

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

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
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4511.092, 4511.093, 4511.094, 4511.11, 4511.13,	6
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4511.214, 4511.432, 4511.46, 4511.48, 4511.512,	8
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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
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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

(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

1546.11 of the Revised Code; 194

(2) All lands or interests therein of the state identified 195
as administered by the division of parks and watercraft in the 196
"inventory of state owned lands administered by the department 197
of natural resources as of June 1, 1963," as recorded in the 198
journal of the director, which inventory was prepared by the 199
real estate section of the department and is supported by maps 200
now on file in said real estate section; 201

(3) All lands or interests in lands of the state 202
designated after June 1, 1963, as state parks in the journal of 203
the director with the approval of the director of natural 204
resources. 205

State parks do not include any lands or interest in lands 206
of the state administered jointly by two or more divisions of 207
the department of natural resources. The designation of lands as 208
state parks under divisions (M) (1) to (3) of this section is 209
conclusive and such lands shall be under the control of and 210
administered by the division of parks and watercraft. No order 211
or proceeding designating lands as state parks or park purchase 212
areas is subject to any appeal or review by any officer, board, 213
commission, or court. 214

(N) "Bond service fund" means the applicable fund created 215
for and pledged to the payment of bond service charges under 216
section 154.20, 154.21, 154.22, or 154.23 of the Revised Code, 217
including all moneys and investments, and earnings from 218
investments, credited and to be credited thereto. 219

(O) "Improvement fund" means the applicable fund created 220
for the payment of costs of capital facilities under section 221
123.201, 154.20, 154.21, or 154.22 of the Revised Code, 222

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

Sec. 306.43. (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

thereof as supplied by the original source or its successors or 399
assigns. 400

(4) The purchase of goods or services is made from another 401
political subdivision, public agency, public transit system, 402
regional transit authority, the state, or the federal 403
government, or as a third-party beneficiary under a state or 404
federal procurement contract, or as a participant in a 405
department of administrative services contract under division 406
(B) of section 125.04 of the Revised Code. 407

(5) The sale and leaseback or lease and leaseback of 408
transit facilities is made as provided in division (AA) of 409
section 306.35 of the Revised Code. 410

(6) The purchase substantially involves services of a 411
personal, professional, highly technical, or scientific nature, 412
including but not limited to the services of an attorney, 413
physician, surveyor, appraiser, investigator, court reporter, 414
adjuster, advertising consultant, or licensed broker, or 415
involves the special skills or proprietary knowledge required 416
for the servicing of specialized equipment owned by the regional 417
transit authority. 418

(7) Services or supplies are available from a qualified 419
nonprofit agency pursuant to sections 4115.31 to 4115.35 of the 420
Revised Code. 421

(8) The purchase consists of the product or services of a 422
public utility. 423

(9) The purchase is for the services of individuals with 424
disabilities to work in the authority's commissaries or 425
cafeterias, and those individuals are supplied by a nonprofit 426
corporation or association whose purpose is to assist 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

or benefit public transit. 457

(2) The grant of a limited use or of a license affecting 458
land is made to an owner of abutting real property. 459

(3) The grant of a limited use is made to a public 460
utility. 461

(4) The grant or disposition is to a department of the 462
federal or state government, to a political subdivision of the 463
state, or to any other governmental entity. 464

(5) Used equipment is traded on the purchase of equipment 465
and the value of the used equipment is a price-related factor in 466
the basis for award for the purchase. 467

(6) The value of the personal property is such that 468
competitive procedures are not appropriate and the property 469
either is sold at its fair market value or is disposed of by 470
gift to a nonprofit entity having the general welfare or 471
education of the public as one of its principal objects. 472

(M) The board of trustees of a regional transit authority, 473
when making a contract funded exclusively by state or local 474
moneys or any combination thereof, shall make a good faith 475
effort to use disadvantaged business enterprise participation to 476
the same extent required under Section 105(f) of the "Surface 477
Transportation Assistance Act of 1982," Public Law No. 97-424, 478
96 Stat. 2100, and Section 106(c) of the "Surface Transportation 479
and Uniform Relocation Assistance Act of 1987," Public Law No. 480
100-17, 101 Stat. 145, and the rules adopted thereunder. 481

(N) As used in this section: 482

(1) "Goods" means all things, including specially 483
manufactured goods, that are movable at the time of 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 893
motor vehicles; 894

(5) Provides for an exemption for hybrid motor vehicles 895
seven years old or newer and provides that a hybrid motor 896
vehicle is exempt for seven years regardless of whether legal 897
title to the motor vehicle is transferred during that period. 898

(C) (1) The director of environmental protection shall 899
adopt rules in accordance with Chapter 119. of the Revised Code 900
that the director determines are necessary to implement this 901
section. The director may continue to implement and enforce 902
rules pertaining to the motor vehicle inspection and maintenance 903
program previously implemented under former section 3704.14 of 904
the Revised Code as that section existed prior to its repeal and 905
reenactment by Am. Sub. H.B. 66 of the 126th general assembly, 906
provided that the rules do not conflict with this section. 907

~~(2) The director of environmental protection shall issue 908~~
~~an inspection certificate provided for under division (B) (2) of 909~~
~~this section in accordance with Chapter 4796. of the Revised 910~~
~~Code to an applicant if either of the following applies: 911~~

~~(a) The individual holds a certificate or license in 912~~
~~another state. 913~~

~~(b) The individual has satisfactory work experience, a 914~~
~~government certification, or a private certification as 915~~
~~described in that chapter as a vehicle inspector in a state that 916~~
~~does not issue that certificate. The rules adopted under 917~~
division (C) (1) of this section shall provide for the issuance 918
of inspections certificates and alternative emissions 919
certificates. Under the rules, an inspection certificate shall 920
be issued to the owner or lessee of a motor vehicle when the 921

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

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

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

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

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

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

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 1599
certificate of title or memorandum certificate showing title to 1600
the motor vehicle to be registered in the name of the applicant. 1601

(b) The applicant may present for inspection an electronic 1602
certificate of title for the applicant's motor vehicle in a 1603
manner prescribed by rules adopted by the registrar. 1604

(c) The registrar or deputy registrar may electronically 1605
confirm the applicant's ownership of the motor vehicle. 1606

An applicant is not required to present a certificate of 1607
title to an electronic motor vehicle dealer acting as a limited 1608
authority deputy registrar in accordance with rules adopted by 1609
the registrar. 1610

(2) When a motor vehicle inspection and maintenance 1611
program is in effect under section 3704.14 of the Revised Code 1612
and rules adopted under it, each application for registration 1613
for a vehicle required to be inspected under that section and 1614
those rules shall be accompanied by an inspection certificate or 1615
alternative emissions certificate for the motor vehicle issued 1616
in accordance with that section. 1617

(3) An application for registration shall be refused if 1618
any of the following applies: 1619

(a) The application is not in proper form. 1620

(b) The application is prohibited from being accepted by 1621
division (D) of section 2935.27, division (A) of section 1622
4503.13, division (B) of section 4510.22, division (D) of 1623
section 4503.234, division (B) (1) of section 4521.10, or 1624
division (B) of section 5537.041 of the Revised Code. 1625

(c) Proof of ownership is required but is not presented or 1626

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 2015
emissions inspections are required under the motor vehicle 2016
inspection and maintenance program, the notice required by 2017
division (B) of this section shall also include the toll-free 2018
telephone number maintained by the Ohio environmental protection 2019
agency to provide information concerning the locations of 2020
emissions testing centers. The registrar also shall include a 2021
statement in the notice that a battery electric motor vehicle is 2022
not required to undergo emissions inspection under the motor 2023
vehicle inspection and maintenance program established under 2024
section 3704.14 of the Revised Code. 2025

Sec. 4503.103. (A) (1) The registrar of motor vehicles may 2026
adopt rules to permit any person or lessee, other than a person 2027
receiving an apportioned license plate under the international 2028
registration plan, who owns or leases one or more motor vehicles 2029
to file a written application for registration for no more than 2030
five succeeding registration years. The rules adopted by the 2031
registrar may designate the classes of motor vehicles that are 2032
eligible for such registration. At the time of application, all 2033
annual taxes and fees shall be paid for each year for which the 2034
person is registering. 2035

(2) (a) The registrar shall adopt rules to permit any 2036
person or lessee who owns or leases a trailer or semitrailer 2037
that is subject to the tax rate prescribed in either division 2038
(C) (1) or, beginning January 1, 2022, (C) (2) of section 4503.042 2039
of the Revised Code to file a written application for 2040
registration for any number of succeeding registration years, 2041
including a permanent registration, for such trailers or 2042
semitrailers. 2043

At the time of application, the applicant shall pay all of 2044

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 2222
physical or electronic certificate of title for a replica motor 2223
vehicle, the certificate of title shall indicate that the motor 2224
vehicle is a replica motor vehicle. 2225

When a clerk of a court of common pleas issues a duplicate 2226
certificate of title or memorandum certificate of title for a 2227
replica motor vehicle, that certificate of title shall be 2228
identical to the existing certificate of title. 2229

Prior to issuance of the certificate of title, the owner 2230
of the replica motor vehicle shall surrender to the clerk any 2231
existing certificate of title, a copy of the inspection report, 2232
and the signed notarized written statement described in division 2233
(A) of this section. 2234

(C) (1) Upon compliance with divisions (A) and (B) of this 2235
section and payment of the fee prescribed in section 4505.09 of 2236
the Revised Code, the clerk shall issue to the owner a 2237
certificate of title that complies with this section. 2238

(2) The clerk shall use reasonable care in performing the 2239
duties imposed on the clerk by this section in issuing a 2240
certificate of title pursuant to this section, but the clerk is 2241
not liable for any of the clerk's errors or omissions or those 2242
of the clerk's deputies, or the automated title processing 2243
system in the performance of those duties. 2244

(D) (1) The registrar of motor vehicles shall ensure that 2245
the certificate of title of a replica motor vehicle issued under 2246
this section complies with all of the following: 2247

(a) It is in the same form as the original certificate of 2248
title. 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	2514
the individual's driver's license.	2515
(J) "Drive" means to drive, operate, or be in physical	2516
control of a motor vehicle.	2517
(K) "Driver" means any person who drives, operates, or is	2518
in physical control of a commercial motor vehicle or is required	2519
to have a commercial driver's license.	2520
(L) "Driver's license" means a license issued by the	2521
bureau of motor vehicles that authorizes an individual to drive.	2522
(M) "Drug of abuse" means any controlled substance,	2523
dangerous drug as defined in section 4729.01 of the Revised	2524
Code, harmful intoxicant as defined in section 2925.01 of the	2525
Revised Code, or over-the-counter medication that, when taken in	2526
quantities exceeding the recommended dosage, can result in	2527
impairment of judgment or reflexes.	2528
(N) "Electronic device" includes a cellular telephone, a	2529
personal digital assistant, a pager, a computer, and any other	2530
device used to input, write, send, receive, or read text.	2531
(O) "Eligible unit of local government" means a village,	2532
township, or county that has a population of not more than three	2533
thousand persons according to the most recent federal census.	2534
(P) "Employer" means any person, including the federal	2535
government, any state, and a political subdivision of any state,	2536
that owns or leases a commercial motor vehicle or assigns a	2537
person to drive such a motor vehicle.	2538
(Q) "Endorsement" means an authorization on a person's	2539
commercial driver's license that is required to permit the	2540
person to operate a specified type of commercial motor vehicle.	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:

(i) Texting while driving;

(ii) Using a handheld mobile telephone.

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

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

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

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

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

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

license with the proper class or endorsement for the specific 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 2803
amount determined by the director to sufficiently pay for the 2804
retesting of drivers in the event that the other party or its 2805
skills test examiners are involved in fraudulent activities 2806
related to skills testing; 2807

(6) Requires the other party to use only skills test 2808
examiners who have successfully completed a commercial driver's 2809
license examiner training course as prescribed by the director, 2810
and have been certified by the state as a commercial driver's 2811
license skills test examiner qualified to administer the 2812
applicable skills tests; 2813

(7) Requires the other party to use designated road test 2814
routes that have been approved by the director; 2815

(8) Requires the other party to schedule all skills test 2816
appointments through a system or method provided by the 2817
director. If a system or method is not provided by the director, 2818
the other party shall submit a schedule of skills test 2819
appointments to the director weekly. The director may request 2820
that any additions to the schedule of skills test appointments, 2821
made after the weekly submission, be submitted to the director 2822
not later than two business days prior to the additional skills 2823
test appointment. 2824

(9) Requires the other party to maintain copies of the 2825
following records at its principal place of business: 2826

(a) The other party's commercial driver's license skills 2827
testing program certificate; 2828

(b) Each skills test examiner's certificate of 2829
authorization to administer skills tests for the classes and 2830
types of commercial motor vehicles listed in the certificate; 2831

(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, 3117
license, or endorsement" includes a temporary instruction 3118
permit, license, or endorsement for a motor-driven cycle or 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 3436
numbers, if the numbers are available, of the licensees, and may 3437
contain any other information that the registrar considers 3438
suitable. 3439

(G) Each person under eighteen years of age applying for a 3440
motorcycle operator's endorsement or a restricted license 3441
enabling the applicant to operate a motorcycle shall present 3442
satisfactory evidence of having completed the courses of 3443
instruction in the motorcycle safety and education program 3444
described in section 4508.08 of the Revised Code or a comparable 3445
course of instruction administered by a branch of the armed 3446
forces of the United States and completed by the applicant while 3447
residing outside this state for the purpose of being with or 3448
near any person serving in the armed forces of the United 3449
States. If the registrar or deputy registrar then determines 3450
that the applicant is entitled to the endorsement or restricted 3451
license, it shall be issued. 3452

(H) No person shall knowingly make a false statement in an 3453
affidavit presented in accordance with division (B)(2) of this 3454
section. 3455

(I) As used in this section, "eligible adult" means any of 3456
the following persons: 3457

(1) A parent, guardian, or custodian of the applicant; 3458

(2) A person over the age of twenty-one who acts in loco 3459
parentis of the applicant and who maintains proof of financial 3460
responsibility with respect to the operation of a motor vehicle 3461
owned by the applicant or with respect to the applicant's 3462
operation of any motor vehicle. 3463

(J) Whoever violates division (H) of this section is 3464

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
infrastructure capable of providing secure online driver
education in accord with advances in internet technology. The
rules shall allow an online driver training enterprise to be
affiliated with a licensed driver training school offering in-
person classroom instruction, but shall not require such an
affiliation.

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

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

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

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

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

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

classroom instruction or online driver education course for such 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 3739
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~~ a foot on 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 3901
provided in section 4511.65 of the Revised Code. 3902

(II) "State highway" means a highway under the 3903
jurisdiction of the department of transportation, outside the 3904
limits of municipal corporations, provided that the authority 3905
conferred upon the director of transportation in section 5511.01 3906
of the Revised Code to erect state highway route markers and 3907
signs directing traffic shall not be modified by sections 3908
4511.01 to 4511.79 and 4511.99 of the Revised Code. 3909

(JJ) "State route" means every highway that is designated 3910
with an official state route number and so marked. 3911

(KK) "Intersection" means: 3912

(1) The area embraced within the prolongation or 3913
connection of the lateral curb lines, or, if none, the lateral 3914
boundary lines of the roadways of two highways that join one 3915
another at, or approximately at, right angles, or the area 3916
within which vehicles traveling upon different highways that 3917
join at any other angle might come into conflict. The junction 3918
of an alley ~~or~~, driveway, or site roadway open to public travel 3919
with a public roadway or highway does not constitute an 3920
intersection, unless the public roadway or highway at the 3921
junction is controlled by a traffic control device. 3922

(2) If a highway includes two roadways ~~that are thirty~~ 3923
~~feet or more apart~~separated by a median, then every crossing of 3924
each roadway of such divided highway by an intersecting highway 3925
constitutes a separate intersection if the opposing left-turn 3926
paths cross and there is sufficient interior storage for the 3927

~~design vehicle. If both intersecting highways include two~~ 3928
~~roadways thirty feet or more apart, then every crossing of any~~ 3929
~~two roadways of such highways constitutes a separate~~ 3930
~~intersection.~~ 3931
As used in this division, "design vehicle" means the 3931
longest vehicle authorized under section 5577.05 of the Revised 3932
Code to operate on that roadway without a permit. 3933

(3) At a location controlled by a highway traffic ~~control~~ 3934
signal, regardless of the distance between the separate 3935
intersections as described in division (KK) (2) of this section: 3936

(a) If a stop line, yield line, or crosswalk has not been 3937
designated on the roadway within the median between the separate 3938
intersections, the two intersections and the roadway and median 3939
constitute one intersection. 3940

(b) Where a stop line, yield line, or crosswalk ~~line~~ is 3941
designated on the roadway on the intersection approach, the area 3942
within the crosswalk and any area beyond the designated stop 3943
line or yield line constitute part of the intersection. 3944

(c) Where a crosswalk is designated on a roadway on the 3945
departure from the intersection, the intersection includes the 3946
area that extends to the far side of the crosswalk. 3947

(LL) "Crosswalk" means: 3948

(1) That part of a roadway at ~~intersections ordinarily an~~ 3949
intersection included within the ~~real or projected prolongation~~ 3950
~~of property lines and curb lines~~ connections of the lateral 3951
lines of the sidewalks on opposite sides of the highway measured 3952
from the curbs, or, in the absence of curbs, from the edges of 3953
the traversable roadway, and in the absence of a sidewalk on one 3954
side of the roadway, the part of a roadway included within the 3955
extension of the lateral lines of the sidewalk at right angles 3956

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

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

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

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

tracks or the approach of a ~~railroad~~-train. 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
~~county, or township.~~ 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
proceed with the turn shall be limited to the direction
indicated by the arrow and shall be subject to the provisions
that are applicable after making a stop at a stop sign.

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

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

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

(E) Flashing yellow signal indication:

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

(i) Pedestrians lawfully within an associated crosswalk;

(ii) Other vehicles lawfully within the intersection.

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

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

(i) Pedestrians lawfully within an associated crosswalk;

(ii) Other vehicles lawfully within the intersection.

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

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

(4) When a flashing circular yellow signal indication is 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 4772
line. 4773

(2) As used in division (G) (1) of this section, "mass 4774
transit system" and "bus" have the same meanings as in section 4775
4511.78 of the Revised Code. 4776

(H) In the event an official ~~traffic-control-highway~~ 4777
traffic signal is erected and maintained at a place other than 4778
an intersection, the provisions of this section shall be 4779
applicable except as to those provisions which by their nature 4780
can have no application. Any stop required shall be made at a 4781
sign or marking on the pavement indicating where the stop shall 4782
be made, but in the absence of any such sign or marking the stop 4783
shall be made at the signal. 4784

~~(H)~~ (I) This section does not apply at railroad grade 4785
crossings. Conduct of drivers of vehicles, trackless trolleys, 4786
and streetcars approaching railroad grade crossings shall be 4787
governed by sections 4511.61 and 4511.62 of the Revised Code. 4788

Sec. 4511.131. The meanings of lane-use control signal 4789
indications are as follows: 4790

(A) A steady downward green arrow÷ 4791

~~A road user is permitted to drive in~~ means that the lane 4792
over which the arrow signal indication is located is open to 4793
vehicle travel in that direction. 4794

(B) A steady yellow "X"÷ 4795

~~A road user is to prepare to vacate~~ means that the lane 4796
over which the signal indication is located ~~because a lane~~ 4797
~~control change is being made to~~ is about to be closed to vehicle 4798
traffic in that direction and will be followed by a steady red 4799

"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 4858
bicyclists are permitted to enter the intersection only to make 4859
the movement indicated by the lane-use arrow displayed on the 4860
bicycle signal sign that is located immediately adjacent to the 4861
bicycle signal face. Bicyclists proceeding into the intersection 4862
during the display of the indication shall yield the right-of- 4863
way to both of the following: 4864

(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 4867
bicyclists are warned that the related green movement is being 4868
terminated and that a steady red bicycle signal indication will 4869
be displayed immediately thereafter when bicyclists shall not 4870
enter the intersection. The provisions governing bicyclist 4871
operations under the movement being terminated continue to apply 4872
while the steady yellow bicycle signal indication is displayed. 4873

(C) (a) A steady red bicycle signal indication means that 4874
bicyclists shall not enter the intersection to make the movement 4875
indicated by the lane-use arrow displayed on the bicycle signal 4876
sign that is located immediately adjacent to the bicycle signal 4877
face. Unless the bicyclist is entering the intersection to make 4878
another movement permitted by another bicycle symbol signal 4879
indication, the bicyclist shall stop at a clearly marked stop 4880
line; but if there is no stop line, shall stop before entering 4881
the crosswalk on the near side of the intersection; or if there 4882
is no crosswalk, shall stop before entering the intersection; 4883
and shall remain stopped until a green bicycle signal indication 4884
to proceed is displayed. 4885

(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 5493
exclusive use of pedestrians or other specialized use when an 5494
appropriate sign giving notice of the specialized use is posted 5495
on the path; 5496

(6) If under eighteen years of age, operate the device 5497
unless wearing a protective helmet on the person's head with the 5498
chin strap properly fastened; 5499

(7) If under sixteen years of age, operate the device 5500
unless, during the operation, the person is under the direct 5501
visual and audible supervision of another person who is eighteen 5502
years of age or older and is responsible for the immediate care 5503
of the person under sixteen years of age. 5504

(C) No person who is under fourteen years of age shall 5505
operate an electric personal assistive mobility device. 5506

(D) No person shall distribute or sell an electric 5507
personal assistive mobility device unless the device is 5508
accompanied by a written statement that is substantially 5509
equivalent to the following: "WARNING: TO REDUCE THE RISK OF 5510
SERIOUS INJURY, USE ONLY WHILE WEARING FULL PROTECTIVE EQUIPMENT 5511
- HELMET, WRIST GUARDS, ELBOW PADS, AND KNEE PADS." 5512

(E) Nothing in this section affects or shall be construed 5513
to affect any rule of the director of natural resources or a 5514
board of park district commissioners governing the operation of 5515
vehicles on lands under the control of the director or board, as 5516
applicable. 5517

(F) (1) Whoever violates division (B) or (C) of this 5518
section is guilty of a minor misdemeanor and shall be punished 5519
as follows: 5520

(a) The offender shall be fined ten dollars. 5521

(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 5698
Revised Code. 5699

Sec. 4511.65. (A) All state routes are hereby designated 5700
as through highways, provided that stop signs, yield signs, or 5701
highway traffic ~~control~~-signals shall be erected at all 5702
intersections with such through highways by the department of 5703
transportation as to highways under its jurisdiction and by 5704
local authorities as to highways under their jurisdiction, 5705
except as otherwise provided in this section. Where two or more 5706
state routes that are through highways intersect and no highway 5707
traffic ~~control~~-signal is in operation, stop signs or yield 5708
signs shall be erected at one or more entrances thereto by the 5709
department, except as otherwise provided in this section. 5710

Whenever the director of transportation determines on the 5711
basis of an engineering and traffic investigation that stop 5712
signs are necessary to stop traffic on a through highway for 5713
safe and efficient operation, nothing in this section shall be 5714
construed to prevent such installations. When circumstances 5715
warrant, the director also may omit stop signs on roadways 5716
intersecting through highways under his the director's 5717
jurisdiction. Before the director either installs or removes a 5718
stop sign under this division, ~~he~~ the director shall give 5719
notice, in writing, of that proposed action to the affected 5720
local authority at least thirty days before installing or 5721
removing the stop sign. 5722

(B) Other streets or highways, or portions thereof, are 5723
hereby designated through highways if they are within a 5724
municipal corporation, if they have a continuous length of more 5725
than one mile between the limits of said street or highway or 5726
portion thereof, and if they have "stop" or "yield" signs or 5727

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 5759
trackless trolley or vehicle, except when necessary to avoid 5760
conflict with other traffic or to comply with sections 4511.01 5761
to 4511.78, 4511.99, and 4513.01 to 4513.37 of the Revised Code, 5762
or while obeying the directions of a police officer or a traffic 5763
control device, in any of the following places: 5764

(1) On a sidewalk, except as provided in division (B) of 5765
this section; 5766

(2) In front of a public or private driveway; 5767

(3) Within an intersection; 5768

(4) Within ten feet of a fire hydrant; 5769

(5) On a crosswalk; 5770

(6) Within twenty feet of a crosswalk at an intersection; 5771

(7) Within thirty feet of, and upon the approach to, any 5772
~~flashing beacon~~yield sign, stop sign, or highway traffic control 5773
~~device~~signal; 5774

(8) Between a safety zone and the adjacent curb or within 5775
thirty feet of points on the curb immediately opposite the ends 5776
of a safety zone, unless a different length is indicated by a 5777
traffic control device; 5778

(9) Within fifty feet of the nearest rail of a railroad 5779
crossing; 5780

(10) Within twenty feet of a driveway entrance to any fire 5781
station and, on the side of the street opposite the entrance to 5782
any fire station, within seventy-five feet of the entrance when 5783
it is properly posted with signs; 5784

(11) Alongside or opposite any street excavation or 5785

obstruction when such standing or parking would obstruct 5786
traffic; 5787

(12) Alongside any vehicle stopped or parked at the edge 5788
or curb of a street; 5789

(13) Upon any bridge or elevated structure upon a highway, 5790
or within a highway tunnel; 5791

(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 5794
thruway; 5795

(17) On a bicycle lane. 5796

(B) A person is permitted, without charge or restriction, 5797
to stand or park on a sidewalk a motor-driven cycle or motor 5798
scooter that has an engine not larger than one hundred fifty 5799
cubic centimeters, a low-speed micromobility device, or a 5800
bicycle or electric bicycle, provided that the motor-driven 5801
cycle, motor scooter, low-speed micromobility device, bicycle, 5802
or electric bicycle does not impede the normal flow of 5803
pedestrian traffic. This division does not authorize any person 5804
to operate a vehicle in violation of section 4511.711 of the 5805
Revised Code. 5806

(C) Except as otherwise provided in this division, whoever 5807
violates division (A) of this section is guilty of a minor 5808
misdemeanor. If, within one year of the offense, the offender 5809
previously has been convicted of or pleaded guilty to one 5810
predicate motor vehicle or traffic offense, whoever violates 5811
this section is guilty of a misdemeanor of the fourth degree. 5812
If, within one year of the offense, the offender previously has 5813

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~~ 5931
~~community school, and the school district regularly transports~~ 5932
~~students to that chartered nonpublic school or that community~~ 5933
~~school.~~ 5934

(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 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 5993 5994 5995
Sec. 4513.071. (A) Every motor vehicle, trailer, semitrailer, and pole trailer when operated upon a highway shall be equipped with two or more stop lights, except that passenger cars manufactured or assembled prior to January 1, 1967, motorcycles, and motor-driven cycles shall be equipped with at least one stop light. Stop lights shall be mounted on the rear of the vehicle, actuated upon application of the service brake, and may be incorporated with other rear lights. Such stop lights when actuated shall emit a red light visible from a distance of five hundred feet to the rear, provided that in the case of a train of vehicles only the stop lights on the rear-most vehicle need be visible from the distance specified.	5996 5997 5998 5999 6000 6001 6002 6003 6004 6005 6006 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 6009 6010 6011
When stop lights are used as required by this section, they shall be constructed or installed so as to provide adequate	6012 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~~ 6365
~~placement of the next adjacent system location within ten miles~~ 6366
~~from the prior system location, the next adjacent system~~ 6367
~~location shall be installed not more than fifteen miles from the~~ 6368
~~prior system location.~~ 6369

~~(B) When a wayside detector system detects a defect in a~~ 6370
~~passing train, rolling stock, on-track equipment, or its~~ 6371
~~component equipment and parts, if the message regarding the~~ 6372
~~defect is not immediately sent to the operator of that train,~~ 6373
~~rolling stock, or on-track equipment, the person that receives~~ 6374
~~the message shall immediately notify the operator of the defect.~~ 6375

~~(C) The department of transportation and the public~~ 6376
~~utilities commission, as part of their work with each railroad~~ 6377
~~company under division (B) of section 4955.50 of the Revised~~ 6378
~~Code, shall ensure both of the following:~~ 6379

~~(1) The manner in which wayside detector systems are~~ 6380
~~installed and placed complies with division (A) of this section;~~ 6381

~~(2) The manner in which wayside detector system messages~~ 6382
~~are sent and received complies with division (B) of this~~ 6383
~~section.~~ 6384

Sec. 4955.52. When a wayside detector system detects a 6385
defect in a passing train, rolling stock, on-track equipment, or 6386
its component equipment and parts, if the message regarding the 6387
defect is not immediately sent to the operator of that train, 6388
rolling stock, or on-track equipment, the person that receives 6389
the message shall immediately notify the operator of the defect. 6390

Sec. 4955.53. The department of transportation and the 6391
public utilities commission, as part of their work with each 6392
railroad company under division (B) of section 4955.50 of the 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
president's initial appointments made to the council shall be
for a term ending three years after June 30, 1997. Thereafter,
all terms of office, including the terms for those persons who
are appointed to succeed the persons whose appointments are made
within ninety days after September 16, 1998, shall be for five
years, with each term ending on the same day of the same month
as did the term that it succeeds. Each member shall hold office
from the date of appointment until the end of the term for which
the member was appointed. Members may be reappointed. Vacancies
shall be filled in the manner provided for original
appointments. Any member appointed to fill another member's
unexpired term shall hold office for the remainder of that
unexpired term. A member shall continue in office subsequent to
the expiration of the member's term until the member's successor
takes office.

(C) The director of transportation is the chairperson of
the council.

Sec. 5513.01. (A) The director of transportation shall
make all purchases of ~~machinery, materials, supplies, or other~~
~~articles~~ products, and services in the manner provided in this
section. In all cases except those in which the director
provides written authorization for purchases by district deputy
directors of transportation, the director shall make all such
purchases at the central office of the department of
transportation in Columbus. ~~Before making any purchase at that~~
~~office, the director, as provided in this section, shall give~~
~~notice to bidders of the director's intention to purchase.~~ Where
the expenditure does not exceed the amount applicable to the
purchase of supplies, products, or services specified in
division (A) of section 125.05 of the Revised Code, the director

shall give such notice as the director considers proper, or the 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— 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 7465
nearby municipal corporation shall be placed at or near the 7466
intersection, and no traffic control device or highway traffic 7467
~~control~~ signal shall be erected at the intersection, without 7468
prior permission of the director as required by section 4511.10 7469
of the Revised Code. 7470

(2) The department of transportation shall maintain any 7471
highway traffic ~~control~~ signal erected by the board of township 7472
trustees at that intersection. 7473

(G) If one of the intersecting roads as provided in 7474
division (E) of this section is a county road, a board of 7475
township trustees shall not erect a traffic control device or 7476
highway traffic ~~control~~ signal at the intersection without prior 7477
permission of the county engineer of the county in which the 7478
intersection is located. 7479

(H) No contract for the construction or repair of a 7480
bridge, the entire cost of which construction or repair exceeds 7481
fifty thousand dollars, shall be entered into by the township 7482
unless the plans are first approved by the director. 7483

Sec. 5747.502. (A) As used in this section: 7484

(1) ~~"Local authority" and "traffic"~~ "Traffic law photo- 7485
monitoring device" ~~have~~ has the same ~~meanings~~ meaning as in 7486
section 4511.092 of the Revised Code. 7487

(2) "School zone" has the same meaning as in section 7488
4511.21 of the Revised Code. 7489

(3) "Transportation district" means a territorial district 7490
established by the director of transportation under section 7491
5501.14 of the Revised Code. 7492

(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 7612
Code. 7613

(4) For any local authority, on or before the tenth day of 7614
each month a reduction is made under division (C) (1), (2), or 7615
(3) of this section, make a payment to the local authority in an 7616
amount equal to the lesser of (a) one-twelfth of the gross 7617
amount of traffic camera fines the local authority collected in 7618
the preceding fiscal year for violations that occurred within a 7619
school zone, as indicated on the report filed by the local 7620
authority pursuant to division (B) (1) of this section, or (b) 7621
the amount by which the local authority's LGF payments were 7622
reduced that month pursuant to division (C) (1), (2), or (3) of 7623
this section. Payments received by a local authority under this 7624
division shall be used by the local authority for school safety 7625
purposes. 7626

(D) Upon discovery, based on information in the 7627
commissioner's possession, that a local authority required to 7628
file a report under division (B) (1) of this section has failed 7629
to do so, the commissioner shall do the following, as 7630
applicable: 7631

(1) If the local authority is a municipal corporation with 7632
a population of one thousand or more, cease providing for 7633
payments to the municipal corporation under section 5747.50 of 7634
the Revised Code beginning with the next required payment and 7635
until such time as the report is received by the commissioner; 7636

(2) If the local authority is a township or qualifying 7637
village, reduce the supplemental payments to the appropriate 7638
county undivided local government fund under section 5747.503 of 7639
the Revised Code by an amount equal to the amount of such 7640
payments the local authority would otherwise receive under that 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	\$5,750,500	\$5,750,500
		Bank - Federal		
D	2120	772427 Highway Infrastructure	\$15,099,500	\$15,099,500
		Bank - State		
E	2130	772431 Roadway Infrastructure	\$3,750,000	\$3,750,000
		Bank - State		
F	2130	777477 Aviation Infrastructure	\$2,400,000	\$2,400,000
		Bank - State		
G	5XI0	772504 Ohio Highway	\$13,500,000	\$7,000,000

Transportation Safety

H	7002	770003	Transportation Facilities Lease Rental Bond Payments	\$23,000,000	\$23,000,000
I	7002	771411	Planning and Research - State	\$34,583,813	\$35,352,350
J	7002	771412	Planning and Research - Federal	\$57,095,074	\$57,095,074
K	7002	772421	Highway Construction - State	\$1,166,495,043	\$849,676,092
L	7002	772422	Highway Construction - Federal	\$1,950,000,000	\$1,950,000,000
M	7002	772424	Highway Construction - Other	\$83,500,000	\$83,500,000
N	7002	772437	Major New State Infrastructure Bond Debt Service - State	\$18,500,000	\$18,500,000
O	7002	772438	Major New State Infrastructure Bond Debt Service - Federal	\$132,500,000	\$132,500,000
P	7002	773431	Highway Maintenance - State	\$701,557,065	\$681,557,065
Q	7002	775452	Public Transportation - Federal	\$63,120,485	\$63,276,002

R	7002	775454	Public Transportation - Other	\$3,570,000	\$3,570,000
S	7002	776462	Grade Crossings - Federal	\$14,068,961	\$14,068,961
T	7002	777472	Airport Improvements - Federal	\$405,000	\$405,000
U	7002	777475	Aviation Administration	\$6,973,124	\$7,106,246
V	7002	779491	Administration - State	\$118,136,702	\$120,735,709
W			Highway Operating Fund Group Total	\$4,414,005,267	\$4,074,342,499
X			Dedicated Purpose Fund Group		
Y	4N40	776664	Rail Transportation - Other	\$2,210,047	\$2,237,389
Z	5W90	777615	County Airport Maintenance	\$620,000	\$620,000
AA			Dedicated Purpose Fund Group Total	\$2,830,047	\$2,857,389
AB			Capital Projects Fund Group		
AC	7042	772723	Highway Construction - Bonds	\$210,000,000	\$210,000,000
AD	7045	772428	Highway Infrastructure Bank - Bonds	\$210,000,000	\$210,000,000
AE			Capital Projects Fund Group Total	\$420,000,000	\$420,000,000
AF			TOTAL ALL BUDGET FUND GROUPS	\$4,836,835,314	\$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

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

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

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**Section 203.60. APPROPRIATION TRANSFERS, APPROPRIATION
INCREASES, AND CASH TRANSFERS**

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

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The Director of Transportation may request the Controlling
Board to approve transfers between Highway Operating Fund (Fund
7002) appropriations for planning and research (appropriation
items 771411 and 771412), highway construction and debt service
(appropriation items 772421, 772422, 772424, 772425, 772437,

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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
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	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.

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A	PWC PUBLIC WORKS COMMISSION			
B	Dedicated Purpose Fund Group			
C	7052 150402	Local Transportation Improvement Program - Operating	\$324,768	\$330,375
D	7052 150701	Local Transportation Improvement Program	\$62,000,000	\$67,000,000
E	Dedicated Purpose Fund Group Total		\$62,324,768	\$67,330,375
F	TOTAL ALL BUDGET FUND GROUPS		\$62,324,768	\$67,330,375

Section 209.20. REAPPROPRIATIONS

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

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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
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G	TOTAL ALL BUDGET FUND GROUPS			\$987,200,000	\$1,007,500,000
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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

Section 501.10. LIMITATION ON USE OF CAPITAL 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
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1 2 3

A PWC PUBLIC WORKS COMMISSION

B State Capital Improvements Fund (Fund 7038)

C C15000 Local Public Infrastructure ~~\$400,000,000~~
\$415,000,000

D State Capital Improvements Fund (Fund 7038) Total ~~\$400,000,000~~
\$415,000,000

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	\$575,300,000
		<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	8380
Accountants;	8381
(3) A member of a statewide business organization	8382
representing major corporate entities from a list of three names	8383
recommended by the Speaker of the House of Representatives;	8384
(4) A member of the Ohio Society of Professional	8385
Engineers;	8386
(5) A member of a business organization representing small	8387
or independent businesses from a list of three names recommended	8388
by the President of the Senate;	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	8392
Society of Certified Public Accountants, the Ohio Society of	8393
Professional Engineers, the small or independent businesses, and	8394
the major corporate entities shall have no conflict of interest	8395
with the position. For purposes of this section, "conflict of	8396
interest" means taking any action that violates any provision of	8397
Chapter 102. or 2921. of the Revised Code.	8398
(D) The Director shall appoint the advisory council no	8399
later than July 31, 2025. The advisory council shall recommend	8400
the neutral third-party entity to the Director and shall	8401
determine the scope of the study to be conducted by the entity	8402
not later than September 1, 2025. Once appointed, the advisory	8403
council shall meet, at a minimum, every thirty days to direct	8404
and monitor the work of the neutral third-party entity,	8405
including responding to any questions raised by the neutral	8406
third-party entity. The council shall publish a schedule of	8407
meetings and provide adequate public notice of these meetings.	8408

The meetings are subject to applicable public meeting 8409
requirements. 8410

The advisory council shall issue a final report with 8411
recommendations concerning the Department's pavement selection 8412
process to the Director. The report and recommendations shall 8413
take into account the study conducted by the neutral third-party 8414
entity. The advisory council shall allow a comment period of not 8415
less than thirty days before it issues the final report. The 8416
advisory council shall issue the report on or before June 30, 8417
2026. Upon issuing its final report, the advisory council ceases 8418
to exist. 8419

Section 755.40. (A) Not later than October 1, 2025, the 8420
Director of Transportation shall establish the Road Safety Pilot 8421
Program to assess speed compliance in construction zones. The 8422
pilot program shall operate for one year after that date. 8423

(B) The Director shall ensure that the Road Safety Pilot 8424
Program includes both of the following in one or more 8425
construction zones: 8426

(1) Speed monitoring devices with flashing lights that 8427
display the speed at which a motor vehicle operator is traveling 8428
in a construction zone; 8429

(2) Any other methods determined by the Department that 8430
have the effect of reducing the speed at which motor vehicle 8431
operators travel in a construction zone, including lane changes, 8432
rumble strips, and single lanes. However, for purposes of the 8433
program, the Department shall not use any device that would 8434
result in an individual being issued a citation, summons, or 8435
ticket by any entity other than a peace officer who is 8436
physically present at the time of an offense. 8437

(C) The Director shall post signs in each construction 8438
zone that is utilized under the Pilot Program that indicate that 8439
the construction zone is being monitored for speed for purposes 8440
of the Pilot Program. 8441

(D) The Director may contract with a third party to 8442
implement the Pilot Program. 8443

(E) Nothing in this section shall otherwise impact or 8444
impede the enforcement of any violation of any law. An operator 8445
of a motor vehicle shall not be cited for any violation of law 8446
based solely on information derived from speed cameras used in 8447
accordance with this section. 8448

(F) Not later than three months after the termination of 8449
the pilot program, the Director shall submit to the President of 8450
the Senate, the Speaker of the House of Representatives, and the 8451
Governor a report regarding the results of the Road Safety Pilot 8452
Program. The report shall include data summarizing instances of 8453
excessive speed in construction zones that are included in the 8454
pilot program. 8455

Section 755.50. The Director of Transportation shall 8456
conduct a feasibility study for the creation of an Interstate 8457
Route 73 corridor connecting the municipal corporation of Toledo 8458
to the municipal corporation of Chesapeake, primarily alongside 8459
current United States Route 23. The purpose of the new corridor 8460
is to better connect Interstate Route 74, Interstate Route 75, 8461
and the states of Michigan, Ohio, West Virginia, Virginia, North 8462
Carolina, and South Carolina along one continuous interstate 8463
route. 8464

The feasibility study shall examine how to alleviate 8465
congestion along United States Route 23, the economic impacts of 8466

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