twenty-six thousand one pounds or 2462  
more; 2463

(3) Any single vehicle or combination of vehicles that is 2464  
not a class A or class B vehicle, but is designed to transport 2465  
sixteen or more passengers including the driver; 2466

(4) Any school bus with a gross vehicle weight or gross 2467  
vehicle weight rating of less than twenty-six thousand one 2468  
pounds that is designed to transport fewer than sixteen 2469  
passengers including the driver; 2470

(5) Is transporting hazardous materials for which 2471  
placarding is required under subpart F of 49 C.F.R. part 172, as 2472  
amended; 2473

(6) Any single vehicle or combination of vehicles that is 2474  
designed to be operated and to travel on a public street or 2475  
highway and is considered by the federal motor carrier safety 2476  
administration to be a commercial motor vehicle, including, but 2477  
not limited to, a motorized crane, a vehicle whose function is 2478  
to pump cement, a rig for drilling wells, and a portable crane. 2479

(E) "Controlled substance" means all of the following: 2480

(1) Any substance classified as a controlled substance 2481  
under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 2482  
U.S.C.A. 802(6), as amended; 2483

(2) Any substance included in schedules I through V of 21 2484  
C.F.R. part 1308, as amended; 2485

|   |      |
|---|------|
| (3) Any drug of abuse.  | 2486 |
| (F) "Conviction" means an unvacated adjudication of guilt       | 2487 |
| or a determination that a person has violated or failed to      | 2488 |
| comply with the law in a court of original jurisdiction or an   | 2489 |
| authorized administrative tribunal, an unvacated forfeiture of  | 2490 |
| bail or collateral deposited to secure the person's appearance  | 2491 |
| in court, a plea of guilty or nolo contendere accepted by the   | 2492 |
| court, the payment of a fine or court cost, or violation of a   | 2493 |
| condition of release without bail, regardless of whether or not | 2494 |
| the penalty is rebated, suspended, or probated.                 | 2495 |
| (G) "Disqualification" means any of the following:              | 2496 |
| (1) The suspension, revocation, or cancellation of a            | 2497 |
| person's privileges to operate a commercial motor vehicle;      | 2498 |
| (2) Any withdrawal of a person's privileges to operate a        | 2499 |
| commercial motor vehicle as the result of a violation of state  | 2500 |
| or local law relating to motor vehicle traffic control other    | 2501 |
| than parking, vehicle weight, or vehicle defect violations;     | 2502 |
| (3) A determination by the federal motor carrier safety         | 2503 |
| administration that a person is not qualified to operate a      | 2504 |
| commercial motor vehicle under 49 C.F.R. 391.                   | 2505 |
| (H) "Domiciled" means having a true, fixed, principal, and      | 2506 |
| permanent residence to which an individual intends to return.   | 2507 |
| (I) "Downgrade" means any of the following, as applicable:      | 2508 |
| (1) A change in the commercial driver's license, or             | 2509 |
| commercial driver's license temporary instruction permit,       | 2510 |
| holder's self-certified status as described in division (A) (1) | 2511 |
| of section 4506.10 of the Revised Code;                         | 2512 |
| (2) A change to a lesser class of vehicle;                      | 2513 |

|   |  |
|---|--|
| (3) Removal of commercial driver's license privileges from the individual's driver's license.   | 2514<br>2515                                 |
| (J) "Drive" means to drive, operate, or be in physical control of a motor vehicle.  | 2516<br>2517                                 |
| (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.   | 2518<br>2519<br>2520                         |
| (L) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes an individual to drive.   | 2521<br>2522                                 |
| (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. | 2523<br>2524<br>2525<br>2526<br>2527<br>2528 |
| (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.   | 2529<br>2530<br>2531                         |
| (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.   | 2532<br>2533<br>2534                         |
| (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.   | 2535<br>2536<br>2537<br>2538                 |
| (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.   | 2539<br>2540<br>2541                         |

(R) "Farm truck" means a truck controlled and operated by 2542  
a farmer for use in the transportation to or from a farm, for a 2543  
distance of not more than one hundred fifty miles, of products 2544  
of the farm, including livestock and its products, poultry and 2545  
its products, floricultural and horticultural products, and in 2546  
the transportation to the farm, from a distance of not more than 2547  
one hundred fifty miles, of supplies for the farm, including 2548  
tile, fence, and every other thing or commodity used in 2549  
agricultural, floricultural, horticultural, livestock, and 2550  
poultry production, and livestock, poultry, and other animals 2551  
and things used for breeding, feeding, or other purposes 2552  
connected with the operation of the farm, when the truck is 2553  
operated in accordance with this division and is not used in the 2554  
operations of a motor carrier, as defined in section 4923.01 of 2555  
the Revised Code. 2556

(S) "Fatality" means the death of a person as the result 2557  
of a motor vehicle accident occurring not more than three 2558  
hundred sixty-five days prior to the date of death. 2559

(T) "Felony" means any offense under federal or state law 2560  
that is punishable by death or specifically classified as a 2561  
felony under the law of this state, regardless of the penalty 2562  
that may be imposed. 2563

(U) "Foreign jurisdiction" means any jurisdiction other 2564  
than a state. 2565

(V) "Gross vehicle weight rating" means the value 2566  
specified by the manufacturer as the maximum loaded weight of a 2567  
single or a combination vehicle. The gross vehicle weight rating 2568  
of a combination vehicle is the gross vehicle weight rating of 2569  
the power unit plus the gross vehicle weight rating of each 2570  
towed unit. 2571



(W) "Hazardous materials" means any material that has been 2572  
designated as hazardous under 49 U.S.C. 5103 and is required to 2573  
be placarded under subpart F of 49 C.F.R. part 172 or any 2574  
quantity of a material listed as a select agent or toxin in 42 2575  
C.F.R. part 73, as amended. 2576

(X) "Imminent hazard" means the existence of a condition 2577  
that presents a substantial likelihood that death, serious 2578  
illness, severe personal injury, or a substantial endangerment 2579  
to health, property, or the environment may occur before the 2580  
reasonably foreseeable completion date of a formal proceeding 2581  
begun to lessen the risk of that death, illness, injury, or 2582  
endangerment. 2583

(Y) "Medical variance" means one of the following received 2584  
by a driver from the federal motor carrier safety administration 2585  
that allows the driver to be issued a medical certificate: 2586

(1) An exemption letter permitting operation of a 2587  
commercial motor vehicle under 49 C.F.R. 381, subpart C or 49 2588  
C.F.R. 391.64; 2589

(2) A skill performance evaluation certificate permitting 2590  
operation of a commercial motor vehicle pursuant to 49 C.F.R. 2591  
391.49. 2592

(Z) "Mobile telephone" means a mobile communication device 2593  
that falls under or uses any commercial mobile radio service as 2594  
defined in 47 C.F.R. 20, except that mobile telephone does not 2595  
include two-way or citizens band radio services. 2596

(AA) "Motor vehicle" means a vehicle, machine, tractor, 2597  
trailer, or semitrailer propelled or drawn by mechanical power 2598  
used on highways, except that such term does not include a 2599  
vehicle, machine, tractor, trailer, or semitrailer operated 2600

exclusively on a rail. 2601

(BB) "Out-of-service order" means a declaration by an 2602  
authorized enforcement officer of a federal, state, local, 2603  
Canadian, or Mexican jurisdiction declaring that a driver, 2604  
commercial motor vehicle, or commercial motor carrier operation 2605  
is out of service as defined in 49 C.F.R. 390.5. 2606

(CC) "Peace officer" has the same meaning as in section 2607  
2935.01 of the Revised Code. 2608

(DD) "Portable tank" means a liquid or gaseous packaging 2609  
designed primarily to be loaded onto or temporarily attached to 2610  
a vehicle and equipped with skids, mountings, or accessories to 2611  
facilitate handling of the tank by mechanical means. 2612

(EE) "Public safety vehicle" has the same meaning as in 2613  
divisions (E) (1) and (3) of section 4511.01 of the Revised Code. 2614

(FF) "Recreational vehicle" includes every vehicle that is 2615  
defined as a recreational vehicle in section 4501.01 of the 2616  
Revised Code and is used exclusively for purposes other than 2617  
engaging in business for profit. 2618

(GG) "Residence" means any person's residence determined 2619  
in accordance with standards prescribed in rules adopted by the 2620  
registrar. 2621

(HH) "School bus" has the same meaning as in section 2622  
4511.01 of the Revised Code. 2623

(II) "Serious traffic violation" means any of the 2624  
following: 2625

(1) A conviction arising from a single charge of operating 2626  
a commercial motor vehicle in violation of any provision of 2627  
section 4506.03 of the Revised Code; 2628

(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: 2629  
2630  
2631  
2632  
2633  
2634

(i) Texting while driving; 2635

(ii) Using a handheld mobile telephone. 2636

(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. 2637  
2638  
2639

(3) A conviction arising from the operation of any motor vehicle that involves any of the following: 2640  
2641

(a) A single charge of any speed in excess of the posted speed limit by fifteen miles per hour or more; 2642  
2643

(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; 2644  
2645  
2646  
2647

(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; 2648  
2649  
2650  
2651

(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 2652  
2653  
2654  
2655  
2656

license with the proper class or endorsement for the specific 2657  
vehicle group being operated or for the passengers or type of 2658  
cargo being transported; 2659

(e) Violation of section 4506.03 of the Revised Code or a 2660  
substantially similar municipal ordinance or county or township 2661  
resolution, or of any similar law of another state or political 2662  
subdivision of another state, that involves the operation of a 2663  
commercial motor vehicle without a valid commercial driver's 2664  
license being in the person's possession; 2665

(f) Violation of section 4511.33 or 4511.34 of the Revised 2666  
Code, or any municipal ordinance or county or township 2667  
resolution substantially similar to either of those sections, or 2668  
any substantially similar law of another state or political 2669  
subdivision of another state; 2670

(g) Violation of any other law of this state, any law of 2671  
another state, or any ordinance or resolution of a political 2672  
subdivision of this state or another state that meets both of 2673  
the following requirements: 2674

(i) It relates to traffic control, other than a parking 2675  
violation; 2676

(ii) It is determined to be a serious traffic violation by 2677  
the United States secretary of transportation and is designated 2678  
by the director as such by rule. 2679

(JJ) "State" means a state of the United States and 2680  
includes the District of Columbia. 2681

(KK) "Tank vehicle" means any commercial motor vehicle 2682  
that is designed to transport any liquid or gaseous materials 2683  
within a tank or tanks that are either permanently or 2684  
temporarily attached to the vehicle or its chassis and have an 2685

individual rated capacity of more than one hundred nineteen 2686  
gallons and an aggregate rated capacity of one thousand gallons 2687  
or more. "Tank vehicle" does not include a commercial motor 2688  
vehicle transporting an empty storage container tank that is not 2689  
designed for transportation, has a rated capacity of one 2690  
thousand gallons or more, and is temporarily attached to a 2691  
flatbed trailer. 2692

(LL) "Tester" means a person or entity acting pursuant to 2693  
a valid agreement entered into pursuant to division (B) of 2694  
section 4506.09 of the Revised Code. 2695

(MM) "Texting" means manually entering alphanumeric text 2696  
into, or reading text from, an electronic device. Texting 2697  
includes short message service, e-mail, instant messaging, a 2698  
command or request to access a world wide web page, pressing 2699  
more than a single button to initiate or terminate a voice 2700  
communication using a mobile telephone, or engaging in any other 2701  
form of electronic text retrieval or entry, for present or 2702  
future communication. Texting does not include the following: 2703

(1) Using voice commands to initiate, receive, or 2704  
terminate a voice communication using a mobile telephone; 2705

(2) Inputting, selecting, or reading information on a 2706  
global positioning system or navigation system; 2707

(3) Pressing a single button to initiate or terminate a 2708  
voice communication using a mobile telephone; or 2709

(4) Using, for a purpose that is not otherwise prohibited 2710  
by law, a device capable of performing multiple functions, such 2711  
as a fleet management system, a dispatching device, a mobile 2712  
telephone, a citizens band radio, or a music player. 2713

(NN) "Texting while driving" means texting while operating 2714

a commercial motor vehicle, with the motor running, including 2715  
while temporarily stationary because of traffic, a traffic 2716  
control device, or other momentary delays. Texting while driving 2717  
does not include operating a commercial motor vehicle with or 2718  
without the motor running when the driver has moved the vehicle 2719  
to the side of, or off, a highway and is stopped in a location 2720  
where the vehicle can safely remain stationary. 2721

(OO) "United States" means the fifty states and the 2722  
District of Columbia. 2723

(PP) "Upgrade" means a change in the class of vehicles, 2724  
endorsements, or self-certified status as described in division 2725  
(A) (1) of section 4506.10 of the Revised Code, that expands the 2726  
ability of a current commercial driver's license holder to 2727  
operate commercial motor vehicles under this chapter; 2728

(QQ) "Use of a handheld mobile telephone" means: 2729

(1) Using at least one hand to hold a mobile telephone to 2730  
conduct a voice communication; 2731

(2) Dialing or answering a mobile telephone by pressing 2732  
more than a single button; or 2733

(3) Reaching for a mobile telephone in a manner that 2734  
requires a driver to maneuver so that the driver is no longer in 2735  
a seated driving position, or restrained by a seat belt that is 2736  
installed in accordance with 49 C.F.R. 393.93 and adjusted in 2737  
accordance with the vehicle manufacturer's instructions. 2738

(RR) "Vehicle" has the same meaning as in section 4511.01 2739  
of the Revised Code. 2740

**Sec. 4506.09.** (A) The registrar of motor vehicles, subject 2741  
to approval by the director of public safety, shall adopt rules 2742

conforming with applicable standards adopted by the federal 2743  
motor carrier safety administration as regulations under Pub. L. 2744  
No. 103-272, 108 Stat. 1014 to 1029 (1994), 49 U.S.C.A. 31301 to 2745  
31317. The rules shall establish requirements for the 2746  
qualification and testing of persons applying for a commercial 2747  
driver's license, which are in addition to other requirements 2748  
established by this chapter. Except as provided in division (B) 2749  
of this section, the highway patrol or any other employee of the 2750  
department of public safety the registrar authorizes shall 2751  
supervise and conduct the testing of persons applying for a 2752  
commercial driver's license. 2753

(B) The director may adopt rules, in accordance with 2754  
Chapter 119. of the Revised Code and applicable requirements of 2755  
the federal motor carrier safety administration, authorizing the 2756  
skills test specified in this section to be administered by any 2757  
person, by an agency of this or another state, or by an agency, 2758  
department, or instrumentality of local government. Each party 2759  
authorized under this division to administer the skills test may 2760  
charge a ~~maximum divisible fee of one hundred fifteen dollars~~ 2761  
for each skills test given as part of a commercial driver's 2762  
license examination. ~~The fee shall consist of not more than~~ 2763  
~~twenty-seven dollars for the pre-trip inspection portion of the~~ 2764  
~~test, not more than twenty-seven dollars for the off-road~~ 2765  
~~maneuvering portion of the test, and not more than sixty-one~~ 2766  
~~dollars for the on-road portion of the test.~~ Each such party may 2767  
require an appointment fee in the same manner provided in 2768  
division (E) (2) of this section, ~~except that the maximum amount~~ 2769  
~~such a party may require as an appointment fee is one hundred~~ 2770  
~~fifteen dollars.~~ The skills test administered by another party 2771  
under this division shall be the same as otherwise would be 2772  
administered by this state. The other party shall enter into an 2773

agreement with the director that, without limitation, does all 2774  
of the following: 2775

(1) Allows the director or the director's representative 2776  
and the federal motor carrier safety administration or its 2777  
representative to conduct random examinations, inspections, and 2778  
audits of the other party, whether covert or overt, without 2779  
prior notice; 2780

(2) Requires the director or the director's representative 2781  
to conduct on-site inspections of the other party at least 2782  
annually; 2783

(3) Requires that all examiners of the other party meet 2784  
the same qualification and training standards as examiners of 2785  
the department of public safety, including criminal background 2786  
checks and the standards applicable to the class of vehicle and 2787  
endorsements for which an applicant taking the skills test is 2788  
applying, to the extent necessary to conduct skills tests in the 2789  
manner required by 49 C.F.R. 383.110 through 383.135. In 2790  
accordance with federal guidelines, any examiner employed on 2791  
July 1, 2017, shall have a criminal background check conducted 2792  
at least once, and any examiner hired after July 1, 2015, shall 2793  
have a criminal background check conducted after the examiner is 2794  
initially hired. 2795

(4) Requires either that state employees take, at least 2796  
annually and as though the employees were test applicants, the 2797  
tests actually administered by the other party, that the 2798  
director test a sample of drivers who were examined by the other 2799  
party to compare the test results, or that state employees 2800  
accompany a test applicant during an actual test; 2801

(5) Unless the other party is a governmental entity, 2802



requires the other party to initiate and maintain a bond in an amount determined by the director to sufficiently pay for the retesting of drivers in the event that the other party or its skills test examiners are involved in fraudulent activities related to skills testing;

(6) Requires the other party to use only skills test examiners who have successfully completed a commercial driver's license examiner training course as prescribed by the director, and have been certified by the state as a commercial driver's license skills test examiner qualified to administer the applicable skills tests;

(7) Requires the other party to use designated road test routes that have been approved by the director;

(8) Requires the other party to schedule all skills test appointments through a system or method provided by the director. If a system or method is not provided by the director, the other party shall submit a schedule of skills test appointments to the director weekly. The director may request that any additions to the schedule of skills test appointments, made after the weekly submission, be submitted to the director not later than two business days prior to the additional skills test appointment.

(9) Requires the other party to maintain copies of the following records at its principal place of business:

(a) The other party's commercial driver's license skills testing program certificate;

(b) Each skills test examiner's certificate of authorization to administer skills tests for the classes and types of commercial motor vehicles listed in the certificate;

|  |      |
|--|------|
| (c) Each completed skills test scoring sheet for the             | 2832 |
| current calendar year as well as the prior two calendar years;   | 2833 |
| (d) A complete list of the test routes that have been            | 2834 |
| approved by the director;  | 2835 |
| (e) A complete and accurate copy of each examiner's              | 2836 |
| training record;   | 2837 |
| (f) A copy of the agreement that the other party made with       | 2838 |
| the director.  | 2839 |
| (10) If the other party also is a driver training school,        | 2840 |
| prohibits its skills test examiners from administering skills    | 2841 |
| tests to applicants that the examiner personally trained;        | 2842 |
| (11) Requires each skills test examiner to administer a          | 2843 |
| complete skills test to a minimum of ten different individuals   | 2844 |
| per calendar year;   | 2845 |
| (12) Reserves to this state the right to take prompt and         | 2846 |
| appropriate remedial action against the other party and its      | 2847 |
| skills test examiners if the other party or its skills test      | 2848 |
| examiners fail to comply with standards of this state or federal | 2849 |
| standards for the testing program or with any other terms of the | 2850 |
| contract.  | 2851 |
| (C) The director shall enter into an agreement with the          | 2852 |
| department of education and workforce authorizing the skills     | 2853 |
| test specified in this section to be administered by the         | 2854 |
| department at any location operated by the department for        | 2855 |
| purposes of training and testing school bus drivers, provided    | 2856 |
| that the agreement between the director and the department       | 2857 |
| complies with the requirements of division (B) of this section.  | 2858 |
| Skills tests administered by the department shall be limited to  | 2859 |
| persons applying for a commercial driver's license with a school | 2860 |

bus endorsement. 2861

(D) (1) The director shall adopt rules, in accordance with 2862  
Chapter 119. of the Revised Code, authorizing waiver of the 2863  
skills test specified in this section for any applicant for a 2864  
commercial driver's license who meets all of the following 2865  
requirements: 2866

(a) As authorized under 49 C.F.R. 383.77, the applicant 2867  
operates a commercial motor vehicle for military purposes and is 2868  
one of the following: 2869

(i) Active duty military personnel; 2870

(ii) A member of the military reserves; 2871

(iii) A member of the national guard on active duty, 2872  
including full-time national guard duty, part-time national 2873  
guard training, and national guard military technicians; 2874

(iv) Active duty U.S. coast guard personnel. 2875

(b) The applicant certifies that, during the two-year 2876  
period immediately preceding application for a commercial 2877  
driver's license, all of the following apply: 2878

(i) The applicant has not had more than one license, 2879  
excluding any military license. 2880

(ii) The applicant has not had any license suspended, 2881  
revoked, or canceled. 2882

(iii) The applicant has not had any convictions for any 2883  
type of motor vehicle for the offenses for which 2884  
disqualification is prescribed in section 4506.16 of the Revised 2885  
Code. 2886

(iv) The applicant has not had more than one conviction 2887

for any type of motor vehicle for a serious traffic violation. 2888

(v) The applicant has not had any violation of a state or 2889  
local law relating to motor vehicle traffic control other than a 2890  
parking violation arising in connection with any traffic 2891  
accident and has no record of an accident in which the applicant 2892  
was at fault. 2893

(c) In accordance with rules adopted by the director, the 2894  
applicant certifies and also provides evidence of all of the 2895  
following: 2896

(i) That the applicant is or was regularly employed in a 2897  
military position requiring operation of a commercial motor 2898  
vehicle; 2899

(ii) That the applicant was exempt from the requirements 2900  
of this chapter under division (B)(6) of section 4506.03 of the 2901  
Revised Code; 2902

(iii) That, for at least two years immediately preceding 2903  
the date of application or at least two years immediately 2904  
preceding the date the applicant separated from military service 2905  
or employment, the applicant regularly operated a vehicle 2906  
representative of the commercial motor vehicle type that the 2907  
applicant operates or expects to operate. 2908

(2) The waiver established under division (D)(1) of this 2909  
section does not apply to United States reserve technicians. 2910

(E)(1) The department of public safety may charge and 2911  
collect a divisible fee of fifty dollars for each skills test 2912  
given as part of a commercial driver's license examination. The 2913  
fee shall consist of ten dollars for the pre-trip inspection 2914  
portion of the test, ten dollars for the off-road maneuvering 2915  
portion of the test, and thirty dollars for the on-road portion 2916

of the test. 2917

(2) No applicant is eligible to take the skills test until 2918  
a minimum of fourteen days have elapsed since the initial 2919  
issuance of a commercial driver's license temporary instruction 2920  
permit to the applicant. The director may require an applicant 2921  
for a commercial driver's license who schedules an appointment 2922  
with the highway patrol or other authorized employee of the 2923  
department of public safety to take all portions of the skills 2924  
test and to pay an appointment fee of fifty dollars at the time 2925  
of scheduling the appointment. If the applicant appears at the 2926  
time and location specified for the appointment and takes all 2927  
portions of the skills test during that appointment, the 2928  
appointment fee serves as the skills test fee. If the applicant 2929  
schedules an appointment to take all portions of the skills test 2930  
and fails to appear at the time and location specified for the 2931  
appointment, the director shall not refund any portion of the 2932  
appointment fee. If the applicant schedules an appointment to 2933  
take all portions of the skills test and appears at the time and 2934  
location specified for the appointment, but declines or is 2935  
unable to take all portions of the skills test, the director 2936  
shall not refund any portion of the appointment fee. If the 2937  
applicant cancels a scheduled appointment forty-eight hours or 2938  
more prior to the time of the appointment time, the applicant 2939  
shall not forfeit the appointment fee. 2940

An applicant for a commercial driver's license who 2941  
schedules an appointment to take one or more, but not all, 2942  
portions of the skills test is required to pay an appointment 2943  
fee equal to the costs of each test scheduled, as prescribed in 2944  
division (E) (1) of this section, when scheduling such an 2945  
appointment. If the applicant appears at the time and location 2946  
specified for the appointment and takes all the portions of the 2947

skills test during that appointment that the applicant was 2948  
scheduled to take, the appointment fee serves as the skills test 2949  
fee. If the applicant schedules an appointment to take one or 2950  
more, but not all, portions of the skills test and fails to 2951  
appear at the time and location specified for the appointment, 2952  
the director shall not refund any portion of the appointment 2953  
fee. If the applicant schedules an appointment to take one or 2954  
more, but not all, portions of the skills test and appears at 2955  
the time and location specified for the appointment, but 2956  
declines or is unable to take all portions of the skills test 2957  
that the applicant was scheduled to take, the director shall not 2958  
refund any portion of the appointment fee. If the applicant 2959  
cancels a scheduled appointment forty-eight hours or more prior 2960  
to the time of the appointment time, the applicant shall not 2961  
forfeit the appointment fee. 2962

(3) The department of public safety shall deposit all fees 2963  
it collects under division (E) of this section in the public 2964  
safety - highway purposes fund established in section 4501.06 of 2965  
the Revised Code. 2966

(F) (1) Unless an applicant for a commercial driver's 2967  
license has successfully completed the training required under 2968  
49 C.F.R. 380, subpart F, the applicant is not eligible to do 2969  
any of the following: 2970

(a) Take the skills test required for initial issuance of 2971  
a class A or a class B commercial driver's license; 2972

(b) Take the skills test required for initial issuance of 2973  
a passenger (P) or school bus (S) endorsement on the applicant's 2974  
commercial driver's license; 2975

(c) Take the knowledge test required for initial issuance 2976

of a hazardous materials (H) endorsement on the applicant's 2977  
commercial driver's license. 2978

Before an applicant takes the applicable skills or 2979  
knowledge test, the registrar shall electronically verify, 2980  
through the federal motor carrier safety administration's 2981  
training provider registry, that an applicant has completed the 2982  
required training under 49 C.F.R. 380, subpart F. 2983

(2) The training required under 49 C.F.R. 380, subpart F, 2984  
and under division (F)(1) of this section may be provided by 2985  
either of the following: 2986

(a) A driver training school pursuant to section 4508.031 2987  
of the Revised Code; 2988

(b) An authorized driver training provider listed on the 2989  
federal motor carrier safety administration's training provider 2990  
registry. 2991

(G) A person who has successfully completed commercial 2992  
driver's license training in this state but seeks a commercial 2993  
driver's license in another state where the person is domiciled 2994  
may schedule an appointment to take the skills test in this 2995  
state and shall pay the appropriate appointment fee. Upon the 2996  
person's completion of the skills test, this state shall 2997  
electronically transmit the applicant's results to the state 2998  
where the person is domiciled. If a person who is domiciled in 2999  
this state takes a skills test in another state, this state 3000  
shall accept the results of the skills test from the other 3001  
state. If the person passed the other state's skills test and 3002  
meets all of the other licensing requirements set forth in this 3003  
chapter and rules adopted under this chapter, the registrar of 3004  
motor vehicles or a deputy registrar shall issue a commercial 3005

driver's license to that person. 3006

(H) Unless otherwise specified, the director or the 3007  
director's representative shall conduct the examinations, 3008  
inspections, audits, and test monitoring set forth in divisions 3009  
(B) (2), (3), and (4) of this section at least annually. If the 3010  
other party or any of its skills test examiners fail to comply 3011  
with state or federal standards for the skills testing program, 3012  
the director or the director's representative shall take prompt 3013  
and appropriate remedial action against the party and its skills 3014  
test examiners. Remedial action may include termination of the 3015  
agreement or revocation of a skills test examiner's 3016  
certification. 3017

(I) As used in this section, "skills test" means a test of 3018  
an applicant's ability to drive the type of commercial motor 3019  
vehicle for which the applicant seeks a commercial driver's 3020  
license by having the applicant drive such a motor vehicle while 3021  
under the supervision of an authorized state driver's license 3022  
examiner or tester. 3023

**Sec. 4506.11.** (A) Every commercial driver's license shall 3024  
be marked "commercial driver's license" or "CDL" and shall be of 3025  
such material and so designed as to prevent its reproduction or 3026  
alteration without ready detection. The commercial driver's 3027  
license for licensees under twenty-one years of age shall have 3028  
characteristics prescribed by the registrar of motor vehicles 3029  
distinguishing it from that issued to a licensee who is twenty- 3030  
one years of age or older. Every commercial driver's license 3031  
shall display all of the following information: 3032

(1) The name and residence address of the licensee; 3033

(2) A photograph of the licensee showing the licensee's 3034



|   |      |
|---|------|
| uncovered face;   | 3035 |
| (3) A physical description of the licensee, including sex,      | 3036 |
| height, weight, and color of eyes and hair;                     | 3037 |
| (4) The licensee's date of birth;                               | 3038 |
| (5) The licensee's social security number if the person         | 3039 |
| has requested that the number be displayed in accordance with   | 3040 |
| section 4501.31 of the Revised Code or if federal law requires  | 3041 |
| the social security number to be displayed and any number or    | 3042 |
| other identifier the director of public safety considers        | 3043 |
| appropriate and establishes by rules adopted under Chapter 119. | 3044 |
| of the Revised Code and in compliance with federal law;         | 3045 |
| (6) The licensee's signature;                                   | 3046 |
| (7) The classes of commercial motor vehicles the licensee       | 3047 |
| is authorized to drive and any endorsements or restrictions     | 3048 |
| relating to the licensee's driving of those vehicles;           | 3049 |
| (8) The name of this state;                                     | 3050 |
| (9) The dates of issuance and of expiration of the              | 3051 |
| license;  | 3052 |
| (10) If the licensee has certified willingness to make an       | 3053 |
| anatomical gift under section 2108.05 of the Revised Code, any  | 3054 |
| symbol chosen by the registrar of motor vehicles to indicate    | 3055 |
| that the licensee has certified that willingness;               | 3056 |
| (11) If the licensee has executed a durable power of            | 3057 |
| attorney for health care or a declaration governing the use or  | 3058 |
| continuation, or the withholding or withdrawal, of life-        | 3059 |
| sustaining treatment and has specified that the licensee wishes | 3060 |
| the license to indicate that the licensee has executed either   | 3061 |
| type of instrument, any symbol chosen by the registrar to       | 3062 |

indicate that the licensee has executed either type of 3063  
instrument; 3064

(12) If the licensee has specified that the licensee 3065  
wishes the license to indicate that the licensee is a veteran, 3066  
active duty, or reservist of the armed forces of the United 3067  
States and has presented a copy of the licensee's DD-214 form or 3068  
an equivalent document, any symbol chosen by the registrar to 3069  
indicate that the licensee is a veteran, active duty, or 3070  
reservist of the armed forces of the United States; 3071

(13) If the licensee is a noncitizen of the United States, 3072  
a notation designating that the licensee is a noncitizen; 3073

(14) Any other information the registrar considers 3074  
advisable and requires by rule. 3075

~~(B) Every enhanced commercial driver's license shall have~~ 3076  
~~any additional characteristics established by the rules adopted~~ 3077  
~~under section 4507.021 of the Revised Code.~~ 3078

~~(C)~~ The registrar may establish and maintain a file of 3079  
negatives of photographs taken for the purposes of this section. 3080

~~(D)~~ (C) Neither the registrar nor any deputy registrar 3081  
shall issue a commercial driver's license to anyone under 3082  
twenty-one years of age that does not have the characteristics 3083  
prescribed by the registrar distinguishing it from the 3084  
commercial driver's license issued to persons who are twenty-one 3085  
years of age or older. 3086

~~(E)~~ (D) Whoever violates division ~~(D)~~ (C) of this section is 3087  
guilty of a minor misdemeanor. 3088

**Sec. 4507.01.** (A) As used in this chapter, "motor 3089  
vehicle," "motorized bicycle," "state," "owner," "operator," 3090

"chauffeur," and "highways" have the same meanings as in section 3091  
4501.01 of the Revised Code. 3092

"Driver's license" means a class D license issued to any 3093  
person to operate a motor vehicle or motor-driven cycle, other 3094  
than a commercial motor vehicle, and includes "probationary 3095  
license," "restricted license," "limited term license," and any 3096  
operator's or chauffeur's license issued before January 1, 1990. 3097  
~~Except as otherwise specifically provided, "driver's license"~~ 3098  
~~includes an "enhanced driver's license."~~ 3099

~~"Enhanced driver's license" means a driver's license~~ 3100  
~~issued in accordance with sections 4507.021 and 4507.063 of the~~ 3101  
~~Revised Code that denotes citizenship and identity and is~~ 3102  
~~approved by the United States secretary of homeland security or~~ 3103  
~~other designated federal agency for purposes of entering the~~ 3104  
~~United States.~~ 3105

"Probationary license" means the license issued to any 3106  
person between sixteen and eighteen years of age to operate a 3107  
motor vehicle. 3108

"Restricted license" means the license issued to any 3109  
person to operate a motor vehicle subject to conditions or 3110  
restrictions imposed by the registrar of motor vehicles. 3111

"Commercial driver's license" means the license issued to 3112  
a person under Chapter 4506. of the Revised Code to operate a 3113  
commercial motor vehicle. 3114

"Commercial motor vehicle" has the same meaning as in 3115  
section 4506.01 of the Revised Code. 3116

"Motorcycle operator's temporary instruction permit,  
license, or endorsement" includes a temporary instruction 3117  
permit, license, or endorsement for a motor-driven cycle or 3118  
3119

motor scooter unless otherwise specified. 3120

"Motorized bicycle license" means the license issued under 3121  
section 4511.521 of the Revised Code to any person to operate a 3122  
motorized bicycle including a "probationary motorized bicycle 3123  
license." 3124

"Probationary motorized bicycle license" means the license 3125  
issued under section 4511.521 of the Revised Code to any person 3126  
between fourteen and sixteen years of age to operate a motorized 3127  
bicycle. 3128

"Identification card" means a card issued under sections 3129  
4507.50 to 4507.52 of the Revised Code. ~~Except as otherwise~~ 3130  
~~specifically provided, "identification card" includes an~~ 3131  
~~"enhanced identification card."~~ 3132

~~"Enhanced identification card" means an identification~~ 3133  
~~card issued in accordance with sections 4507.021 and 4507.511 of~~ 3134  
~~the Revised Code that denotes citizenship and identity and is~~ 3135  
~~approved by the United States secretary of homeland security or~~ 3136  
~~other designated federal agency for purposes of entering the~~ 3137  
~~United States.~~ 3138

"Resident" means a person who, in accordance with 3139  
standards prescribed in rules adopted by the registrar, resides 3140  
in this state on a permanent basis. 3141

"Temporary resident" means a person who, in accordance 3142  
with standards prescribed in rules adopted by the registrar, 3143  
resides in this state on a temporary basis. 3144

(B) In the administration of this chapter and Chapter 3145  
4506. of the Revised Code, the registrar has the same authority 3146  
as is conferred on the registrar by section 4501.02 of the 3147  
Revised Code. Any act of an authorized deputy registrar of motor 3148

vehicles under direction of the registrar is deemed the act of 3149  
the registrar. 3150

To carry out this chapter, the registrar shall appoint 3151  
such deputy registrars in each county as are necessary. 3152

The registrar also shall provide at each place where an 3153  
application for a driver's or commercial driver's license or 3154  
identification card may be made the necessary equipment to take 3155  
a photograph of the applicant for such license or card as 3156  
required under section 4506.11 or 4507.06 of the Revised Code, 3157  
and to conduct the vision screenings required by section 4507.12 3158  
of the Revised Code. 3159

The registrar shall assign one or more deputy registrars 3160  
to any driver's license examining station operated under the 3161  
supervision of the director of public safety, whenever the 3162  
registrar considers such assignment possible. Space shall be 3163  
provided in the driver's license examining station for any such 3164  
deputy registrar so assigned. The deputy registrars shall not 3165  
exercise the powers conferred by such sections upon the 3166  
registrar, unless they are specifically authorized to exercise 3167  
such powers by such sections. 3168

(C) No agent for any insurance company, writing automobile 3169  
insurance, shall be appointed deputy registrar, and any such 3170  
appointment is void. No deputy registrar shall in any manner 3171  
solicit any form of automobile insurance, nor in any manner 3172  
advise, suggest, or influence any licensee or applicant for 3173  
license for or against any kind or type of automobile insurance, 3174  
insurance company, or agent, nor have the deputy registrar's 3175  
office directly connected with the office of any automobile 3176  
insurance agent, nor impart any information furnished by any 3177  
applicant for a license or identification card to any person, 3178

except the registrar. This division shall not apply to any 3179  
nonprofit corporation appointed deputy registrar. 3180

(D) The registrar shall immediately remove a deputy 3181  
registrar who violates the requirements of this chapter. 3182

**Sec. 4507.061.** (A) The registrar of motor vehicles may 3183  
authorize the online renewal of a driver's license, commercial 3184  
driver's license, or identification card issued by the bureau of 3185  
motor vehicles for eligible applicants. An applicant is eligible 3186  
for online renewal if all of the following apply: 3187

(1) The applicant's current driver's license, commercial 3188  
driver's license, or identification card was processed in person 3189  
at a deputy registrar office. 3190

(2) The applicant has a photo on file with the bureau of 3191  
motor vehicles from the applicant's current driver's license, 3192  
commercial driver's license, or identification card. 3193

(3) The applicant's current driver's license, commercial 3194  
driver's license, or identification card expires on the birthday 3195  
of the applicant in the fourth year after the date it was 3196  
issued. 3197

(4) The applicant is applying for a driver's license, 3198  
commercial driver's license, or identification card that expires 3199  
on the birthday of the applicant in the fourth year after the 3200  
date it is issued. 3201

(5) The applicant's current driver's license, commercial 3202  
driver's license, or identification card is unexpired or expired 3203  
not more than six months prior to the date of the application. 3204

(6) The applicant is a citizen or a permanent resident of 3205  
the United States and a permanent resident of this state. 3206

(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; 3235

(3) An initial issuance of an Ohio driver's license, 3236  
commercial driver's license, or identification card; 3237

(4) An initial issuance of a federally compliant driver's 3238  
license or identification card; 3239

~~(5) An initial issuance of an enhanced driver's license,~~ 3240  
~~commercial driver's license, or enhanced identification card;~~ 3241

~~(6) An ignition interlock license;~~ 3242

~~(7)~~ (6) A limited term driver's license or nonrenewable 3243  
commercial driver's license. 3244

(C) The registrar may require an applicant to provide a 3245  
digital copy of any identification documents and supporting 3246  
documents as required by statute or administrative rule to 3247  
comply with current state and federal requirements. 3248

(D) Except as otherwise provided, an applicant shall 3249  
comply with all other applicable laws related to the issuance of 3250  
a driver's license, commercial driver's license, or 3251  
identification card in order to renew a driver's license, 3252  
commercial driver's license, or identification card under this 3253  
section. 3254

(E) The registrar may adopt rules in accordance with 3255  
Chapter 119. of the Revised Code to implement and administer 3256  
this section. 3257

**Sec. 4507.13.** (A) (1) The registrar of motor vehicles shall 3258  
issue a driver's license to every person licensed as an operator 3259  
of motor vehicles other than commercial motor vehicles. No 3260  
person licensed as a commercial motor vehicle driver under 3261  
Chapter 4506. of the Revised Code need procure a driver's 3262



|  |      |
|--|------|
| license, but no person shall drive any commercial motor vehicle  | 3263 |
| unless licensed as a commercial motor vehicle driver.            | 3264 |
| (2) Every driver's license shall display all of the              | 3265 |
| following information:   | 3266 |
| (a) The distinguishing number assigned to the licensee;          | 3267 |
| (b) The licensee's name and date of birth;                       | 3268 |
| (c) The licensee's residence address and county of               | 3269 |
| residence;   | 3270 |
| (d) A photograph of the licensee;                                | 3271 |
| (e) A brief description of the licensee for the purpose of       | 3272 |
| identification;  | 3273 |
| (f) A facsimile of the signature of the licensee as it           | 3274 |
| appears on the application for the license;                      | 3275 |
| (g) A notation, in a manner prescribed by the registrar,         | 3276 |
| indicating any condition described in division (D)(3) of section | 3277 |
| 4507.08 of the Revised Code to which the licensee is subject;    | 3278 |
| (h) If the licensee has executed a durable power of              | 3279 |
| attorney for health care or a declaration governing the use or   | 3280 |
| continuation, or the withholding or withdrawal, of life-         | 3281 |
| sustaining treatment and has specified that the licensee wishes  | 3282 |
| the license to indicate that the licensee has executed either    | 3283 |
| type of instrument, any symbol chosen by the registrar to        | 3284 |
| indicate that the licensee has executed either type of           | 3285 |
| instrument;  | 3286 |
| (i) If the licensee has specified that the licensee wishes       | 3287 |
| the license to indicate that the licensee is a veteran, active   | 3288 |
| duty, or reservist of the armed forces of the United States and  | 3289 |

has presented a copy of the licensee's DD-214 form or an 3290  
equivalent document, any symbol chosen by the registrar to 3291  
indicate that the licensee is a veteran, active duty, or 3292  
reservist of the armed forces of the United States; 3293

(j) If the licensee is a noncitizen of the United States, 3294  
a notation designating that the licensee is a noncitizen; 3295

(k) Any additional information that the registrar requires 3296  
by rule. 3297

(3) No license shall display the licensee's social 3298  
security number unless the licensee specifically requests that 3299  
the licensee's social security number be displayed on the 3300  
license. If federal law requires the licensee's social security 3301  
number to be displayed on the license, the social security 3302  
number shall be displayed on the license notwithstanding this 3303  
section. 3304

(4) The driver's license for licensees under twenty-one 3305  
years of age shall have characteristics prescribed by the 3306  
registrar distinguishing it from that issued to a licensee who 3307  
is twenty-one years of age or older, except that a driver's 3308  
license issued to a person who applies no more than thirty days 3309  
before the applicant's twenty-first birthday shall have the 3310  
characteristics of a license issued to a person who is twenty- 3311  
one years of age or older. 3312

(5) The limited term license issued to a temporary 3313  
resident shall contain the ~~word~~ words "limited term" and shall 3314  
have any additional characteristics prescribed by the registrar 3315  
distinguishing it from a license issued to a resident. 3316

~~(6) Every enhanced driver's license shall have any~~ 3317  
~~additional characteristics established by the rules adopted~~ 3318

~~under section 4507.021 of the Revised Code.~~ 3319

~~(7)~~ Every driver's or commercial driver's license 3320  
displaying a motorcycle operator's endorsement and every 3321  
restricted license to operate a motor vehicle also shall display 3322  
the designation "novice," if the endorsement or license is 3323  
issued to a person who is eighteen years of age or older and 3324  
previously has not been licensed to operate a motorcycle by this 3325  
state or another jurisdiction recognized by this state. The 3326  
"novice" designation shall be effective for one year after the 3327  
date of issuance of the motorcycle operator's endorsement or 3328  
license. 3329

~~(8)~~(7) Each license issued under this section shall be of 3330  
such material and so designed as to prevent its reproduction or 3331  
alteration without ready detection. 3332

(B) Except in regard to a driver's license issued to a 3333  
person who applies no more than thirty days before the 3334  
applicant's twenty-first birthday, neither the registrar nor any 3335  
deputy registrar shall issue a driver's license to anyone under 3336  
twenty-one years of age that does not have the characteristics 3337  
prescribed by the registrar distinguishing it from the driver's 3338  
license issued to persons who are twenty-one years of age or 3339  
older. 3340

(C) The registrar shall ensure that driver's licenses 3341  
issued in accordance with the federal "Real ID Act," 49 U.S.C. 3342  
30301, et seq., comply with the regulations specified in 6 3343  
C.F.R. part 37. 3344

(D) Whoever violates division (B) of this section is 3345  
guilty of a minor misdemeanor. 3346

**Sec. 4507.21.** (A) Except as provided in section 4507.061 3347

of the Revised Code, each applicant for a driver's license shall 3348  
file an application in the office of the registrar of motor 3349  
vehicles or of a deputy registrar. 3350

(B) (1) ~~Each~~ Except as provided in division (B) (4) of this 3351  
section, each person under eighteen years of age applying for a 3352  
driver's license issued in this state and each person eighteen 3353  
years of age or older applying for an initial limited term 3354  
license in this state shall present satisfactory evidence of 3355  
having successfully completed ~~any~~ one of the following: 3356

(a) ~~A driver education course approved by the state~~ 3357  
~~department of education and workforce prior to December 31,~~ 3358  
~~2003.~~ 3359

~~(b)~~ A driver training course approved by the director of 3360  
public safety. 3361

~~(c)~~ (b) A driver training course comparable to a ~~driver~~ 3362  
~~education or~~ driver training course described in division (B) (1) 3363  
(a) ~~or (b)~~ of this section and administered by a branch of the 3364  
armed forces of the United States and completed by the applicant 3365  
while residing outside this state for the purpose of being with 3366  
or near any person serving in the armed forces of the United 3367  
States. 3368

(2) Each person under eighteen years of age applying for a 3369  
driver's license also shall present, on a form prescribed by the 3370  
registrar, an affidavit signed by an eligible adult attesting 3371  
that the person has acquired at least fifty hours of actual 3372  
driving experience, with at least ten of those hours being at 3373  
night. 3374

(3) Except as provided in division (B) (4) of this section, 3375  
each person eighteen years of age or older applying for an 3376

initial limited term license in this state also shall present, 3377  
on a form prescribed by the registrar, an affidavit signed by an 3378  
adult who holds a current valid driver's or commercial driver's 3379  
license issued by this state that the applicant has acquired at 3380  
least fifty hours of actual driving experience, with at least 3381  
ten of those hours being at night, accompanied by the signing 3382  
adult. 3383

(4) Both of the following individuals are exempt from the 3384  
requirements specified in divisions (B) (1) and (3) of this 3385  
section: 3386

(a) A person who receives a waiver of the examination by 3387  
the registrar in accordance with section 4507.10 of the Revised 3388  
Code; 3389

(b) An initial limited term license applicant eighteen 3390  
years of age or older who is from a country with which the 3391  
registrar has a reciprocal arrangement in accordance with 3392  
section 4507.101 of the Revised Code. 3393

(C) (1) An applicant for an initial driver's license shall 3394  
present satisfactory evidence of successful completion of the 3395  
abbreviated driver training course for adults, approved by the 3396  
director of public safety under section 4508.02 of the Revised 3397  
Code, if all of the following apply: 3398

(a) The applicant is eighteen years of age or older. 3399

(b) The applicant failed the road or maneuverability test 3400  
required under division (A) (2) of section 4507.11 of the Revised 3401  
Code. 3402

(c) In the twelve months immediately preceding the date of 3403  
application, the applicant has not successfully completed a 3404  
driver training course. 3405

(2) An applicant shall present satisfactory evidence as 3406  
required under division (C)(1) of this section prior to 3407  
attempting the test a second or subsequent time. 3408

(D) If the registrar or deputy registrar determines that 3409  
the applicant is entitled to the driver's license, it shall be 3410  
issued. If the application shows that the applicant's license 3411  
has been previously canceled or suspended, the deputy registrar 3412  
shall forward the application to the registrar, who shall 3413  
determine whether the license shall be granted. 3414

(E) An applicant shall file an application under this 3415  
section in duplicate, and the deputy registrar issuing the 3416  
license shall immediately forward to the office of the registrar 3417  
the original copy of the application, together with the 3418  
duplicate copy of any certificate of completion if issued for 3419  
purposes of division (B) of this section. The registrar shall 3420  
prescribe rules as to the manner in which the deputy registrar 3421  
files and maintains the applications and other records. The 3422  
registrar shall file every application for a driver's or 3423  
commercial driver's license and index them by name and number, 3424  
and shall maintain a suitable record of all licenses issued, all 3425  
convictions and bond forfeitures, all applications for licenses 3426  
denied, and all licenses that have been suspended or canceled. 3427

(F) For purposes of section 2313.06 of the Revised Code, 3428  
the registrar shall maintain accurate and current lists of the 3429  
residents of each county who are eighteen years of age or older, 3430  
have been issued, on and after January 1, 1984, driver's or 3431  
commercial driver's licenses that are valid and current, and 3432  
would be electors if they were registered to vote, regardless of 3433  
whether they actually are registered to vote. The lists shall 3434  
contain the names, addresses, dates of birth, duration of 3435

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 3465  
dollars. 3466

**Sec. 4507.52.** (A) (1) Each identification card issued by 3467  
the registrar of motor vehicles or a deputy registrar shall 3468  
display a distinguishing number assigned to the cardholder, and 3469  
shall display the following inscription: 3470

"STATE OF OHIO IDENTIFICATION CARD 3471

This card is not valid for the purpose of operating a 3472  
motor vehicle. It is provided solely for the purpose of 3473  
establishing the identity of the bearer described on the card." 3474

(2) The identification card shall display substantially 3475  
the same information as contained in the application and as 3476  
described in division (A) (1) of section 4507.51 of the Revised 3477  
Code, including, if the cardholder is a noncitizen of the United 3478  
States, a notation designating that the cardholder is a 3479  
noncitizen. The identification card shall not display the 3480  
cardholder's social security number unless the cardholder 3481  
specifically requests that the cardholder's social security 3482  
number be displayed on the card. If federal law requires the 3483  
cardholder's social security number to be displayed on the 3484  
identification card, the social security number shall be 3485  
displayed on the card notwithstanding this section. 3486

(3) The identification card also shall display the 3487  
photograph of the cardholder. 3488

(4) If the cardholder has executed a durable power of 3489  
attorney for health care or a declaration governing the use or 3490  
continuation, or the withholding or withdrawal, of life- 3491  
sustaining treatment and has specified that the cardholder 3492  
wishes the identification card to indicate that the cardholder 3493



has executed either type of instrument, the card also shall 3494  
display any symbol chosen by the registrar to indicate that the 3495  
cardholder has executed either type of instrument. 3496

(5) If the cardholder has specified that the cardholder 3497  
wishes the identification card to indicate that the cardholder 3498  
is a veteran, active duty, or reservist of the armed forces of 3499  
the United States and has presented a copy of the cardholder's 3500  
DD-214 form or an equivalent document, the card also shall 3501  
display any symbol chosen by the registrar to indicate that the 3502  
cardholder is a veteran, active duty, or reservist of the armed 3503  
forces of the United States. 3504

(6) The card shall be designed as to prevent its 3505  
reproduction or alteration without ready detection. 3506

(7) The identification card for persons under twenty-one 3507  
years of age shall have characteristics prescribed by the 3508  
registrar distinguishing it from that issued to a person who is 3509  
twenty-one years of age or older, except that an identification 3510  
card issued to a person who applies no more than thirty days 3511  
before the applicant's twenty-first birthday shall have the 3512  
characteristics of an identification card issued to a person who 3513  
is twenty-one years of age or older. 3514

(8) Every identification card issued to a resident of this 3515  
state shall display the expiration date of the card, in 3516  
accordance with section 4507.501 of the Revised Code. 3517

(9) Every identification card issued to a temporary 3518  
resident shall expire in accordance with section 4507.501 of the 3519  
Revised Code and rules adopted by the registrar and is limited 3520  
term. Every limited term identification card and limited term 3521  
temporary identification card shall contain the words "limited 3522

term" and shall have any additional characteristics prescribed 3523  
by the registrar distinguishing it from an identification card 3524  
issued to a resident. 3525

~~(10) Every enhanced identification card shall have any 3526  
additional characteristics established by the rules adopted 3527  
under section 4507.021 of the Revised Code. 3528~~

(B) (1) If a card is lost, destroyed, or mutilated, the 3529  
person to whom the card was issued may obtain a duplicate by 3530  
doing both of the following: 3531

(a) Furnishing suitable proof of the loss, destruction, or 3532  
mutilation to the registrar or a deputy registrar; 3533

(b) Filing an application and presenting documentary 3534  
evidence under section 4507.51 of the Revised Code. 3535

(2) A cardholder may apply to obtain a reprint of the 3536  
cardholder's identification card through electronic means in 3537  
accordance with section 4507.40 of the Revised Code. 3538

(3) A cardholder may obtain a replacement identification 3539  
card that reflects any change of the cardholder's name by 3540  
furnishing suitable proof of the change to the registrar or a 3541  
deputy registrar. 3542

(4) Except as provided in division (B) (5) or (6) of this 3543  
section, when a cardholder applies for a duplicate, reprint, or 3544  
replacement identification card, the cardholder shall pay the 3545  
following fees: 3546

(a) Two dollars and fifty cents; 3547

(b) A deputy registrar or service fee equal to the amount 3548  
established under section 4503.038 of the Revised Code. 3549

(5) The following cardholders may apply for a duplicate, 3550  
reprint, or replacement identification card without payment of 3551  
any fee prescribed in division (B) (4) of this section: 3552

(a) A disabled veteran who has a service-connected 3553  
disability rated at one hundred per cent by the veterans' 3554  
administration; 3555

(b) A resident who is permanently or irreversibly 3556  
disabled; 3557

(c) A resident who is in the custody of the department of 3558  
rehabilitation and correction or the department of youth 3559  
services. 3560

(6) A cardholder who is seventeen years of age or older 3561  
may apply for a replacement identification card without payment 3562  
of any fee prescribed in division (B) (4) of this section. 3563

(7) A duplicate, reprint, or replacement identification 3564  
card expires on the same date as the card it replaces. 3565

(C) The registrar shall cancel any card upon determining 3566  
that the card was obtained unlawfully, issued in error, or was 3567  
altered. 3568

(D) (1) No agent of the state or its political subdivisions 3569  
shall condition the granting of any benefit, service, right, or 3570  
privilege upon the possession by any person of an identification 3571  
card. Nothing in this section shall preclude any publicly 3572  
operated or franchised transit system from using an 3573  
identification card for the purpose of granting benefits or 3574  
services of the system. 3575

(2) No person shall be required to apply for, carry, or 3576  
possess an identification card. 3577

(E) Except in regard to an identification card issued to a 3578  
person who applies no more than thirty days before the 3579  
applicant's twenty-first birthday, neither the registrar nor any 3580  
deputy registrar shall issue an identification card to a person 3581  
under twenty-one years of age that does not have the 3582  
characteristics prescribed by the registrar distinguishing it 3583  
from the identification card issued to persons who are twenty- 3584  
one years of age or older. 3585

(F) The registrar shall ensure that identification cards 3586  
issued in accordance with the federal "Real ID Act," 49 U.S.C. 3587  
30301, et seq., comply with the regulations specified in 6 3588  
C.F.R. part 37. 3589

(G) Whoever violates division (E) of this section is 3590  
guilty of a minor misdemeanor. 3591

**Sec. 4508.02.** (A) (1) The director of public safety, 3592  
subject to Chapter 119. of the Revised Code, shall adopt and 3593  
prescribe such rules concerning the administration and 3594  
enforcement of this chapter as are necessary to protect the 3595  
public. The rules shall require an assessment of the holder of a 3596  
probationary instructor license. The director shall inspect the 3597  
school facilities and equipment of applicants and licensees and 3598  
examine applicants for instructor's licenses. 3599

(2) The director shall adopt rules governing online driver 3600  
education courses that may be completed via the internet to 3601  
satisfy the classroom instruction under division (C) of this 3602  
section. The rules shall do all of the following: 3603

(a) Establish standards that an online driver training 3604  
enterprise must satisfy to be licensed to offer an online driver 3605  
education course via the internet, including, at a minimum, 3606

proven expertise in providing driver education and an acceptable 3607  
infrastructure capable of providing secure online driver 3608  
education in accord with advances in internet technology. The 3609  
rules shall allow an online driver training enterprise to be 3610  
affiliated with a licensed driver training school offering in- 3611  
person classroom instruction, but shall not require such an 3612  
affiliation. 3613

(b) Establish content requirements that an online driver 3614  
education course must satisfy to be approved as equivalent to 3615  
twenty-four hours of in-person classroom instruction; 3616

(c) Establish attendance standards, including a maximum 3617  
number of course hours that may be completed in a twenty-four- 3618  
hour period; 3619

(d) Allow an enrolled applicant to begin the required 3620  
eight hours of actual behind-the-wheel instruction upon 3621  
completing all twenty-four hours of course instruction; 3622

(e) Establish any other requirements necessary to regulate 3623  
online driver education. 3624

(B) The director shall administer and enforce this 3625  
chapter. 3626

(C) The rules shall require twenty-four hours of completed 3627  
in-person classroom instruction or the completion of an 3628  
approved, equivalent online driver education course offered via 3629  
the internet by a licensed online driver training enterprise, 3630  
followed by eight hours of actual behind-the-wheel instruction 3631  
conducted on public streets and highways of this state for all 3632  
beginning drivers of noncommercial motor vehicles who are ~~under-~~ 3633  
~~age eighteen~~ required to complete the training under section 3634  
4507.21 of the Revised Code. The rules also shall require the 3635

classroom instruction or online driver education course for such 3636  
drivers to include instruction on both of the following: 3637

(1) The dangers of driving a motor vehicle while 3638  
distracted, including while using an electronic wireless 3639  
communications device, or engaging in any other activity that 3640  
distracts a driver from the safe and effective operation of a 3641  
motor vehicle; 3642

(2) The dangers of driving a motor vehicle while under the 3643  
influence of a controlled substance, prescription medication, or 3644  
alcohol. 3645

(D) The rules shall state the minimum hours for classroom 3646  
and behind-the-wheel instruction required for beginning drivers 3647  
of commercial trucks, commercial cars, buses, and commercial 3648  
tractors, trailers, and semitrailers. 3649

(E) (1) The department of public safety may charge a fee to 3650  
each online driver training enterprise in an amount sufficient 3651  
to pay the actual expenses the department incurs in the 3652  
regulation of online driver education courses. 3653

(2) The department shall supply to each licensed online 3654  
driver training enterprise certificates to be used for 3655  
certifying an applicant's enrollment in an approved online 3656  
driver education course and a separate certificate to be issued 3657  
upon successful completion of an approved online driver 3658  
education course. The certificates shall be numbered serially. 3659  
The department may charge a fee to each online driver training 3660  
enterprise per certificate supplied to pay the actual expenses 3661  
the department incurs in supplying the certificates. 3662

(F) The director shall adopt rules in accordance with 3663  
Chapter 119. of the Revised Code governing an abbreviated driver 3664

training course for adults. 3665

**Sec. 4511.01.** As used in this chapter and in Chapter 4513. 3666  
of the Revised Code: 3667

(A) "Vehicle" means every device, including a bicycle, 3668  
motorized bicycle, and an electric bicycle, in, upon, or by 3669  
which any person or property may be transported or drawn upon a 3670  
highway, ~~except that "vehicle".~~ "Vehicle" does not include any 3671  
motorized wheelchair, any electric personal assistive mobility 3672  
device, any low-speed micromobility device, any personal 3673  
delivery device as defined in section 4511.513 of the Revised 3674  
Code, any device that is moved by power collected from overhead 3675  
electric trolley wires or that is used exclusively upon 3676  
stationary rails or tracks, or any device, ~~other than a bicycle,~~ 3677  
that is moved by human power. 3678

(B) "Motor vehicle" means every vehicle propelled or drawn 3679  
by power other than muscular power or power collected from 3680  
overhead electric trolley wires, except motorized bicycles, 3681  
electric bicycles, road rollers, traction engines, power 3682  
shovels, power cranes, and other equipment used in construction 3683  
work and not designed for or employed in general highway 3684  
transportation, hole-digging machinery, well-drilling machinery, 3685  
ditch-digging machinery, farm machinery, and trailers designed 3686  
and used exclusively to transport a boat between a place of 3687  
storage and a marina, or in and around a marina, when drawn or 3688  
towed on a street or highway for a distance of no more than ten 3689  
miles and at a speed of twenty-five miles per hour or less. 3690

(C) "Motorcycle" means every motor vehicle, other than a 3691  
tractor, having a seat or saddle for the use of the operator and 3692  
designed to travel on not more than three wheels in contact with 3693  
the ground, including, but not limited to, motor vehicles known 3694

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. 3724

Any vehicle used to transport or provide emergency medical 3725  
service to an ill or injured person, when certified as a public 3726  
safety vehicle, shall be considered a public safety vehicle when 3727  
transporting an ill or injured person to a hospital regardless 3728  
of whether such vehicle has already passed a hospital. 3729

(5) Vehicles used by the motor carrier enforcement unit 3730  
for the enforcement of orders and rules of the public utilities 3731  
commission as specified in section 5503.34 of the Revised Code. 3732

(F) "School bus" means every bus designed for carrying 3733  
more than nine passengers that is owned by a public, private, or 3734  
governmental agency or institution of learning and operated for 3735  
the transportation of children to or from a school session or a 3736  
school function, or owned by a private person and operated for 3737  
compensation for the transportation of children to or from a 3738  
school session or a school function, ~~provided "school~~. "School  
bus" does not include ~~a~~ any of the following: 3740

(1) A bus operated by a municipally owned transportation 3741  
system, a mass transit company operating exclusively within the 3742  
territorial limits of a municipal corporation, or within such 3743  
limits and the territorial limits of municipal corporations 3744  
immediately contiguous to such municipal corporation, nor a 3745  
common passenger carrier certified by the public utilities 3746  
commission unless such bus is devoted exclusively to the 3747  
transportation of children to and from a school session or a 3748  
school function, ~~and "school bus" does not include a~~; 3749

(2) A van or bus used by a licensed child care center or 3750  
type A family child care home to transport children from the 3751  
child care center or type A family child care home to a school 3752

if the van or bus does not have more than fifteen children in 3753  
the van or bus at any time; 3754

(3) An alternative vehicle as defined in section 4511.76 3755  
of the Revised Code. 3756

(G) "Bicycle" means ~~every device, other than a device that~~ 3757  
~~is designed solely for use as a play vehicle by a child, that is~~ 3758  
~~propelled solely by human power upon which a person may ride,~~ 3759  
~~and that has two or more wheels, any of which is more than~~ 3760  
~~fourteen inches in diameter~~ a pedal-powered vehicle upon which a 3761  
human operator sits, including an electric bicycle. 3762

(H) "Motorized bicycle" or "moped" means any vehicle 3763  
having either two tandem wheels or one wheel in the front and 3764  
two wheels in the rear, that may be pedaled, and that is 3765  
equipped with a helper motor of not more than fifty cubic 3766  
centimeters piston displacement that produces not more than one 3767  
brake horsepower and is capable of propelling the vehicle at a 3768  
speed of not greater than twenty miles per hour on a level 3769  
surface. "Motorized bicycle" or "moped" does not include an 3770  
electric bicycle. 3771

(I) "Commercial tractor" means every motor vehicle having 3772  
motive power designed or used for drawing other vehicles and not 3773  
so constructed as to carry any load thereon, or designed or used 3774  
for drawing other vehicles while carrying a portion of such 3775  
other vehicles, or load thereon, or both. 3776

(J) "Agricultural tractor" ~~means~~ and "traction engine" 3777  
mean every self-propelling vehicle designed or used for drawing 3778  
other vehicles or wheeled machinery but having no provision for 3779  
carrying loads independently of such other vehicles, and used 3780  
principally for agricultural purposes. 3781

(K) "Truck" means every motor vehicle, except trailers and 3782  
semitrailers, designed and used to carry property. 3783

(L) "Bus" means every motor vehicle designed for carrying 3784  
more than nine passengers and used for the transportation of 3785  
persons other than in a ridesharing arrangement, and every motor 3786  
vehicle, automobile for hire, or funeral car, other than a 3787  
taxicab or motor vehicle used in a ridesharing arrangement, 3788  
designed and used for the transportation of persons for 3789  
compensation. 3790

(M) "Trailer" means every vehicle designed or used for 3791  
carrying persons or property wholly on its own structure and for 3792  
being drawn by a motor vehicle, including any such vehicle when 3793  
formed by or operated as a combination of a "semitrailer" and a 3794  
vehicle of the dolly type, such as that commonly known as a 3795  
"trailer dolly," a vehicle used to transport agricultural 3796  
produce or agricultural production materials between a local 3797  
place of storage or supply and the farm when drawn or towed on a 3798  
street or highway at a speed greater than twenty-five miles per 3799  
hour, and a vehicle designed and used exclusively to transport a 3800  
boat between a place of storage and a marina, or in and around a 3801  
marina, when drawn or towed on a street or highway for a 3802  
distance of more than ten miles or at a speed of more than 3803  
twenty-five miles per hour. 3804

(N) "Semitrailer" means every vehicle designed or used for 3805  
carrying persons or property with another and separate motor 3806  
vehicle so that in operation a part of its own weight or that of 3807  
its load, or both, rests upon and is carried by another vehicle. 3808

(O) "Pole trailer" means every trailer or semitrailer 3809  
attached to the towing vehicle by means of a reach, pole, or by 3810  
being boomed or otherwise secured to the towing vehicle, and 3811

ordinarily used for transporting long or irregular shaped loads 3812  
such as poles, pipes, or structural members capable, generally, 3813  
of sustaining themselves as beams between the supporting 3814  
connections. 3815

(P) "Railroad" means a carrier of persons or property 3816  
operating upon rails or tracks placed principally on a private 3817  
right-of-way. 3818

(Q) "~~Railroad train~~Train" means ~~a steam engine or an~~ 3819  
~~electric or other motor, with or without cars coupled thereto,~~ 3820  
~~operated by a railroad~~one or more locomotives coupled, with or 3821  
without cars, that operates on rails or tracks and to which all 3822  
other traffic is required by law to yield the right-of-way at 3823  
highway-rail grade crossings. 3824

(R) "Streetcar" means a car, other than a ~~railroad train~~, 3825  
for transporting persons or property, operated upon rails 3826  
principally within a street or highway. 3827

(S) "Trackless trolley" means every car that collects its 3828  
power from overhead electric trolley wires and that is not 3829  
operated upon rails or tracks. 3830

(T) "Explosives" means any chemical compound or mechanical 3831  
mixture that is intended for the purpose of producing an 3832  
explosion that contains any oxidizing and combustible units or 3833  
other ingredients in such proportions, quantities, or packing 3834  
that an ignition by fire, by friction, by concussion, by 3835  
percussion, or by a detonator of any part of the compound or 3836  
mixture may cause such a sudden generation of highly heated 3837  
gases that the resultant gaseous pressures are capable of 3838  
producing destructive effects on contiguous objects, or of 3839  
destroying life or limb. Manufactured articles shall not be held 3840

to be explosives when the individual units contain explosives in 3841  
such limited quantities, of such nature, or in such packing, 3842  
that it is impossible to procure a simultaneous or a destructive 3843  
explosion of such units, to the injury of life, limb, or 3844  
property by fire, by friction, by concussion, by percussion, or 3845  
by a detonator, such as fixed ammunition for small arms, 3846  
firecrackers, or safety fuse matches. 3847

(U) "Flammable liquid" means any liquid that has a flash 3848  
point of seventy degrees fahrenheit, or less, as determined by a 3849  
tagliabue or equivalent closed cup test device. 3850

(V) "Gross weight" means the weight of a vehicle plus the 3851  
weight of any load thereon. 3852

(W) "Person" means every natural person, firm, co- 3853  
partnership, association, or corporation. 3854

(X) "Pedestrian" means any ~~natural person~~ afeton foot, in 3855  
a motorized or non-motorized wheelchair, or using another 3856  
equivalent device, such as skates or a skateboard. "Pedestrian" 3857  
includes a personal delivery device as defined in section 3858  
4511.513 of the Revised Code unless the context clearly suggests 3859  
otherwise. 3860

(Y) "Driver or operator" means every person who drives or 3861  
is in actual physical control of a vehicle, trackless trolley, 3862  
or streetcar. 3863

(Z) "Police officer" means every officer authorized to 3864  
direct or regulate traffic, or to make arrests for violations of 3865  
traffic regulations. 3866

(AA) "Local authorities" means every county, municipal, 3867  
and other local board or body having authority to adopt police 3868  
regulations under the constitution and laws of this state. 3869

(BB) "Street" or "highway" means ~~the entire width between~~ 3870  
~~the boundary lines of every way open to the use of the public as~~ 3871  
~~a thoroughfare for purposes of vehicular~~ a general term for 3872  
denoting a public way for purposes of travel by vehicles, 3873  
streetcars, trackless trolleys, and vulnerable road users, 3874  
including the entire area within the right-of-way. 3875

(CC) "Controlled-access highway" means every street or 3876  
highway in respect to which owners or occupants of abutting 3877  
lands and other persons have no legal right of access to or from 3878  
the same except at such points only and in such manner as may be 3879  
determined by the public authority having jurisdiction over such 3880  
street or highway. 3881

(DD) "Private road ~~or driveway~~" means every way or place 3882  
in private ownership used for vehicular travel by the owner and 3883  
those having express or implied permission from the owner but 3884  
not by other persons. 3885

(EE) "Roadway" means that portion of a highway improved, 3886  
designed, or ordinarily used for vehicular travel and parking 3887  
lanes, except not including the berm, sidewalk, or shoulder, 3888  
even if the berm, sidewalk, or shoulder is used by a person 3889  
operating a bicycle or other human-powered vehicle. If a highway 3890  
includes two or more separate roadways the term "roadway" means 3891  
any such roadway separately but not all such roadways 3892  
collectively. 3893

(FF) "Sidewalk" means that portion of a street between the 3894  
curb lines, or the lateral lines of a roadway, and the adjacent 3895  
property lines or easements of private property, that is paved 3896  
or improved, and is intended for the use of pedestrians. 3897

(GG) "Laned highway" means a highway the roadway of which 3898

is divided into two or more clearly marked lanes for vehicular traffic. 3899  
3900

(HH) "Through highway" means every street or highway as provided in section 4511.65 of the Revised Code. 3901  
3902

(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. 3903  
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(JJ) "State route" means every highway that is designated with an official state route number and so marked. 3910  
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(KK) "Intersection" means: 3912

(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. 3913  
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(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 3923  
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~~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; 3957

(2) Any portion of a roadway at an intersection or 3958  
elsewhere, distinctly indicated for pedestrian crossing by lines 3959  
or other markings on the surface, which might be supplemented by 3960  
contrasting pavement texture, style, or color; 3961

(3) Notwithstanding divisions (LL) (1) and (2) of this 3962  
section, ~~there shall not be a "crosswalk"~~ does not include an 3963  
area where local authorities have placed signs indicating no 3964  
crossing. 3965

(MM) "Safety zone" means the area or space officially set 3966  
apart within a roadway for the exclusive use of pedestrians and 3967  
protected or marked or indicated by adequate signs as to be 3968  
plainly visible at all times. 3969

(NN) "Business district" means the territory fronting upon 3970  
a street or highway, including the street or highway, between 3971  
successive intersections within municipal corporations where 3972  
fifty per cent or more of the frontage between such successive 3973  
intersections is occupied by buildings in use for business, or 3974  
within or outside municipal corporations where fifty per cent or 3975  
more of the frontage for a distance of three hundred feet or 3976  
more is occupied by buildings in use for business, and the 3977  
character of such territory is indicated by official traffic 3978  
control devices. 3979

(OO) "Residence district" means the territory, not 3980  
comprising a business district, fronting on a street or highway, 3981  
including the street or highway, where, for a distance of three 3982  
hundred feet or more, the frontage is improved with residences 3983  
or residences and buildings in use for business. 3984

(PP) "Urban district" means the territory contiguous to 3985

and including any street or highway which is built up with 3986  
structures devoted to business, industry, or dwelling houses 3987  
situated at intervals of less than one hundred feet for a 3988  
distance of a quarter of a mile or more, and the character of 3989  
such territory is indicated by official traffic control devices. 3990

(QQ) "Traffic control device" means a flagger, sign, 3991  
signal, marking, channelization device, or other device ~~used to~~ 3992  
~~regulate, warn, or guide traffic, placed on, over, or adjacent~~ 3993  
that uses colors, shapes, symbols, words, sounds, or tactile 3994  
information for the primary purpose of communicating a 3995  
regulatory, warning, or guidance message to road users on a 3996  
street, highway, ~~private road site roadway~~ open to public 3997  
travel, pedestrian facility, ~~or shared-use path by authority of~~ 3998  
~~a public agency or official having jurisdiction, or, in the case~~ 3999  
~~of a private road open to public travel, by authority of the~~ 4000  
~~private owner or private official having jurisdiction~~bikeway, or 4001  
pathway. 4002

(RR) "Traffic control signal" means ~~any a~~ highway traffic 4003  
signal ~~by which~~ placed at an intersection, movable bridge, fire 4004  
station, midblock crosswalk, alternating one-way sections of a 4005  
single lane road, private driveway, or other location that 4006  
requires conflicting traffic is alternately to be directed to 4007  
stop and permitted to proceed in an orderly manner. "Traffic 4008  
control signal" includes a vehicular signal indication, a 4009  
pedestrian signal indication, and a bicycle symbol signal 4010  
indication. "Traffic control signal" does not include an 4011  
emergency-vehicle hybrid beacon or a pedestrian hybrid beacon. 4012

(SS) "Railroad sign or signal" means any sign, signal, or 4013  
device erected by authority of a public body or official or by a 4014  
railroad and intended to give notice of the presence of railroad 4015

tracks or the approach of a ~~railroad~~-train. 4016

(TT) "Traffic" means pedestrians, ridden or herded 4017  
animals, vehicles, streetcars, trackless trolleys, and other 4018  
devices, either singly or together, while using for purposes of 4019  
travel any highway or ~~private road~~-site roadway open to public 4020  
travel. 4021

(UU) "Right-of-way" means either of the following, as the 4022  
context requires: 4023

(1) The right of a vehicle, streetcar, trackless trolley, 4024  
or pedestrian to proceed uninterruptedly in a lawful manner in 4025  
the direction in which it or the individual is moving in 4026  
preference to another vehicle, streetcar, trackless trolley, or 4027  
pedestrian approaching from a different direction into its or 4028  
the individual's path; 4029

(2) A general term denoting land, property, or the 4030  
interest therein, usually in the configuration of a strip, 4031  
acquired for or devoted to transportation purposes. When used in 4032  
this context, right-of-way includes the roadway, shoulders or 4033  
berm, ditch, and slopes extending to the right-of-way limits 4034  
under the control of the state or local authority. 4035

(VV) "Rural mail delivery vehicle" means every vehicle 4036  
used to deliver United States mail on a rural mail delivery 4037  
route. 4038

(WW) "Funeral escort vehicle" means any motor vehicle, 4039  
including a funeral hearse, while used to facilitate the 4040  
movement of a funeral procession. 4041

(XX) "Alley" means a street or highway intended to provide 4042  
access to the rear or side of lots or buildings in urban 4043  
districts and not intended for the purpose of through vehicular 4044

traffic, and includes any street or highway that has been 4045  
declared an "alley" by the legislative authority of the 4046  
municipal corporation in which such street or highway is 4047  
located. 4048

(YY) "Freeway" means a divided multi-lane highway for 4049  
through traffic with all crossroads separated in grade and with 4050  
full control of access. 4051

(ZZ) "Expressway" means a divided arterial street or 4052  
highway for through traffic with full or partial control of 4053  
access with an excess of fifty per cent of all crossroads 4054  
separated in grade. 4055

(AAA) "Thruway" means a through highway whose entire 4056  
roadway is reserved for through traffic and on which roadway 4057  
parking is prohibited. 4058

(BBB) "Stop intersection" means any intersection at one or 4059  
more entrances of which stop signs are erected. 4060

(CCC) "Arterial street or highway" means ~~any United States~~ 4061  
~~or state numbered route, controlled access highway, or other~~ 4062  
~~major radial or circumferential~~ a street or highway primarily 4063  
used by through traffic, usually on a continuous route or a 4064  
street or highway designated by local authorities within their 4065  
~~respective jurisdictions as part of a major an arterial system~~ 4066  
~~of streets or highways.~~ 4067

(DDD) "Ridesharing arrangement" means the transportation 4068  
of persons in a motor vehicle where such transportation is 4069  
incidental to another purpose of a volunteer driver and includes 4070  
ridesharing arrangements known as carpools, vanpools, and 4071  
buspools. 4072

(EEE) "Motorized wheelchair" means any self-propelled 4073

vehicle designed for, and used by, a person with a disability 4074  
and that is incapable of a speed in excess of eight miles per 4075  
hour. 4076

(FFF) "Child care center" and "type A family child care 4077  
home" have the same meanings as in section 5104.01 of the 4078  
Revised Code. 4079

(GGG) "Multi-wheel agricultural tractor" means a type of 4080  
agricultural tractor that has two or more wheels or tires on 4081  
each side of one axle at the rear of the tractor, is designed or 4082  
used for drawing other vehicles or wheeled machinery, has no 4083  
provision for carrying loads independently of the drawn vehicles 4084  
or machinery, and is used principally for agricultural purposes. 4085

(HHH) "Operate" means to cause or have caused movement of 4086  
a vehicle, streetcar, or trackless trolley. 4087

(III) "Predicate motor vehicle or traffic offense" means 4088  
any of the following: 4089

(1) A violation of section 4511.03, 4511.051, 4511.12, 4090  
4511.132, 4511.16, 4511.20, 4511.201, 4511.206, 4511.21, 4091  
4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4092  
4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4093  
4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4094  
4511.42, 4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4095  
4511.451, 4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4096  
4511.49, 4511.50, 4511.511, 4511.522, 4511.53, 4511.54, 4511.55, 4097  
4511.56, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4098  
4511.66, 4511.661, 4511.68, 4511.70, 4511.701, 4511.71, 4099  
4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 4511.763, 4100  
4511.771, 4511.78, or 4511.84 of the Revised Code; 4101

(2) A violation of division (A)(2) of section 4511.17, 4102

divisions (A) to (D) of section 4511.51, or division (A) of 4103  
section 4511.74 of the Revised Code; 4104

(3) A violation of any provision of sections 4511.01 to 4105  
4511.76 of the Revised Code for which no penalty otherwise is 4106  
provided in the section that contains the provision violated; 4107

(4) A violation of section 4511.214 of the Revised Code; 4108

(5) A violation of a municipal ordinance that is 4109  
substantially similar to any section or provision set forth or 4110  
described in division (III) (1), (2), (3), or (4) of this 4111  
section. 4112

(JJJ) "Road service vehicle" means wreckers, utility 4113  
repair vehicles, and state, county, and municipal service 4114  
vehicles equipped with visual signals by means of flashing, 4115  
rotating, or oscillating lights. 4116

(KKK) "Beacon" means a highway traffic signal with one or 4117  
more signal sections that operate in a flashing mode. 4118

(LLL) "Hybrid beacon" means a special type of beacon that 4119  
is intentionally placed in a dark mode where no indications are 4120  
displayed between periods of operation ~~where no indications are~~ 4121  
~~displayed and,~~ when ~~in operation~~operated, displays both steady 4122  
and flashing highway traffic control-signal indications. "Hybrid 4123  
beacon" includes both of the following: 4124

(1) An emergency-vehicle hybrid beacon used to warn and 4125  
control traffic at an otherwise unsignalized location to assist 4126  
authorized emergency vehicles in entering or crossing a street 4127  
or highway; 4128

(2) A pedestrian hybrid beacon used to warn and control 4129  
traffic at an otherwise unsignalized location to assist 4130

pedestrians in crossing a street or highway at a marked 4131  
crosswalk. 4132

(MMM) "Highway traffic signal" means a power-operated 4133  
traffic control device by which traffic is warned or directed to 4134  
take some specific action. "Highway traffic signal" includes a 4135  
beacon, an in-road warning light, a lane-use control signal, and 4136  
a traffic control signal. "Highway traffic signal" does not 4137  
include a power-operated sign, steadily illuminated pavement 4138  
marker, gate, flashing light signal, warning light, or steady 4139  
burning electric lamp. 4140

(NNN) "Median" means the portion of a highway separating 4141  
opposing directions of the traveled way or the area between two 4142  
roadways of a divided highway, measured from edge of traveled 4143  
way to edge of traveled way, ~~but excluding~~. The median excludes 4144  
turn lanes. The width of a median may be different between 4145  
intersections, ~~between~~ interchanges, and at opposite approaches 4146  
of the same intersection. 4147

(OOO) ~~"Private road~~ Site roadway open to public travel" 4148  
means a ~~private toll road or road, including any adjacent~~ 4149  
~~sidewalks that generally run parallel to the road, within~~ 4150  
roadway or bikeway on site of a shopping center, office park, 4151  
airport, school, university, sports arena, recreational park, or 4152  
other similar business, government, or recreation facility that 4153  
is publicly or privately owned but where the public is allowed 4154  
to travel without full-time access restrictions. ~~"Private road~~ 4155  
~~Site roadway open to public travel" includes a gated toll road~~ 4156  
~~but~~ does not include a ~~road within a private gated property~~ 4157  
roadway where access is restricted at all times by gates or 4158  
guards to residents, employees, or other specifically authorized 4159  
persons, a parking area, a driving aisle within a parking area, 4160

or a private highway-rail grade crossing. 4161

(PPP) "Shared-use path" means a bikeway outside the 4162  
traveled way and physically separated from motorized vehicular 4163  
traffic by an open space or barrier and either within the 4164  
highway right-of-way or within an independent alignment. A 4165  
shared-use path also may be used by pedestrians, including 4166  
skaters, joggers, users of manual and motorized wheelchairs, and 4167  
other authorized motorized and non-motorized users. A shared-use 4168  
path does not include any trail that is intended to be used 4169  
primarily for mountain biking, hiking, equestrian use, or other 4170  
similar uses, or any other single track or natural surface trail 4171  
that has historically been reserved for nonmotorized use. 4172

(QQQ) "Highway maintenance vehicle" means a vehicle used 4173  
in snow and ice removal or road surface maintenance, including a 4174  
snow plow, traffic line striper, road sweeper, mowing machine, 4175  
asphalt distributing vehicle, or other such vehicle designed for 4176  
use in specific highway maintenance activities. 4177

(RRR) "Waste collection vehicle" means a vehicle used in 4178  
the collection of garbage, refuse, trash, or recyclable 4179  
materials. 4180

(SSS) "Electric bicycle" means a "class 1 electric 4181  
bicycle," a "class 2 electric bicycle," or a "class 3 electric 4182  
bicycle" as defined in this section. 4183

(TTT) "Class 1 electric bicycle" means a bicycle that is 4184  
equipped with fully operable pedals and an electric motor of 4185  
less than seven hundred fifty watts that provides assistance 4186  
only when the rider is pedaling and ceases to provide assistance 4187  
when the bicycle reaches the speed of twenty miles per hour. 4188

(UUU) "Class 2 electric bicycle" means a bicycle that is 4189



equipped with fully operable pedals and an electric motor of 4190  
less than seven hundred fifty watts that may provide assistance 4191  
regardless of whether the rider is pedaling and is not capable 4192  
of providing assistance when the bicycle reaches the speed of 4193  
twenty miles per hour. 4194

(VVV) "Class 3 electric bicycle" means a bicycle that is 4195  
equipped with fully operable pedals and an electric motor of 4196  
less than seven hundred fifty watts that provides assistance 4197  
only when the rider is pedaling and ceases to provide assistance 4198  
when the bicycle reaches the speed of twenty-eight miles per 4199  
hour. 4200

(WWW) "Low-speed micromobility device" means a device 4201  
weighing less than one hundred pounds that has handlebars, is 4202  
propelled by an electric motor or human power, and has an 4203  
attainable speed on a paved level surface of not more than 4204  
twenty miles per hour when propelled by the electric motor. 4205

(XXX) "Natural resources officer" means an officer 4206  
appointed pursuant to section 1501.24 of the Revised Code. 4207

(YYY) "Wildlife officer" means an officer designated 4208  
pursuant to section 1531.13 of the Revised Code. 4209

(ZZZ) "In-road warning light" means a special type of 4210  
highway traffic signal that is installed in the roadway surface 4211  
to warn road users that they are approaching a condition on or 4212  
adjacent to the roadway that might not be readily apparent and 4213  
might require the road users to reduce speed or come to a 4214  
complete stop. 4215

(AAAA) "Lane-use control signal" means a signal face or 4216  
comparable display on a full-matrix changeable message sign that 4217  
displays indications to permit or prohibit the use of specific 4218

lanes of a roadway or a shoulder where driving is sometimes 4219  
authorized or to indicate the impending prohibition of such use. 4220

(BBBB) "Bicycle box" means a designated area on the 4221  
approach to a signalized intersection, between an advance 4222  
motorist stop line and the crosswalk or intersection, that is 4223  
intended to provide bicyclists a visible location to wait in 4224  
front of stopped motorists during the red signal phase. 4225

(CCCC) "Two-stage bicycle turn box" means a designated 4226  
area at an intersection that is intended to provide bicyclists a 4227  
place to wait for traffic to clear before proceeding in a 4228  
different direction of travel. 4229

(DDDD) "Bicycle lane" means a portion of a roadway that 4230  
has been designated for preferential or exclusive use by 4231  
bicyclists and is often delineated from the adjacent general- 4232  
purpose lanes by longitudinal pavement markings and either a 4233  
bicycle lane symbol, words, or signs. "Bicycle lane" includes 4234  
all of the following: 4235

(1) A buffer-separated bicycle lane, which is separated 4236  
from the adjacent general-purpose lanes by a pattern of standard 4237  
longitudinal pavement markings that are wider than a normal or 4238  
wide-lane pavement marking; 4239

(2) A counter-flow bicycle lane, which is a one- 4240  
directional bicycle lane that provides a lawful path of travel 4241  
for bicycles in the opposite direction from the general traffic 4242  
on a roadway that otherwise requires the general traffic to 4243  
travel in only one direction. A counter-flow bicycle lane is 4244  
designated by the traffic control devices used for other bicycle 4245  
lanes; 4246

(3) A separated bicycle lane, which is an exclusive 4247

facility for bicyclists that is located within or directly 4248  
adjacent to the roadway and is physically separated from the 4249  
motor vehicle traffic with a vertical element. 4250

(EEEE) "Bicycle signal face" means a signal face that 4251  
displays only bicycle symbol signal indications in accordance 4252  
with section 4511.15 of the Revised Code, that exclusively 4253  
controls a bicyclist's movement from a designated bicycle lane 4254  
or from a separate facility, and that displays signal 4255  
indications that are applicable only to a bicyclist's movement. 4256

(FFFF) "Bicycle signal sign" means a sign meant to inform 4257  
road users that the signal indications in the bicycle signal 4258  
face are intended only for bicyclists, and to inform bicyclists 4259  
which bicyclist movements are controlled by that bicycle signal 4260  
face. 4261

(GGGG) "Bikeway" means any road, street, path, or way that 4262  
in some manner is specifically designated for bicycle travel, 4263  
regardless of whether the facility is designated for the 4264  
exclusive use of bicycles or if it is shared with other modes of 4265  
transportation. 4266

(HHHH) "Busway" means a traveled way that is used 4267  
exclusively by buses. 4268

(IIII) "Driveway" means an access from a roadway to a 4269  
building, site, or abutting property. 4270

(JJJJ) "Roundabout" means a circular intersection with a 4271  
yield control at each entry, which permits a vehicle on the 4272  
circulatory roadway to proceed, with deflection of the 4273  
approaching vehicles counter-clockwise around a central island. 4274

(KKKK) "Shoulder" means a longitudinal area contiguous 4275  
with the traveled way that is used for accommodating vehicles 4276

that are stopped for an emergency and for lateral support of 4277  
base and surface courses; graded for emergency stopping; either 4278  
paved or unpaved; and when paved, may be open for part-time 4279  
travel by some or all vehicles or may also be available for use 4280  
by pedestrians or bicycles in the absence of other pedestrian or 4281  
bicycle facilities. 4282

(LLLL) "Autocycle," "cab-enclosed motorcycle," 4283  
"electronic," "farm machinery," "motor-driven cycle or motor 4284  
scooter," "limited driving privileges," and "state" have the 4285  
same meanings as in section 4501.01 of the Revised Code. 4286

**Sec. 4511.09.** The department of transportation shall adopt 4287  
a manual for a uniform system of traffic control devices, 4288  
including signs denoting names of streets and highways, for use 4289  
upon any street, highway, bikeway, or ~~private road~~ site roadway 4290  
open to public travel within this state. Such uniform system 4291  
shall correlate with, and so far as possible conform to, the 4292  
system approved by the federal highway administration. 4293

**Sec. 4511.091.** (A) The driver of any motor vehicle that 4294  
has been checked by radar, or by any electrical or mechanical 4295  
timing device to determine the speed of the motor vehicle over a 4296  
measured distance of a highway or a measured distance of a 4297  
~~private road or driveway~~, and found to be in violation of any of 4298  
the provisions of section 4511.21 or 4511.211 of the Revised 4299  
Code, may be arrested until a warrant can be obtained, provided 4300  
the arresting officer has observed the recording of the speed of 4301  
the motor vehicle by the radio microwaves, electrical or 4302  
mechanical timing device, or has received a radio message from 4303  
the officer who observed the speed of the motor vehicle recorded 4304  
by the radio microwaves, electrical or mechanical timing device; 4305  
provided, in case of an arrest based on such a message, the 4306

radio message has been dispatched immediately after the speed of 4307  
the motor vehicle was recorded and the arresting officer is 4308  
furnished a description of the motor vehicle for proper 4309  
identification and the recorded speed. 4310

(B) If the driver of a motor vehicle being driven on a 4311  
public street or highway of this state is observed violating any 4312  
provision of this chapter other than section 4511.21 or 4511.211 4313  
of the Revised Code by a law enforcement officer situated at any 4314  
location, including in any type of airborne aircraft or airship, 4315  
that law enforcement officer may send a radio message to another 4316  
law enforcement officer, and the other law enforcement officer 4317  
may arrest the driver of the motor vehicle until a warrant can 4318  
be obtained or may issue the driver a citation for the 4319  
violation; provided, if an arrest or citation is based on such a 4320  
message, the radio message is dispatched immediately after the 4321  
violation is observed and the law enforcement officer who 4322  
observes the violation furnishes to the law enforcement officer 4323  
who makes the arrest or issues the citation a description of the 4324  
alleged violation and the motor vehicle for proper 4325  
identification. 4326

(C) (1) No person shall be arrested, charged, or convicted 4327  
of a violation of any provision of divisions (B) to (O) of 4328  
section 4511.21 or section 4511.211 of the Revised Code or a 4329  
substantially similar municipal ordinance based on a peace 4330  
officer's unaided visual estimation of the speed of a motor 4331  
vehicle, trackless trolley, or streetcar. This division does not 4332  
do any of the following: 4333

(a) Preclude the use by a peace officer of a stopwatch, 4334  
radar, laser, or other electrical, mechanical, or digital device 4335  
to determine the speed of a motor vehicle; 4336

(b) Apply regarding any violation other than a violation 4337  
of divisions (B) to (O) of section 4511.21 or section 4511.211 4338  
of the Revised Code or a substantially similar municipal 4339  
ordinance; 4340

(c) Preclude a peace officer from testifying that the 4341  
speed of operation of a motor vehicle, trackless trolley, or 4342  
streetcar was at a speed greater or less than a speed described 4343  
in division (A) of section 4511.21 of the Revised Code, the 4344  
admission into evidence of such testimony, or preclude a 4345  
conviction of a violation of that division based in whole or in 4346  
part on such testimony. 4347

(2) As used in this division, "peace officer" has the same 4348  
meaning as in section 2935.01 of the Revised Code. 4349

**Sec. 4511.092.** As used in sections 4511.092 to 4511.0914 4350  
of the Revised Code: 4351

(A) "Designated party" means the person whom the 4352  
registered owner of a motor vehicle, upon receipt of a ticket 4353  
based upon images recorded by a traffic law photo-monitoring 4354  
device that indicate a traffic law violation, identifies as the 4355  
person who was operating the vehicle of the registered owner at 4356  
the time of the violation. 4357

(B) "Law enforcement officer" means a ~~sheriff, deputy~~ 4358  
~~sheriff, marshal, deputy marshal, police officer of a police~~ 4359  
~~department of any municipal corporation, police constable of any~~ 4360  
~~township, or police officer of a township or joint police~~ 4361  
~~district, police officer~~ who is employed on a permanent, full- 4362  
time basis by the law enforcement agency of a local authority 4363  
that assigns such person to the location of a traffic law photo- 4364  
monitoring device. 4365

|  |      |
|--|------|
| (C) "Local authority" means a municipal corporation,             | 4366 |
| <del>county, or township.</del>                                  | 4367 |
| (D) "Motor vehicle leasing dealer" has the same meaning as       | 4368 |
| in section 4517.01 of the Revised Code.                          | 4369 |
| (E) "Motor vehicle renting dealer" has the same meaning as       | 4370 |
| in section 4549.65 of the Revised Code.                          | 4371 |
| (F) "Recorded images" means any of the following images          | 4372 |
| recorded by a traffic law photo-monitoring device that show, on  | 4373 |
| at least one image or on a portion of the videotape, the rear of | 4374 |
| a motor vehicle and the letters and numerals on the rear license | 4375 |
| plate of the vehicle:  | 4376 |
| (1) Two or more photographs, microphotographs, electronic        | 4377 |
| images, or digital images;                                       | 4378 |
| (2) Videotape.   | 4379 |
| (G) "Registered owner" means all of the following:               | 4380 |
| (1) Any person or entity identified by the bureau of motor       | 4381 |
| vehicles or any other state motor vehicle registration bureau,   | 4382 |
| department, or office as the owner of a motor vehicle;           | 4383 |
| (2) The lessee of a motor vehicle under a lease of six           | 4384 |
| months or longer;  | 4385 |
| (3) The renter of a motor vehicle pursuant to a written          | 4386 |
| rental agreement with a motor vehicle renting dealer.            | 4387 |
| (H) "System location" means the approach to an                   | 4388 |
| intersection or area of roadway toward which a traffic law       | 4389 |
| photo-monitoring device is directed and is in operation.         | 4390 |
| (I) "Ticket" means any traffic ticket, citation, summons,        | 4391 |
| or other ticket issued in response to an alleged traffic law     | 4392 |

violation detected by a traffic law photo-monitoring device, 4393  
that represents a civil violation. 4394

(J) "Traffic law photo-monitoring device" means an 4395  
electronic system consisting of a photographic, video, or 4396  
electronic camera and a means of sensing the presence of a motor 4397  
vehicle that automatically produces recorded images. 4398

(K) "Traffic law violation" means either of the following: 4399

(1) A violation of section 4511.12 of the Revised Code 4400  
based on the failure to comply with section 4511.13 of the 4401  
Revised Code or a substantially equivalent municipal ordinance 4402  
that occurs at an intersection due to failure to obey a highway 4403  
traffic ~~control~~-signal; 4404

(2) A violation of section 4511.21 or 4511.211 of the 4405  
Revised Code or a substantially equivalent municipal ordinance 4406  
due to failure to observe the applicable speed limit. 4407

**Sec. 4511.093.** (A) A local authority may utilize a traffic 4408  
law photo-monitoring device for the purpose of detecting traffic 4409  
law violations. ~~If the local authority is a county or township,~~ 4410  
~~the board of county commissioners or the board of township~~ 4411  
~~trustees may adopt such resolutions as may be necessary to~~ 4412  
~~enable the county or township to utilize traffic law photo-~~ 4413  
~~monitoring devices~~No county, township, or representative of a 4414  
county or township shall utilize a traffic law photo-monitoring 4415  
device to detect and enforce traffic law violations. 4416

(B) The use of a traffic law photo-monitoring device is 4417  
subject to the following conditions: 4418

(1) A local authority shall use a traffic law photo- 4419  
monitoring device to detect and enforce traffic law violations 4420  
only if a law enforcement officer is present at the location of 4421



the device at all times during the operation of the device and 4422  
if the local authority complies with sections 4511.094 and 4423  
4511.095 of the Revised Code. 4424

(2) A law enforcement officer who is present at the 4425  
location of any traffic law photo-monitoring device and who 4426  
personally witnesses a traffic law violation may issue a ticket 4427  
for the violation. Such a ticket shall be issued in accordance 4428  
with section 2935.26 of the Revised Code and is not subject to 4429  
sections 4511.096 to 4511.0910 and section 4511.912 of the 4430  
Revised Code. 4431

(3) If a traffic law photo-monitoring device records a 4432  
traffic law violation and the law enforcement officer who was 4433  
present at the location of the traffic law photo-monitoring 4434  
device does not issue a ticket as provided under division (B) (2) 4435  
of this section, the local authority may only issue a ticket in 4436  
accordance with sections 4511.096 to 4511.0912 of the Revised 4437  
Code. 4438

~~(4) If the local authority utilizing traffic law photo-~~ 4439  
~~monitoring devices is a county or township, a law enforcement-~~ 4440  
~~officer of the county or township shall use only a handheld-~~ 4441  
~~traffic law photo-monitoring device held by the law enforcement-~~ 4442  
~~officer.~~ 4443

~~(C) No township constable appointed under section 509.01-~~ 4444  
~~of the Revised Code, member of a police force of a township or-~~ 4445  
~~joint police district created under section 505.48 or 505.482 of~~ 4446  
~~the Revised Code, or other representative of a township shall-~~ 4447  
~~utilize a traffic law photo-monitoring device to detect and-~~ 4448  
~~enforce traffic law violations on an interstate highway.~~ 4449

**Sec. 4511.094.** (A) No local authority shall use traffic 4450

law photo-monitoring devices to detect or enforce any traffic 4451  
law violation until after it has done both of the following: 4452

(1) Erected signs on every highway that is not a freeway 4453  
that is part of the state highway system and that enters that 4454  
local authority informing inbound traffic that the local 4455  
authority utilizes traffic law photo-monitoring devices to 4456  
enforce traffic laws; 4457

(2) Beginning on ~~the effective date of this amendment~~ 4458  
March 23, 2015, erected signs at each fixed system location 4459  
informing motorists that a traffic law photo-monitoring device 4460  
is present at the location. 4461

The local authority shall erect the signs within the first 4462  
three hundred feet of the boundary of the local authority or 4463  
within three hundred feet of the fixed system location, as 4464  
applicable. If the signs cannot be located within the first 4465  
three hundred feet of the boundary of the local authority or 4466  
within three hundred feet of the fixed system location, the 4467  
local authority shall erect the signs as close to that distance 4468  
as possible. If a particular highway enters and exits the 4469  
territory of a local authority multiple times, the local 4470  
authority shall erect the signs as required by division (A) (1) 4471  
of this section at the locations in each direction of travel 4472  
where inbound traffic on the highway first enters the territory 4473  
of the local authority and is not required to erect additional 4474  
signs along such highway each time the highway reenters the 4475  
territory of the local authority. The local authority is 4476  
responsible for all costs associated with the erection, 4477  
maintenance, and replacement, if necessary, of the signs. The 4478  
local authority shall ensure that all signs erected under this 4479  
division conform in size, color, location, and content to 4480

standards contained in the manual adopted by the department of 4481  
transportation pursuant to section 4511.09 of the Revised Code 4482  
and shall remain in place for as long as the local authority 4483  
utilizes traffic law photo-monitoring devices to enforce any 4484  
traffic law. 4485

(B) A ticket issued by or on behalf of the local authority 4486  
for any traffic law violation based upon evidence recorded by a 4487  
traffic law photo-monitoring device is invalid under the 4488  
following circumstances: 4489

(1) If the ticket was issued after March 12, 2009, but 4490  
before the signs required under division (A)(1) of this section 4491  
were erected; 4492

(2) If the ticket was issued after ~~the effective date of~~ 4493  
~~this amendment~~ March 23, 2015, but before the signs required 4494  
under division (A)(2) of this section were erected. 4495

However, if a local authority is in substantial compliance 4496  
with the requirements of division (A)(1) or (2) of this section, 4497  
as applicable, a ticket issued by the local authority under 4498  
sections 4511.096 to 4511.0912 of the Revised Code is valid. 4499

(C) A local authority is deemed to be in substantial 4500  
compliance with the requirement of division (A)(1) or (2) of 4501  
this section, as applicable, to erect the advisory signs if the 4502  
authority does both of the following: 4503

(1) First erects all signs as required by division (A)(1) 4504  
or (2) of this section, as applicable, and subsequently 4505  
maintains and replaces the signs as needed so that at all times 4506  
at least ninety per cent of the required signs are in place and 4507  
functional; 4508

(2) Annually documents and upon request certifies its 4509

compliance with division (C) (1) of this section. 4510

(D) A local authority that uses traffic law photo- 4511  
monitoring devices to detect or enforce any traffic law 4512  
violation at an intersection where traffic is controlled by 4513  
highway traffic control signals that exhibit different colored 4514  
lights or colored lighted arrows shall time the operation of the 4515  
yellow lights and yellow arrows of those highway traffic control 4516  
signals so that the steady yellow indication exceeds by one 4517  
second the minimum duration for yellow indicators at similar 4518  
intersections as established by the provisions of the manual 4519  
adopted by the department of transportation under section 4520  
4511.09 of the Revised Code. 4521

**Sec. 4511.11.** (A) Local authorities in their respective 4522  
jurisdictions shall place and maintain traffic control devices 4523  
in accordance with the department of transportation manual for a 4524  
uniform system of traffic control devices, adopted under section 4525  
4511.09 of the Revised Code, upon highways under their 4526  
jurisdiction as are necessary to indicate and to carry out 4527  
sections 4511.01 to 4511.76 and 4511.99 of the Revised Code, 4528  
local traffic ordinances, or to regulate, warn, or guide 4529  
traffic. 4530

(B) The director of transportation may require to be 4531  
removed any traffic control device that does not conform to the 4532  
manual for a uniform system of traffic control devices on the 4533  
extensions of the state highway system within municipal 4534  
corporations. 4535

(C) No village shall place or maintain any highway traffic 4536  
control signal upon an extension of the state highway system 4537  
within the village without first obtaining the permission of the 4538  
director. The director may revoke the permission and may require 4539

to be removed any highway traffic ~~control~~-signal that has been 4540  
erected without the director's permission on an extension of a 4541  
state highway within a village, or that, if erected under a 4542  
permit granted by the director, does not conform to the state 4543  
manual, or that is not operated in accordance with the terms of 4544  
the permit. 4545

(D) All traffic control devices erected on any street, 4546  
highway, alley, bikeway, or ~~private road~~ site roadway open to 4547  
public travel shall conform to the state manual. 4548

(E) No person, firm, or corporation shall sell or offer 4549  
for sale to local authorities any traffic control device that 4550  
does not conform to the state manual, except by permission of 4551  
the director. 4552

(F) No local authority shall purchase or manufacture any 4553  
traffic control device that does not conform to the state 4554  
manual, except by permission of the director. 4555

(G) Whoever violates division (E) of this section is 4556  
guilty of a misdemeanor of the third degree. 4557

**Sec. 4511.13.** Highway traffic signal indications for 4558  
vehicles and pedestrians shall have the following meanings: 4559

(A) Steady green signal indication: 4560

(1) (a) Vehicular traffic, streetcars, and trackless 4561  
trolleys facing a circular green signal indication are permitted 4562  
to proceed straight through or turn right or left or make a u- 4563  
turn movement except as such movement is modified by a lane-use 4564  
sign, turn prohibition sign, lane marking, roadway design, 4565  
separate turn signal indication, or other traffic control 4566  
device. Such vehicular traffic, including vehicles turning right 4567  
or left or making a u-turn movement, shall yield the right-of- 4568

way to both of the following: 4569

- (i) Pedestrians lawfully within an associated crosswalk; 4570
- (ii) Other vehicles lawfully within the intersection. 4571

(b) In addition, vehicular traffic turning left or making 4572  
a u-turn movement to the left shall yield the right-of-way to 4573  
other vehicles approaching from the opposite direction so 4574  
closely as to constitute an immediate hazard during the time 4575  
when such turning vehicle is moving across or within the 4576  
intersection. 4577

(2) Vehicular traffic, streetcars, and trackless trolleys 4578  
facing a green arrow signal indication, displayed alone or in 4579  
combination with another signal indication, are permitted to 4580  
cautiously enter the intersection only to make the movement 4581  
indicated by such arrow, or such other movement as is permitted 4582  
by other indications displayed at the same time. Such vehicular 4583  
traffic, streetcars, and trackless trolleys, including vehicles 4584  
turning right or left or making a u-turn movement, shall yield 4585  
the right-of-way to both of the following: 4586

- (a) Pedestrians lawfully within an associated crosswalk; 4587
- (b) Other traffic lawfully using the intersection. 4588

(3) (a) Unless otherwise directed by a pedestrian signal 4589  
indication, as provided in section 4511.14 of the Revised Code, 4590  
pedestrians facing a circular green signal indication are 4591  
permitted to proceed across the roadway within any marked or 4592  
unmarked associated crosswalk. The pedestrian shall yield the 4593  
right-of-way to vehicles lawfully within the intersection or so 4594  
close as to create an immediate hazard at the time that the 4595  
green signal indication is first displayed. 4596

(b) Pedestrians facing a green arrow signal indication, 4597  
unless otherwise directed by a pedestrian signal indication or 4598  
other traffic control device, shall not cross the roadway. 4599

(B) Steady yellow signal indication: 4600

(1) Vehicular traffic, streetcars, and trackless trolleys 4601  
facing a steady circular yellow signal indication are thereby 4602  
warned that the related green movement or the related flashing 4603  
arrow movement is being terminated or that a steady red signal 4604  
indication will be exhibited immediately thereafter when 4605  
vehicular traffic, streetcars, and trackless trolleys shall not 4606  
enter the intersection. The provisions governing vehicular 4607  
operation under the movement being terminated shall continue to 4608  
apply while the steady circular yellow signal indication is 4609  
displayed. 4610

(2) Vehicular traffic facing a steady yellow arrow signal 4611  
indication is thereby warned that the related green arrow 4612  
movement or the related flashing arrow movement is being 4613  
terminated. The provisions governing vehicular operation under 4614  
the movement being terminated shall continue to apply while the 4615  
steady yellow arrow signal indication is displayed. 4616

(3) Pedestrians facing a steady circular yellow or yellow 4617  
arrow signal indication, unless otherwise directed by a 4618  
pedestrian signal indication as provided in section 4511.14 of 4619  
the Revised Code or other traffic control device, shall not 4620  
start to cross the roadway. 4621

(C) Steady red signal indication: 4622

(1) (a) Vehicular traffic, streetcars, and trackless 4623  
trolleys facing a steady circular red signal indication, unless 4624  
entering the intersection to make another movement permitted by 4625

another signal indication, shall stop at a clearly marked stop 4626  
line; but if there is no stop line, traffic shall stop before 4627  
entering the crosswalk on the near side of the intersection; or 4628  
if there is no crosswalk, then before entering the intersection; 4629  
and shall remain stopped until a signal indication to proceed is 4630  
displayed except as provided in divisions (C) (1), (2), and (3) 4631  
of this section. 4632

(b) Except when a traffic control device is in place 4633  
prohibiting a turn on red or a steady red arrow signal 4634  
indication is displayed, vehicular traffic facing a steady 4635  
circular red signal indication is permitted, after stopping, to 4636  
enter the intersection to turn right, or to turn left from a 4637  
one-way street into a one-way street. The right to proceed with 4638  
the turn shall be subject to the provisions that are applicable 4639  
after making a stop at a stop sign. 4640

(2) (a) Vehicular traffic, streetcars, and trackless 4641  
trolleys facing a steady red arrow signal indication shall not 4642  
enter the intersection to make the movement indicated by the 4643  
arrow and, unless entering the intersection to make another 4644  
movement permitted by another signal indication, shall stop at a 4645  
clearly marked stop line; but if there is no stop line, before 4646  
entering the crosswalk on the near side of the intersection; or 4647  
if there is no crosswalk, then before entering the intersection; 4648  
and shall remain stopped until a signal indication or other 4649  
traffic control device permitting the movement indicated by such 4650  
red arrow is displayed. 4651

(b) When a traffic control device is in place permitting a 4652  
turn on a steady red arrow signal indication, vehicular traffic 4653  
facing a steady red arrow indication is permitted, after 4654  
stopping, to enter the intersection to turn right, or to turn 4655



left from a one-way street into a one-way street. The right to 4656  
proceed with the turn shall be limited to the direction 4657  
indicated by the arrow and shall be subject to the provisions 4658  
that are applicable after making a stop at a stop sign. 4659

(3) Unless otherwise directed by a pedestrian signal 4660  
indication as provided in section 4511.14 of the Revised Code or 4661  
other traffic control device, pedestrians facing a steady 4662  
circular red or steady red arrow signal indication shall not 4663  
enter the roadway. 4664

(4) Local authorities by ordinance, or the director of 4665  
transportation on state highways, may prohibit a right or a left 4666  
turn against a steady red signal at any intersection, which 4667  
shall be effective when signs giving notice thereof are posted 4668  
at the intersection. 4669

(D) A flashing green signal indication has no meaning and 4670  
shall not be used. 4671

(E) Flashing yellow signal indication: 4672

(1) (a) Vehicular traffic, on an approach to an 4673  
intersection, facing a flashing circular yellow signal 4674  
indication, is permitted to cautiously enter the intersection to 4675  
proceed straight through or turn right or left or make a u-turn 4676  
movement except as such movement is modified by lane-use signs, 4677  
turn prohibition signs, lane markings, roadway design, separate 4678  
turn signal indications, or other traffic control devices. Such 4679  
vehicular traffic, including vehicles turning right or left or 4680  
making a u-turn movement, shall yield the right-of-way to both 4681  
of the following: 4682

(i) Pedestrians lawfully within an associated crosswalk; 4683

(ii) Other vehicles lawfully within the intersection. 4684

(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 4714  
displayed as a beacon to supplement another traffic control 4715  
device, road users are notified that there is a need to pay 4716  
additional attention to the message contained thereon or that 4717  
the regulatory or warning requirements of the other traffic 4718  
control device, which might not be applicable at all times, are 4719  
currently applicable. 4720

(F) Flashing red signal indication: 4721

(1) Vehicular traffic, on an approach to an intersection, 4722  
facing a flashing circular red signal indication, shall stop at 4723  
a clearly marked stop line; but if there is no stop line, before 4724  
entering the crosswalk on the near side of the intersection; or 4725  
if there is no crosswalk, at the point nearest the intersecting 4726  
roadway where the driver has a view of approaching traffic on 4727  
the intersecting roadway before entering the intersection. The 4728  
right to proceed shall be subject to the provisions that are 4729  
applicable after making a stop at a stop sign. 4730

(2) Pedestrians facing any flashing red signal indication 4731  
at an intersection, unless otherwise directed by a pedestrian 4732  
signal indication or other traffic control device, are permitted 4733  
to proceed across the roadway within any marked or unmarked 4734  
associated crosswalk. Pedestrians shall yield the right-of-way 4735  
to vehicles lawfully within the intersection at the time that 4736  
the flashing red signal indication is first displayed. 4737

(3) When a flashing circular red signal indication is 4738  
displayed as a beacon to supplement another traffic control 4739  
device, road users are notified that there is a need to pay 4740  
additional attention to the message contained thereon or that 4741  
the regulatory requirements of the other traffic control device, 4742  
which might not be applicable at all times, are currently 4743

applicable. Use of this signal indication shall be limited to 4744  
supplementing stop, do not enter, or wrong way signs, and to 4745  
applications where compliance with the supplemented traffic 4746  
control device requires a stop at a designated point. 4747

(4) Vehicular traffic, on an approach to an intersection, 4748  
facing a flashing red arrow signal indication and if intending 4749  
to turn in the direction indicated by the arrow, shall stop at a 4750  
clearly marked stop line; but if there is no stop line, before 4751  
entering the crosswalk on the near side of the intersection; or 4752  
if there is no crosswalk, at the point nearest the intersecting 4753  
roadway where the driver has a view of approaching traffic on 4754  
the intersecting roadway before entering the intersection. The 4755  
right to proceed shall be subject to the provisions that are 4756  
applicable after making a stop at a stop sign. 4757

(G) Transit vehicle signal indication: 4758

(1) Light rail and mass transit system bus traffic, on an 4759  
approach to an intersection from a designated busway or other 4760  
designated transit vehicle lane or tracks shall do all of the 4761  
following: 4762

(a) Stop when facing a steady horizontal white line; 4763

(b) Proceed straight ahead when facing a steady vertical 4764  
white line; 4765

(c) Only turn or proceed left when facing a steady 4766  
diagonal white line that begins in the lower right corner and 4767  
angles up and to the left; 4768

(d) Only turn or proceed right when facing a steady 4769  
diagonal white line that begins in the lower left corner and 4770  
angles up and to the right; 4771

(e) Prepare to stop when facing a flashing vertical white line. 4772  
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(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. 4774  
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(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. 4777  
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~~(H)~~(I) This section does not apply at railroad grade crossings. Conduct of drivers of vehicles, trackless trolleys, and streetcars approaching railroad grade crossings shall be governed by sections 4511.61 and 4511.62 of the Revised Code. 4785  
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**Sec. 4511.131.** The meanings of lane-use control signal indications are as follows: 4789  
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(A) A steady downward green arrow÷ 4791

~~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. 4792  
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(B) A steady yellow "X"÷ 4795

~~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 4796  
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"X" signal indication, either within the same signal face or in 4800  
a downstream signal face. 4801

(C) A steady white two-way left-turn arrow+ 4802

~~A road user is permitted to use a~~ means that the lane over 4803  
which the signal indication is located ~~for~~ is open to traffic 4804  
making a left turn from either direction of travel, but not for 4805  
through travel, ~~with the understanding that common use of the~~ 4806  
~~lane by oncoming road users for left turns also is permitted.~~ 4807

(D) A steady white one-way left-turn arrow+ 4808

~~A road user is permitted to use a~~ means that the lane over 4809  
which the signal indication is located ~~for~~ is open to traffic 4810  
making a left turn in that direction, without opposing turns in 4811  
the same lane, but not for through travel. 4812

(E) A steady red "X"+ 4813

~~A road user is not permitted to use~~ means that the lane 4814  
over which the signal indication is located ~~and that this signal~~ 4815  
~~indication shall modify accordingly the meaning of other traffic~~ 4816  
~~controls present~~ is closed to vehicle traffic in the direction 4817  
viewed by the road user. 4818

**Sec. 4511.132.** (A) The driver of a vehicle, streetcar, or 4819  
trackless trolley who approaches an intersection where traffic 4820  
is controlled by highway traffic control signals shall do all of 4821  
the following if the signal facing the driver exhibits no 4822  
colored lights or colored lighted arrows, exhibits a combination 4823  
of such lights or arrows that fails to clearly indicate the 4824  
assignment of right-of-way, or, if the vehicle is a bicycle or 4825  
an electric bicycle, the signals are otherwise malfunctioning 4826  
due to the failure of a vehicle detector to detect the presence 4827  
of the bicycle or electric bicycle: 4828

(1) Stop at a clearly marked stop line, but if none, stop 4829  
before entering the crosswalk on the near side of the 4830  
intersection, or, if none, stop before entering the 4831  
intersection; 4832

(2) Yield the right-of-way to all vehicles, streetcars, or 4833  
trackless trolleys in the intersection or approaching on an 4834  
intersecting road, if the vehicles, streetcars, or trackless 4835  
trolleys will constitute an immediate hazard during the time the 4836  
driver is moving across or within the intersection or junction 4837  
of roadways; 4838

(3) Exercise ordinary care while proceeding through the 4839  
intersection. 4840

(B) Except as otherwise provided in this division, whoever 4841  
violates this section is guilty of a minor misdemeanor. If, 4842  
within one year of the offense, the offender previously has been 4843  
convicted of or pleaded guilty to one predicate motor vehicle or 4844  
traffic offense, whoever violates this section is guilty of a 4845  
misdemeanor of the fourth degree. If, within one year of the 4846  
offense, the offender previously has been convicted of two or 4847  
more predicate motor vehicle or traffic offenses, whoever 4848  
violates this section is guilty of a misdemeanor of the third 4849  
degree. 4850

If the offender commits the offense while distracted and 4851  
the distracting activity is a contributing factor to the 4852  
commission of the offense, the offender is subject to the 4853  
additional fine established under section 4511.991 of the 4854  
Revised Code. 4855

Sec. 4511.15. Bicycle symbol signal indications have the 4856  
following meanings: 4857

(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: 4858  
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- (1) Pedestrians lawfully within an associated crosswalk; 4865
- (2) Other vehicles lawfully within the intersection. 4866

(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. 4867  
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(C) (a) A steady red bicycle signal indication means that bicyclists shall not enter the intersection to make the movement indicated by the lane-use arrow displayed on the bicycle signal sign that is located immediately adjacent to the bicycle signal face. Unless the bicyclist is entering the intersection to make another movement permitted by another bicycle symbol signal indication, the bicyclist shall stop at a clearly marked stop line; but if there is no stop line, shall stop before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, shall stop before entering the intersection; and shall remain stopped until a green bicycle signal indication to proceed is displayed. 4874  
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- (b) Except when a traffic control device is in place 4886



prohibiting a turn on red, bicyclists facing a steady red 4887  
bicycle signal indication are permitted to enter the 4888  
intersection to turn right if there are no approach lanes for 4889  
motor vehicle traffic to their right. The right to proceed with 4890  
the turn is subject to the provisions that are applicable after 4891  
making a stop at a stop sign. 4892

(D) A flashing green bicycle signal indication and a 4893  
flashing yellow bicycle signal indication have no meaning and 4894  
shall not be used. 4895

(E) A flashing red bicycle signal indication means that 4896  
bicyclists shall stop at a clearly marked stop line; but if 4897  
there is no stop line, shall stop before entering the crosswalk 4898  
on the near side of the intersection; or if there is no 4899  
crosswalk, shall stop at the point nearest the intersecting 4900  
roadway where the bicyclists have a view of approaching traffic 4901  
on that roadway before entering the intersection. The right to 4902  
make the movement indicated by the lane-use arrow displayed on 4903  
the bicycle signal sign that is located immediately adjacent to 4904  
the bicycle signal face is subject to the provisions that are 4905  
applicable after making a stop at a stop sign. 4906

**Sec. 4511.18.** (A) As used in this section, "traffic 4907  
control device" means any sign, highway traffic control-signal, 4908  
or other device conforming to and placed or erected in 4909  
accordance with the manual adopted under section 4511.09 of the 4910  
Revised Code by authority of a public body or official having 4911  
jurisdiction, for the purpose of regulating, warning, or guiding 4912  
traffic, including signs denoting the names of streets and 4913  
highways, but does not mean any pavement marking. 4914

(B) No individual shall buy or otherwise possess, or sell, 4915  
a traffic control device, except when one of the following 4916

applies: 4917

(1) In the course of the individual's employment by the 4918  
state or a local authority for the express or implied purpose of 4919  
manufacturing, providing, erecting, moving, or removing such a 4920  
traffic control device; 4921

(2) In the course of the individual's employment by any 4922  
manufacturer of traffic control devices other than a state or 4923  
local authority; 4924

(3) For the purpose of demonstrating the design and 4925  
function of a traffic control device to state or local 4926  
officials; 4927

(4) When the traffic control device has been purchased 4928  
from the state or a local authority at a sale of property that 4929  
is no longer needed or is unfit for use; 4930

(5) The traffic control device has been properly purchased 4931  
from a manufacturer for use on private property and the person 4932  
possessing the device has a sales receipt for the device or 4933  
other acknowledgment of sale issued by the manufacturer. 4934

(C) This section does not preclude, and shall not be 4935  
construed as precluding, prosecution for theft in violation of 4936  
section 2913.02 of the Revised Code or a municipal ordinance 4937  
relating to theft, or for receiving stolen property in violation 4938  
of section 2913.51 of the Revised Code or a municipal ordinance 4939  
relating to receiving stolen property. 4940

(D) Whoever violates this section is guilty of a 4941  
misdemeanor of the third degree. 4942

**Sec. 4511.204.** (A) No person shall operate a motor 4943  
vehicle, trackless trolley, or streetcar on any street, highway, 4944

or property open to the public for vehicular traffic while 4945  
using, holding, or physically supporting with any part of the 4946  
person's body an electronic wireless communications device. 4947

(B) Division (A) of this section does not apply to any of 4948  
the following: 4949

(1) A person using an electronic wireless communications 4950  
device to make contact, for emergency purposes, with a law 4951  
enforcement agency, hospital or health care provider, fire 4952  
department, or other similar emergency agency or entity; 4953

(2) A person driving a public safety vehicle while using 4954  
an electronic wireless communications device in the course of 4955  
the person's duties; 4956

(3) A person using an electronic wireless communications 4957  
device when the person's motor vehicle is in a stationary 4958  
position and is outside a lane of travel, at a highway traffic 4959  
~~control~~-signal that is currently directing traffic to stop, or 4960  
parked on a road or highway due to an emergency or road closure; 4961

(4) A person using and holding an electronic wireless 4962  
communications device directly near the person's ear for the 4963  
purpose of making, receiving, or conducting a telephone call, 4964  
provided that the person does not manually enter letters, 4965  
numbers, or symbols into the device; 4966

(5) A person receiving wireless messages on an electronic 4967  
wireless communications device regarding the operation or 4968  
navigation of a motor vehicle; safety-related information, 4969  
including emergency, traffic, or weather alerts; or data used 4970  
primarily by the motor vehicle, provided that the person does 4971  
not hold or support the device with any part of the person's 4972  
body; 4973

(6) A person using the speaker phone function of the 4974  
electronic wireless communications device, provided that the 4975  
person does not hold or support the device with any part of the 4976  
person's body; 4977

(7) A person using an electronic wireless communications 4978  
device for navigation purposes, provided that the person does 4979  
not do either of the following during the use: 4980

(a) Manually enter letters, numbers, or symbols into the 4981  
device; 4982

(b) Hold or support the device with any part of the 4983  
person's body. 4984

(8) A person using a feature or function of the electronic 4985  
wireless communications device with a single touch or single 4986  
swipe, provided that the person does not do either of the 4987  
following during the use: 4988

(a) Manually enter letters, numbers, or symbols into the 4989  
device; 4990

(b) Hold or support the device with any part of the 4991  
person's body. 4992

(9) A person operating a commercial truck while using a 4993  
mobile data terminal that transmits and receives data; 4994

(10) A person operating a utility service vehicle or a 4995  
vehicle for or on behalf of a utility, if the person is acting 4996  
in response to an emergency, power outage, or circumstance that 4997  
affects the health or safety of individuals; 4998

(11) A person using an electronic wireless communications 4999  
device in conjunction with a voice-operated or hands-free 5000  
feature or function of the vehicle or of the device without the 5001

use of either hand except to activate, deactivate, or initiate 5002  
the feature or function with a single touch or swipe, provided 5003  
the person does not hold or support the device with any part of 5004  
the person's body; 5005

(12) A person using technology that physically or 5006  
electronically integrates the device into the motor vehicle, 5007  
provided that the person does not do either of the following 5008  
during the use: 5009

(a) Manually enter letters, numbers, or symbols into the 5010  
device; 5011

(b) Hold or support the device with any part of the 5012  
person's body. 5013

(13) A person storing an electronic wireless 5014  
communications device in a holster, harness, or article of 5015  
clothing on the person's body. 5016

(C) (1) On January 31 of each year, the department of 5017  
public safety shall issue a report to the general assembly that 5018  
specifies the number of citations issued for violations of this 5019  
section during the previous calendar year. 5020

(2) If a law enforcement officer issues an offender a 5021  
ticket, citation, or summons for a violation of division (A) of 5022  
this section, the officer shall do both of the following: 5023

(a) Report the issuance of the ticket, citation, or 5024  
summons to the officer's law enforcement agency; 5025

(b) Ensure that such report indicates the offender's race. 5026

(D) Whoever violates division (A) of this section is 5027  
guilty of operating a motor vehicle while using an electronic 5028  
wireless communication device, an unclassified misdemeanor, and 5029

shall be punished as provided in divisions (D) (1) to (5) of this section. 5030  
5031

(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: 5032  
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(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. 5036  
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(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. 5039  
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(c) If, within two years of the violation, the offender has been convicted of or pleaded guilty to two or more prior violations of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than five hundred dollars. The court also may impose a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for ninety days. 5044  
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(d) Notwithstanding divisions (D) (1) (a) to (c) of this section, if the offender was operating the motor vehicle at the time of the violation in a construction zone where a sign was posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the amount 5053  
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imposed for the violation under division (D) (1) (a), (b), or (c) 5059  
of this section, as applicable. 5060

(2) If the offender is in the category of offenders to 5061  
whom division (D) (1) (a) of this section applies, in lieu of 5062  
payment of the fine of one hundred fifty dollars under division 5063  
(D) (1) (a) of this section and the assessment of points under 5064  
division (D) (4) of this section, the offender instead may elect 5065  
to attend the distracted driving safety course, as described in 5066  
section 4511.991 of the Revised Code. If the offender attends 5067  
and successfully completes the course, the offender shall be 5068  
issued written evidence that the offender successfully completed 5069  
the course. The offender shall not be required to pay the fine 5070  
and shall not have the points assessed against that offender's 5071  
driver's license if the offender submits the written evidence to 5072  
the court within 90 days of the violation of division (A) of 5073  
this section. However, successful completion of the course does 5074  
not result in a dismissal of the charges for the violation, and 5075  
the violation is a prior offense under divisions (D) (1) (b) and 5076  
(c) of this section if the offender commits a subsequent 5077  
violation or violations of division (A) of this section within 5078  
two years of the offense for which the course was completed. 5079  
This division does not apply with respect to any offender in the 5080  
category of offenders to whom division (D) (1) (b), (c), or (d) of 5081  
this section applies. 5082

(3) The court may impose any other penalty authorized 5083  
under sections 2929.21 to 2929.28 of the Revised Code. However, 5084  
the court shall not impose a fine or a suspension not otherwise 5085  
specified in division (D) (1) of this section. The court also 5086  
shall not impose a jail term or community residential sanction. 5087

(4) Except as provided in division (D) (2) of this section, 5088

points shall be assessed for a violation of division (A) of this 5089  
section in accordance with section 4510.036 of the Revised Code. 5090

(5) The offense established under this section is a strict 5091  
liability offense and section 2901.20 of the Revised Code does 5092  
not apply. The designation of this offense as a strict liability 5093  
offense shall not be construed to imply that any other offense, 5094  
for which there is no specified degree of culpability, is not a 5095  
strict liability offense. 5096

(E) This section shall not be construed as invalidating, 5097  
preempting, or superseding a substantially equivalent municipal 5098  
ordinance that prescribes penalties for violations of that 5099  
ordinance that are greater than the penalties prescribed in this 5100  
section for violations of this section. 5101

(F) A prosecution for an offense in violation of this 5102  
section does not preclude a prosecution for an offense in 5103  
violation of a substantially equivalent municipal ordinance 5104  
based on the same conduct. However, the two offenses are allied 5105  
offenses of similar import under section 2941.25 of the Revised 5106  
Code. 5107

(G) (1) A law enforcement officer does not have probable 5108  
cause and shall not stop the operator of a motor vehicle for 5109  
purposes of enforcing this section unless the officer visually 5110  
observes the operator using, holding, or physically supporting 5111  
with any part of the person's body the electronic wireless 5112  
communications device. 5113

(2) A law enforcement officer who stops the operator of a 5114  
motor vehicle, trackless trolley, or streetcar for a violation 5115  
of division (A) of this section shall inform the operator that 5116  
the operator may decline a search of the operator's electronic 5117



wireless communications device. The officer shall not do any of 5118  
the following: 5119

(a) Access the device without a warrant, unless the 5120  
operator voluntarily and unequivocally gives consent for the 5121  
officer to access the device; 5122

(b) Confiscate the device while awaiting the issuance of a 5123  
warrant to access the device; 5124

(c) Obtain consent from the operator to access the device 5125  
through coercion or any other improper means. Any consent by the 5126  
operator to access the device shall be voluntary and unequivocal 5127  
before the officer may access the device without a warrant. 5128

(H) As used in this section: 5129

(1) "Electronic wireless communications device" includes 5130  
any of the following: 5131

(a) A wireless telephone; 5132

(b) A text-messaging device; 5133

(c) A personal digital assistant; 5134

(d) A computer, including a laptop computer and a computer 5135  
tablet; 5136

(e) Any device capable of displaying a video, movie, 5137  
broadcast television image, or visual image; 5138

(f) Any other substantially similar wireless device that 5139  
is designed or used to communicate text, initiate or receive 5140  
communication, or exchange information or data. 5141

An "electronic wireless communications device" does not 5142  
include a two-way radio transmitter or receiver used by a person 5143  
who is licensed by the federal communications commission to 5144

participate in the amateur radio service. 5145

(2) "Voice-operated or hands-free feature or function" 5146  
means a feature or function that allows a person to use an 5147  
electronic wireless communications device without the use of 5148  
either hand, except to activate, deactivate, or initiate the 5149  
feature or function with a single touch or single swipe. 5150

(3) "Utility" means an entity specified in division (A), 5151  
(C), (D), (E), or (G) of section 4905.03 of the Revised Code. 5152

(4) "Utility service vehicle" means a vehicle owned or 5153  
operated by a utility. 5154

**Sec. 4511.206.** (A) As used in this section: 5155

(1) "Active safety systems or operator assistance systems" 5156  
include systems that provide electronic blind-spot assistance, 5157  
crash avoidance, emergency braking, parking assistance, adaptive 5158  
cruise control, lane-keeping assistance, lane departure warning, 5159  
or traffic jam and queuing assistance to the operator of a motor 5160  
vehicle. 5161

(2) "Automated driving system" means the hardware and 5162  
software that are collectively capable of performing all aspects 5163  
of the dynamic driving task for a motor vehicle on a part-time 5164  
or full-time basis without any supervision by a human operator. 5165

(3) "Automated motor vehicle" means a motor vehicle with a 5166  
gross vehicle weight or combined gross vehicle weight rating of 5167  
ten thousand pounds or more on which an automated driving system 5168  
has been installed. "Automated motor vehicle" does not include a 5169  
motor vehicle enabled with one or more active safety systems or 5170  
operator assistance systems, unless one or more of these 5171  
technologies alone or in combination with other systems enables 5172  
the motor vehicle to operate without the control or monitoring 5173

by an operator. 5174

(4) "Dynamic driving task" means both of the following: 5175

(a) Operational aspects, including steering, braking, 5176  
accelerating, monitoring the motor vehicle and the roadway, and 5177  
other related actions; 5178

(b) Tactical aspects, including responding to events, 5179  
determining when to change lanes, turning, using signals, and 5180  
other related actions. 5181

"Dynamic driving task" does not include strategic aspects 5182  
of a driving task, including determining destinations or 5183  
waypoints. 5184

(B) Except as provided in division (C) of this section, no 5185  
person shall knowingly permit an automated motor vehicle owned 5186  
by the person or under the person's control to operate upon any 5187  
public street or highway or site roadway open to public travel 5188  
unless all of the following apply: 5189

(1) The automated motor vehicle is registered in 5190  
accordance with Chapter 4503. of the Revised Code, titled in 5191  
accordance with Chapter 4505. of the Revised Code, and meets any 5192  
applicable federal and state motor vehicle equipment standards 5193  
and regulations. 5194

(2) A person who holds a valid driver's license is 5195  
physically present in the automated motor vehicle and both of 5196  
the following apply: 5197

(a) The person monitors the operation of the automated 5198  
motor vehicle at all times that the vehicle is operating. 5199

(b) The person is capable of taking immediate control of 5200  
the automated motor vehicle if an emergency occurs. 5201

(C) This section does not apply to an automated motor 5202  
vehicle being tested or operated within training and testing 5203  
course locations that are not open to general vehicular travel 5204  
and operation. 5205

(D) Except as otherwise provided in this division, whoever 5206  
violates this section is guilty of a minor misdemeanor. If, 5207  
within one year of the offense, the offender previously has been 5208  
convicted of or pleaded guilty to one predicate motor vehicle or 5209  
traffic offense, whoever violates this section is guilty of a 5210  
misdemeanor of the fourth degree. If, within one year of the 5211  
offense, the offender previously has been convicted of two or 5212  
more predicate motor vehicle or traffic offenses, whoever 5213  
violates this section is guilty of a misdemeanor of the third 5214  
degree. 5215

**Sec. 4511.211.** (A) The owner of a private road ~~or driveway~~ 5216  
located in a private residential area containing twenty or more 5217  
dwelling units may establish a speed limit on the road ~~or~~ 5218  
~~driveway~~ by complying with all of the following requirements: 5219

(1) The speed limit is not less than twenty-five miles per 5220  
hour and is indicated by a sign that is in a proper position, is 5221  
sufficiently legible to be seen by an ordinarily observant 5222  
person, and meets the specifications for the basic speed limit 5223  
sign included in the manual adopted by the department of 5224  
transportation pursuant to section 4511.09 of the Revised Code; 5225

(2) The owner has posted a sign at the entrance of the 5226  
private road ~~or driveway~~ that is in plain view and clearly 5227  
informs persons entering the road ~~or driveway~~ that they are 5228  
entering private property, a speed limit has been established 5229  
for the road ~~or driveway~~, and the speed limit is enforceable by 5230  
law enforcement officers under state law. 5231

(B) No person shall operate a vehicle upon a private road 5232  
~~or driveway~~ as provided in division (A) of this section at a 5233  
speed exceeding any speed limit established and posted pursuant 5234  
to that division. 5235

(C) When a speed limit is established and posted in 5236  
accordance with division (A) of this section, any law 5237  
enforcement officer may apprehend a person violating the speed 5238  
limit of the residential area by utilizing any of the means 5239  
described in section 4511.091 of the Revised Code or by any 5240  
other accepted method of determining the speed of a motor 5241  
vehicle and may stop and charge the person with exceeding the 5242  
speed limit. 5243

(D) Points shall be assessed for violation of a speed 5244  
limit established and posted in accordance with division (A) of 5245  
this section in accordance with section 4510.036 of the Revised 5246  
Code. 5247

(E) As used in this section: 5248

(1) "Owner" includes but is not limited to a person who 5249  
holds title to the real property in fee simple, a condominium 5250  
owners' association, a property owner's association, the board 5251  
of directors or trustees of a private community, and a nonprofit 5252  
corporation governing a private community. 5253

(2) "Private residential area containing twenty or more 5254  
dwelling units" does not include a Chautauqua assembly as 5255  
defined in section 4511.90 of the Revised Code. 5256

(F) (1) A violation of division (B) of this section is one 5257  
of the following: 5258

(a) Except as otherwise provided in divisions (F) (1) (b) 5259  
and (c) of this section, a minor misdemeanor; 5260

(b) If, within one year of the offense, the offender 5261  
previously has been convicted of or pleaded guilty to two 5262  
violations of division (B) of this section or of any municipal 5263  
ordinance that is substantially similar to division (B) of this 5264  
section, a misdemeanor of the fourth degree; 5265

(c) If, within one year of the offense, the offender 5266  
previously has been convicted of or pleaded guilty to three or 5267  
more violations of division (B) of this section or of any 5268  
municipal ordinance that is substantially similar to division 5269  
(B) of this section, a misdemeanor of the third degree. 5270

(2) If the offender commits the offense while distracted 5271  
and the distracting activity is a contributing factor to the 5272  
commission of the offense, the offender is subject to the 5273  
additional fine established under section 4511.991 of the 5274  
Revised Code. 5275

**Sec. 4511.214.** ~~(A)(1)~~(A) As used in this section and 5276  
sections 4511.215 and 4511.216 of the Revised Code, "low-speed 5277  
vehicle," "mini-truck," "under-speed vehicle," and "utility 5278  
vehicle" have the same meanings as in section 4501.01 of the 5279  
Revised Code. 5280

(B)(1) No person shall operate a low-speed vehicle upon 5281  
any street or highway having an established speed limit greater 5282  
than thirty-five miles per hour. 5283

(2) No person shall operate an under-speed or utility 5284  
vehicle or a mini-truck upon any street or highway except as 5285  
follows: 5286

(a) Upon a street or highway having an established speed 5287  
limit not greater than thirty-five miles per hour and only upon 5288  
such streets or highways where a local authority has granted 5289

permission for such operation in accordance with section 5290  
4511.215 of the Revised Code; 5291

(b) A state park or political subdivision employee or 5292  
volunteer operating a utility vehicle exclusively within the 5293  
boundaries of state parks or political subdivision parks for the 5294  
operation or maintenance of state or political subdivision park 5295  
facilities. 5296

(3) No person shall operate a motor-driven cycle or motor 5297  
scooter upon any street or highway having an established speed 5298  
limit greater than forty-five miles per hour. 5299

~~(B)~~ (C) This section does not prohibit either of the 5300  
following: 5301

(1) A person operating a low-speed vehicle, under-speed, 5302  
or utility vehicle or a mini-truck from proceeding across an 5303  
intersection of a street or highway having a speed limit greater 5304  
than thirty-five miles per hour; 5305

(2) A person operating a motor-driven cycle or motor 5306  
scooter from proceeding across an intersection of a street or 5307  
highway having a speed limit greater than forty-five miles per 5308  
hour. 5309

~~(C)~~ (D) Nothing in this section shall prevent a local 5310  
authority from adopting more stringent local ordinances, 5311  
resolutions, or regulations governing the operation of a low- 5312  
speed vehicle or a mini-truck, or a motor-driven cycle or motor 5313  
scooter. 5314

~~(D)~~ (E) Except as otherwise provided in this division, 5315  
whoever violates division ~~(A)~~ (B) of this section is guilty of a 5316  
minor misdemeanor. If within one year of the offense, the 5317  
offender previously has been convicted of or pleaded guilty to 5318

one predicate motor vehicle or traffic offense, whoever violates 5319  
this section is guilty of a misdemeanor of the fourth degree. If 5320  
within one year of the offense, the offender previously has been 5321  
convicted of two or more predicate motor vehicle or traffic 5322  
offenses, whoever violates this section is guilty of a 5323  
misdemeanor of the third degree. 5324

**Sec. 4511.432.** (A) The owner of a private road ~~or driveway~~ 5325  
located in a private residential area containing twenty or more 5326  
dwelling units may erect stop signs at places where the road ~~or~~ 5327  
~~driveway~~ intersects with another private road ~~or driveway~~ in the 5328  
residential area, in compliance with all of the following 5329  
requirements: 5330

(1) The stop sign is sufficiently legible to be seen by an 5331  
ordinarily observant person and meets the specifications of and 5332  
is placed in accordance with the manual adopted by the 5333  
department of transportation pursuant to section 4511.09 of the 5334  
Revised Code. 5335

(2) The owner has posted a sign at the entrance of the 5336  
private road ~~or driveway~~ that is in plain view and clearly 5337  
informs persons entering the road ~~or driveway~~ that they are 5338  
entering private property, stop signs have been posted and must 5339  
be obeyed, and the signs are enforceable by law enforcement 5340  
officers under state law. The sign required by division (A) (2) 5341  
of this section, where appropriate, may be incorporated with the 5342  
sign required by division (A) (2) of section 4511.211 of the 5343  
Revised Code. 5344

(B) Division (A) of section 4511.43 and section 4511.46 of 5345  
the Revised Code shall be deemed to apply to the driver of a 5346  
vehicle on a private road ~~or driveway~~ where a stop sign is 5347  
placed in accordance with division (A) of this section and to a 5348



pedestrian crossing such a road ~~or driveway~~ at an intersection 5349  
where a stop sign is in place. 5350

(C) When a stop sign is placed in accordance with division 5351  
(A) of this section, any law enforcement officer may apprehend a 5352  
person found violating the stop sign and may stop and charge the 5353  
person with violating the stop sign. 5354

(D) Except as otherwise provided in this division, whoever 5355  
violates this section is guilty of a minor misdemeanor. If, 5356  
within one year of the offense, the offender previously has been 5357  
convicted of or pleaded guilty to one predicate motor vehicle or 5358  
traffic offense, whoever violates this section is guilty of a 5359  
misdemeanor of the fourth degree. If, within one year of the 5360  
offense, the offender previously has been convicted of two or 5361  
more predicate motor vehicle or traffic offenses, whoever 5362  
violates this section is guilty of a misdemeanor of the third 5363  
degree. 5364

(E) As used in this section, and for the purpose of 5365  
applying division (A) of section 4511.43 and section 4511.46 of 5366  
the Revised Code to conduct under this section: 5367

(1) "Intersection" means: 5368

(a) The area embraced within the prolongation or 5369  
connection of the lateral curb lines, or, if none, then the 5370  
lateral boundary lines of the roadways of two private roads ~~or~~ 5371  
~~driveways~~ which join one another at, or approximately at, right 5372  
angles, or the area within which vehicles traveling upon 5373  
different private roads ~~or driveways~~ joining at any other angle 5374  
may come in conflict. 5375

(b) Where a private road ~~or driveway~~ includes two roadways 5376  
thirty feet or more apart, then every crossing of two roadways 5377

of such private roads ~~or driveways~~ shall be regarded as a 5378  
separate intersection. 5379

(2) "Roadway" means that portion of a private road ~~or~~ 5380  
~~driveway~~ improved, designed, or ordinarily used for vehicular 5381  
travel and parking lanes, except not including the berm, 5382  
sidewalk, or shoulder, even if the berm, sidewalk, or shoulder 5383  
is used by a person operating a bicycle or other human-powered 5384  
vehicle. If a private road ~~or driveway~~ includes two or more 5385  
separate roadways, the term "roadway" means any such roadway 5386  
separately but not all such roadways collectively. 5387

(3) "Owner" and "private residential area containing 5388  
twenty or more dwelling units" have the same meanings as in 5389  
section 4511.211 of the Revised Code. 5390

**Sec. 4511.46.** (A) When highway traffic ~~control~~ signals are 5391  
not in place, not in operation, or are not clearly assigning the 5392  
right-of-way, the driver of a vehicle, trackless trolley, or 5393  
streetcar shall yield the right of way, slowing down or stopping 5394  
if need be to so yield or if required by section 4511.132 of the 5395  
Revised Code, to a pedestrian crossing the roadway within a 5396  
crosswalk when the pedestrian is upon the half of the roadway 5397  
upon which the vehicle is traveling, or when the pedestrian is 5398  
approaching so closely from the opposite half of the roadway as 5399  
to be in danger. 5400

(B) No pedestrian shall suddenly leave a curb or other 5401  
place of safety and walk or run into the path of a vehicle, 5402  
trackless trolley, or streetcar which is so close as to 5403  
constitute an immediate hazard. 5404

(C) Division (A) of this section does not apply under the 5405  
conditions stated in division (B) of section 4511.48 of the 5406

Revised Code. 5407

(D) Whenever any vehicle, trackless trolley, or streetcar 5408  
is stopped at a marked crosswalk or at any unmarked crosswalk at 5409  
an intersection to permit a pedestrian to cross the roadway, the 5410  
driver of any other vehicle, trackless trolley, or streetcar 5411  
approaching from the rear shall not overtake and pass the 5412  
stopped vehicle. 5413

(E) Except as otherwise provided in this division, whoever 5414  
violates this section is guilty of a minor misdemeanor. If, 5415  
within one year of the offense, the offender previously has been 5416  
convicted of or pleaded guilty to one predicate motor vehicle or 5417  
traffic offense, whoever violates this section is guilty of a 5418  
misdemeanor of the fourth degree. If, within one year of the 5419  
offense, the offender previously has been convicted of two or 5420  
more predicate motor vehicle or traffic offenses, whoever 5421  
violates this section is guilty of a misdemeanor of the third 5422  
degree. 5423

If the offender commits the offense while distracted and 5424  
the distracting activity is a contributing factor to the 5425  
commission of the offense, the offender is subject to the 5426  
additional fine established under section 4511.991 of the 5427  
Revised Code. 5428

**Sec. 4511.48.** (A) Every pedestrian crossing a roadway at 5429  
any point other than within a marked crosswalk or within an 5430  
unmarked crosswalk at an intersection shall yield the right of 5431  
way to all vehicles, trackless trolleys, or streetcars upon the 5432  
roadway. 5433

(B) Any pedestrian crossing a roadway at a point where a 5434  
pedestrian tunnel or overhead pedestrian crossing has been 5435

provided shall yield the right of way to all traffic upon the 5436  
roadway. 5437

(C) Between adjacent intersections at which highway 5438  
traffic ~~control~~ signals are in operation, pedestrians shall not 5439  
cross at any place except in a marked crosswalk. 5440

(D) No pedestrian shall cross a roadway intersection 5441  
diagonally unless authorized by official traffic control 5442  
devices; and, when authorized to cross diagonally, pedestrians 5443  
shall cross only in accordance with the official traffic control 5444  
devices pertaining to such crossing movements. 5445

(E) This section does not relieve the operator of a 5446  
vehicle, streetcar, or trackless trolley from exercising due 5447  
care to avoid colliding with any pedestrian upon any roadway. 5448

(F) Except as otherwise provided in this division, whoever 5449  
violates this section is guilty of a minor misdemeanor. If, 5450  
within one year of the offense, the offender previously has been 5451  
convicted of or pleaded guilty to one predicate motor vehicle or 5452  
traffic offense, whoever violates this section is guilty of a 5453  
misdemeanor of the fourth degree. If, within one year of the 5454  
offense, the offender previously has been convicted of two or 5455  
more predicate motor vehicle or traffic offenses, whoever 5456  
violates this section is guilty of a misdemeanor of the third 5457  
degree. 5458

**Sec. 4511.512.** (A) (1) Electric personal assistive mobility 5459  
devices, as defined in section 4501.01 of the Revised Code, may 5460  
be operated on the public streets, highways, sidewalks, and 5461  
paths and portions of roadways set aside for the exclusive use 5462  
of bicycles in accordance with this section. 5463

(2) Except as otherwise provided in this section, those 5464

sections of this chapter that by their nature are applicable to 5465  
an electric personal assistive mobility device apply to the 5466  
device and the person operating it whenever it is operated upon 5467  
any public street, highway, sidewalk, or path or upon any 5468  
portion of a roadway set aside for the exclusive use of 5469  
bicycles. 5470

(3) A local authority may regulate or prohibit the 5471  
operation of electric personal assistive mobility devices on 5472  
public streets, highways, sidewalks, and paths, and portions of 5473  
roadways set aside for the exclusive use of bicycles, under its 5474  
jurisdiction. 5475

(B) No operator of an electric personal assistive mobility 5476  
device shall do any of the following: 5477

(1) Fail to yield the right-of-way to all pedestrians and 5478  
human-powered vehicles at all times; 5479

(2) Fail to give an audible signal before overtaking and 5480  
passing a pedestrian; 5481

(3) Operate the device at night unless the device or its 5482  
operator is equipped with or wearing both of the following: 5483

(a) A lamp pointing to the front that emits a white light 5484  
visible from a distance of not less than five hundred feet; 5485

(b) A red reflector facing the rear that is visible from 5486  
all distances from one hundred feet to six hundred feet when 5487  
directly in front of lawful lower beams of head lamps on a motor 5488  
vehicle. 5489

(4) Operate the device on any portion of a street or 5490  
highway that has an established speed limit of fifty-five miles 5491  
per hour or more; 5492

(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 devicesystem" 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 5552  
traffic at a grade crossing. 5553

(B) The department of transportation and local authorities 5554  
in their respective jurisdictions, with the approval of the 5555  
department, may designate dangerous highway crossings over 5556  
railroad tracks whether on state, county, or township highways 5557  
or on streets or ways within municipal corporations, and erect 5558  
stop signs thereat. 5559

(C) (1) The department and local authorities shall erect 5560  
stop signs at a railroad highway grade crossing in either of the 5561  
following circumstances: 5562

(a) New warning devices that are not ~~active-grade crossing~~ 5563  
warning ~~devices~~ systems are being installed at the grade 5564  
crossing, and railroad crossbucks were the only warning devices 5565  
at the grade crossing prior to the installation of the new 5566  
warning devices. 5567

(b) The grade crossing is constructed after July 1, 2013, 5568  
and only warning devices that are not ~~active-grade crossing~~ 5569  
warning ~~devices~~ systems are installed at the grade crossing. 5570

(2) Division (C) (1) of this section does not apply to a 5571  
railroad highway grade crossing that the director of 5572  
transportation has exempted from that division because of 5573  
traffic flow or other considerations or factors. 5574

(D) When stop signs are erected pursuant to division (B) 5575  
or (C) of this section, the operator of any vehicle, streetcar, 5576  
or trackless trolley shall stop within fifty, but not less than 5577  
fifteen, feet from the nearest rail of the railroad tracks and 5578  
shall exercise due care before proceeding across such grade 5579  
crossing. 5580



(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~~ 5610  
trains, notwithstanding any highway traffic ~~control~~-signal 5611  
indication to proceed. 5612

(e) An approaching train is emitting an audible signal or 5613  
is plainly visible and is in hazardous proximity to the 5614  
crossing. 5615

(f) There is insufficient undercarriage clearance to 5616  
safely negotiate the crossing. 5617

(g) There is insufficient space on the other side of the 5618  
railroad grade crossing to accommodate the vehicle or trackless 5619  
trolley the person is operating without obstructing the passage 5620  
of other on-track equipment. 5621

(h) Approaching on-track equipment is emitting an audible 5622  
signal or is plainly visible and is in hazardous proximity to 5623  
the crossing. 5624

(2) (a) A person who is driving a vehicle or trackless 5625  
trolley and who approaches a railroad grade crossing shall not 5626  
proceed as long as any of the circumstances described in 5627  
divisions (A) (1) (a) to (f) of this section exist at the 5628  
crossing. 5629

(b) A person who is driving a vehicle or trackless trolley 5630  
and who approaches a railroad grade crossing shall not 5631  
recklessly proceed as long as any of the circumstances described 5632  
in division (A) (1) (g) or (h) of this section exist at the 5633  
crossing. 5634

(B) No person shall drive any vehicle through, around, or 5635  
under any crossing gate or barrier at a railroad crossing while 5636  
the gate or barrier is closed or is being opened or closed 5637  
unless the person is signaled by a law enforcement officer or 5638

flagperson that it is permissible to do so. 5639

(C) (1) Whoever violates this section is guilty of a 5640  
misdemeanor of the fourth degree. 5641

(2) In lieu of a fine or jail term for a violation of this 5642  
section, a court may instead order the offender to attend and 5643  
successfully complete a remedial safety training or presentation 5644  
regarding rail safety that is offered by an authorized and 5645  
qualified organization that is selected by the court. The 5646  
offender shall complete the presentation within a time frame 5647  
determined by the court, not to exceed one hundred eighty days 5648  
after the court issues the order. The offender shall notify the 5649  
court of the successful completion of the presentation. When the 5650  
offender notifies the court of the successful completion of the 5651  
presentation, the court shall waive any fine or jail term that 5652  
it otherwise would have imposed for a violation of this section. 5653

**Sec. 4511.64.** (A) No person shall operate or move any 5654  
crawler-type tractor, steam shovel, derrick, roller, or any 5655  
equipment or structure having a normal operating speed of six or 5656  
less miles per hour or a vertical body or load clearance of less 5657  
than nine inches above the level surface of a roadway, upon or 5658  
across any tracks at a railroad grade crossing without first 5659  
complying with divisions (A) (1) and (2) of this section. 5660

(1) Before making any such crossing, the person operating 5661  
or moving any such vehicle or equipment shall first stop the 5662  
same, and while stopped the person shall listen and look in both 5663  
directions along such track for any approaching train or other 5664  
on-track equipment and for signals indicating the approach of a 5665  
train or other on-track equipment, and shall proceed only upon 5666  
exercising due care. 5667

(2) No such crossing shall be made when warning is given 5668  
by automatic signal or crossing gates or a flagperson or 5669  
otherwise of the immediate approach of a ~~railroad~~-train or car 5670  
or other on-track equipment. 5671

(B) If the normal sustained speed of such vehicle, 5672  
equipment, or structure is not more than three miles per hour, 5673  
the person owning, operating, or moving the same shall also give 5674  
notice of such intended crossing to a station agent or 5675  
superintendent of the railroad, and a reasonable time shall be 5676  
given to such railroad to provide proper protection for such 5677  
crossing. Where such vehicles or equipment are being used in 5678  
constructing or repairing a section of highway lying on both 5679  
sides of a railroad grade crossing, and in such construction or 5680  
repair it is necessary to repeatedly move such vehicles or 5681  
equipment over such crossing, one daily notice specifying when 5682  
such work will start and stating the hours during which it will 5683  
be prosecuted is sufficient. 5684

(C) Except as otherwise provided in this division, whoever 5685  
violates this section is guilty of a minor misdemeanor. If, 5686  
within one year of the offense, the offender previously has been 5687  
convicted of or pleaded guilty to one predicate motor vehicle or 5688  
traffic offense, whoever violates this section is guilty of a 5689  
misdemeanor of the fourth degree. If, within one year of the 5690  
offense, the offender previously has been convicted of two or 5691  
more predicate motor vehicle or traffic offenses, whoever 5692  
violates this section is guilty of a misdemeanor of the third 5693  
degree. 5694

If the offender commits the offense while distracted and 5695  
the distracting activity is a contributing factor to the 5696  
commission of the offense, the offender is subject to the 5697

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 5728  
of intersecting streets or highways. For purposes of this 5729  
section, the limits of said street or highway or portion thereof 5730  
shall be a municipal corporation line, the physical terminus of 5731  
the street or highway, or any point on said street or highway at 5732  
which vehicular traffic thereon is required by regulatory signs 5733  
to stop or yield to traffic on the intersecting street, provided 5734  
that in residence districts a municipal corporation may by 5735  
ordinance designate said street or highway, or portion thereof, 5736  
not to be a through highway and thereafter the affected 5737  
residence district shall be indicated by official traffic 5738  
control devices. Where two or more through highways designated 5739  
under this division intersect and no highway traffic control- 5740  
signal is in operation, stop signs or yield signs shall be 5741  
erected at one or more entrances thereto by the department or by 5742  
local authorities having jurisdiction, except as otherwise 5743  
provided in this section. 5744

(C) The department or local authorities having 5745  
jurisdiction need not erect stop signs at intersections they 5746  
find to be so constructed as to permit traffic to safely enter a 5747  
through highway without coming to a stop. Signs shall be erected 5748  
at such intersections indicating that the operator of a vehicle 5749  
shall yield the right-of-way to or merge with all traffic 5750  
proceeding on the through highway. 5751

(D) Local authorities with reference to highways under 5752  
their jurisdiction may designate additional through highways and 5753  
shall erect stop signs, yield signs, or highway traffic control- 5754  
signals at all streets and highways intersecting such through 5755  
highways, or may designate any intersection as a stop or yield 5756  
intersection and shall erect like signs at one or more entrances 5757  
to such intersection. 5758

**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; 5786  
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(12) Alongside any vehicle stopped or parked at the edge or curb of a street; 5788  
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(13) Upon any bridge or elevated structure upon a highway, or within a highway tunnel; 5790  
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(14) At any place where signs prohibit stopping; 5792

(15) Within one foot of another parked vehicle; 5793

(16) On the roadway portion of a freeway, expressway, or thruway; 5794  
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(17) On a bicycle lane. 5796

(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. 5797  
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(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 5807  
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been convicted of two or more predicate motor vehicle or traffic 5814  
offenses, whoever violates this section is guilty of a 5815  
misdemeanor of the third degree. 5816

**Sec. 4511.701.** (A) As used in this section: 5817

(1) "Fifth wheel trailer," "mobile home," and "travel 5818  
trailer" have the same meanings as in section 4501.01 of the 5819  
Revised Code. 5820

(2) "Manufactured home" has the same meaning as in 5821  
division (C) (4) of section 3781.06 of the Revised Code. 5822

(B) Except as provided in division ~~(B)~~(C) of this section, 5823  
no person shall occupy any travel trailer, fifth wheel trailer, 5824  
or manufactured or mobile home while it is being used as a 5825  
conveyance upon a street or highway. 5826

~~(B)~~(C) Division ~~(A)~~(B) of this section does not apply to a 5827  
fifth wheel trailer when both of the following apply: 5828

(1) Any child riding in the fifth wheel trailer is 5829  
properly secured in the manner provided in section 4511.81 of 5830  
the Revised Code; 5831

(2) The operator of the vehicle towing the fifth wheel 5832  
trailer has some means of viable communication with the 5833  
passengers riding in the trailer. 5834

As used in this division, "viable communication" includes 5835  
a cellular or satellite telephone, a radio, or any other similar 5836  
electronic wireless communications device. 5837

~~(C)~~(D) Except as otherwise provided in this division, 5838  
whoever violates this section is guilty of a minor misdemeanor. 5839  
If, within one year of the offense, the offender previously has 5840  
been convicted of or pleaded guilty to one predicate motor 5841

vehicle or traffic offense, whoever violates this section is 5842  
guilty of a misdemeanor of the fourth degree. If, within one 5843  
year of the offense, the offender previously has been convicted 5844  
of two or more predicate motor vehicle or traffic offenses, 5845  
whoever violates this section is guilty of a misdemeanor of the 5846  
third degree. 5847

~~(2)~~-(E) The offense established under this section is a 5848  
strict liability offense and section 2901.20 of the Revised Code 5849  
does not apply. The designation of this offense as a strict 5850  
liability offense shall not be construed to imply that any other 5851  
offense, for which there is no specified degree of culpability, 5852  
is not a strict liability offense. 5853

**Sec. 4511.712.** (A) No driver shall enter an intersection 5854  
or marked crosswalk or drive onto any railroad grade crossing 5855  
unless there is sufficient space on the other side of the 5856  
intersection, crosswalk, or grade crossing to accommodate the 5857  
vehicle, streetcar, or trackless trolley the driver is operating 5858  
without obstructing the passage of other vehicles, streetcars, 5859  
trackless trolleys, pedestrians, or ~~railroad~~-trains, 5860  
notwithstanding any highway traffic ~~control~~-signal indication to 5861  
proceed. 5862

(B) This section does not apply to a bicyclist using a 5863  
two-stage bicycle turn box. 5864

(C) Except as otherwise provided in this division, whoever 5865  
violates this section is guilty of a minor misdemeanor. If, 5866  
within one year of the offense, the offender previously has been 5867  
convicted of or pleaded guilty to one predicate motor vehicle or 5868  
traffic offense, whoever violates this section is guilty of a 5869  
misdemeanor of the fourth degree. If, within one year of the 5870  
offense, the offender previously has been convicted of two or 5871

more predicate motor vehicle or traffic offenses, whoever 5872  
violates this section is guilty of a misdemeanor of the third 5873  
degree. 5874

If the offender commits the offense while distracted and 5875  
the distracting activity is a contributing factor to the 5876  
commission of the offense, the offender is subject to the 5877  
additional fine established under section 4511.991 of the 5878  
Revised Code. 5879

**Sec. 4511.76.** (A) The department of public safety, by and 5880  
with the advice of the department of education and workforce, 5881  
shall adopt and enforce rules relating to the construction, 5882  
design, and equipment, including lighting equipment required by 5883  
section 4511.771 of the Revised Code, of all school buses both 5884  
publicly and privately owned and operated in this state. 5885

(B) The department of education and workforce, by and with 5886  
the advice of the director of public safety, shall adopt and 5887  
enforce rules relating to the operation of all vehicles used for 5888  
pupil transportation. 5889

(C) No person shall operate a vehicle used for pupil 5890  
transportation within this state in violation of the rules of 5891  
the department of education and workforce or the department of 5892  
public safety. No person, being the owner thereof or having the 5893  
supervisory responsibility therefor, shall permit the operation 5894  
of a vehicle used for pupil transportation within this state in 5895  
violation of the rules of the department of education and 5896  
workforce or the department of public safety. 5897

(D) The department of public safety shall adopt and 5898  
enforce rules relating to the issuance of a license under 5899  
section 4511.763 of the Revised Code. The rules may relate to 5900

the condition of the equipment to be operated; the liability and 5901  
property damage insurance carried by the applicant; the posting 5902  
of satisfactory and sufficient bond; and such other rules as the 5903  
director of public safety determines reasonably necessary for 5904  
the safety of the pupils to be transported. 5905

(E) A chartered nonpublic school or a community school may 5906  
own and operate, or contract with a vendor that supplies, a- 5907  
~~vehicle originally designed for not more than nine passengers,~~ 5908  
~~not including the driver,~~alternative vehicles to transport 5909  
students to and from regularly scheduled school sessions when 5910  
one of the following applies: 5911

(1) A student's school district of residence has declared 5912  
the transportation of the student impractical pursuant to 5913  
section 3327.02 of the Revised Code; 5914

(2) A student does not live within thirty minutes of the 5915  
chartered nonpublic school or the community school, as 5916  
applicable, and the student's school district is not required to 5917  
transport the student under section 3327.01 of the Revised Code; 5918

(3) The governing authority of the chartered nonpublic 5919  
school or the community school has offered to provide the 5920  
transportation for its students in lieu of the students being 5921  
transported by their school district of residence. 5922

(F) A school district may own and operate, or contract 5923  
with a vendor that supplies, a ~~vehicle originally designed for~~ 5924  
~~not more than nine passengers, not including the~~ 5925  
~~driver,~~alternative vehicles to transport students to and from 5926  
regularly scheduled school sessions, ~~if both of the following~~ 5927  
~~apply to the operation of that vehicle:-~~ 5928

~~(1) The number of students to be transported is not more~~ 5929

~~than nine;~~ 5930

~~(2) The students attend a chartered nonpublic school or a  
community school, and the school district regularly transports  
students to that chartered nonpublic school or that community  
school.~~ 5931  
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(G) A school district or the governing authority of a 5935  
chartered nonpublic school or community school that uses a an 5936  
alternative vehicle ~~originally designed for not more than nine~~ 5937  
~~passengers, not including the driver,~~ in accordance with 5938  
division (E) or (F) of this section, shall ensure that all of 5939  
the following apply to the operation of that vehicle: 5940

(1) A qualified mechanic inspects the vehicle not fewer 5941  
than two times each year and determines that it is safe for 5942  
pupil transportation; 5943

(2) The driver of the vehicle does not stop on the roadway 5944  
to load or unload passengers; 5945

(3) The driver of the vehicle meets the requirements 5946  
specified for a driver of a school bus or motor van under 5947  
section 3327.10 of the Revised Code and any corresponding rules 5948  
adopted by the department of education and workforce. 5949  
Notwithstanding that section or any department rules to the 5950  
contrary, the driver is not required to have a commercial 5951  
driver's license but shall have a current, valid driver's 5952  
license, and shall be accustomed to operating the vehicle used 5953  
to transport the students; 5954

(4) The driver and all passengers in the vehicle comply 5955  
with the requirements of sections 4511.81 and 4513.263 of the 5956  
Revised Code, as applicable. 5957

(H) As used in this section, ~~"vehicle";~~ 5958

(1) "Alternative vehicle" means a motor vehicle originally 5959  
manufactured and designed for not more than twelve passengers, 5960  
not including the driver. 5961

(2) "Vehicle used for pupil transportation" means any 5962  
vehicle that is identified as such by the department of 5963  
education and workforce by rule and that is subject to Chapter 5964  
3301-83 of the Administrative Code. 5965

(I) Except as otherwise provided in this division, whoever 5966  
violates this section is guilty of a minor misdemeanor. If the 5967  
offender previously has been convicted of or pleaded guilty to 5968  
one or more violations of this section or section 4511.63, 5969  
4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the Revised 5970  
Code or a municipal ordinance that is substantially similar to 5971  
any of those sections, whoever violates this section is guilty 5972  
of a misdemeanor of the fourth degree. 5973

**Sec. 4511.765.** (A) The director of education and 5974  
workforce, by and with the advice of the director of public 5975  
safety, shall amend any rules adopted under section 4511.76 of 5976  
the Revised Code pertaining to pre-trip inspections of a school 5977  
bus. The amendment shall remove any requirement that the 5978  
following equipment be included in the pre-trip inspection: 5979

(1) The turbo charger; 5980

(2) The alternator; 5981

(3) The water pump; 5982

(4) The power steering pump; 5983

(5) The air pump; 5984

(6) Any part of the steering system; 5985

|   |  |
|---|--|
| <u>(7) Any part of the suspension;</u>  | 5986   |
| <u>(8) Any part of the air brakes;</u>  | 5987   |
| <u>(9) Any part of the brake equipment, including drums or rotors;</u>  | 5988<br>5989   |
| <u>(10) The springs and spring mounts;</u>  | 5990   |
| <u>(11) The air bags.</u>   | 5991   |
| <u>(B) The state highway patrol shall still examine all of the equipment listed in division (A) of this section during its school bus inspections conducted in accordance with section 4511.761 of the Revised Code.</u>  | 5992<br>5993<br>5994<br>5995   |
| <b>Sec. 4513.071.</b> (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. | 5996<br>5997<br>5998<br>5999<br>6000<br>6001<br>6002<br>6003<br>6004<br>6005<br>6006<br>6007 |
| 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.   | 6008<br>6009<br>6010<br>6011   |
| When stop lights are used as required by this section, they shall be constructed or installed so as to provide adequate   | 6012<br>6013   |

and reliable illumination and shall conform to the appropriate 6014  
rules and regulations established under section 4513.19 of the 6015  
Revised Code. 6016

~~Historical~~ A historical motor vehicles as defined in 6017  
section 4503.181 of the Revised Code, vehicle that was not 6018  
originally manufactured with stop lights, are or a replica motor 6019  
vehicle that replicates a motor vehicle that was not originally 6020  
manufactured with stop lights is not subject to this section. 6021

(B) Whoever violates this section is guilty of a minor 6022  
misdemeanor. 6023

(C) As used in this section, "replica motor vehicle" means 6024  
a replica motor vehicle for which a certificate of title is 6025  
issued under section 4505.072 of the Revised Code. 6026

**Sec. 4513.38.** (A) No person shall be prohibited from 6027  
owning or operating a licensed collector's vehicle ~~or,~~ 6028  
historical motor vehicle, or replica motor vehicle that is 6029  
equipped with a feature of design, type of material, or article 6030  
of equipment that was not in violation of any motor vehicle 6031  
equipment law of this state or of its political subdivisions in 6032  
effect during the calendar year the vehicle was manufactured or 6033  
the calendar year that it replicates, and no licensed 6034  
collector's vehicle ~~or,~~ historical motor vehicle, or replica 6035  
motor vehicle shall be prohibited from displaying or using any 6036  
such feature of design, type of material, or article of 6037  
equipment. 6038

No person shall be prohibited from owning or operating a 6039  
licensed collector's vehicle ~~or,~~ historical motor vehicle, or 6040  
replica motor vehicle for failing to comply with an equipment 6041  
provision contained in Chapter 4513. of the Revised Code or in 6042



any state rule that was enacted or adopted in a year subsequent 6043  
to that in which the vehicle was manufactured or the calendar 6044  
year that it replicates, and no licensed collector's vehicle~~or~~, 6045  
historical motor vehicle, or replica motor vehicle shall be 6046  
required to comply with an equipment provision enacted into 6047  
Chapter 4513. of the Revised Code or adopted by state rule 6048  
subsequent to the calendar year in which it was manufactured or 6049  
the calendar year that it replicates. No political subdivision 6050  
shall require an owner of a licensed collector's vehicle~~or~~, 6051  
historical motor vehicle, or replica motor vehicle to comply 6052  
with equipment provisions contained in laws or rules that were 6053  
enacted or adopted subsequent to the calendar year in which the 6054  
vehicle was manufactured or the calendar year that it 6055  
replicates, and no political subdivision shall prohibit the 6056  
operation of a licensed collector's vehicle~~or~~, historical motor 6057  
vehicle, or replica motor vehicle for failure to comply with any 6058  
such equipment laws or rules. 6059

(B) As used in this section, "replica motor vehicle" means 6060  
a replica motor vehicle for which a certificate of title is 6061  
issued under section 4505.072 of the Revised Code. 6062

**Sec. 4513.41.** (A) No owner of a licensed collector's 6063  
vehicle, a historical motor vehicle, a replica motor vehicle, or 6064  
a collector's vehicle that is an agricultural tractor or 6065  
traction engine shall be required to comply with an emission, 6066  
noise control, or fuel usage provision contained in a law or 6067  
rule of this state or its political subdivisions that was 6068  
enacted or adopted subsequent to the calendar year in which the 6069  
vehicle was manufactured or the calendar year that it 6070  
replicates. 6071

(B) No person shall be prohibited from operating a 6072

licensed collector's vehicle, a historical motor vehicle, a 6073  
replica motor vehicle, or a collector's vehicle that is an 6074  
agricultural tractor or traction engine for failing to comply 6075  
with an emission, noise control, or fuel usage law or rule of 6076  
this state or its political subdivisions that was enacted or 6077  
adopted subsequent to the calendar year in which his vehicle was 6078  
manufactured or the calendar year that it replicates. 6079

(C) Except as provided in section 4505.061 of the Revised 6080  
Code, no person shall be required to submit ~~his~~ the person's 6081  
collector's vehicle to a physical inspection prior to or in 6082  
connection with an issuance of title to, or the sale or transfer 6083  
of ownership of such vehicle, except that a police officer may 6084  
inspect it to determine ownership. 6085

In accordance with section 1.51 of the Revised Code, this 6086  
section shall, without exception, prevail over any special or 6087  
local provision of the Revised Code that requires owners or 6088  
operators of collector's vehicles to comply with standards of 6089  
emission, noise, fuel usage, or physical condition in connection 6090  
with an issuance of title to, or the sale or transfer of 6091  
ownership of such vehicle or part thereof. 6092

(D) As used in this section, "replica motor vehicle" means 6093  
a replica motor vehicle for which a certificate of title is 6094  
issued under section 4505.072 of the Revised Code. 6095

**Sec. 4517.02.** (A) Except as otherwise provided in this 6096  
section, no person shall do any of the following: 6097

(1) Engage in the business of displaying or selling at 6098  
retail new motor vehicles or assume to engage in that business, 6099  
unless the person is licensed as a new motor vehicle dealer 6100  
under sections 4517.01 to 4517.45 of the Revised Code, or is a 6101

salesperson employed by a licensed new motor vehicle dealer; 6102

(2) Engage in the business of offering for sale, 6103  
displaying for sale, or selling at retail or wholesale used 6104  
motor vehicles or assume to engage in that business, unless the 6105  
person is licensed as a new motor vehicle dealer, used motor 6106  
vehicle dealer, or motor vehicle leasing dealer under sections 6107  
4517.01 to 4517.45 of the Revised Code, is a salesperson 6108  
employed by a licensed used motor vehicle dealer or licensed new 6109  
motor vehicle dealer, or the person holds a construction 6110  
equipment auction license issued under section 4517.17 of the 6111  
Revised Code; 6112

(3) Engage in the business of regularly making available, 6113  
offering to make available, or arranging for another person to 6114  
use a motor vehicle, in the manner described in division (M) of 6115  
section 4517.01 of the Revised Code, unless the person is 6116  
licensed as a motor vehicle leasing dealer under sections 6117  
4517.01 to 4517.45 of the Revised Code; 6118

(4) Engage in the business of motor vehicle auctioning or 6119  
assume to engage in that business, unless the person is licensed 6120  
as a motor vehicle auction owner under sections 4517.01 to 6121  
4517.45 of the Revised Code and the person uses an auctioneer 6122  
who is licensed under Chapter 4707. of the Revised Code to 6123  
conduct the motor vehicle auctions or the person holds a 6124  
construction equipment auction license issued under section 6125  
4517.17 of the Revised Code; 6126

(5) Engage in the business of distributing motor vehicles 6127  
or assume to engage in that business, unless the person is 6128  
licensed as a distributor under sections 4517.01 to 4517.45 of 6129  
the Revised Code; 6130

(6) Make more than five casual sales of motor vehicles in 6131  
a twelve-month period, commencing with the day of the month in 6132  
which the first such sale is made, nor provide a location or 6133  
space for the sale of motor vehicles at a flea market, without 6134  
obtaining a license as a dealer under sections 4517.01 to 6135  
4517.45 of the Revised Code, provided that nothing in this 6136  
section shall be construed to prohibit the disposition without a 6137  
license of a motor vehicle originally acquired and held for 6138  
purposes other than sale, rental, or lease to an employee, 6139  
retiree, officer, or director of the person making the 6140  
disposition, to a corporation affiliated with the person making 6141  
the disposition, or to a person licensed under sections 4517.01 6142  
to 4517.45 of the Revised Code; 6143

(7) Engage in the business of auctioning both large 6144  
construction or transportation equipment and also motor vehicles 6145  
incident thereto, unless the person is a construction equipment 6146  
auctioneer or the person is licensed as a motor vehicle auction 6147  
owner and the person uses an auctioneer who is licensed under 6148  
Chapter 4707. of the Revised Code to conduct the auction; 6149

(8) Engage in the business of displaying or selling at 6150  
retail adaptive mobility vehicles or assume to engage in that 6151  
business, unless the person is licensed as an adaptive mobility 6152  
dealer under sections 4517.01 to 4517.45 of the Revised Code, or 6153  
is a salesperson employed by a licensed adaptive mobility 6154  
dealer, except that ~~a~~ any licensed ~~new~~ motor vehicle dealer may 6155  
sell at retail a used adaptive mobility vehicle. 6156

(B) Nothing in this section shall be construed to require 6157  
an auctioneer licensed under sections 4707.01 to 4707.19 of the 6158  
Revised Code to obtain a motor vehicle auction owner's license 6159  
under sections 4517.01 to 4517.45 of the Revised Code when 6160

engaged in auctioning for a licensed motor vehicle auction 6161  
owner. 6162

The establishment of a construction equipment auction 6163  
license by Am. Sub. H.B. 114 of the 129th general assembly shall 6164  
not in any way modify, limit, or restrict in any manner the 6165  
conduct of auctions by persons licensed under Chapter 4707. of 6166  
the Revised Code who are acting in compliance with that chapter. 6167

(C) Sections 4517.01 to 4517.45 of the Revised Code do not 6168  
apply to any of the following: 6169

(1) Persons engaging in the business of selling commercial 6170  
tractors, trailers, or semitrailers incidentally to engaging 6171  
primarily in business other than the selling or leasing of motor 6172  
vehicles; 6173

(2) Mortgagees selling at retail only those motor vehicles 6174  
that have come into their possession by a default in the terms 6175  
of a mortgage contract; 6176

(3) The leasing, rental, and interchange of motor vehicles 6177  
used directly in the rendition of a public utility service by 6178  
regulated motor carriers. 6179

(D) When a partnership licensed under sections 4517.01 to 6180  
4517.45 of the Revised Code is dissolved by death, the surviving 6181  
partners may operate under the license for a period of sixty 6182  
days, and the heirs or representatives of deceased persons and 6183  
receivers or trustees in bankruptcy appointed by any competent 6184  
authority may operate under the license of the person succeeded 6185  
in possession by that heir, representative, receiver, or trustee 6186  
in bankruptcy. 6187

(E) No remanufacturer shall engage in the business of 6188  
selling at retail any new motor vehicle without having written 6189

authority from the manufacturer or distributor of the vehicle to 6190  
sell new motor vehicles and to perform repairs under the terms 6191  
of the manufacturer's or distributor's new motor vehicle 6192  
warranty, unless, at the time of the sale of the vehicle, each 6193  
customer is furnished with a binding agreement ensuring that the 6194  
customer has the right to have the vehicle serviced or repaired 6195  
by a new motor vehicle dealer who is franchised to sell and 6196  
service vehicles of the same line-make as the chassis of the 6197  
remanufactured vehicle purchased by the customer and whose 6198  
service or repair facility is located within either twenty miles 6199  
of the remanufacturer's location and place of business or twenty 6200  
miles of the customer's residence or place of business. If there 6201  
is no such new motor vehicle dealer located within twenty miles 6202  
of the remanufacturer's location and place of business or the 6203  
customer's residence or place of business, the binding agreement 6204  
furnished to the customer may be with the new motor vehicle 6205  
dealer who is franchised to sell and service vehicles of the 6206  
same line-make as the chassis of the remanufactured vehicle 6207  
purchased by the customer and whose service or repair facility 6208  
is located nearest to the remanufacturer's location and place of 6209  
business or the customer's residence or place of business. 6210  
Additionally, at the time of sale of any vehicle, each customer 6211  
of the remanufacturer shall be furnished with a warranty issued 6212  
by the remanufacturer for a term of at least one year. 6213

(F) No adaptive mobility dealer shall do any of the 6214  
following: 6215

(1) Represent that the dealer is engaged in the business 6216  
of selling new motor vehicles; 6217

(2) Sell, transfer, or offer to sell or transfer a new 6218  
motor vehicle unless that new motor vehicle is purchased through 6219

a licensed new motor vehicle dealer; 6220

(3) Sell or offer to sell an adaptive mobility vehicle 6221  
without written documentation proving that the vehicle was 6222  
adapted or modified in accordance with 49 C.F.R. part 568 or 6223  
595. 6224

(G) Except as otherwise provided in this division, whoever 6225  
violates this section is guilty of a minor misdemeanor and shall 6226  
be subject to a mandatory fine of one hundred dollars. If the 6227  
offender previously has been convicted of or pleaded guilty to a 6228  
violation of this section, whoever violates this section is 6229  
guilty of a misdemeanor of the first degree and shall be subject 6230  
to a mandatory fine of one thousand dollars. 6231

(H) The offenses established under this section are strict 6232  
liability offenses and section 2901.20 of the Revised Code does 6233  
not apply. The designation of these offenses as strict liability 6234  
offenses shall not be construed to imply that any other offense, 6235  
for which there is no specified degree of culpability, is not a 6236  
strict liability offense. 6237

**Sec. 4517.24.** (A) No two motor vehicle dealers shall 6238  
engage in business at the same location, unless they agree to be 6239  
jointly, severally, and personally liable for any liability 6240  
arising from their engaging in business at the same location. 6241  
The agreement shall be filed with the motor vehicle dealers 6242  
board, and shall also be made a part of the articles of 6243  
incorporation of each such dealer filed with the secretary of 6244  
state. Whenever the board has reason to believe that a dealer 6245  
who has entered into such an agreement has revoked the agreement 6246  
but continues to engage in business at the same location, the 6247  
board shall revoke the dealer's license. 6248

(B) Whoever violates this section is guilty of a 6249  
misdemeanor of the fourth degree. 6250

(C) This section does not apply to a licensed adaptive 6251  
mobility dealer and a licensed remanufacturer owned or operated 6252  
by the same company engaging in business at the same location. 6253

**Sec. 4519.401.** (A) Except as provided in this section and 6254  
section 4511.215 of the Revised Code, no person shall operate a 6255  
mini-truck within this state. 6256

(B) A person may operate a mini-truck on a farm for 6257  
agricultural purposes only when the owner of the farm qualifies 6258  
for the current agricultural use valuation tax credit. A mini- 6259  
truck may be operated by or on behalf of such a farm owner on 6260  
public roads and rights-of-way only when traveling from one farm 6261  
field to another. 6262

(C) A person may operate a mini-truck on property owned or 6263  
leased by a dealer who sells mini-trucks at retail. 6264

(D) Whoever violates this section shall be penalized as 6265  
provided in division ~~(D)~~(E) of section 4511.214 of the Revised 6266  
Code. 6267

**Sec. 4923.12.** For purposes of the federal motor carrier 6268  
safety administration's national hazardous materials route 6269  
registry, the public utilities commission shall not designate 6270  
the portion of state route number three hundred fifteen between 6271  
interstate route number two hundred seventy and United States 6272  
route number twenty-three as a hazardous materials route, 6273  
including for nonradioactive hazardous materials. The commission 6274  
shall notify the administration of any changes necessary for the 6275  
registry and designate other routes, as applicable, for the 6276  
transportation of hazardous materials to their final 6277



destination. 6278

**Sec. 4955.50.** (A) As used in this section and ~~section~~ 6279  
sections 4955.51 to 4955.57 of the Revised Code: 6280

(1) "Wayside detector system" means an electronic device 6281  
or a series of connected devices that scan passing trains, 6282  
rolling stock, on-track equipment, and their component equipment 6283  
and parts for defects. 6284

(2) "Defects" include hot wheel bearings, hot wheels, 6285  
defective bearings that are detected through acoustics, dragging 6286  
equipment, excessive height or weight, shifted loads, low hoses, 6287  
rail temperature, and wheel condition. 6288

(3) "Class I carrier," "class II carrier," and "class III 6289  
carrier" have the same meanings as defined in 49 C.F.R. Part 6290  
1201 1-1. 6291

(B) The public utilities commission in conjunction with 6292  
the department of transportation shall work with each railroad 6293  
company that does business in this state to ensure that wayside 6294  
detector systems are installed and are operating along railroad 6295  
tracks on which the railroad operates and to ensure that such 6296  
systems meet all of following standards: 6297

(1) The systems are properly installed, maintained, 6298  
repaired, and operational in accordance with ~~section~~ sections 6299  
4955.51 to 4955.57 of the Revised Code and the latest guidelines 6300  
issued by the United States department of transportation, the 6301  
federal railroad administration, and the association of American 6302  
railroads. 6303

(2) Any expired, nonworking, or outdated wayside detector 6304  
system or component parts of a system are removed and replaced 6305  
with new parts or an entirely new system that reflects the 6306

current best practices and standards of the industry. 6307

(3) The distance between wayside detector systems is 6308  
appropriate when accounting for the requirements of ~~section~~ 6309  
sections 4955.51 to 4955.57 of the Revised Code, the natural 6310  
terrain surrounding the railroad track on which the railroad 6311  
operates, and the safety of the trains, rolling stock, on-track 6312  
equipment, their operators, their passengers, and the persons 6313  
and property in the vicinity of such railroad track so that if 6314  
defects are detected operators have sufficient time to do the 6315  
following: 6316

(a) Respond to the alerts projected by the wayside 6317  
detector system; 6318

(b) Stop the train, rolling stock, or on-track equipment, 6319  
if necessary; 6320

(c) Make all necessary repairs or, if repair is impossible 6321  
at the location, to remove the component parts or equipment that 6322  
is defective. 6323

(4) The railroad company has defined, written standards 6324  
and training for its employees pertaining to wayside detector 6325  
system defect alerts, the course of action that employees are 6326  
required to take to respond to an alert, and appropriate 6327  
monitoring and responses by the company if employees fail to 6328  
take the required course of action. 6329

(C) If a railroad company refuses to work or otherwise 6330  
cooperate with the public utilities commission and the 6331  
department of transportation in good faith in accordance with 6332  
this section, the commission and department shall investigate 6333  
that railroad company's safety practices and standards in 6334  
accordance with 49 C.F.R. Part 212. The commission and 6335

department shall determine whether the company appears to be in 6336  
compliance with federal railroad safety laws, as defined in 49 6337  
C.F.R. Part 209. 6338

(D) (1) If a railroad company does not appear to be in 6339  
compliance with the applicable federal standards based on an 6340  
investigation conducted under division (C) of this section, not 6341  
later than sixty days after the conclusion of the investigation, 6342  
the commission and department shall make a report to the federal 6343  
railroad administration. The report shall detail the results of 6344  
the investigation and recommend that the administration take 6345  
enforcement action in accordance with its authority against the 6346  
railroad company for the safety violations discovered through 6347  
that investigation. 6348

(2) The commission and department shall send a copy of the 6349  
report to the governor, the president of the senate, the speaker 6350  
of the house of representatives, and the minority leaders of 6351  
both the senate and the house of representatives. 6352

**Sec. 4955.51.** ~~(A) (1)~~ Except as otherwise provided in 6353  
~~division (A) (2) of this section~~ sections 4955.55 and 4955.57 of 6354  
the Revised Code, any person responsible for the installation of 6355  
wayside detector systems alongside or on a railroad shall ensure 6356  
that each system location is ~~not more than ten miles~~ the 6357  
following distance from the adjacent system location: 6358

(A) For a class I carrier railroad, not more than ten 6359  
miles; 6360

(B) For a class II carrier railroad, not more than twenty- 6361  
five miles; 6362

(C) For a class III carrier railroad, not more than 6363  
thirty-five miles. 6364

~~(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.~~ 6365  
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~~(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.~~ 6370  
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~~(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:~~ 6376  
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~~(1) The manner in which wayside detector systems are installed and placed complies with division (A) of this section;~~ 6380  
6381

~~(2) The manner in which wayside detector system messages are sent and received complies with division (B) of this section.~~ 6382  
6383  
6384

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. 6385  
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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 6391  
6392  
6393

Revised Code, shall ensure both of the following: 6394

(A) The manner in which wayside detector systems are 6395  
installed and placed complies with section 4955.51 of the 6396  
Revised Code; 6397

(B) The manner in which wayside detector system messages 6398  
are sent and received complies with section 4955.52 of the 6399  
Revised Code. 6400

Sec. 4955.55. (A) If the natural terrain or any other 6401  
reason does not allow for the placement of the next adjacent 6402  
wayside detector system location to be within the spacing 6403  
requirements described in section 4955.51 of the Revised Code, 6404  
the next adjacent system location shall be not more than five 6405  
miles from the maximum spacing allowed in that section. 6406

(B) For class II carriers and class III carriers, prior to 6407  
the installation of a wayside detector system outside the 6408  
applicable spacing requirements in divisions (B) and (C) of 6409  
section 4955.51 of the Revised Code, the carrier shall submit to 6410  
the public utilities commission a written explanation for the 6411  
deviation. 6412

Sec. 4955.57. Any railroad track owned or leased by a 6413  
class II carrier or class III carrier that has a speed limit of 6414  
ten miles per hour or less is exempt from the requirements 6415  
stated in sections 4955.50 to 4955.52 of the Revised Code. 6416

Sec. 5501.20. (A) As used in this section: 6417

(1) "Career professional service" means that part of the 6418  
competitive classified service that consists of employees of the 6419  
department of transportation who, regardless of job 6420  
classification, meet both of the following qualifications: 6421

(a) They are supervisors, professional employees who are 6422  
not in a collective bargaining unit, confidential employees, or 6423  
management level employees, all as defined in section 4117.01 of 6424  
the Revised Code. 6425

(b) They exercise authority that is not merely routine or 6426  
clerical in nature and report only to a higher level 6427  
unclassified employee or employee in the career professional 6428  
service. 6429

(2) "Demoted" means that an employee is placed in a 6430  
position where the employee's wage rate equals, or is not more 6431  
than twenty per cent less than, the employee's wage rate 6432  
immediately prior to demotion or where the employee's job 6433  
responsibilities are reduced, or both. 6434

(3) "Employee in the career professional service with 6435  
restoration rights" means an employee in the career professional 6436  
service who has been in the classified civil service for at 6437  
least two years and who has a cumulative total of at least ten 6438  
years of continuous service with the department of 6439  
transportation. 6440

(4) "Egregious" means a type of conduct or offense that is 6441  
especially serious in nature, including theft in office, illegal 6442  
drug use while working, discrimination or harassment, assault, 6443  
or any other similar conduct or offense. 6444

(B) The director shall adopt a rule in accordance with 6445  
section 111.15 of the Revised Code that identifies specific 6446  
positions within the department of transportation that are 6447  
included in the career professional service. The director may 6448  
amend the rule that identifies the specific positions included 6449  
in the career professional service whenever the director 6450

determines necessary. Any rule adopted under this division is 6451  
subject to review and invalidation by the joint committee on 6452  
agency rule review as provided in division (D) of section 111.15 6453  
of the Revised Code. The director shall provide a copy of any 6454  
rule adopted under this division to the director of budget and 6455  
management. 6456

An employee in the career professional service is subject 6457  
to the provisions of Chapter 124. of the Revised Code that 6458  
govern employees in the classified civil service. 6459

~~(C)~~ (C) (1) An employee in the career professional service 6460  
shall receive a written performance review at least once each 6461  
year or as often as the director considers necessary. ~~The~~ 6462

(2) Except as provided in division (C) (3) of this section, 6463  
the department shall may give an employee whose performance is 6464  
unsatisfactory an opportunity to improve performance for a 6465  
period of at least six months, by means of a written performance 6466  
improvement plan, before the department takes any disciplinary 6467  
action under this section. 6468

(3) If an employee's conduct or committed offense is 6469  
egregious, the department shall take immediate disciplinary 6470  
action without giving the employee an opportunity to improve 6471  
performance by means of a written performance improvement plan. 6472

(D) An employee in the career professional service may be 6473  
suspended, demoted, or removed pursuant to division (C) of this 6474  
section or for disciplinary reasons under section 124.34 or 6475  
124.57 of the Revised Code. An employee in the career 6476  
professional service may appeal only the employee's removal to 6477  
the state personnel board of review. An employee in the career 6478  
professional service may appeal a demotion or a suspension of 6479

more than three days pursuant to rules the director adopts in 6480  
accordance with section 111.15 of the Revised Code. 6481

(E) An employee in the career professional service with 6482  
restoration rights has restoration rights if demoted because of 6483  
performance, but not if involuntarily demoted or removed for any 6484  
of the reasons described in section 124.34 or for a violation of 6485  
section 124.57 of the Revised Code. The director shall demote an 6486  
employee who has restoration rights of that nature to a position 6487  
in the classified service that in the director's judgment is 6488  
similar in nature to the position the employee held immediately 6489  
prior to being appointed to the position in the career 6490  
professional service. The director shall assign to an employee 6491  
who is demoted to a position in the classified service as 6492  
provided in this division a wage rate that equals, or that is 6493  
not more than twenty per cent less than, the wage rate assigned 6494  
to the employee in the career professional service immediately 6495  
prior to the employee's demotion. 6496

**Sec. 5501.441.** (A) As used in this section, "private toll 6497  
transportation facility" means any person, as defined by section 6498  
1.59 of the Revised Code, or other business entity engaged in 6499  
the collecting or charging of tolls on a toll bridge that was 6500  
previously owned by a municipal corporation. 6501

(B) The governor, or the governor's designee, may enter 6502  
into agreements with other states that govern the reciprocal 6503  
enforcement of highway, bridge, and tunnel toll violations. Such 6504  
agreements shall pertain to any public toll transportation 6505  
facility and may include any private toll transportation 6506  
facility located in those other states. The governor, or the 6507  
governor's designee, shall make such agreements in consultation 6508  
with the director of public safety. 6509



(C) Any agreement governing enforcement of toll violations 6510  
made under the authority of division (B) of this section shall 6511  
provide for all of the following: 6512

(1) That a driver of a motor vehicle that is registered in 6513  
one state that is a party to the agreement and who is operating 6514  
in another state that is a party to the agreement receive the 6515  
same benefits, privileges, and exemptions as are accorded to a 6516  
driver of a motor vehicle that is registered in that other 6517  
state; 6518

(2) That refusal of an application for motor vehicle 6519  
registration or transfer of motor vehicle registration, in 6520  
accordance with the laws of the state in which the toll 6521  
violation occurred, is one mechanism by which toll violations 6522  
shall be enforced pursuant to the agreement; 6523

(3) That provision of notice between the states regarding 6524  
toll violations and enforcement of those violations be made by 6525  
electronic means. 6526

(D) In addition to the authority granted under division 6527  
(B) of this section, the director of public safety may enter 6528  
into an agreement with any private toll transportation facility 6529  
located in another state that governs the collection and 6530  
enforcement of tolls for a highway, bridge, or tunnel operated 6531  
by the private toll transportation facility. Any agreement 6532  
entered into under this division applies only to tolls charged 6533  
to a driver on and after the effective date of this amendment. 6534

**Sec. 5512.07.** (A) There is hereby created the 6535  
transportation review advisory council. No member of the general 6536  
assembly shall be a member of the council. The council shall 6537  
consist of nine members, one of whom is the director of 6538

transportation. Six members shall be appointed by the governor 6539  
with the advice and consent of the senate. One member shall be 6540  
appointed by the speaker of the house of representatives and one 6541  
member shall be appointed by the president of the senate. In 6542  
making their appointments, the governor, the speaker of the 6543  
house of representatives, and the president of the senate shall 6544  
consult with each other so that of the total number of eight 6545  
appointed members, at least two are affiliated with the major 6546  
political party not represented by the governor. In making the 6547  
governor's appointments, the governor shall appoint persons who 6548  
reside in different geographic areas of the state. Within ninety 6549  
days after June 30, 1997, the governor, speaker, and president 6550  
shall make the initial appointments to the council. 6551

Appointed members shall have no conflict of interest with 6552  
the position. For purposes of this section, "conflict of 6553  
interest" means taking any action that violates any provision of 6554  
Chapter 102. or 2921. of the Revised Code. 6555

Each of the members the governor appoints shall have 6556  
experience either in the area of transportation or in that of 6557  
business or economic development. 6558

~~One such member shall be selected from a list of five 6559  
names provided by the Ohio public expenditure council. 6560~~

(B) Of the governor's initial appointments made to the 6561  
council, one shall be for a term ending one year after June 30, 6562  
1997, one shall be for a term ending two years after June 30, 6563  
1997, one shall be for a term ending four years after June 30, 6564  
1997, and one shall be for a term ending five years after June 6565  
30, 1997. Within ninety days after September 16, 1998, the 6566  
governor shall make two appointments to the council. Of these 6567  
appointments, one shall be for a term ending June 30, 2001, and 6568

one shall be for a term ending June 30, 2002. The speaker's and 6569  
president's initial appointments made to the council shall be 6570  
for a term ending three years after June 30, 1997. Thereafter, 6571  
all terms of office, including the terms for those persons who 6572  
are appointed to succeed the persons whose appointments are made 6573  
within ninety days after September 16, 1998, shall be for five 6574  
years, with each term ending on the same day of the same month 6575  
as did the term that it succeeds. Each member shall hold office 6576  
from the date of appointment until the end of the term for which 6577  
the member was appointed. Members may be reappointed. Vacancies 6578  
shall be filled in the manner provided for original 6579  
appointments. Any member appointed to fill another member's 6580  
unexpired term shall hold office for the remainder of that 6581  
unexpired term. A member shall continue in office subsequent to 6582  
the expiration of the member's term until the member's successor 6583  
takes office. 6584

(C) The director of transportation is the chairperson of 6585  
the council. 6586

**Sec. 5513.01.** (A) The director of transportation shall 6587  
make all purchases of ~~machinery, materials, supplies, or other~~ 6588  
~~articles~~ products, and services in the manner provided in this 6589  
section. In all cases except those in which the director 6590  
provides written authorization for purchases by district deputy 6591  
directors of transportation, the director shall make all such 6592  
purchases at the central office of the department of 6593  
transportation in Columbus. ~~Before making any purchase at that~~ 6594  
~~office, the director, as provided in this section, shall give~~ 6595  
~~notice to bidders of the director's intention to purchase.~~ Where 6596  
the expenditure does not exceed the amount applicable to the 6597  
purchase of supplies, products, or services specified in 6598  
division (A) of section 125.05 of the Revised Code, the director 6599

shall give such notice as the director considers proper, or the 6600  
director may make the purchase without notice. Where the 6601  
expenditure exceeds the amount applicable to the purchase of 6602  
supplies, products, or services specified in division (A) of 6603  
section 125.05 of the Revised Code, the director shall give 6604  
notice by posting for not less than ten days ~~a written, typed,~~ 6605  
~~or printed invitation to bidders on a bulletin board. The~~ 6606  
~~director shall locate the notice in a place in the offices~~ 6607  
~~assigned to the department and open to the public during~~ 6608  
~~business hours~~ the intention to purchase on the electronic 6609  
procurement system established by the department of 6610  
administrative services under section 125.073 of the Revised 6611  
Code. The director shall use a competitive selection process in 6612  
the purchase of supplies, products, or services. 6613

~~Producers or distributors of any product may notify the~~ 6614  
~~director, in writing, of the class of articles for the~~ 6615  
~~furnishing of which they desire to bid and their post-office~~ 6616  
~~addresses. In that circumstance, the director shall mail copies~~ 6617  
~~of all invitations to bidders relating to the purchase of such~~ 6618  
~~articles to such persons by regular first class mail at least~~ 6619  
~~ten days prior to the time fixed for taking bids. The director~~ 6620  
~~also may mail copies of all invitations to bidders to news~~ 6621  
~~agencies or other agencies or organizations distributing~~ 6622  
~~information of this character. Requests for invitations are not~~ 6623  
~~valid and do not require action by the director unless renewed~~ 6624  
~~by the director, either annually or after such shorter period as~~ 6625  
~~the director may prescribe by a general rule.~~ 6626

The director shall include in an invitation to bidders a 6627  
brief statement of the general character of the article that it 6628  
is intended to purchase, the approximate quantity desired, and a 6629  
statement of the time and place where bids will be received, and 6630

~~may relate to and describe as many different articles as the~~ 6631  
~~director thinks proper~~may post multiple supplies, products, or 6632  
services in a single listing on the electronic procurement 6633  
system, it being the intent and purpose of this section to 6634  
authorize the inclusion in a single ~~invitation~~solicitation of 6635  
as many different ~~articles~~supplies, products, or services as 6636  
the director desires to ~~invite bids upon~~purchase at any given 6637  
time. ~~The director shall give invitations issued during each~~ 6638  
~~calendar year consecutive numbers, and ensure that the number~~ 6639  
~~assigned to each invitation appears on all copies thereof. In~~ 6640  
~~all cases where notice is required by this section, the director~~ 6641  
~~shall require sealed bids, on forms prescribed and furnished by~~ 6642  
~~the director.~~ The director shall not permit the modification of 6643  
bids after they have been opened. 6644

(B) The director may permit a state agency, the Ohio 6645  
turnpike and infrastructure commission, any political 6646  
subdivision, and any state university or college to participate 6647  
in contracts into which the director has entered for the 6648  
purchase of ~~machinery, materials,~~ supplies, products, or other 6649  
~~articles~~services. The turnpike and infrastructure commission and 6650  
any political subdivision or state university or college 6651  
desiring to participate in such purchase contracts shall file 6652  
with the director a certified copy of the bylaws or rules of the 6653  
turnpike and infrastructure commission or the ordinance or 6654  
resolution of the legislative authority, board of trustees, or 6655  
other governing board requesting authorization to participate in 6656  
such contracts and agreeing to be bound by such terms and 6657  
conditions as the director prescribes. Purchases made by a state 6658  
agency, the turnpike and infrastructure commission, political 6659  
subdivisions, or state universities or colleges under this 6660  
division are exempt from any competitive bidding required by law 6661

for the purchase of ~~machinery, materials, supplies, products, or~~ 6662  
~~other articles~~ services. 6663

(C) As used in this section: 6664

(1) "Competitive selection," "products," "purchase," 6665  
"services," and "supplies" have the same meanings as in section 6666  
125.01 of the Revised Code. 6667

(2) "Political subdivision" means any county, township, 6668  
municipal corporation, conservancy district, township park 6669  
district, park district created under Chapter 1545. of the 6670  
Revised Code, port authority, regional transit authority, 6671  
regional airport authority, regional water and sewer district, 6672  
county transit board, school district as defined in section 6673  
5513.04 of the Revised Code, regional planning commission formed 6674  
under section 713.21 of the Revised Code, regional council of 6675  
government formed under section 167.01 of the Revised Code, or 6676  
other association of local governments established pursuant to 6677  
an agreement under sections 307.14 to 307.19 of the Revised 6678  
Code. 6679

~~(2)~~(3) "State university or college" has the same meaning 6680  
as in division (A) (1) of section 3345.32 of the Revised Code. 6681

~~(3)~~(4) "Ohio turnpike and infrastructure commission" means 6682  
the commission created by section 5537.02 of the Revised Code. 6683

~~(4)~~(5) "State agency" means every organized body, office, 6684  
board, authority, commission, or agency established by the laws 6685  
of the state for the exercise of any governmental or quasi- 6686  
governmental function of state government, regardless of the 6687  
funding source for that entity, other than any state institution 6688  
of higher education, the office of the governor, lieutenant 6689  
governor, auditor of state, treasurer of state, secretary of 6690

state, or attorney general, the general assembly, the courts or 6691  
any judicial agency, or any state retirement system or 6692  
retirement program established by or referenced in the Revised 6693  
Code. 6694

Sec. 5515.10. (A) As used in this section: 6695

(1) "Telecommunications carrier" has the same meaning as 6696  
in section 4927.01 of the Revised Code. 6697

(2) "Telecommunications or utility structure" means any 6698  
facility, line, pipe, cable, or other equipment used by a 6699  
telecommunications carrier or utility provider to provide 6700  
service. 6701

(3) "Utility provider" means any entity described in 6702  
section 4905.03 of the Revised Code, regardless of whether the 6703  
entity is a public utility under section 4905.02 of the Revised 6704  
Code. 6705

(4) "Abandoned" does not include a change in ownership of 6706  
the telecommunications or utility structure. 6707

(B) The department of transportation shall make reasonable 6708  
attempts to identify the owner of an abandoned 6709  
telecommunications or utility structure in, upon, under, or 6710  
otherwise occupying a road or highway of the state highway 6711  
system or right-of-way. 6712

(C) If all reasonable attempts to identify the owner under 6713  
division (A) of this section have failed, the department shall 6714  
remove or cause the removal of the abandoned telecommunications 6715  
or utility structure. 6716

Sec. 5517.012. (A) As used in this section, "indefinite 6717  
delivery indefinite quantity contract" means a contract for an 6718

unspecified quantity, within stated limits, of supplies or 6719  
services that will be delivered by the awarded bidder over a 6720  
defined period. 6721

(B) Notwithstanding section 5517.01 of the Revised Code, 6722  
the director of transportation may enter into indefinite 6723  
delivery indefinite quantity construction contracts for highway 6724  
maintenance limited to guardrail, highway lighting, and traffic 6725  
signal maintenance. 6726

(C) The total value of a contract entered into under this 6727  
section shall not exceed two million dollars per project. 6728

(D) Each district of the department of transportation is 6729  
limited to two indefinite delivery indefinite quantity 6730  
construction contracts for highway maintenance at any given 6731  
time. 6732

(E) The duration of a contract entered into under this 6733  
section shall not exceed two years per project. 6734

(F) For purposes of entering into indefinite delivery 6735  
indefinite quantity contracts, the Director shall do all of the 6736  
following: 6737

(1) Prepare bidding documents; 6738

(2) Establish contract forms; 6739

(3) Determine contract terms and conditions, including the 6740  
following: 6741

(a) The maximum overall value of the contract that, 6742  
notwithstanding division (C) of this section, may include an 6743  
increase of two hundred thousand dollars or ten percent of the 6744  
advertised contract value, whichever is less; 6745



(b) The duration of the contract that, notwithstanding 6746  
division (E) of this section, may include a time extension of up 6747  
to one year if determined appropriate by the director; 6748

(c) The defined geographical area to which the contract 6749  
applies, which shall be not greater than the size of one 6750  
district of the department. 6751

(4) Advertise and seek bids; 6752

(5) Award to the successful bidder; 6753

(6) Develop and implement an indefinite delivery 6754  
indefinite quantity process to provide the awarded bidder 6755  
adequate notice of requested supplies or services, the 6756  
anticipated quantities of supplies, and work location 6757  
information for each work order; 6758

(7) Establish any policies and procedures necessary to 6759  
fulfill the duties and obligations of the director under this 6760  
section. 6761

(G) Section 5525.01 of the Revised Code applies to 6762  
indefinite delivery indefinite quantity contracts. Section 6763  
5525.14 of the Revised Code does not apply to the procurement of 6764  
indefinite delivery indefinite quantity construction contracts. 6765

**Sec. 5517.02.** (A) Before undertaking the construction, 6766  
reconstruction by widening or resurfacing, or improvement of a 6767  
state highway, or a bridge or culvert thereon, or the 6768  
installation of a highway traffic control-signal on a state 6769  
highway, the director of transportation, except as provided in 6770  
section 5517.021 of the Revised Code, shall make an estimate of 6771  
the cost of the work using the force account project assessment 6772  
form developed by the auditor of state under section 117.16 of 6773  
the Revised Code. When a force account project assessment form 6774

is required, the estimate shall include costs for subcontracted 6775  
work and any competitively bid component costs. 6776

(B) (1) After complying with division (A) of this section, 6777  
the director may proceed without competitive bidding with 6778  
maintenance or repair work by employing labor, purchasing 6779  
materials, and furnishing equipment, if the total estimated cost 6780  
of the completed operation, or series of connected operations, 6781  
does not exceed the following, as adjusted under division (B) (2) 6782  
of this section: 6783

(a) Thirty thousand dollars per centerline mile of 6784  
highway, exclusive of structures and highway traffic control- 6785  
signals; 6786

(b) Sixty thousand dollars for any single highway traffic 6787  
control-signal or any other single project. 6788

(2) On the first day of July of every odd-numbered year 6789  
beginning in 2015, the director shall increase the amounts 6790  
established in division (B) (1) of this section by an amount not 6791  
to exceed the lesser of three per cent, or the percentage amount 6792  
of any increase in the department of transportation's 6793  
construction cost index as annualized and totaled for the prior 6794  
two calendar years. The director shall publish the applicable 6795  
amounts on the department's internet web site. 6796

(C) The director may proceed by furnishing equipment, 6797  
purchasing materials, and employing labor in the erection of 6798  
temporary bridges or the making of temporary repairs to a 6799  
highway or bridge rendered necessary by flood, landslide, or 6800  
other extraordinary emergency. If the director determines 6801  
inability to complete such emergency work by force account, the 6802  
director may contract for any part of the work, with or without 6803

advertising for bids, as the director considers for the best 6804  
interest of the department of transportation. 6805

(D) When a project proceeds by force account under this 6806  
section or section 5517.021 of the Revised Code, the department 6807  
of transportation shall perform the work in compliance with any 6808  
project requirements and specifications that would have applied 6809  
if a contract for the work had been let by competitive bidding. 6810  
The department shall retain in the project record all records 6811  
documenting materials testing compliance, materials placement 6812  
compliance, actual personnel and equipment hours usage, and all 6813  
other documentation that would have been required if a contract 6814  
for the work had been let by competitive bidding. 6815

(E) The director shall proceed by competitive bidding to 6816  
let work to the lowest competent and responsible bidder after 6817  
advertisement as provided in section 5525.01 of the Revised Code 6818  
in both of the following situations: 6819

(1) When the scope of work exceeds the limits established 6820  
in section 5517.021 of the Revised Code; 6821

(2) When the estimated cost for a project, other than work 6822  
described in section 5517.021 of the Revised Code, exceeds the 6823  
amounts established in division (B) of this section, as 6824  
adjusted. 6825

**Sec. 5517.021.** (A) (1) The director of transportation may 6826  
proceed without competitive bidding by employing labor, 6827  
purchasing materials, and furnishing equipment to do any of the 6828  
following work: 6829

(a) Replace any single span bridge in its substantial 6830  
entirety or widen any single span bridge, including necessary 6831  
modifications to accommodate widening the existing substructure 6832

and wing walls. The director shall proceed under division (A) (1) 6833  
(a) of this section only if the deck area of the new or widened 6834  
bridge does not exceed seven hundred square feet as measured 6835  
around the outside perimeter of the deck. 6836

(b) Replace the bearings, beams, and deck of any bridge on 6837  
that bridge's existing foundation if the deck area of the 6838  
rehabilitated structure does not exceed eight hundred square 6839  
feet; 6840

(c) Construct or replace any single cell or multi-cell 6841  
culvert whose total waterway opening does not exceed fifty-two 6842  
square feet; 6843

(d) Pave or patch an asphalt surface if the operation does 6844  
not exceed one hundred twenty tons of asphalt per lane-mile of 6845  
roadway length, except that the department shall not perform a 6846  
continuous resurfacing operation under this section if the cost 6847  
of the work exceeds the amount established in division (B) (1) (a) 6848  
of section 5517.02 of the Revised Code, as adjusted; 6849

(e) Chip seal or fog seal an asphalt surface if both of 6850  
the following apply: 6851

(i) The operation does not exceed twenty-eight feet in 6852  
width, excluding turn lanes. 6853

(ii) Chip seal or fog seal operations statewide are not 6854  
more than two hundred cumulative centerline miles of asphalt 6855  
surface per year. 6856

(2) Work performed in accordance with division (A) (1) of 6857  
this section may include approach roadway work, extending not 6858  
more than one hundred fifty feet as measured from the back side 6859  
of the bridge abutment wall or outside edge of the culvert, as 6860  
applicable. The length of an approach guardrail shall be in 6861

accordance with department of transportation design requirements 6862  
and shall not be included in the approach work size limitation. 6863

(B) The requirements of section 117.16 of the Revised Code 6864  
shall not apply to work described in division (A) of this 6865  
section and the work shall be exempt from audit for force 6866  
account purposes except to determine compliance with the 6867  
applicable size or tonnage restrictions. 6868

Sec. 5517.08. (A) As used in this section, "start date" 6869  
means one of the following, as applicable: 6870

(1) The date that the department of transportation will 6871  
advertise for competitive bids related to the chip sealing or 6872  
fog sealing of an asphalt surface on a state highway project; 6873

(2) The date that the department will begin chip sealing 6874  
or fog sealing an asphalt surface on a state highway project 6875  
through force account in accordance with division (A) (1) (e) of 6876  
section 5517.021 of the Revised Code. 6877

(B) Not less than thirty days prior to the start date of a 6878  
chip sealing or fog sealing project, the director of 6879  
transportation shall notify the appropriate board of county 6880  
commissioners or board of township trustees of the sealing 6881  
project. 6882

**Sec. 5521.01.** The director of transportation, upon the 6883  
request by and the approval of the legislative authority of a 6884  
village, shall maintain, repair, and apply standard longitudinal 6885  
pavement marking lines as the director considers appropriate, or 6886  
may establish, construct, reconstruct, improve, or widen any 6887  
section of a state highway within the limits of a village. The 6888  
director also may erect regulatory and warning signs, as defined 6889  
in the manual adopted under section 4511.09 of the Revised Code, 6890

on any section of a state highway within the limits of a 6891  
village. The director may establish, construct, reconstruct, 6892  
improve, widen, maintain, or repair any section of state highway 6893  
within the limits of a city, including the elimination of 6894  
railway grade crossings, and pay the entire or any part of the 6895  
cost and expense thereof from state funds, but in all cases the 6896  
director first shall obtain the consent of the legislative 6897  
authority of the municipal corporation, except that the director 6898  
need not obtain the consent of the municipal corporation if the 6899  
existing highway being changed or the location of an additional 6900  
highway being established was not within the corporate limits of 6901  
the municipal corporation at the time the director determines 6902  
the establishment or change should be made, or if the director 6903  
is acting pursuant to section 5501.49 of the Revised Code. 6904

If the director has entered into an agreement with a 6905  
municipal corporation to construct, reconstruct, improve, widen, 6906  
maintain, or repair a state highway or any section of a state 6907  
highway within the limits of the municipal corporation, and the 6908  
agreement is evidenced by a municipal resolution, ordinance, or 6909  
other writing, the director shall pay all costs and obligations 6910  
arising from the agreement with the municipal corporation. 6911  
Additionally, the director shall not alter any terms or 6912  
conditions of that agreement without the consent of the 6913  
municipal corporation, including any terms or conditions 6914  
relating to reimbursements or allocations of cost between the 6915  
department of transportation and the municipal corporation. 6916

Except as provided in section 5501.49 of the Revised Code, 6917  
when in the opinion of the director there is urgent need to 6918  
establish a state highway, which is to be designated a federal 6919  
aid highway, or a federal aid interstate highway within a 6920  
municipal corporation or, in the opinion of the director, any 6921

federal aid highway or interstate federal aid highway is in 6922  
urgent need of repair, reconstruction, widening, improvement, or 6923  
relocation, so as to accommodate the traveling public, the 6924  
director shall submit a written request to the legislative 6925  
authority of the municipal corporation for its consent to the 6926  
desired establishment or improvement. The legislative authority, 6927  
within sixty days after the written request has been received 6928  
from the director, either shall grant its consent to the 6929  
establishment or improvement or refuse consent by filing in 6930  
writing with the director a statement of its reasons for 6931  
refusing consent and any alternate proposals it considers 6932  
reasonable. If the legislative authority fails to act or refuses 6933  
consent, the director, upon consideration of the reasons for 6934  
rejection, may make a resolution declaring the necessity of the 6935  
establishment or improvement, and then proceed in the same 6936  
manner as if consent had been given. A certified copy of the 6937  
resolution shall be served upon the municipal legislative 6938  
authority, which, within twenty days from the date of service, 6939  
may appeal to the court of common pleas of the county in which 6940  
the municipal corporation is situated, upon the reasonableness 6941  
and necessity of the action provided for in the resolution. In 6942  
the hearing upon appeal, the director shall introduce the record 6943  
of the director's proceedings, including the director's findings 6944  
with respect to factors referred to in section 5521.011 of the 6945  
Revised Code, and such other competent evidence as the director 6946  
desires in support of the director's resolution, and the 6947  
municipality likewise may introduce competent evidence opposing 6948  
the resolution, and findings. The court may affirm or revoke the 6949  
resolution. The decision of the common pleas court may be 6950  
appealed to the court of appeals and the supreme court as in 6951  
other cases. If the court affirms the resolution, the director 6952  
may proceed with the establishment or improvement with or 6953

without the cooperation of the municipal corporation. Any such 6954  
municipal corporation may cooperate with the director in the 6955  
work and pay such portion of the cost as is agreed upon between 6956  
the municipal corporation and the director. The legislative 6957  
authority of any municipal corporation desiring to cooperate, by 6958  
resolution, may propose such cooperation to the director, and a 6959  
copy of the resolution, which shall set forth the proportion of 6960  
the cost and expense to be contributed by the municipal 6961  
corporation, shall be filed with the director. The director 6962  
shall cause to be prepared the necessary surveys, plans, 6963  
profiles, cross sections, estimates, and specifications and 6964  
shall file copies of them with the legislative authority of the 6965  
municipal corporation. After the legislative authority has 6966  
approved the surveys, plans, profiles, cross sections, 6967  
estimates, and specifications, and after the municipal 6968  
corporation has provided the funds necessary to meet the portion 6969  
of the cost of the work assumed by it, the municipal corporation 6970  
shall enter into a contract with the state providing for payment 6971  
by the municipal corporation of the agreed portion of the cost. 6972  
The form of the contract shall be prescribed by the attorney 6973  
general, and such contracts shall be submitted to the director 6974  
and approved before the receipt of bids. Section 5705.41 of the 6975  
Revised Code applies to such contract to be made by the 6976  
municipal corporation, and a duplicate of the certificate of the 6977  
chief fiscal officer of the municipal corporation shall be filed 6978  
in the office of the director. That part of the cost of the work 6979  
assumed by the municipal corporation shall be paid from the 6980  
proceeds of taxes or special assessments, or both, or from the 6981  
proceeds of notes or bonds issued and sold in anticipation of 6982  
the collection of the taxes and assessments. For the purpose of 6983  
providing funds for the payment of that part of the cost of the 6984  
work assumed by the municipal corporation, the municipal 6985



corporation has the same authority to make special assessments, 6986  
levy taxes, and issue bonds or notes, in anticipation of the 6987  
collection of the same, as it has with respect to improvements 6988  
constructed under the sole supervision and control of the 6989  
municipal corporation. All such assessments shall be made, taxes 6990  
levied, and bonds or notes issued and sold under such conditions 6991  
and restrictions as may be provided with respect to assessments, 6992  
taxes, bonds, or notes made, levied, issued, or sold in 6993  
connection with improvements of the same class and character 6994  
constructed under the sole supervision and control of the 6995  
municipal corporation. The improvement shall be constructed 6996  
under the sole supervision of the director. The proportion of 6997  
the cost and expense payable by the municipal corporation shall 6998  
be paid by the proper officers thereof, upon the requisition of 6999  
the director, and at times during the progress of the work as 7000  
may be determined by the director or as may be otherwise 7001  
provided by law. 7002

**Sec. 5525.03.** (A) All prospective bidders other than 7003  
environmental remediators and specialty contractors for which 7004  
there are no classes of work provided for in the rules adopted 7005  
by the director of transportation shall apply for qualification 7006  
on forms prescribed and furnished by the director. The 7007  
application shall be accompanied by a certificate of compliance 7008  
with affirmative action programs issued pursuant to section 9.47 7009  
of the Revised Code and dated no earlier than one hundred eighty 7010  
days before the date fixed for the ~~opening of bids~~ award of the 7011  
contract for a particular project. 7012

(B) The director shall act upon an application for 7013  
qualification within thirty days after it is presented to the 7014  
director. Upon the receipt of any application for qualification, 7015  
the director shall examine the application to determine whether 7016

the applicant is competent and responsible and possesses the 7017  
financial resources required by section 5525.04 of the Revised 7018  
Code. If the applicant is found to possess the qualifications 7019  
prescribed by sections 5525.02 to 5525.09 of the Revised Code 7020  
and by rules adopted by the director, including a certificate of 7021  
compliance with affirmative action programs, a certificate of 7022  
qualification shall be issued to the applicant, which shall be 7023  
valid for the period of one year or such shorter period of time 7024  
as the director prescribes, unless revoked by the director for 7025  
cause as defined by rules adopted by the director under section 7026  
5525.05 of the Revised Code. 7027

(C) The certificate of qualification shall contain a 7028  
statement fixing the aggregate amount of work, for any or all 7029  
owners, that the applicant may have under construction and 7030  
uncompleted at any one time and may contain a statement limiting 7031  
such bidder to the submission of bids upon a certain class of 7032  
work. Subject to any restriction as to amount or class of work 7033  
therein contained, the certificate of qualification shall 7034  
authorize its holder to bid on all work on which bids are taken 7035  
by the department of transportation during the period of time 7036  
therein specified. 7037

(D) An applicant who has received a certificate of 7038  
qualification and desires to amend the certificate by the dollar 7039  
amount or by the classes of work may submit to the director such 7040  
documentation as the director considers appropriate. The 7041  
director shall review the documentation submitted by the 7042  
applicant and, within fifteen days, shall either amend the 7043  
certificate of qualification or deny the request. If the 7044  
director denies the request to amend the certificate, the 7045  
applicant may appeal that decision to the director's 7046  
prequalification review board in accordance with section 5525.07 7047

of the Revised Code. Two or more persons, partnerships, or 7048  
corporations may bid jointly on any one project, but only on 7049  
condition that prior to the time bids are taken on the project 7050  
the bidders make a joint application for qualification and 7051  
obtain a joint certificate qualification. 7052

(E) The director may debar from participating in future 7053  
contracts with the department any bidding company as well as any 7054  
partner of a partnership, or the officers and directors of an 7055  
association or corporation if the certificate of qualification 7056  
of the company, partnership, association, or corporation is 7057  
revoked or not renewed by the director. When the director 7058  
reasonably believes that grounds for revocation and debarment 7059  
exist, the director shall send the bidding company and any 7060  
individual involved a notice of proposed revocation and 7061  
debarment indicating the grounds for such action as established 7062  
in rules adopted by the director under section 5525.05 of the 7063  
Revised Code and the procedure for requesting a hearing. The 7064  
notice and hearing shall be in accordance with Chapter 119. of 7065  
the Revised Code. If the bidding company or individual does not 7066  
respond with a request for a hearing in the manner specified in 7067  
Chapter 119. of the Revised Code, the director shall revoke the 7068  
certificate and issue the debarment decision without a hearing 7069  
and shall notify the bidding company or individual of the 7070  
decision by certified mail, return receipt requested. 7071

(F) The debarment period may be of any length determined 7072  
by the director and the director may modify or rescind the 7073  
debarment at any time. During the period of debarment, the 7074  
director shall not issue a certificate of qualification for any 7075  
company, partnership, association, or corporation affiliated 7076  
with a debarred individual. After the debarment period expires, 7077  
the bidding company or individual, and any partnership, 7078

association, or corporation affiliated with the individual may 7079  
make an application for qualification if such entity or 7080  
individual is not otherwise debarred. 7081

**Sec. 5525.04.** No bidder shall be given a certificate of 7082  
qualification unless the bidder's financial statement and the 7083  
investigation made by the director of transportation show that 7084  
the bidder possesses net current assets or working capital 7085  
sufficient, in the judgment of the director, to render it 7086  
probable that the bidder can satisfactorily execute the bidder's 7087  
contracts and meet all contractual obligations. Any applicant 7088  
desiring a certificate of qualification in an amount of ~~five-ten~~ 7089  
million dollars or more shall submit on forms prescribed by the 7090  
director a financial audit prepared and attested as correct by 7091  
an independent certified public accountant. Any applicant 7092  
desiring a certificate of qualification in an amount that is 7093  
less than ~~five-ten~~ million dollars shall submit a financial 7094  
review on forms prescribed by the director. The aggregate amount 7095  
of work set forth in either type of certificate of qualification 7096  
shall not exceed ten times the applicant's net current assets or 7097  
working capital. At the time of bidding award of the contract, a 7098  
bidder's qualification is determined by the bidder's 7099  
qualification amount minus all of the bidder's pending work. 7100

Applicants for qualification shall expressly authorize the 7101  
director to obtain any information that the director considers 7102  
pertinent, with respect to the financial worth, assets, and 7103  
liabilities of the applicant, from banks or other financial 7104  
institutions, surety companies, dealers in material, equipment, 7105  
or supplies, or other persons having business transactions with 7106  
the applicant. Applicants shall expressly authorize all such 7107  
financial institutions or other persons to furnish any such 7108  
information requested from them by the director. All information 7109

filed with or furnished to the director by applicants or other 7110  
persons, in connection with the administration of sections 7111  
5525.02 to 5525.09 of the Revised Code, shall be kept in 7112  
confidence by the director and not revealed to any person, 7113  
except upon proper order of a court. Failure to submit the 7114  
required information or to expressly grant the director 7115  
authority to obtain the required information shall result in the 7116  
denial of a certificate of qualification. The director or the 7117  
director's subordinates shall have access to the books of 7118  
account and financial records of all applicants, unless the 7119  
financial statement furnished by any applicant is prepared and 7120  
attested as correct by a certified public accountant. 7121

If an applicant for either type of certificate of 7122  
qualification is or has been an employer in this state the 7123  
application shall be accompanied by satisfactory evidence that 7124  
the applicant has complied with Chapter 4123. of the Revised 7125  
Code. 7126

The director may require all qualified bidders to file 7127  
financial statements at such intervals as the director 7128  
prescribes. Sections 5525.02 to 5525.09 of the Revised Code 7129  
shall be administered without reference to the residence of 7130  
applicants, and the rules of the director shall apply equally to 7131  
residents and nonresidents of this state. Sections 5525.02 to 7132  
5525.09 of the Revised Code, do not apply to the purchase of 7133  
material, equipment, or supplies. 7134

**Sec. 5525.08.** Except as otherwise provided in this 7135  
section, the director of transportation shall not consider any 7136  
bid filed with the director by any person who has not been 7137  
qualified to bid by the time the contract is awarded. ~~Bids from~~ 7138  
~~unqualified bidders discovered by the director prior to the~~ 7139

~~reading thereof to be from such persons shall be returned~~ 7140  
~~without being read.~~ If the director finds, subsequent to the 7141  
opening of bids, that facts exist that would disqualify the 7142  
lowest bidder, or that such bidder either is not competent and 7143  
responsible or has submitted a nonresponsive bid, the director 7144  
shall reject such bid, despite ~~the fact of any~~ prior 7145  
qualification of such bidder. No contract shall be awarded to 7146  
any bidder not qualified to bid thereon at the time ~~fixed for~~ 7147  
~~receiving bids~~ of awarding the contract, except that the director 7148  
may award contracts for environmental remediation and specialty 7149  
work not set out in the director's rules governing classes of 7150  
work to bidders that are not qualified under sections 5525.02 to 7151  
5525.09 of the Revised Code. 7152

**Sec. 5525.14.** (A) Notwithstanding sections 125.01 to 7153  
125.11 of the Revised Code, the director of transportation, by 7154  
written instruction to the contractor, may increase the 7155  
quantities of any item specified or not specified in a 7156  
competitively bid construction contract but, except as provided 7157  
in division (B) of this section, the additional cost incurred by 7158  
the increase shall not exceed the lesser of one hundred thousand 7159  
dollars or five per cent of the total contract price. Any such 7160  
provision for increased quantities or extra work shall be made 7161  
in the form of a written change to the original contract and 7162  
does not require competitive bidding. 7163

(B) ~~The one hundred thousand dollar or five per cent~~ 7164  
~~restriction~~ monetary threshold established in division (A) of 7165  
this section does not apply to change orders or extra work 7166  
contracts when the total dollar amount of the increase is ~~is~~ 7167  
~~twenty-five~~ fifty thousand dollars or less, or to change orders 7168  
or extra work contracts resulting from any of the following: 7169

(1) An increase in the plan quantity that is determined 7170  
during the final measurement of an item of work. 7171

(2) Federally mandated requirements that did not exist at 7172  
the time of the original contract award. 7173

(3) Circumstances that would create a life-, safety-, or 7174  
health-threatening situation or would unduly delay the 7175  
completion of a project and increase its costs, but only if the 7176  
director makes a finding of such fact, declares an emergency, 7177  
and issues the finding. Extra work that the director contracts 7178  
for in these circumstances may include not only construction 7179  
needed to complete a project, but also adjustments needed to 7180  
meet changed conditions, alterations in original plans, 7181  
unforeseen contingencies, or payments necessitated by contract 7182  
terminations or suspensions. 7183

All change orders or extra work contracts set forth in 7184  
division (B) of this section shall be reported to the 7185  
controlling board quarterly in writing. 7186

(C) The director, by written instruction to the 7187  
contractor, may decrease or cancel the quantity of any item 7188  
specified in a contract or portion of a contract and authorize 7189  
payment to the contractor for reasonable costs incurred to date. 7190

**Sec. 5525.16.** (A) Before entering into a contract, the 7191  
director of transportation shall require a contract performance 7192  
bond and a payment bond with sufficient sureties, as follows: 7193

(1) A contract performance bond in an amount equal to one 7194  
hundred per cent of the contract amount, conditioned, among 7195  
other things, that the contractor will perform the work upon the 7196  
terms proposed, within the time prescribed, ~~and~~ in accordance 7197  
with the plans and specifications, and will indemnify the state 7198

against any damage that may result from any failure of the 7199  
contractor to so perform, ~~and, further, in case of a grade-~~ 7200  
~~separation will indemnify any railroad company involved against-~~ 7201  
~~any damage that may result by reason of the negligence of the-~~ 7202  
~~contractor in making the improvement.~~ 7203

(2) A payment bond in an amount equal to one hundred per 7204  
cent of the contract amount, conditioned for the payment by the 7205  
contractor and all subcontractors for labor or work performed or 7206  
materials furnished in connection with the work, improvement, or 7207  
project involved. 7208

(B) After entering into a contract and the initial 7209  
issuance of a contract performance bond and payment bond in 7210  
accordance with division (A) of this section, both of the 7211  
following apply, as applicable: 7212

(1) If the contract amount increases or decreases by forty 7213  
thousand dollars or more during the term of the contract, the 7214  
final bond amount shall be adjusted to account for the change 7215  
from the original contract value to the actual final contract 7216  
value. The director shall do all of the following: 7217

(a) Determine the final bond premium amount for the 7218  
contract performance bond and payment bond based on the actual 7219  
final contract value; 7220

(b) Finalize any bond premium adjustments after receiving 7221  
written consent from the affected sureties confirming that the 7222  
sureties increased or decreased the penal sums, as applicable; 7223

(c) Determine what, if any, additional payments or refunds 7224  
are necessary under the contract as a result of the adjusted 7225  
final bond premium amount. 7226

(2) A contractor shall provide the director with new 7227



surety bonds, in the form and amount required by this section, 7228  
within twenty-one days of any of the following occurring to a 7229  
surety providing a surety bond for the project: 7230

(a) It is adjudged bankrupt or has made a general 7231  
assignment for the benefit of its creditors; 7232

(b) It has liquidated all assets or has made a general 7233  
assignment for the benefit of its creditors; 7234

(c) It is placed in receivership; 7235

(d) It petitions a state or federal court for protection 7236  
from its creditors; 7237

(e) It allows its license to do business in this state to 7238  
lapse or to be revoked. 7239

(C) (1) In no case is the state liable for damages 7240  
sustained in the construction of any work, improvement, or 7241  
project under this chapter and Chapters 5501., 5503., 5511., 7242  
5513., 5515., 5516., 5517., 5519., 5521., 5523., 5527., 5528., 7243  
5529., 5531., 5533., and 5535. of the Revised Code. 7244

(2) This section does not require the director to take 7245  
bonds as described in division (A) or (B) of this section in 7246  
connection with any force account work, but the director may 7247  
require those bonds in connection with force account work. 7248

(3) If any bonds taken under this section are executed by 7249  
a surety company, the director may not approve such bonds unless 7250  
there is attached a certificate of the superintendent of 7251  
insurance that the company is authorized to transact business in 7252  
this state, and a copy of the power of attorney of the agent of 7253  
the company. The superintendent, upon request, shall issue to 7254  
any licensed agent of such company the certificate without 7255

charge. 7256

(4) The bonds required to be taken under this section 7257  
shall be executed by the same surety, approved by the director 7258  
as to sufficiency of the sureties, and be in the form prescribed 7259  
by the attorney general. 7260

(D) Any person to whom any money is due for labor or work 7261  
performed or materials furnished in connection with a work, 7262  
improvement, or project, at any time after performing the labor 7263  
or furnishing the materials but not later than ninety days after 7264  
the acceptance of the work, improvement, or project by the 7265  
director, may furnish to the sureties on the payment bond a 7266  
statement of the amount due the person. If the indebtedness is 7267  
not paid in full at the expiration of sixty days after the 7268  
statement is furnished, the person may commence an action in the 7269  
person's own name upon the bond as provided in sections 2307.06 7270  
and 2307.07 of the Revised Code. 7271

An action shall not be commenced against the sureties on a 7272  
payment bond until sixty days after the furnishing of the 7273  
statement described in this section or, notwithstanding section 7274  
2305.12 of the Revised Code, later than one year after the date 7275  
of the acceptance of the work, improvement, or project. 7276

(E) When the total contract amount is greater than five 7277  
hundred million dollars, the director may authorize either of 7278  
the following for purposes of meeting the requirements of 7279  
division (A) of this section: 7280

(1) The issuance of multiple contract performance bonds or 7281  
multiple contract payment bonds to meet the requirement that the 7282  
bonding amount equals one hundred per cent of the contract 7283  
amount; 7284

(2) The issuance of contract performance bonds and 7285  
contract payment bonds in succession to align with the phases of 7286  
the contract to meet the requirement that the bonding amount 7287  
equals one hundred per cent of the contract amount. 7288

(F) As used in this section: 7289

(1) "Improvement," "subcontractor," "material supplier," 7290  
and "materials" have the same meanings as in section 1311.01 of 7291  
the Revised Code, and "contractor" has the same meaning as 7292  
"original contractor" as defined in that section. 7293

(2) "Actual final contract value" is the final sum of 7294  
money, excluding any bond premium adjustments, that is paid by 7295  
the department to the contractor as a result of the contractor 7296  
completing the agreed upon work. 7297

**Sec. 5537.02.** (A) There is hereby created a commission to 7298  
be known on and after July 1, 2013, as the "Ohio turnpike and 7299  
infrastructure commission." The commission is a body both 7300  
corporate and politic, constituting an instrumentality of the 7301  
state, and the exercise by it of the powers conferred by this 7302  
chapter in the construction, operation, and maintenance of the 7303  
Ohio turnpike system, and also in entering into agreements with 7304  
the department of transportation to pay the cost or a portion of 7305  
the costs of infrastructure projects, are and shall be held to 7306  
be essential governmental functions of the state, ~~but the~~ 7307  
~~commission shall not be immune from liability by reason thereof.~~ 7308  
Chapter 2744. of the Revised Code applies to the commission and 7309  
the commission is a political subdivision of the state for 7310  
purposes of that chapter. The commission is subject to all 7311  
provisions of law generally applicable to state agencies which 7312  
do not conflict with this chapter. 7313

(B) (1) The commission shall consist of ten members as 7314  
follows: 7315

(a) Six members appointed by the governor with the advice 7316  
and consent of the senate, no more than three of whom shall be 7317  
members of the same political party; 7318

(b) The director of transportation, or the director's 7319  
designee, who shall be a voting member, and the director of 7320  
budget and management, or the director's designee. The directors 7321  
or their designees, as applicable, shall serve as ex officio 7322  
members, without compensation; 7323

(c) One member of the senate, appointed by the president 7324  
of the senate, who shall represent either a district in which is 7325  
located or through which passes a portion of a turnpike project 7326  
that is part of the Ohio turnpike system or a district located 7327  
in the vicinity of a turnpike project that is part of the Ohio 7328  
turnpike system; 7329

(d) One member of the house of representatives, appointed 7330  
by the speaker of the house of representatives, who shall 7331  
represent either a district in which is located or through which 7332  
passes a portion of a turnpike project that is part of the Ohio 7333  
turnpike system or a district located in the vicinity of a 7334  
turnpike project that is part of the Ohio turnpike system. 7335

(2) The members appointed by the governor shall be 7336  
residents of the state, shall have been qualified electors 7337  
therein for a period of at least five years next preceding their 7338  
appointment. In making the appointments, the governor may 7339  
appoint persons who reside in different geographic areas of the 7340  
state, taking into consideration the various turnpike and 7341  
infrastructure projects in the state. Members appointed to the 7342

commission prior to July 1, 2013, shall serve terms of eight 7343  
years commencing on the first day of July and ending on the 7344  
thirtieth day of June. Thereafter, members appointed by the 7345  
governor shall serve terms of five years commencing on the first 7346  
day of July and ending on the thirtieth day of June. Those 7347  
members appointed by the president of the senate or the speaker 7348  
of the house of representatives shall serve a term of the 7349  
remainder of the general assembly during which the senator or 7350  
representative is appointed. Each appointed member shall hold 7351  
office from the date of appointment until the end of the term 7352  
for which the member was appointed. If a commission member dies 7353  
or resigns, or if a senator or representative who is a member of 7354  
the commission ceases to be a senator or representative, or if 7355  
an ex officio member ceases to hold the applicable office, the 7356  
vacancy shall be filled in the same manner as provided in 7357  
division (B)(1) of this section. Any member who fills a vacancy 7358  
occurring prior to the end of the term for which the member's 7359  
predecessor was appointed shall, if appointed by the governor, 7360  
hold office for the remainder of such term or, if appointed by 7361  
the president of the senate or the speaker of the house of 7362  
representatives, shall hold office for the remainder of the term 7363  
or for a shorter period of time as determined by the president 7364  
or the speaker. Any member appointed by the governor shall 7365  
continue in office subsequent to the expiration date of the 7366  
member's term until the member's successor takes office, or 7367  
until a period of sixty days has elapsed, whichever occurs 7368  
first. A member of the commission is eligible for reappointment. 7369  
Each member of the commission appointed by the governor, before 7370  
entering upon the member's duties, shall take an oath as 7371  
provided by Section 7 of Article XV, Ohio Constitution. The 7372  
governor, the president of the senate, or the speaker of the 7373  
house of representatives, may at any time remove their 7374

respective appointees to the commission for misfeasance, 7375  
nonfeasance, or malfeasance in office. 7376

(3) (a) A member of the commission who is appointed by the 7377  
president of the senate or the speaker of the house of 7378  
representatives shall not participate in any vote of the 7379  
commission. Serving as an appointed member of the commission 7380  
under divisions (B) (1) (c), (1) (d), or (2) of this section does 7381  
not constitute grounds for resignation from the senate or the 7382  
house of representatives under section 101.26 of the Revised 7383  
Code. 7384

(b) The director of budget and management shall not 7385  
participate in any vote of the commission. 7386

(C) The voting members of the commission shall elect one 7387  
of the voting members as chairperson and another as vice- 7388  
chairperson, and shall appoint a secretary-treasurer who need 7389  
not be a member of the commission. Four of the voting members of 7390  
the commission constitute a quorum, and the affirmative vote of 7391  
four voting members is necessary for any action taken by the 7392  
commission. No vacancy in the membership of the commission 7393  
impairs the rights of a quorum to exercise all the rights and 7394  
perform all the duties of the commission. 7395

(D) Each member of the commission appointed by the 7396  
governor shall give a surety bond to the commission in the penal 7397  
sum of twenty-five thousand dollars and the secretary-treasurer 7398  
shall give such a bond in at least the penal sum of fifty 7399  
thousand dollars. The commission may require any of its officers 7400  
or employees to file surety bonds including a blanket bond as 7401  
provided in section 3.06 of the Revised Code. Each such bond 7402  
shall be in favor of the commission and shall be conditioned 7403  
upon the faithful performance of the duties of the office, 7404

executed by a surety company authorized to transact business in 7405  
this state, approved by the governor, and filed in the office of 7406  
the secretary of state. The costs of the surety bonds shall be 7407  
paid or reimbursed by the commission from revenues. Each member 7408  
of the commission appointed by the governor shall receive an 7409  
annual salary of five thousand dollars, payable in monthly 7410  
installments. Each member shall be reimbursed for the member's 7411  
actual expenses necessarily incurred in the performance of the 7412  
member's duties. All costs and expenses incurred by the 7413  
commission in carrying out this chapter shall be payable solely 7414  
from revenues and state taxes, and no liability or obligation 7415  
shall be incurred by the commission beyond the extent to which 7416  
revenues have been provided for pursuant to this chapter. 7417

**Sec. 5571.01.** (A) A board of township trustees may 7418  
construct, reconstruct, resurface, or improve any public road or 7419  
part thereof under its jurisdiction, or any county road, 7420  
intercounty highway, or state highway within its township. In 7421  
the case of a county road, the plans and specifications for the 7422  
proposed improvement first shall be submitted to the board of 7423  
county commissioners of the county and receive its approval. In 7424  
the case of an intercounty or state highway, the plans and 7425  
specifications first shall be submitted to the director of 7426  
transportation and receive the director's approval. The board of 7427  
township trustees may widen, straighten, or change the direction 7428  
of any part of a road in connection with the proceedings for its 7429  
improvement. 7430

(B) The board of township trustees may construct, improve, 7431  
maintain, or repair the berm of any road under its jurisdiction, 7432  
in order to provide a hard surface or other improved approach to 7433  
rural mail boxes located on public highways. 7434

(C) A board of township trustees, in conformity with the 7435  
manual and uniform system of traffic control devices adopted 7436  
under section 4511.09 of the Revised Code, may erect and 7437  
maintain at intersecting roads, at least one of which is a 7438  
township road, suitable signposts showing the names and numbers 7439  
of the roads. The cost of the signs shall be paid from the 7440  
township road fund. 7441

(D) Subject to division (F) of this section, a board of 7442  
township trustees, in conformity with the manual and uniform 7443  
system of traffic control devices adopted under section 4511.09 7444  
of the Revised Code, may erect and maintain at intersecting 7445  
roads, at least one of which is a township road, suitable 7446  
signposts showing the direction and distance to any nearby 7447  
municipal corporation. The costs of the signs shall be paid from 7448  
the township road fund. 7449

(E) Subject to divisions (F) and (G) of this section, a 7450  
board of township trustees may purchase or lease and erect and 7451  
maintain at intersecting roads, at least one of which is a 7452  
township road, suitable traffic control devices and highway 7453  
traffic ~~control~~-signals. The traffic control devices and highway 7454  
traffic ~~control~~-signals and their placement and maintenance 7455  
shall conform with the manual and specifications adopted under 7456  
section 4511.09 of the Revised Code. In purchasing or leasing 7457  
and erecting and maintaining the traffic control devices and 7458  
highway traffic ~~control~~-signals, the board may expend any moneys 7459  
that are available to it that legally may be expended for that 7460  
purpose. 7461

(F) If one of the intersecting highways as provided in 7462  
divisions (D) and (E) of this section is a state highway, both 7463  
of the following apply: 7464



(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. 5747.502.** (A) As used in this section:

(1) "~~Local authority~~" and "~~traffic~~" Traffic law photo-monitoring device ~~have~~ has the same ~~meanings~~ meaning as in section 4511.092 of the Revised Code.

(2) "School zone" has the same meaning as in section 4511.21 of the Revised Code.

(3) "Transportation district" means a territorial district established by the director of transportation under section 5501.14 of the Revised Code.

(4) "District deputy director" means the person appointed 7493  
and assigned by the director of transportation under section 7494  
5501.14 of the Revised Code to administer the activities of a 7495  
transportation district. 7496

(5) "Gross amount" means the entire amount of traffic 7497  
camera fines and fees paid by a driver. 7498

(6) "Local government fund adjustment" or "LGF adjustment" 7499  
means the sum of: 7500

(a) The gross amount of all traffic camera fines collected 7501  
by a local authority during the preceding fiscal year, as 7502  
reported under division (B) (1) of this section, if such a report 7503  
is required; plus 7504

(b) The residual adjustment computed for the local 7505  
authority under division (B) (4) of this section, if such an 7506  
adjustment applies. 7507

(7) "Local government fund payments" or "LGF payments" 7508  
means the payments a local authority would receive under 7509  
sections ~~5747.502~~5747.503, 5747.51, and 5747.53, and division 7510  
(C) of section 5747.50 of the Revised Code, as applicable, if 7511  
not for the reductions required by divisions (C) and (D) of this 7512  
section. 7513

(8) "Residual adjustment" means the most recent LGF 7514  
adjustment computed for a local authority under division (B) (2) 7515  
or (3) of this section minus the sum of the reductions applied 7516  
after that computation under division (C) of this section to the 7517  
local authority's LGF payments. 7518

(9) "Traffic camera fines" means civil fines for any 7519  
violation of any local ordinance or resolution that are based 7520  
upon evidence recorded by a traffic law photo-monitoring device. 7521

(10) "Qualifying village" has the same meaning as in 7522  
section 5747.503 of the Revised Code. 7523

(11) "Local authority" means a municipal corporation, 7524  
county, or township. 7525

(B) (1) Annually, on or before the thirty-first day of 7526  
July, any local authority that directly or indirectly collected 7527  
traffic camera fines during the preceding fiscal year shall file 7528  
a report with the tax commissioner that includes a detailed 7529  
statement of the gross amount of all traffic camera fines the 7530  
local authority collected during that period and the gross 7531  
amount of such fines that the local authority collected for 7532  
violations that occurred within a school zone. 7533

(2) Annually, on or before the tenth day of August, the 7534  
commissioner shall compute a local government fund adjustment 7535  
for each local authority that files a report under division (B) 7536  
(1) of this section or with respect to which a residual 7537  
adjustment applies. Subject to division (B) (3) of this section, 7538  
the LGF adjustment shall be used by the commissioner to 7539  
determine the amount of the reductions required under division 7540  
(C) of this section for each of the next twelve months, starting 7541  
with the month in which the LGF adjustment is computed. After 7542  
those twelve months, the LGF adjustment ceases to apply and, if 7543  
an LGF adjustment continues to be required, the amount of the 7544  
reductions required under division (C) of this section shall be 7545  
determined based on an updated LGF adjustment computed under 7546  
this division. 7547

(3) Upon receipt of a report described by division (B) (1) 7548  
of this section that is not timely filed, the commissioner shall 7549  
do both of the following: 7550

(a) If one or more payments to the local authority has 7551  
been withheld under division (D) of this section because of the 7552  
local authority's failure to file the report, notify the county 7553  
auditor and county treasurer of the appropriate county that the 7554  
report has been received and that, subject to division (C) of 7555  
this section, payments to the local authority from the undivided 7556  
local government fund are to resume. 7557

(b) Compute the local authority's LGF adjustment using the 7558  
information in the report. An LGF adjustment computed under this 7559  
division shall be used by the commissioner to determine the 7560  
amount of the reductions required under division (C) of this 7561  
section starting with the next required reduction. The LGF 7562  
adjustment ceases to apply on the thirty-first day of the 7563  
ensuing July, following which, if an LGF adjustment continues to 7564  
be required, the amount of the reductions required under 7565  
division (C) of this section shall be determined based on an 7566  
updated LGF adjustment computed under division (B) (2) of this 7567  
section. 7568

(4) Annually, on or before the tenth day of August, the 7569  
commissioner shall compute a residual adjustment for each local 7570  
authority whose LGF adjustment for the preceding year exceeds 7571  
the amount by which the local authority's LGF payments were 7572  
reduced during that year under division (C) of this section. The 7573  
residual adjustment shall be used to compute the LGF adjustment 7574  
for the ensuing year under division (B) (2) of this section. 7575

(C) The commissioner shall do the following, as 7576  
applicable, respecting any local authority to which an LGF 7577  
adjustment computed under division (B) of this section applies: 7578

(1) If the local authority is a municipal corporation with 7579  
a population of one thousand or more, reduce payments to the 7580

municipal corporation under division (C) of section 5747.50 of 7581  
the Revised Code by one-twelfth of the LGF adjustment. If one- 7582  
twelfth of the LGF adjustment exceeds the amount of money the 7583  
municipal corporation would otherwise receive under division (C) 7584  
of section 5747.50 of the Revised Code, the commissioner also 7585  
shall reduce payments to the appropriate county undivided local 7586  
government fund under division (B) of section 5747.50 of the 7587  
Revised Code by an amount equal to the lesser of (a) one-twelfth 7588  
of the excess, or (b) the amount of the payment the municipal 7589  
corporation would otherwise receive from the fund under section 7590  
5747.51 or 5747.53 of the Revised Code. 7591

(2) If the local authority is a township or qualifying 7592  
village, reduce the supplemental payments to the appropriate 7593  
county undivided local government fund under section 5747.503 of 7594  
the Revised Code by the lesser of one-twelfth of the LGF 7595  
adjustment, or the amount of money the township or qualifying 7596  
village would otherwise receive under that section. If one- 7597  
twelfth of the LGF adjustment exceeds the amount of money the 7598  
township or qualifying village would otherwise receive under 7599  
section 5747.503 of the Revised Code, the commissioner also 7600  
shall reduce payments to the appropriate county undivided local 7601  
government fund under division (B) of section 5747.50 of the 7602  
Revised Code by an amount equal to the lesser of (a) one-twelfth 7603  
of the excess, or (b) the amount of the payment the township or 7604  
qualifying village would otherwise receive from the fund under 7605  
section 5747.51 or 5747.53 of the Revised Code. 7606

(3) If the local authority is a county, reduce payments to 7607  
the appropriate county undivided local government fund under 7608  
division (B) of section 5747.50 of the Revised Code by an amount 7609  
equal to the lesser of (a) one-twelfth of the LGF adjustment, or 7610  
(b) the amount of the payment the county would otherwise receive 7611

from the fund under section 5747.51 or 5747.53 of the Revised Code. 7612  
7613

(4) For any local authority, on or before the tenth day of each month a reduction is made under division (C) (1), (2), or (3) of this section, make a payment to the local authority in an amount equal to the lesser of (a) one-twelfth of the gross amount of traffic camera fines the local authority collected in the preceding fiscal year for violations that occurred within a school zone, as indicated on the report filed by the local authority pursuant to division (B) (1) of this section, or (b) the amount by which the local authority's LGF payments were reduced that month pursuant to division (C) (1), (2), or (3) of this section. Payments received by a local authority under this division shall be used by the local authority for school safety purposes. 7614  
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(D) Upon discovery, based on information in the commissioner's possession, that a local authority required to file a report under division (B) (1) of this section has failed to do so, the commissioner shall do the following, as applicable: 7627  
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7629  
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7631

(1) If the local authority is a municipal corporation with a population of one thousand or more, cease providing for payments to the municipal corporation under section 5747.50 of the Revised Code beginning with the next required payment and until such time as the report is received by the commissioner; 7632  
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7636

(2) If the local authority is a township or qualifying village, reduce the supplemental payments to the appropriate county undivided local government fund under section 5747.503 of the Revised Code by an amount equal to the amount of such payments the local authority would otherwise receive under that 7637  
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7641

section, beginning with the next required payment and until such 7642  
time as the report is received by the commissioner; 7643

(3) For any local authority, reduce payments to the 7644  
appropriate county undivided local government fund under 7645  
division (B) of section 5747.50 of the Revised Code by an amount 7646  
equal to the amount of such payments the local authority would 7647  
otherwise receive under section 5747.51 or 5747.53 of the 7648  
Revised Code, beginning with the next required payment and until 7649  
such time as the report is received by the commissioner; 7650

(4) For any local authority, notify the county auditor and 7651  
county treasurer that such payments are to cease until the 7652  
commissioner notifies the auditor and treasurer under division 7653  
(E) of this section that the payments are to resume. 7654

(E) The commissioner shall notify the county auditor and 7655  
county treasurer on or before the day the commissioner first 7656  
reduces a county undivided local government fund payment to that 7657  
county under division (C) of this section. The notice shall 7658  
include the full amount of the reduction, a list of the local 7659  
authorities to which the reduction applies, and the amount of 7660  
reduction attributed to each such local authority. The 7661  
commissioner shall send an updated notice to the county auditor 7662  
and county treasurer any time the amount the reduction 7663  
attributed to any local authority changes. 7664

A county treasurer that receives a notice from the 7665  
commissioner under this division or division (B) (3) (a) or (D) (4) 7666  
of this section shall reduce, cease, or resume payments from the 7667  
undivided local government fund to the local authority that is 7668  
the subject of the notice as specified by the commissioner in 7669  
the notice. Unless otherwise specified in the notice, the 7670  
payments shall be reduced, ceased, or resumed beginning with the 7671

next required payment. 7672

(F) There is hereby created in the state treasury the Ohio 7673  
highway and transportation safety fund. On or before the tenth 7674  
day of each month, the commissioner shall deposit in the fund an 7675  
amount equal to the total amount by which payments to local 7676  
authorities were reduced or ceased under division (C) or (D) of 7677  
this section minus the total amount of payments made under 7678  
division (C)(4) of this section. The amount deposited with 7679  
respect to a local authority shall be credited to an account to 7680  
be created in the fund for the transportation district in which 7681  
that local authority is located. If the local authority is 7682  
located within more than one transportation district, the amount 7683  
credited to the account of each such transportation district 7684  
shall be prorated on the basis of the number of centerline miles 7685  
of public roads and highways in both the local authority and the 7686  
respective districts. Amounts credited to a transportation 7687  
district's account shall be used by the department of 7688  
transportation and the district deputy director exclusively to 7689  
enhance public safety on public roads and highways within that 7690  
transportation district. 7691

**Section 101.02.** That existing sections 117.12, 154.01, 7692  
306.43, 717.02, 1548.061, 3503.11, 3704.14, 4501.01, 4503.10, 7693  
4503.102, 4503.103, 4505.08, 4506.01, 4506.09, 4506.11, 4507.01, 7694  
4507.061, 4507.13, 4507.21, 4507.52, 4508.02, 4511.01, 4511.09, 7695  
4511.091, 4511.092, 4511.093, 4511.094, 4511.11, 4511.13, 7696  
4511.131, 4511.132, 4511.18, 4511.204, 4511.211, 4511.214, 7697  
4511.432, 4511.46, 4511.48, 4511.512, 4511.61, 4511.62, 4511.64, 7698  
4511.65, 4511.68, 4511.701, 4511.712, 4511.76, 4513.071, 7699  
4513.38, 4513.41, 4517.02, 4517.24, 4519.401, 4955.50, 4955.51, 7700  
5501.20, 5501.441, 5512.07, 5513.01, 5517.02, 5517.021, 5521.01, 7701  
5525.03, 5525.04, 5525.08, 5525.14, 5525.16, 5537.02, 5571.01, 7702



and 5747.502 of the Revised Code are hereby repealed. 7703

**Section 105.01.** That sections 4506.072, 4507.021, 7704  
 4507.063, 4507.511, 4511.351, and 4511.491 of the Revised Code 7705  
 are hereby repealed. 7706

**Section 201.10.** Except as otherwise provided in this act, 7707  
 all appropriation items in this act are appropriated out of any 7708  
 moneys in the state treasury to the credit of the designated 7709  
 fund that are not otherwise appropriated. For all appropriations 7710  
 made in this act, the amounts in the first column are for fiscal 7711  
 year 2026 and the amounts in the second column are for fiscal 7712  
 year 2027. 7713

**Section 203.10.** 7714  
 7715

|   | 1                                | 2      | 3  | 4            | 5            |
|---|----------------------------------|--------|--|--------------|--------------|
| A | DOT DEPARTMENT OF TRANSPORTATION |        |  |              |              |
| B | Highway Operating Fund Group     |        |  |              |              |
| C | 2120                             | 772426 | Highway Infrastructure<br>Bank - Federal | \$5,750,500  | \$5,750,500  |
| D | 2120                             | 772427 | Highway Infrastructure<br>Bank - State   | \$15,099,500 | \$15,099,500 |
| E | 2130                             | 772431 | Roadway Infrastructure<br>Bank - State   | \$3,750,000  | \$3,750,000  |
| F | 2130                             | 777477 | Aviation Infrastructure<br>Bank - State  | \$2,400,000  | \$2,400,000  |
| G | 5XI0                             | 772504 | Ohio Highway                             | \$13,500,000 | \$7,000,000  |

|   |      |                       |  |                                 |
|---|------|-----------------------|--|---------------------------------|
|   |      | Transportation Safety |  |                                 |
| H | 7002 | 770003                | Transportation Facilities<br>Lease Rental Bond<br>Payments       | \$23,000,000 \$23,000,000       |
| I | 7002 | 771411                | Planning and Research -<br>State                                 | \$34,583,813 \$35,352,350       |
| J | 7002 | 771412                | Planning and Research -<br>Federal                               | \$57,095,074 \$57,095,074       |
| K | 7002 | 772421                | Highway Construction -<br>State                                  | \$1,166,495,043 \$849,676,092   |
| L | 7002 | 772422                | Highway Construction -<br>Federal                                | \$1,950,000,000 \$1,950,000,000 |
| M | 7002 | 772424                | Highway Construction -<br>Other                                  | \$83,500,000 \$83,500,000       |
| N | 7002 | 772437                | Major New State<br>Infrastructure Bond Debt<br>Service - State   | \$18,500,000 \$18,500,000       |
| O | 7002 | 772438                | Major New State<br>Infrastructure Bond Debt<br>Service - Federal | \$132,500,000 \$132,500,000     |
| P | 7002 | 773431                | Highway Maintenance -<br>State                                   | \$701,557,065 \$681,557,065     |
| Q | 7002 | 775452                | Public Transportation -<br>Federal                               | \$63,120,485 \$63,276,002       |

|    |                                    |        |  |                 |                 |
|----|------------------------------------|--------|--|-----------------|-----------------|
| R  | 7002                               | 775454 | Public Transportation -<br>Other       | \$3,570,000     | \$3,570,000     |
| S  | 7002                               | 776462 | Grade Crossings - Federal              | \$14,068,961    | \$14,068,961    |
| T  | 7002                               | 777472 | Airport Improvements -<br>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 -<br>Other         | \$2,210,047     | \$2,237,389     |
| Z  | 5W90                               | 777615 | County Airport<br>Maintenance          | \$620,000       | \$620,000       |
| AA | Dedicated Purpose Fund Group Total |        |  | \$2,830,047     | \$2,857,389     |
| AB | Capital Projects Fund Group        |        |  |                 |                 |
| AC | 7042                               | 772723 | Highway Construction -<br>Bonds        | \$210,000,000   | \$210,000,000   |
| AD | 7045                               | 772428 | Highway Infrastructure<br>Bank - Bonds | \$210,000,000   | \$210,000,000   |
| AE | Capital Projects Fund Group Total  |        |  | \$420,000,000   | \$420,000,000   |
| AF | TOTAL ALL BUDGET FUND GROUPS       |        |  | \$4,836,835,314 | \$4,497,199,888 |

**Section 203.20.** TRANSPORTATION FACILITIES LEASE RENTAL 7716  
BOND PAYMENTS 7717

The foregoing appropriation item 770003, Transportation 7718  
Facilities Lease Rental Bond Payments, shall be used to meet all 7719  
payments during the period from July 1, 2025, through June 30, 7720  
2027, pursuant to the leases and agreements for facilities made 7721  
under Chapter 154. of the Revised Code. These appropriations are 7722  
the source of funds pledged for bond service charges on related 7723  
obligations issued under Chapter 154. of the Revised Code. 7724

Should the appropriation in appropriation item 770003, 7725  
Transportation Facilities Lease Rental Bond Payments, exceed the 7726  
associated debt service payments in either fiscal year of the 7727  
biennium ending June 30, 2027, the balance may be transferred to 7728  
appropriation item 772421, Highway Construction - State, or 7729  
773431, Highway Maintenance - State, upon the written request of 7730  
the Director of Transportation and with the approval of the 7731  
Director of Budget and Management. The transfers are hereby 7732  
appropriated and shall be reported to the Controlling Board. 7733

**Section 203.25.** PLANNING AND RESEARCH - STATE 7734

Of the foregoing appropriation item 771411, Planning and 7735  
Research - State, up to \$1,500,000 in FY 2026 shall be used to 7736  
conduct a feasibility study for the creation of an Interstate 7737  
Route 73 corridor connecting the municipal corporation of Toledo 7738  
to the municipal corporation of Chesapeake in accordance with 7739  
Section 755.50 of this act. 7740

Of the foregoing appropriation item 771411, Planning and 7741  
Research - State, up to \$500,000 in fiscal year 2026 shall be 7742  
used to conduct a study of the Department's pavement-selection 7743  
process in accordance with Section 755.20 of this act. 7744

Of the foregoing appropriation item 771411, Planning and 7745  
Research - State, up to \$500,000 in FY 2026 shall be used by the 7746  
Department of Transportation and Ohio Turnpike and 7747  
Infrastructure Commission to establish a joint plan regarding 7748  
the feasibility of connecting U.S. Route 23 to Interstate Route 7749  
71 in accordance with Section 755.60 of this act. 7750

**Section 203.30.** ROADS FOR DNR, METROPOLITAN PARKS, 7751  
EXPOSITIONS COMMISSION, AND HISTORY CONNECTION 7752

(A) Notwithstanding section 5511.06 of the Revised Code, 7753  
in each fiscal year of the biennium ending June 30, 2027, the 7754  
Director of Transportation shall determine portions of the 7755  
foregoing appropriation item 772421, Highway Construction - 7756  
State, which shall be used for the construction, reconstruction, 7757  
or maintenance of public access roads, including support 7758  
features, to and within state facilities owned or operated by 7759  
the Department of Natural Resources. 7760

(B) Notwithstanding section 5511.06 of the Revised Code, 7761  
of the foregoing appropriation item 772421, Highway Construction 7762  
- State, \$2,562,000 in each fiscal year shall be used for the 7763  
construction, reconstruction, or maintenance of park drives or 7764  
park roads within the boundaries of metropolitan parks. 7765

(C) Notwithstanding section 5511.06 of the Revised Code, 7766  
of the foregoing appropriation item 772421, Highway Construction 7767  
- State, \$500,000 in each fiscal year shall be used for the 7768  
construction, reconstruction, or maintenance of park drives or 7769  
park roads within the boundaries of state parks and wildlife 7770  
areas greater than 10,000 contiguous acres that were purchased 7771  
in a single, or series, of transactions, and \$500,000 in each 7772  
fiscal year shall be used for construction, reconstruction, or 7773  
maintenance of drives and roads leading to such state parks and 7774

wildlife areas. 7775

(D) The Department of Transportation may use the foregoing 7776  
appropriation item 772421, Highway Construction - State, to 7777  
perform: 7778

(1) Related road work on behalf of the Ohio Expositions 7779  
Commission at the state fairgrounds, including reconstruction or 7780  
maintenance of public access roads and support features to and 7781  
within fairgrounds facilities, as requested by the Commission 7782  
and approved by the Director of Transportation; and 7783

(2) Related road work on behalf of the Ohio History 7784  
Connection, including reconstruction or maintenance of public 7785  
access roads and support features to and within Ohio History 7786  
Connection facilities, as requested by the Ohio History 7787  
Connection and approved by the Director of Transportation. 7788

**Section 203.40. TRANSPORTATION IMPROVEMENT DISTRICTS** 7789

(A) Of the foregoing appropriation item 772421, Highway 7790  
Construction - State, \$9,000,000 in each fiscal year shall be 7791  
made available for distribution by the Director of 7792  
Transportation to Transportation Improvement Districts that have 7793  
facilitated funding for the cost of a project or projects in 7794  
conjunction with and through other governmental agencies. 7795

(B) A Transportation Improvement District shall submit 7796  
requests for project funding to the Director of Transportation 7797  
by a day determined by the Director. The Department shall notify 7798  
the Transportation Improvement District whether the Department 7799  
has approved or disapproved the project funding request within 7800  
ninety days after the day the request was submitted by the 7801  
Transportation Improvement District. 7802

(C) Any funding provided to a Transportation Improvement 7803

District specified in this section shall not be used for the 7804  
purposes of administrative costs or administrative staffing and 7805  
must be used to fund a specific project or projects within that 7806  
District's area. The total amount of a specific project's cost 7807  
shall not be fully funded by the amount of funds provided under 7808  
this section. The total amount of funding provided for each 7809  
project is limited to \$500,000 per fiscal year. Transportation 7810  
Improvement Districts that are co-sponsoring a specific project 7811  
may individually apply for up to \$500,000 for that project per 7812  
fiscal year. 7813

(D) Funding provided under this section may be used for 7814  
preliminary engineering, detailed design, right-of-way 7815  
acquisition, and construction of the specific project and such 7816  
other project costs that are defined in section 5540.01 of the 7817  
Revised Code and approved by the Director of Transportation. 7818  
Upon receipt of a copy of an invoice for work performed on the 7819  
specific project, the Director shall reimburse a Transportation 7820  
Improvement District for the expenditures described above, 7821  
subject to the requirements of this section. 7822

(E) A Transportation Improvement District that is 7823  
requesting funds under this section shall register with the 7824  
Director of Transportation. The Director shall register a 7825  
Transportation Improvement District only if the district has a 7826  
specific, eligible project and may cancel the registration of a 7827  
Transportation Improvement District that is not eligible to 7828  
receive funds under this section. The Director shall not provide 7829  
funds to any Transportation Improvement District under this 7830  
section if the district is not registered. 7831

(F) For the purposes of this section: 7832

(1) "Project" has the same meaning as in division (C) of 7833

section 5540.01 of the Revised Code. 7834

(2) "Governmental agency" has the same meaning as in 7835  
division (B) of section 5540.01 of the Revised Code. 7836

(3) "Cost" has the same meaning as in division (D) of 7837  
section 5540.01 of the Revised Code. 7838

**Section 203.43. HIGHWAY CONSTRUCTION - FEDERAL 7839**

Of the foregoing appropriation item 772422, Highway 7840  
Construction - Federal, \$33,000,000 in each fiscal year shall be 7841  
used to support public transportation statewide through the 7842  
Federal Highway Administration (FHWA) flexible funding program. 7843

**Section 203.45. REGIONAL TRANSPORTATION PLANNING 7844**  
ORGANIZATIONS 7845

Of the foregoing appropriation item 772422, Highway 7846  
Construction - Federal, \$5,000,000 in each fiscal year shall be 7847  
used by Regional Transportation Planning Organizations to 7848  
conduct a rural transportation planning grant program. 7849

**Section 203.47. BRENT SPENCE BRIDGE CORRIDOR PROJECT 7850**

All spending related to the Brent Spence Bridge Corridor 7851  
Project shall be documented in the Ohio Administrative Knowledge 7852  
System (OAKS) and made visible in the Ohio State and Local 7853  
Government Expenditure Database pursuant to section 113.71 of 7854  
the Revised Code. 7855

**Section 203.49. RAIL SAFETY CROSSING MATCH 7856**

An amount equal to the unexpended, unencumbered balance of 7857  
appropriation item 776505, Rail Safety Crossing Match, at the 7858  
end of fiscal year 2025 is hereby reappropriated for the same 7859  
purpose in fiscal year 2026. 7860



**Section 203.50. BOND ISSUANCE AUTHORIZATION** 7861

The Treasurer of State, upon the request of the Director 7862  
of Transportation, is authorized to issue and sell, in 7863  
accordance with Section 2m of Article VIII, Ohio Constitution, 7864  
and Chapter 151. and particularly sections 151.01 and 151.06 of 7865  
the Revised Code, obligations, including bonds and notes, in the 7866  
aggregate amount of \$238,500,000 in addition to the original 7867  
issuance of obligations authorized by prior acts of the General 7868  
Assembly. 7869

The obligations shall be issued and sold from time to time 7870  
in amounts necessary to provide sufficient moneys to the credit 7871  
of the Highway Capital Improvement Fund (Fund 7042) created by 7872  
section 5528.53 of the Revised Code to pay costs charged to the 7873  
fund when due as estimated by the Director of Transportation, 7874  
provided, however, that not more than \$220,000,000 original 7875  
principal amount of obligations, plus the principal amount of 7876  
obligations that in prior fiscal years could have been, but were 7877  
not, issued within the \$220,000,000 limit, may be issued in any 7878  
fiscal year, and not more than \$1,200,000,000 original principal 7879  
amount of such obligations are outstanding at any one time. 7880

**Section 203.60. APPROPRIATION TRANSFERS, APPROPRIATION** 7881  
**INCREASES, AND CASH TRANSFERS** 7882

(A) TRANSFERS OF HIGHWAY OPERATING FUND APPROPRIATIONS: 7883  
EMERGENCIES, INCLEMENT WEATHER, AND FEDERAL FUNDING CHANGES 7884

The Director of Transportation may request the Controlling 7885  
Board to approve transfers between Highway Operating Fund (Fund 7886  
7002) appropriations for planning and research (appropriation 7887  
items 771411 and 771412), highway construction and debt service 7888  
(appropriation items 772421, 772422, 772424, 772425, 772437, 7889

772438, 772603, 772604, 772605, and 770003), highway maintenance 7890  
(appropriation item 773431), public transportation - federal 7891  
(appropriation item 775452), rail grade crossings (appropriation 7892  
item 776462), aviation (appropriation item 777475), and airport 7893  
improvement (appropriation item 777472). The Director of 7894  
Transportation may not seek requests of appropriation transfers 7895  
out of debt service appropriation items unless the Director 7896  
determines that the appropriated amounts exceed the actual and 7897  
projected debt service requirements. 7898

This transfer request authorization is intended to provide 7899  
for emergency situations or for the purchase of goods and 7900  
services relating to dangerous inclement weather that arise 7901  
during the biennium ending June 30, 2027. It also is intended to 7902  
allow the Department to adjust to circumstances affecting the 7903  
obligation and expenditure of federal funds. 7904

(B) TRANSFERS OF FEDERAL AND LOCAL FUNDED APPROPRIATIONS: 7905  
HIGHWAY, PLANNING, TRANSIT, RAIL, AND AVIATION 7906

The Director of Transportation may request the Controlling 7907  
Board to approve the transfer of appropriations between 7908  
appropriation items 772422, Highway Construction - Federal, 7909  
771412, Planning and Research - Federal, 775452, Public 7910  
Transportation - Federal, 775454, Public Transportation - Other, 7911  
776475, Federal Rail Administration, 776462, Grade Crossing - 7912  
Federal, and 777472, Airport Improvements - Federal. 7913

(C) TRANSFERS OF APPROPRIATIONS AND CASH: STATE 7914  
INFRASTRUCTURE BANK 7915

The Director of Transportation may request the Controlling 7916  
Board to approve the transfer of appropriations and cash of the 7917  
Infrastructure Bank funds created in section 5531.09 of the 7918

Revised Code, including transfers between fiscal years 2026 and 7919  
2027. 7920

The Director of Transportation may request the Controlling 7921  
Board to approve the transfer of appropriations and cash from 7922  
the Highway Operating Fund (Fund 7002) to the Infrastructure 7923  
Bank funds created in section 5531.09 of the Revised Code. The 7924  
Director of Budget and Management may transfer from the 7925  
Infrastructure Bank funds to Fund 7002 up to the amounts 7926  
originally transferred to the Infrastructure Bank funds under 7927  
this section. However, the Director may not make transfers 7928  
between modes or transfers between different funding sources. 7929

(D) TRANSFERS OF APPROPRIATIONS AND CASH: TOLLING FUNDS 7930

The Director of Transportation may request the Controlling 7931  
Board to approve the transfer of appropriations and cash of the 7932  
Ohio Toll Fund and any subaccounts created in section 5531.14 of 7933  
the Revised Code, including transfers between fiscal years 2026 7934  
and 2027. 7935

(E) INCREASING APPROPRIATIONS: STATE FUNDS 7936

In the event that receipts or unexpended balances credited 7937  
to the Highway Operating Fund (Fund 7002) exceed the estimates 7938  
upon which the appropriations have been made in this act, upon 7939  
the request of the Director of Transportation, the Controlling 7940  
Board may approve expenditures, in excess of the amounts 7941  
appropriated, from the Highway Operating Fund in the manner 7942  
prescribed in section 131.35 of the Revised Code. The amounts 7943  
approved by the Controlling Board under this division are hereby 7944  
appropriated. 7945

(F) INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS 7946

In the event that receipts or unexpended balances credited 7947

to the Highway Operating Fund (Fund 7002) or apportionments or 7948  
allocations made available from the federal and local 7949  
governments exceed the estimates upon which the appropriations 7950  
have been made in this act, upon the request of the Director of 7951  
Transportation, the Controlling Board may approve expenditures, 7952  
in excess of the amounts appropriated, from the Highway 7953  
Operating Fund in the manner prescribed in section 131.35 of the 7954  
Revised Code. The amounts approved by the Controlling Board 7955  
under this division are hereby appropriated. 7956

(G) TRANSFERS OF CASH BETWEEN THE HIGHWAY OPERATING FUND 7957  
AND THE HIGHWAY CAPITAL IMPROVEMENT FUND 7958

Upon the request of the Director of Transportation, and 7959  
subject to Controlling Board approval, the Director of Budget 7960  
and Management may transfer cash from the Highway Operating Fund 7961  
(Fund 7002) to the Highway Capital Improvement Fund (Fund 7042) 7962  
created in section 5528.53 of the Revised Code. The Director of 7963  
Budget and Management may transfer cash from Fund 7042 to Fund 7964  
7002 up to the amount of cash previously transferred to Fund 7965  
7042 under this section. 7966

(H) DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING 7967

On July 1 and January 1 of each year in the biennium 7968  
ending June 30, 2027, or as soon as possible thereafter, 7969  
respectively, the Director of Budget and Management shall 7970  
transfer \$200,000 cash, for each semiannual period, from the 7971  
Highway Operating Fund (Fund 7002) to the Deputy Inspector 7972  
General for ODOT Fund (Fund 5FA0). 7973

The Inspector General, with the consent of the Director of 7974  
Budget and Management, may request the Controlling Board to 7975  
approve additional transfers of cash and expenditures in excess 7976

of the amount appropriated under appropriation item 965603, 7977  
Deputy Inspector General for ODOT, if additional amounts are 7978  
necessary. The amounts approved by the Controlling Board are 7979  
hereby appropriated. 7980

(I) LIQUIDATION OF UNFORESEEN LIABILITIES 7981

Any appropriation made from the Highway Operating Fund 7982  
(Fund 7002) not otherwise restricted by law is available to 7983  
liquidate unforeseen liabilities arising from contractual 7984  
agreements of prior years when the prior year encumbrance is 7985  
insufficient. 7986

(J) ELECTRIC VEHICLE EXPENDITURES 7987

The Director of Transportation shall request Controlling 7988  
Board approval for any expenditure of funds received under the 7989  
federal "Infrastructure Investment and Jobs Act," Pub. L. No. 7990  
117-58, that are to be used for the construction or maintenance 7991  
of electric vehicle charging stations. Any such expenditures 7992  
approved by the Controlling Board are hereby appropriated. 7993

**Section 203.65. REAPPROPRIATIONS** 7994

In each year of the biennium ending June 30, 2027, the 7995  
Director of Budget and Management may request the Controlling 7996  
Board to approve the expenditure of any remaining unencumbered 7997  
balances of prior years' appropriations to the Highway Operating 7998  
Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 7999  
7042), and the Infrastructure Bank funds created in section 8000  
5531.09 of the Revised Code for the same purpose in the 8001  
following fiscal year. The amounts approved by the Controlling 8002  
Board are hereby reappropriated. 8003

Prior to the Director of Budget and Management's seeking 8004  
approval of the Controlling Board, the Director of 8005

Transportation shall develop a reappropriation request plan that 8006  
identifies the appropriate fund and appropriation item of the 8007  
reappropriation, and the reappropriation request amount and 8008  
submit the plan to the Director of Budget and Management for 8009  
evaluation. The Director of Budget and Management may request 8010  
additional information necessary for evaluating the 8011  
reappropriation request plan, and the Director of Transportation 8012  
shall provide the requested information to the Director of 8013  
Budget and Management. Based on the information provided by the 8014  
Director of Transportation, the Director of Budget and 8015  
Management shall determine amounts to be reappropriated by fund 8016  
and appropriation item to submit to the Controlling Board for 8017  
its approval. 8018

Any balances of prior years' unencumbered appropriations 8019  
to the Highway Operating Fund (Fund 7002), the Highway Capital 8020  
Improvement Fund (Fund 7042), and the Infrastructure Bank funds 8021  
created in section 5531.09 of the Revised Code for which 8022  
reappropriations are requested and approved are subject to the 8023  
availability of revenue in the funds. 8024

**Section 203.70. MAINTENANCE OF INTERSTATE HIGHWAYS** 8025

The Department of Transportation has the responsibility to 8026  
maintain all interstate highways in the state. The Director of 8027  
Transportation may enter into an agreement with a political 8028  
subdivision to allow the political subdivision to remove snow 8029  
and ice and maintain, repair, improve, or provide lighting upon 8030  
interstate highways that are located within the boundaries of 8031  
the political subdivision, in a manner adequate to meet the 8032  
requirements of federal law. 8033

When agreed in writing by the Director of Transportation 8034  
and the legislative authority of a political subdivision and 8035

notwithstanding sections 125.01 and 125.11 of the Revised Code, 8036  
the Department of Transportation may reimburse a political 8037  
subdivision for all or any part of the costs, as provided by 8038  
such agreement, incurred by the political subdivision in 8039  
maintaining, repairing, lighting, and removing snow and ice from 8040  
the interstate system. 8041

**Section 203.80. PUBLIC TRANSPORTATION HIGHWAY PURPOSE** 8042  
GRANTS 8043

The Director of Transportation may use revenues from the 8044  
state motor vehicle fuel tax to match approved federal grants 8045  
awarded to the Department of Transportation, regional transit 8046  
authorities, or eligible public transportation systems, for 8047  
public transportation highway purposes, or to support local or 8048  
state-funded projects for public transportation highway 8049  
purposes. 8050

Public transportation highway purposes include (1) the 8051  
construction or repair of high-occupancy vehicle traffic lanes, 8052  
(2) the acquisition or construction of park-and-ride facilities, 8053  
(3) the acquisition or construction of public transportation 8054  
vehicle loops, (4) the construction or repair of bridges used by 8055  
public transportation vehicles or that are the responsibility of 8056  
a regional transit authority or other public transportation 8057  
system, or (5) other similar construction that is designated as 8058  
an eligible public transportation highway purpose. Motor vehicle 8059  
fuel tax revenues may not be used for operating assistance or 8060  
for the purchase of vehicles, equipment, or maintenance 8061  
facilities. 8062

**Section 203.90. AGREEMENTS WITH FEDERAL AGENCIES FOR** 8063  
ENVIRONMENTAL REVIEW PURPOSES 8064

The Director of Transportation may enter into agreements 8065  
as provided in this section with the United States or any 8066  
department or agency of the United States, including, but not 8067  
limited to, the United States Army Corps of Engineers, the 8068  
United States Forest Service, the United States Environmental 8069  
Protection Agency, and the United States Fish and Wildlife 8070  
Service. An agreement entered into pursuant to this section 8071  
shall be solely for the purpose of dedicating staff to the 8072  
expeditious and timely review of environmentally related 8073  
documents submitted by the Director of Transportation, as 8074  
necessary for the approval of federal permits. 8075

The agreements may include provisions for advance payment 8076  
by the Director of Transportation for labor and all other 8077  
identifiable costs of the United States or any department or 8078  
agency of the United States providing the services, as may be 8079  
estimated by the United States, or the department or agency of 8080  
the United States. 8081

The Director shall submit a request to the Controlling 8082  
Board indicating the amount of the agreement, the services to be 8083  
performed by the United States or the department or agency of 8084  
the United States, and the circumstances giving rise to the 8085  
agreement. 8086

**Section 207.10.** 8087

8088

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 8089

The foregoing appropriation item 195629, Roadwork 8090  
Development, shall be used for road improvements associated with 8091  
economic development opportunities that will retain or attract 8092  
businesses for Ohio, including the construction, reconstruction, 8093  
maintenance, or repair of public roads that provide access to a 8094  
public airport or are located within a public airport. "Road 8095  
improvements" are improvements to public roadway facilities 8096  
located on, or serving or capable of serving, a project site, 8097  
and include the construction, reconstruction, maintenance or 8098  
repair of public roads that provide access to a public airport 8099  
or are located within a public airport. The appropriation item 8100  
may be used in conjunction with any other state funds 8101  
appropriated for infrastructure improvements. 8102

The Director of Budget and Management, pursuant to a plan 8103  
submitted by the Director of Development or as otherwise 8104  
determined by the Director of Budget and Management, shall set a 8105  
cash transfer schedule to meet the cash needs of the Roadwork 8106  
Development Fund (Fund 4W00) used by the Department of 8107  
Development, less any other available cash. The Director of 8108  
Budget and Management shall transfer such cash amounts from the 8109  
Highway Operating Fund (Fund 7002) to Fund 4W00 at such times as 8110  
determined by the transfer schedule. 8111

The Director of Transportation, under the direction of the 8112  
Director of Development, shall provide these funds in accordance 8113  
with all guidelines and requirements established for other 8114

Department of Development programs, including Controlling Board 8115  
 review and approval, as well as the requirements for usage of 8116  
 motor vehicle fuel tax revenue prescribed in Section 5a of 8117  
 Article XII, Ohio Constitution. Should the Department of 8118  
 Development require the assistance of the Department of 8119  
 Transportation to bring a project to completion, the Department 8120  
 of Transportation shall use its authority under Title 55 of the 8121  
 Revised Code to provide such assistance and may enter into 8122  
 contracts on behalf of the Department of Development. 8123

**Section 209.10.** 8124  
 8125

|   | 1                                  | 2      | 3  | 4            | 5            |
|---|------------------------------------|--------|--|--------------|--------------|
| A | PWC PUBLIC WORKS COMMISSION        |        |  |              |              |
| B | Dedicated Purpose Fund Group       |        |  |              |              |
| C | 7052                               | 150402 | Local Transportation<br>Improvement Program -<br>Operating | \$324,768    | \$330,375    |
| D | 7052                               | 150701 | Local Transportation<br>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** 8126

All capital appropriations from the Local Transportation 8127  
 Improvement Program Fund (Fund 7052) in H.B. 23 of the 135th 8128  
 General Assembly remaining unencumbered as of June 30, 2025, may 8129  
 be reappropriated for use during the period July 1, 2025, 8130

through June 30, 2026, for the same purpose. 8131

Notwithstanding division (B) of section 127.14 of the 8132  
Revised Code, all capital appropriations and reappropriations 8133  
from the Local Transportation Improvement Program Fund (Fund 8134  
7052) in this act remaining unencumbered as of June 30, 2026, 8135  
are reappropriated for use during the period July 1, 2026, 8136  
through June 30, 2027, for the same purposes, subject to the 8137  
availability of revenue as determined by the Director of the 8138  
Public Works Commission. 8139

TEMPORARY TRANSFERS 8140

Notwithstanding section 127.14 of the Revised Code, the 8141  
Director of Budget and Management may transfer cash from the 8142  
Local Transportation Improvement Fund (Fund 7052) to the State 8143  
Capital Improvement Fund (Fund 7038) and the Clean Ohio 8144  
Conservation Fund (Fund 7056). The Director of Budget and 8145  
Management may approve temporary cash transfers if such 8146  
transfers are needed for capital outlays for which notes or 8147  
bonds will be issued. When there is a sufficient cash balance in 8148  
the fund that receives a cash transfer under this section, the 8149  
Director of Budget and Management shall transfer cash from that 8150  
fund to Fund 7052 in order to repay Fund 7052 for the amount of 8151  
the temporary cash transfers made under this section. Any 8152  
transfers executed under this section shall be reported to the 8153  
Controlling Board within thirty days of the transfer. 8154

**Section 221.10.** 8155

8156

1 2 3 4 5

|   |                                       |               |                 |
|---|---------------------------------------|---------------|-----------------|
| B | Revenue Distribution Fund Group       |               |                 |
| C | 7060 110652 Gasoline Excise Tax Fund  | \$413,400,000 | \$421,900,000   |
|   | - Municipal                           |               |                 |
| D | 7060 110653 Gasoline Excise Tax Fund  | \$214,000,000 | \$218,400,000   |
|   | - Township                            |               |                 |
| E | 7060 110654 Gasoline Excise Tax Fund  | \$359,800,000 | \$367,200,000   |
|   | - County                              |               |                 |
| F | TOTAL Revenue Distribution Fund Group | \$987,200,000 | \$1,007,500,000 |
| G | TOTAL ALL BUDGET FUND GROUPS          | \$987,200,000 | \$1,007,500,000 |

The foregoing appropriation item, 110652 Gasoline Excise Tax Fund - Municipal, shall be used to make payments to municipalities under sections 5735.051 and 5735.27 of the Revised Code. The foregoing appropriation item, 110653 Gasoline Excise Tax Fund - Township, shall be used to make payments to townships under those sections. The foregoing appropriation item, 110654 Gasoline Excise Tax Fund - County, shall be used to make payments to counties under those sections. The foregoing appropriation item, 110654 Gasoline Excise Tax Fund - County, shall also be used to make payments to the Ohio Turnpike and Infrastructure Commission under section 5735.051 of the Revised Code.

Appropriation items in Section 221.10 of this act shall be used for the purpose of administering and distributing the designated revenue distribution fund according to the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby

|  |      |
|--|------|
| appropriated.  | 8174 |
| <b>Section 501.10. LIMITATION ON USE OF CAPITAL</b>              | 8175 |
| APPROPRIATIONS   | 8176 |
| The capital appropriations made in this act for buildings        | 8177 |
| or structures, including remodeling and renovations, are limited | 8178 |
| to:  | 8179 |
| (A) Acquisition of real property or interests in real            | 8180 |
| property;  | 8181 |
| (B) Buildings and structures, which includes construction,       | 8182 |
| demolition, complete heating and cooling, lighting and lighting  | 8183 |
| fixtures, and all necessary utilities, ventilating, plumbing,    | 8184 |
| sprinkling, water, and sewer systems, when such systems are      | 8185 |
| authorized or necessary;   | 8186 |
| (C) Architectural, engineering, and professional services        | 8187 |
| expenses directly related to the projects;                       | 8188 |
| (D) Machinery that is a part of structures at the time of        | 8189 |
| initial acquisition or construction;                             | 8190 |
| (E) Acquisition, development, and deployment of new              | 8191 |
| computer systems, including the redevelopment or integration of  | 8192 |
| existing and new computer systems, but excluding regular or      | 8193 |
| ongoing maintenance or support agreements;                       | 8194 |
| (F) Furniture, fixtures, or equipment that meets all the         | 8195 |
| following criteria:  | 8196 |
| (1) Is essential in bringing the facility up to its              | 8197 |
| intended use or is necessary for the functioning of the          | 8198 |
| particular facility or project;                                  | 8199 |
| (2) Has a unit cost, and not the individual parts of a           | 8200 |

unit, of about \$100 or more; and 8201

(3) Has a useful life of five years or more. 8202

Furniture, fixtures, or equipment that is not an integral 8203  
part of or directly related to the basic purpose or function of 8204  
a project for which moneys are appropriated shall not be paid 8205  
from these appropriations. 8206

**Section 503.10. STATE ARBITRAGE REBATE AUTHORIZATION** 8207

If it is determined that a payment is necessary in the 8208  
amount computed at the time to represent the portion of 8209  
investment income to be rebated or amounts in lieu of or in 8210  
addition to any rebate amount to be paid to the federal 8211  
government in order to maintain the exclusion from gross income 8212  
for federal income tax purposes of interest on those state 8213  
obligations under section 148(f) of the Internal Revenue Code, 8214  
such amount is hereby appropriated from those funds designated 8215  
by or pursuant to the applicable proceedings authorizing the 8216  
issuance of state obligations. 8217

Payments for this purpose shall be approved and vouchered 8218  
by the Office of Budget and Management. 8219

**Section 509.10. AUTHORIZATION FOR TREASURER OF STATE AND** 8220  
**OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS** 8221

The Office of Budget and Management shall process payments 8222  
from lease rental payment appropriation items during the period 8223  
from July 1, 2025, to June 30, 2027, pursuant to the lease and 8224  
other agreements relating to bonds or notes issued under Section 8225  
2i of Article VIII of the Ohio Constitution and Chapter 154. of 8226  
the Revised Code, and acts of the General Assembly. Payments 8227  
shall be made upon certification by the Treasurer of State of 8228  
the dates and amounts due on those dates. 8229

**Section 509.20.** LEASE AND DEBT SERVICE PAYMENTS 8230

Certain appropriations are in this act for the purpose of 8231  
 paying debt service and financing costs on general obligation 8232  
 bonds or notes of the state and for the purpose of making lease 8233  
 rental and other payments under leases and agreements relating 8234  
 to bonds or notes issued under the Ohio Constitution, Revised 8235  
 Code, and acts of the General Assembly. If it is determined that 8236  
 additional appropriations are necessary for this purpose, such 8237  
 amounts are hereby appropriated. 8238

**Section 620.30.** That Sections 243.10 and 243.20 of H.B. 2 8239  
 of the 135th General Assembly be amended to read as follows: 8240

**Sec. 243.10.** 8241  
 8242

1 2 3

|   |  |                          |
|---|--|--------------------------|
| A | PWC PUBLIC WORKS COMMISSION                                      |                          |
| B | State Capital Improvements Fund (Fund 7038)                      |                          |
| C | C15000 Local Public Infrastructure                               | <del>\$400,000,000</del> |
|   |  | <u>\$415,000,000</u>     |
| D | State Capital Improvements Fund (Fund 7038) Total                | <del>\$400,000,000</del> |
|   |  | <u>\$415,000,000</u>     |
| E | State Capital Improvements Revolving Loan Fund (Fund 7040)       |                          |
| F | C15030 Revolving Loan  | \$100,000,000            |
| G | State Capital Improvements Revolving Loan Fund (Fund 7040) Total | \$100,000,000            |

|   |  |                          |
|---|--|--------------------------|
| H | Clean Ohio Conservation Fund (Fund 7056)       |                          |
| I | C15060 Clean Ohio Conservation                 | \$75,300,000             |
| J | Clean Ohio Conservation Fund (Fund 7056) Total | \$75,300,000             |
| K | TOTAL ALL FUNDS                                | <del>\$575,300,000</del> |
|   |  | <u>\$590,300,000</u>     |

LOCAL PUBLIC INFRASTRUCTURE 8243

Capital appropriations in ~~this act~~ H.B. 2 of the 135th 8244  
General Assembly made from the State Capital Improvements Fund 8245  
(Fund 7038) shall be used in accordance with sections 164.01 to 8246  
164.12 of the Revised Code. The Director of the Public Works 8247  
Commission may certify to the Director of Budget and Management 8248  
that a need exists to appropriate investment earnings to be used 8249  
in accordance with sections 164.01 to 164.12 of the Revised 8250  
Code. If the Director of Budget and Management determines 8251  
pursuant to division (D) of section 164.08 and section 164.12 of 8252  
the Revised Code that investment earnings are available to 8253  
support additional appropriations, such amounts are hereby 8254  
appropriated. 8255

If the Public Works Commission receives refunds due to 8256  
project overpayments that are discovered during a post-project 8257  
audit, the Director of the Public Works Commission may certify 8258  
to the Director of Budget and Management that refunds have been 8259  
received. In certifying the refunds, the Director of the Public 8260  
Works Commission shall provide the Director of Budget and 8261  
Management information on the project refunds. The certification 8262  
shall detail by project the source and amount of project 8263  
overpayments received and include any supporting documentation 8264



required or requested by the Director of Budget and Management. 8265  
Upon receipt of the certification, the Director of Budget and 8266  
Management shall determine if the project refunds are necessary 8267  
to support existing appropriations. If the project refunds are 8268  
available to support additional appropriations, these amounts 8269  
are hereby appropriated to appropriation item C15000, Local 8270  
Public Infrastructure/State CIP. 8271

Of the foregoing appropriation item C15000, Local Public 8272  
Infrastructure, \$15,000,000 under the Emergency Program shall be 8273  
used to provide grants to communities to assist with road-slip 8274  
emergency projects on nonstate roads or locally maintained 8275  
routes and portions of interstates. 8276

REVOLVING LOAN 8277

Capital appropriations in ~~this act~~ H.B. 2 of the 135th 8278  
General Assembly made from the State Capital Improvements 8279  
Revolving Loan Fund (Fund 7040) shall be used in accordance with 8280  
sections 164.01 to 164.12 of the Revised Code. 8281

If the Public Works Commission receives refunds due to 8282  
project overpayments that are discovered during a post-project 8283  
audit, the Director of the Public Works Commission may certify 8284  
to the Director of Budget and Management that refunds have been 8285  
received. In certifying the refunds, the Director of the Public 8286  
Works Commission shall provide the Director of Budget and 8287  
Management information on the project refunds. The certification 8288  
shall detail by project the source and amount of project 8289  
overpayments received and include any supporting documentation 8290  
required or requested by the Director of Budget and Management. 8291  
Upon receipt of the certification, the Director of Budget and 8292  
Management shall determine if the project refunds are necessary 8293  
to support existing appropriations. If the project refunds are 8294

available to support additional appropriations, these amounts 8295  
are hereby appropriated to appropriation item C15030, Revolving 8296  
Loan. 8297

CLEAN OHIO CONSERVATION GRANT REPAYMENTS 8298

Capital appropriations in ~~this act~~ H.B. 2 of the 135th 8299  
General Assembly made from the Clean Ohio Conservation Fund 8300  
(Fund 7056) shall be used in accordance with sections 164.20 to 8301  
164.27 of the Revised Code. 8302

Any amount in grant repayments received by the Public 8303  
Works Commission and deposited into the Clean Ohio Conservation 8304  
Fund pursuant to section 164.261 of the Revised Code is hereby 8305  
appropriated through the foregoing appropriation item C15060, 8306  
Clean Ohio Conservation. 8307

**Sec. 243.20.** The Ohio Public Facilities Commission is 8308  
hereby authorized to issue and sell, in accordance with Sections 8309  
2p and 2s of Article VIII, Ohio Constitution, and Chapter 151. 8310  
and particularly sections 151.01 and 151.08 of the Revised Code, 8311  
original obligations, in an aggregate principal amount not to 8312  
exceed ~~\$215,000,000~~ \$230,000,000 in addition to the original 8313  
obligations heretofore authorized by prior acts of the General 8314  
Assembly. These authorized obligations shall be issued, subject 8315  
to applicable constitutional and statutory limitations, as 8316  
needed to provide sufficient moneys to the credit of the State 8317  
Capital Improvements Fund (Fund 7038) to pay costs of capital 8318  
improvement projects of local subdivisions. 8319

**Section 620.31.** That existing Sections 243.10 and 243.20 8320  
of H.B. 2 of the 135th General Assembly are hereby repealed. 8321

**Section 737.10.** Sections 3704.14, 4503.10, 4503.102, and 8322  
4503.103 of the Revised Code, as amended by this act, shall be 8323

known as the E-Check Ease Act. 8324

**Section 749.10.** (A) Not later than December 31, 2028, the 8325  
Public Utilities Commission shall complete a review of train 8326  
derailments in Ohio using statistics from the Federal Railroad 8327  
Administration to identify derailments due to bearing or axle 8328  
failure over the three years proceeding from the effective date 8329  
of this section. 8330

(B) The commission shall send a copy of the review 8331  
described in division (A) of this section to the following: 8332

(1) The Governor; 8333

(2) The President of the Senate; 8334

(3) The Speaker of the House of Representatives; 8335

(4) The minority leaders of both the Senate and the House 8336  
of Representatives. 8337

**Section 755.20.** (A) (1) Upon recommendation under division 8338  
(D) of this section, the Department of Transportation shall 8339  
contract with a neutral third-party entity to conduct a study of 8340  
the Department's pavement-selection process. The study shall 8341  
include all of the following: 8342

(a) Life-cycle cost analysis, user delay analysis, 8343  
construct ability, and environmental factors related to asphalt 8344  
and concrete pavements; 8345

(b) An examination of subbase design methods, including 8346  
stabilized bases in pavement design criteria, the long-term 8347  
effects of cement-treated bases, and the beneficial qualities of 8348  
lime, chemical, or geotextile soil reinforcement; 8349

(c) The design and construction of durable and low- 8350

maintenance pavement materials that contribute to improved 8351  
roadway resilience, reduced life-cycle costs, and environmental 8352  
benefits, such as materials involving one hundred per cent 8353  
recycled asphalt product and materials involving sustainable and 8354  
performance-enhancing elements, including pelletized ground tire 8355  
rubber. 8356

(2) The Department shall hold the contract with the 8357  
neutral third-party entity, and the contract shall be submitted 8358  
to the Controlling Board for approval. The Controlling Board 8359  
shall approve or disapprove the contract in the same manner in 8360  
which contracts entered into under Chapter 5526. of the Revised 8361  
Code are approved or disapproved. The entity shall be an 8362  
individual or an academic, research, or professional association 8363  
with an expertise in pavement-selection decisions and shall not 8364  
be a research center for concrete or asphalt pavement. 8365

(3) The study conducted by the neutral third-party entity 8366  
shall compare and contrast the Department's pavement-selection 8367  
process with those of other states and with model selection 8368  
processes as described by the American Association of State 8369  
Highway and Transportation Officials and the Federal Highway 8370  
Administration. 8371

(B) The Director of Transportation shall appoint an 8372  
advisory council to recommend the neutral third-party entity, 8373  
approve the entity's scope of study, and issue a final report 8374  
with recommendations in accordance with division (D) of this 8375  
section. The advisory council shall consist of the following 8376  
members: 8377

(1) The Director of Transportation, who shall act as 8378  
Chairperson of the council; 8379

|   |  |
|---|--|
| (2) A member of the Ohio Society of Certified Public Accountants;   | 8380<br>8381   |
| (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;  | 8382<br>8383<br>8384   |
| (4) A member of the Ohio Society of Professional Engineers;   | 8385<br>8386   |
| (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;   | 8387<br>8388<br>8389   |
| (6) A representative of Ohio Concrete;  | 8390   |
| (7) A representative of Flexible Pavements of Ohio.   | 8391   |
| (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.   | 8392<br>8393<br>8394<br>8395<br>8396<br>8397<br>8398                         |
| (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. | 8399<br>8400<br>8401<br>8402<br>8403<br>8404<br>8405<br>8406<br>8407<br>8408 |

The meetings are subject to applicable public meeting requirements. 8409  
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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 June 30, 2026. Upon issuing its final report, the advisory council ceases to exist. 8411  
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**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. 8420  
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(B) The Director shall ensure that the Road Safety Pilot Program includes both of the following in one or more construction zones: 8424  
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(1) Speed monitoring devices with flashing lights that display the speed at which a motor vehicle operator is traveling in a construction zone; 8427  
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(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 device that would result in an individual being issued a citation, summons, or ticket by any entity other than a peace officer who is physically present at the time of an offense. 8430  
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(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, 8467  
and methods for coordinating with the other states and the 8468  
United States Department of Transportation for the creation of 8469  
the corridor. 8470

The Director shall complete the feasibility study not 8471  
later than December 31, 2026. 8472

**Section 755.60.** (A) The Department of Transportation and 8473  
the Ohio Turnpike and Infrastructure Commission shall work 8474  
together to create a joint plan regarding the feasibility of 8475  
connecting U.S. Route 23 to Interstate Route 71 by doing one of 8476  
the following: 8477

(1) Expanding State Route 229 in northern Delaware County; 8478

(2) Expanding another similar state route or other highway 8479  
in northern Delaware County; 8480

(3) Creating a new freeway between U.S. Route 23 and 8481  
Interstate Route 71 in northern Delaware County; 8482

(4) Creating a toll road between U.S. Route 23 and 8483  
Interstate Route 71 in northern Delaware County. 8484

(B) As part of the plan, related to the options specified 8485  
in divisions (A) (3) and (4) of this section, the Department and 8486  
Commission shall prepare a preliminary engineering report that 8487  
determines the most feasible routes for the new freeway or toll 8488  
road. As part of the report, the Department and Commission shall 8489  
determine five potential alignments for the freeway or toll road 8490  
and specify which alignment is the preferred route. 8491

(C) The plan shall be completed not later than three 8492  
months after the effective date of this section. 8493

(D) As part of the plan, the Department and the Commission 8494



shall determine whether construction would be best conducted by 8495  
the Department or the Commission. If construction is best 8496  
conducted by the Commission, the plan also shall include whether 8497  
the Commission's statutory authority is sufficient to make the 8498  
project a turnpike project. 8499

(E) The Department and Commission shall submit their plan 8500  
to the President of the Senate, the Speaker of the House of 8501  
Representatives, the Minority Leaders of both the Senate and the 8502  
House of Representatives, and the chairpersons of the respective 8503  
committees of the House of Representatives and Senate 8504  
responsible for transportation related matters. 8505

**Section 757.10. MOTOR FUEL TAX DISTRIBUTIONS TO HIGHWAY 8506**  
OPERATING FUND 8507

On the last day of each month in the biennium ending June 8508  
30, 2027, before making any of the distributions specified in 8509  
section 5735.051 of the Revised Code but after any transfers to 8510  
the tax refund fund as required by that section and section 8511  
5703.052 of the Revised Code, the Treasurer of State shall 8512  
deposit the first two per cent of the amount of motor fuel tax 8513  
received for the preceding calendar month to the credit of the 8514  
Highway Operating Fund (Fund 7002). 8515

**Section 757.20. MOTOR FUEL DEALER REFUNDS 8516**

Notwithstanding Chapter 5735. of the Revised Code, the 8517  
following apply for the period of July 1, 2025, to June 30, 8518  
2027: 8519

(A) For the discount under section 5735.06 of the Revised 8520  
Code, if the monthly report is timely filed and the tax is 8521  
timely paid, one per cent of the total number of gallons of 8522  
motor fuel received by the motor fuel dealer within the state 8523

during the preceding calendar month, less the total number of 8524  
gallons deducted under divisions (B) (1) (a) and (b) of section 8525  
5735.06 of the Revised Code, less one-half of one per cent of 8526  
the total number of gallons of motor fuel that were sold to a 8527  
retail dealer during the preceding calendar month. 8528

(B) For the semiannual periods ending December 31, 2025, 8529  
June 30, 2026, December 31, 2026, and June 30, 2027, the refund 8530  
provided to retail dealers under section 5735.141 of the Revised 8531  
Code shall be one-half of one per cent of the Ohio motor fuel 8532  
taxes paid on fuel purchased during those semiannual periods. 8533

**Section 757.30. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX 8534**  
FUND 8535

The Director of Budget and Management shall transfer cash 8536  
in equal monthly increments totaling \$179,054,124 in fiscal year 8537  
2026 and in equal monthly increments totaling \$187,584,952 in 8538  
fiscal year 2027 from the Highway Operating Fund (Fund 7002) to 8539  
the Gasoline Excise Tax Fund (Fund 7060). The monthly amounts 8540  
transferred under this section shall be distributed as follows: 8541

(A) 42.86 per cent shall be distributed among the 8542  
municipal corporations within the state under division (A) (2) (b) 8543  
(i) of section 5735.051 of the Revised Code; 8544

(B) 37.14 per cent shall be distributed among the counties 8545  
within the state under division (A) (2) (b) (ii) of section 8546  
5735.051 of the Revised Code; and 8547

(C) 20 per cent shall be distributed among the townships 8548  
within the state under division (A) (2) (b) (iii) of section 8549  
5735.051 of the Revised Code. 8550

**Section 801.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO 8551**  
APPROPRIATIONS 8552

Law contained in the main operating appropriations act of 8553  
the 136th General Assembly that is generally applicable to the 8554  
appropriations made in the main operating appropriations act 8555  
also is generally applicable to the appropriations made in this 8556  
act. 8557

**Section 805.10. SEVERABILITY** 8558

The items of law contained in this act, and their 8559  
applications, are severable. If any item of law contained in 8560  
this act, or if any application of any item of law contained in 8561  
this act, is held invalid, the invalidity does not affect other 8562  
items of law contained in this act and their applications that 8563  
can be given effect without the invalid item or application. 8564

**Section 810.10.** An item of law, other than an amending, 8565  
enacting, or repealing clause, that composes the whole or part 8566  
of an uncodified section contained in this act has no effect 8567  
after June 30, 2027, unless its context clearly indicates 8568  
otherwise. 8569

**Section 820.10. APPROPRIATIONS AND REFERENDUM** 8570

In this section, an "appropriation" includes another 8571  
provision of law in this act that relates to the subject of the 8572  
appropriation. 8573

An appropriation of money made in this act is not subject 8574  
to the referendum insofar as a contemplated expenditure 8575  
authorized thereby is wholly to meet a current expense within 8576  
the meaning of Ohio Constitution, Article II, Section 1d and 8577  
section 1.471 of the Revised Code. To that extent, the 8578  
appropriation takes effect immediately when this act becomes 8579  
law. Conversely, the appropriation is subject to the referendum 8580  
insofar as a contemplated expenditure authorized thereby is 8581

wholly or partly not to meet a current expense within the 8582  
meaning of Ohio Constitution, Article II, Section 1d. To that 8583  
extent, the appropriation takes effect on the ninety-first day 8584  
after this act is filed with the Secretary of State. 8585

**Section 820.30.** LAWS AND REFERENDUM 8586

Except as otherwise provided in this act, the amendment, 8587  
enactment, or repeal by this act of a section of law is subject 8588  
to the referendum under Ohio Constitution, Article II, Section 8589  
1c and therefore takes effect on the ninety-first day after this 8590  
act is filed with the Secretary of State or, if a later 8591  
effective date is specified below, on that date. 8592

**Section 820.40.** Sections 4503.183, 4505.072, 4505.08, 8593  
4513.071, 4513.38, and 4513.41 of the Revised Code, as amended 8594  
or enacted by this act, take effect one hundred eighty days 8595  
after the effective date of this section. 8596

**Section 830.10.** The General Assembly, applying the 8597  
principle stated in division (B) of section 1.52 of the Revised 8598  
Code that amendments are to be harmonized if reasonably capable 8599  
of simultaneous operation, finds that the following sections, 8600  
presented in this act as composites of the sections as amended 8601  
by the acts indicated, are the resulting versions of the 8602  
sections in effect prior to the effective date of the sections 8603  
as presented in this act: 8604

Section 4511.61 of the Revised Code as amended by both 8605  
H.B. 26 and H.B. 95 of the 132nd General Assembly. 8606

Section 4511.132 of the Revised Code as amended by H.B. 9, 8607  
H.B. 26, H.B. 95, and H.B. 250, all of the 132nd General 8608  
Assembly. 8609