

_____ moved to amend as follows:

Engross the bill as directed by the commands in the amendments attached hereto, ignoring matter extraneous to those commands

INDEX

The following amendments are attached hereto:

Amendment No.	Subject
AM_134_0775-1	Preschool school zones
AM_134_0783	Public Transportation - State
AM_134_0784	Farm bus registration
AM_134_0785	State parks and wildlife areas earmark
AM_134_0786	Behind-the-wheel driving instruction
AM_134_0802-1	Department of Transportation
AM_134_0828	TRAC funding for rail lines
AM_134_0840	Payment of use taxes with title assignment form
AM_134_0863	Fireworks manufacturer and wholesaler licenses
AM_134_0865	Revenue share fee
AM_134_0870	Land conveyance in Jefferson County

AM0937X1

Amendment No.	Subject
AM_134_0874	Remove navigable airspace provisions
AM_134_0880	Land conveyance-technical change
AM_134_0881	Parks and wildlife areas earmark
AM_134_0884	Hybrid and plug-in hybrid definitions
AM_134_0895	Transfer of online transactions to deputy registrars
AM_134_0898	Land conveyance in Jefferson County
AM_134_0902	Highway Patrol use of Mid-Ohio Sports Car Course
AM_134_0905	Commercial trailer and semitrailer registration
AM_134_0906-2	Weigh stations for overnight parking
AM_134_0908	Remedial driver instruction courses
AM_134_0912	PWC Reappropriations and transfers
AM_134_0922	Technical changes
AM_134_0929-2	Force account increase and joint committee
AM_134_0930	8-year CDL, driver's license, and identification card
AM_134_0931	Remove pavement preference provision
AM_134_0932	Remove ODOT price adjustment for rebar provision

1 The motion was _____ agreed to.

_____ moved to amend as follows:

In line 17 of the title, after "4511.195" insert ", 4511.21" 1

In line 39 of the title, delete "and" 2

Delete line 40 3

In line 41 of the title, delete "Assembly" 4

In line 58, after "4511.195" insert ", 4511.21" 5

After line 8317, insert: 6

"Sec. 4511.21. (A) No person shall operate a motor 7
vehicle, trackless trolley, or streetcar at a speed greater or 8
less than is reasonable or proper, having due regard to the 9
traffic, surface, and width of the street or highway and any 10
other conditions, and no person shall drive any motor vehicle, 11
trackless trolley, or streetcar in and upon any street or 12
highway at a greater speed than will permit the person to bring 13
it to a stop within the assured clear distance ahead. 14

(B) It is prima-facie lawful, in the absence of a lower 15
limit declared or established pursuant to this section by the 16

director of transportation or local authorities, for the 17
operator of a motor vehicle, trackless trolley, or streetcar to 18
operate the same at a speed not exceeding the following: 19

(1) (a) Twenty miles per hour in school zones during school 20
recess and while children are going to or leaving school during 21
the opening or closing hours, and when twenty miles per hour 22
school speed limit signs are erected; except that, on 23
controlled-access highways and expressways, if the right-of-way 24
line fence has been erected without pedestrian opening, the 25
speed shall be governed by division (B) (4) of this section and 26
on freeways, if the right-of-way line fence has been erected 27
without pedestrian opening, the speed shall be governed by 28
divisions (B) (10) and (11) of this section. The end of every 29
school zone may be marked by a sign indicating the end of the 30
zone. Nothing in this section or in the manual and 31
specifications for a uniform system of traffic control devices 32
shall be construed to require school zones to be indicated by 33
signs equipped with flashing or other lights, or giving other 34
special notice of the hours in which the school zone speed limit 35
is in effect. 36

(b) As used in this section and in section 4511.212 of the 37
Revised Code, "school" means ~~any~~ all of the following: 38

(i) Any school chartered under section 3301.16 of the 39
Revised Code ~~and any;~~ 40

(ii) Any nonchartered school that during the preceding 41
year filed with the department of education in compliance with 42
rule 3301-35-08 of the Ohio Administrative Code, a copy of the 43
school's report for the parents of the school's pupils 44
certifying that the school meets Ohio minimum standards for 45
nonchartered, nontax-supported schools and presents evidence of 46

this filing to the jurisdiction from which it is requesting the
establishment of a school zone. ~~"School" also includes a;~~

(iii) Any special elementary school that in writing
requests the county engineer of the county in which the special
elementary school is located to create a school zone at the
location of that school. Upon receipt of such a written request,
the county engineer shall create a school zone at that location
by erecting the appropriate signs.

(iv) Any preschool education program operated by an
educational service center that is located on a street or
highway with a speed limit of forty-five miles per hour or more,
when the educational service center in writing requests that the
county engineer of the county in which the program is located
create a school zone at the location of that program. Upon
receipt of such a written request, the county engineer shall
create a school zone at that location by erecting the
appropriate signs.

(c) As used in this section, "school zone" means that
portion of a street or highway passing a school fronting upon
the street or highway that is encompassed by projecting the
school property lines to the fronting street or highway, and
also includes that portion of a state highway. Upon request from
local authorities for streets and highways under their
jurisdiction and that portion of a state highway under the
jurisdiction of the director of transportation or a request from
a county engineer in the case of a school zone for a special
elementary school, the director may extend the traditional
school zone boundaries. The distances in divisions (B) (1) (c) (i),
(ii), and (iii) of this section shall not exceed three hundred
feet per approach per direction and are bounded by whichever of

the following distances or combinations thereof the director 77
approves as most appropriate: 78

(i) The distance encompassed by projecting the school 79
building lines normal to the fronting highway and extending a 80
distance of three hundred feet on each approach direction; 81

(ii) The distance encompassed by projecting the school 82
property lines intersecting the fronting highway and extending a 83
distance of three hundred feet on each approach direction; 84

(iii) The distance encompassed by the special marking of 85
the pavement for a principal school pupil crosswalk plus a 86
distance of three hundred feet on each approach direction of the 87
highway. 88

Nothing in this section shall be construed to invalidate 89
the director's initial action on August 9, 1976, establishing 90
all school zones at the traditional school zone boundaries 91
defined by projecting school property lines, except when those 92
boundaries are extended as provided in divisions (B) (1) (a) and 93
(c) of this section. 94

(d) As used in this division, "crosswalk" has the meaning 95
given that term in division (LL) (2) of section 4511.01 of the 96
Revised Code. 97

The director may, upon request by resolution of the 98
legislative authority of a municipal corporation, the board of 99
trustees of a township, or a county board of developmental 100
disabilities created pursuant to Chapter 5126. of the Revised 101
Code, and upon submission by the municipal corporation, 102
township, or county board of such engineering, traffic, and 103
other information as the director considers necessary, designate 104
a school zone on any portion of a state route lying within the 105

municipal corporation, lying within the unincorporated territory 106
of the township, or lying adjacent to the property of a school 107
that is operated by such county board, that includes a crosswalk 108
customarily used by children going to or leaving a school during 109
recess and opening and closing hours, whenever the distance, as 110
measured in a straight line, from the school property line 111
nearest the crosswalk to the nearest point of the crosswalk is 112
no more than one thousand three hundred twenty feet. Such a 113
school zone shall include the distance encompassed by the 114
crosswalk and extending three hundred feet on each approach 115
direction of the state route. 116

(e) As used in this section, "special elementary school" 117
means a school that meets all of the following criteria: 118

(i) It is not chartered and does not receive tax revenue 119
from any source. 120

(ii) It does not educate children beyond the eighth grade. 121

(iii) It is located outside the limits of a municipal 122
corporation. 123

(iv) A majority of the total number of students enrolled 124
at the school are not related by blood. 125

(v) The principal or other person in charge of the special 126
elementary school annually sends a report to the superintendent 127
of the school district in which the special elementary school is 128
located indicating the total number of students enrolled at the 129
school, but otherwise the principal or other person in charge 130
does not report any other information or data to the 131
superintendent. 132

(2) Twenty-five miles per hour in all other portions of a 133

municipal corporation, except on state routes outside business	134
districts, through highways outside business districts, and	135
alleys;	136
(3) Thirty-five miles per hour on all state routes or	137
through highways within municipal corporations outside business	138
districts, except as provided in divisions (B) (4) and (6) of	139
this section;	140
(4) Fifty miles per hour on controlled-access highways and	141
expressways within municipal corporations, except as provided in	142
divisions (B) (12), (13), (14), (15), and (16) of this section;	143
(5) Fifty-five miles per hour on highways outside	144
municipal corporations, other than highways within island	145
jurisdictions as provided in division (B) (8) of this section,	146
highways as provided in divisions (B) (9) and (10) of this	147
section, and highways, expressways, and freeways as provided in	148
divisions (B) (12), (13), (14), and (16) of this section;	149
(6) Fifty miles per hour on state routes within municipal	150
corporations outside urban districts unless a lower prima-facie	151
speed is established as further provided in this section;	152
(7) Fifteen miles per hour on all alleys within the	153
municipal corporation;	154
(8) Thirty-five miles per hour on highways outside	155
municipal corporations that are within an island jurisdiction;	156
(9) Thirty-five miles per hour on through highways, except	157
state routes, that are outside municipal corporations and that	158
are within a national park with boundaries extending through two	159
or more counties;	160
(10) Sixty miles per hour on two-lane state routes outside	161

municipal corporations as established by the director under	162
division (H) (2) of this section;	163
(11) Fifty-five miles per hour on freeways with paved	164
shoulders inside municipal corporations, other than freeways as	165
provided in divisions (B) (14) and (16) of this section;	166
(12) Sixty miles per hour on rural expressways with	167
traffic control signals and on all portions of rural divided	168
highways, except as provided in divisions (B) (13) and (14) of	169
this section;	170
(13) Sixty-five miles per hour on all rural expressways	171
without traffic control signals;	172
(14) Seventy miles per hour on all rural freeways;	173
(15) Fifty-five miles per hour on all portions of freeways	174
or expressways in congested areas as determined by the director	175
and that are located within a municipal corporation or within an	176
interstate freeway outerbelt, except as provided in division (B)	177
(16) of this section;	178
(16) Sixty-five miles per hour on all portions of freeways	179
or expressways without traffic control signals in urbanized	180
areas.	181
(C) It is prima-facie unlawful for any person to exceed	182
any of the speed limitations in divisions (B) (1) (a), (2), (3),	183
(4), (6), (7), (8), and (9) of this section, or any declared or	184
established pursuant to this section by the director or local	185
authorities and it is unlawful for any person to exceed any of	186
the speed limitations in division (D) of this section. No person	187
shall be convicted of more than one violation of this section	188
for the same conduct, although violations of more than one	189

provision of this section may be charged in the alternative in a 190
single affidavit. 191

(D) No person shall operate a motor vehicle, trackless 192
trolley, or streetcar upon a street or highway as follows: 193

(1) At a speed exceeding fifty-five miles per hour, except 194
upon a two-lane state route as provided in division (B)(10) of 195
this section and upon a highway, expressway, or freeway as 196
provided in divisions (B)(12), (13), (14), and (16) of this 197
section; 198

(2) At a speed exceeding sixty miles per hour upon a two- 199
lane state route as provided in division (B)(10) of this section 200
and upon a highway as provided in division (B)(12) of this 201
section; 202

(3) At a speed exceeding sixty-five miles per hour upon an 203
expressway as provided in division (B)(13) or upon a freeway as 204
provided in division (B)(16) of this section, except upon a 205
freeway as provided in division (B)(14) of this section; 206

(4) At a speed exceeding seventy miles per hour upon a 207
freeway as provided in division (B)(14) of this section; 208

(5) At a speed exceeding the posted speed limit upon a 209
highway, expressway, or freeway for which the director has 210
determined and declared a speed limit pursuant to division (I) 211
(2) or (L)(2) of this section. 212

(E) In every charge of violation of this section the 213
affidavit and warrant shall specify the time, place, and speed 214
at which the defendant is alleged to have driven, and in charges 215
made in reliance upon division (C) of this section also the 216
speed which division (B)(1)(a), (2), (3), (4), (6), (7), (8), or 217

(9) of, or a limit declared or established pursuant to, this 218
section declares is prima-facie lawful at the time and place of 219
such alleged violation, except that in affidavits where a person 220
is alleged to have driven at a greater speed than will permit 221
the person to bring the vehicle to a stop within the assured 222
clear distance ahead the affidavit and warrant need not specify 223
the speed at which the defendant is alleged to have driven. 224

(F) When a speed in excess of both a prima-facie 225
limitation and a limitation in division (D) of this section is 226
alleged, the defendant shall be charged in a single affidavit, 227
alleging a single act, with a violation indicated of both 228
division (B) (1) (a), (2), (3), (4), (6), (7), (8), or (9) of this 229
section, or of a limit declared or established pursuant to this 230
section by the director or local authorities, and of the 231
limitation in division (D) of this section. If the court finds a 232
violation of division (B) (1) (a), (2), (3), (4), (6), (7), (8), 233
or (9) of, or a limit declared or established pursuant to, this 234
section has occurred, it shall enter a judgment of conviction 235
under such division and dismiss the charge under division (D) of 236
this section. If it finds no violation of division (B) (1) (a), 237
(2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or 238
established pursuant to, this section, it shall then consider 239
whether the evidence supports a conviction under division (D) of 240
this section. 241

(G) Points shall be assessed for violation of a limitation 242
under division (D) of this section in accordance with section 243
4510.036 of the Revised Code. 244

(H) (1) Whenever the director determines upon the basis of 245
criteria established by an engineering study, as defined by the 246
director, that any speed limit set forth in divisions (B) (1) (a) 247

to (D) of this section is greater or less than is reasonable or 248
safe under the conditions found to exist at any portion of a 249
street or highway under the jurisdiction of the director, the 250
director shall determine and declare a reasonable and safe 251
prima-facie speed limit, which shall be effective when 252
appropriate signs giving notice of it are erected at the 253
location. 254

(2) Whenever the director determines upon the basis of 255
criteria established by an engineering study, as defined by the 256
director, that the speed limit of fifty-five miles per hour on a 257
two-lane state route outside a municipal corporation is less 258
than is reasonable or safe under the conditions found to exist 259
at that portion of the state route, the director may determine 260
and declare a speed limit of sixty miles per hour for that 261
portion of the state route, which shall be effective when 262
appropriate signs giving notice of it are erected at the 263
location. 264

(3) (a) For purposes of the safe and orderly movement of 265
traffic upon any portion of a street or highway under the 266
jurisdiction of the director, the director may establish a 267
variable speed limit that is different than the speed limit 268
established by or under this section on all or portions of 269
interstate six hundred seventy, interstate two hundred seventy- 270
five, and interstate ninety commencing at the intersection of 271
that interstate with interstate seventy-one and continuing to 272
the border of the state of Ohio with the state of Pennsylvania. 273
The director shall establish criteria for determining the 274
appropriate use of variable speed limits and shall establish 275
variable speed limits in accordance with the criteria. The 276
director may establish variable speed limits based upon the time 277
of day, weather conditions, traffic incidents, or other factors 278

that affect the safe speed on a street or highway. The director 279
shall not establish a variable speed limit that is based on a 280
particular type or class of vehicle. A variable speed limit 281
established by the director under this section is effective when 282
appropriate signs giving notice of the speed limit are displayed 283
at the location. 284

(b) Except for variable speed limits established under 285
division (H) (3) (a) of this section, the director shall establish 286
a variable speed limit under the authority granted to the 287
director by this section on not more than two additional 288
highways and only pursuant to criteria established in rules 289
adopted in accordance with Chapter 119. of the Revised Code. The 290
rules shall be based on the criteria described in division (H) 291
(3) (a) of this section. The rules also shall establish the 292
parameters of any engineering study necessary for determining 293
when variable speed limits are appropriate. 294

(4) Nothing in this section shall be construed to limit 295
the authority of the director to establish speed limits within a 296
construction zone as authorized under section 4511.98 of the 297
Revised Code. 298

(I) (1) Except as provided in divisions (I) (2), (J), (K), 299
and (N) of this section, whenever local authorities determine 300
upon the basis of criteria established by an engineering study, 301
as defined by the director, that the speed permitted by 302
divisions (B) (1) (a) to (D) of this section, on any part of a 303
highway under their jurisdiction, is greater than is reasonable 304
and safe under the conditions found to exist at such location, 305
the local authorities may by resolution request the director to 306
determine and declare a reasonable and safe prima-facie speed 307
limit. Upon receipt of such request the director may determine 308

and declare a reasonable and safe prima-facie speed limit at 309
such location, and if the director does so, then such declared 310
speed limit shall become effective only when appropriate signs 311
giving notice thereof are erected at such location by the local 312
authorities. The director may withdraw the declaration of a 313
prima-facie speed limit whenever in the director's opinion the 314
altered prima-facie speed limit becomes unreasonable. Upon such 315
withdrawal, the declared prima-facie speed limit shall become 316
ineffective and the signs relating thereto shall be immediately 317
removed by the local authorities. 318

(2) A local authority may determine on the basis of 319
criteria established by an engineering study, as defined by the 320
director, that the speed limit of sixty-five or seventy miles 321
per hour on a portion of a freeway under its jurisdiction is 322
greater than is reasonable or safe under the conditions found to 323
exist at that portion of the freeway. If the local authority 324
makes such a determination, the local authority by resolution 325
may request the director to determine and declare a reasonable 326
and safe speed limit of not less than fifty-five miles per hour 327
for that portion of the freeway. If the director takes such 328
action, the declared speed limit becomes effective only when 329
appropriate signs giving notice of it are erected at such 330
location by the local authority. 331

(J) Local authorities in their respective jurisdictions 332
may authorize by ordinance higher prima-facie speeds than those 333
stated in this section upon through highways, or upon highways 334
or portions thereof where there are no intersections, or between 335
widely spaced intersections, provided signs are erected giving 336
notice of the authorized speed, but local authorities shall not 337
modify or alter the basic rule set forth in division (A) of this 338
section or in any event authorize by ordinance a speed in excess 339

of the maximum speed permitted by division (D) of this section 340
for the specified type of highway. 341

Alteration of prima-facie limits on state routes by local 342
authorities shall not be effective until the alteration has been 343
approved by the director. The director may withdraw approval of 344
any altered prima-facie speed limits whenever in the director's 345
opinion any altered prima-facie speed becomes unreasonable, and 346
upon such withdrawal, the altered prima-facie speed shall become 347
ineffective and the signs relating thereto shall be immediately 348
removed by the local authorities. 349

(K) (1) As used in divisions (K) (1), (2), (3), and (4) of 350
this section, "unimproved highway" means a highway consisting of 351
any of the following: 352

(a) Unimproved earth; 353

(b) Unimproved graded and drained earth; 354

(c) Gravel. 355

(2) Except as otherwise provided in divisions (K) (4) and 356
(5) of this section, whenever a board of township trustees 357
determines upon the basis of criteria established by an 358
engineering study, as defined by the director, that the speed 359
permitted by division (B) (5) of this section on any part of an 360
unimproved highway under its jurisdiction and in the 361
unincorporated territory of the township is greater than is 362
reasonable or safe under the conditions found to exist at the 363
location, the board may by resolution declare a reasonable and 364
safe prima-facie speed limit of fifty-five but not less than 365
twenty-five miles per hour. An altered speed limit adopted by a 366
board of township trustees under this division becomes effective 367
when appropriate traffic control devices, as prescribed in 368

section 4511.11 of the Revised Code, giving notice thereof are 369
erected at the location, which shall be no sooner than sixty 370
days after adoption of the resolution. 371

(3) (a) Whenever, in the opinion of a board of township 372
trustees, any altered prima-facie speed limit established by the 373
board under this division becomes unreasonable, the board may 374
adopt a resolution withdrawing the altered prima-facie speed 375
limit. Upon the adoption of such a resolution, the altered 376
prima-facie speed limit becomes ineffective and the traffic 377
control devices relating thereto shall be immediately removed. 378

(b) Whenever a highway ceases to be an unimproved highway 379
and the board has adopted an altered prima-facie speed limit 380
pursuant to division (K) (2) of this section, the board shall, by 381
resolution, withdraw the altered prima-facie speed limit as soon 382
as the highway ceases to be unimproved. Upon the adoption of 383
such a resolution, the altered prima-facie speed limit becomes 384
ineffective and the traffic control devices relating thereto 385
shall be immediately removed. 386

(4) (a) If the boundary of two townships rests on the 387
centerline of an unimproved highway in unincorporated territory 388
and both townships have jurisdiction over the highway, neither 389
of the boards of township trustees of such townships may declare 390
an altered prima-facie speed limit pursuant to division (K) (2) 391
of this section on the part of the highway under their joint 392
jurisdiction unless the boards of township trustees of both of 393
the townships determine, upon the basis of criteria established 394
by an engineering study, as defined by the director, that the 395
speed permitted by division (B) (5) of this section is greater 396
than is reasonable or safe under the conditions found to exist 397
at the location and both boards agree upon a reasonable and safe 398

prima-facie speed limit of less than fifty-five but not less 399
than twenty-five miles per hour for that location. If both 400
boards so agree, each shall follow the procedure specified in 401
division (K) (2) of this section for altering the prima-facie 402
speed limit on the highway. Except as otherwise provided in 403
division (K) (4) (b) of this section, no speed limit altered 404
pursuant to division (K) (4) (a) of this section may be withdrawn 405
unless the boards of township trustees of both townships 406
determine that the altered prima-facie speed limit previously 407
adopted becomes unreasonable and each board adopts a resolution 408
withdrawing the altered prima-facie speed limit pursuant to the 409
procedure specified in division (K) (3) (a) of this section. 410

(b) Whenever a highway described in division (K) (4) (a) of 411
this section ceases to be an unimproved highway and two boards 412
of township trustees have adopted an altered prima-facie speed 413
limit pursuant to division (K) (4) (a) of this section, both 414
boards shall, by resolution, withdraw the altered prima-facie 415
speed limit as soon as the highway ceases to be unimproved. Upon 416
the adoption of the resolution, the altered prima-facie speed 417
limit becomes ineffective and the traffic control devices 418
relating thereto shall be immediately removed. 419

(5) As used in division (K) (5) of this section: 420

(a) "Commercial subdivision" means any platted territory 421
outside the limits of a municipal corporation and fronting a 422
highway where, for a distance of three hundred feet or more, the 423
frontage is improved with buildings in use for commercial 424
purposes, or where the entire length of the highway is less than 425
three hundred feet long and the frontage is improved with 426
buildings in use for commercial purposes. 427

(b) "Residential subdivision" means any platted territory 428

outside the limits of a municipal corporation and fronting a 429
highway, where, for a distance of three hundred feet or more, 430
the frontage is improved with residences or residences and 431
buildings in use for business, or where the entire length of the 432
highway is less than three hundred feet long and the frontage is 433
improved with residences or residences and buildings in use for 434
business. 435

Whenever a board of township trustees finds upon the basis 436
of criteria established by an engineering study, as defined by 437
the director, that the prima-facie speed permitted by division 438
(B) (5) of this section on any part of a highway under its 439
jurisdiction that is located in a commercial or residential 440
subdivision, except on highways or portions thereof at the 441
entrances to which vehicular traffic from the majority of 442
intersecting highways is required to yield the right-of-way to 443
vehicles on such highways in obedience to stop or yield signs or 444
traffic control signals, is greater than is reasonable and safe 445
under the conditions found to exist at the location, the board 446
may by resolution declare a reasonable and safe prima-facie 447
speed limit of less than fifty-five but not less than twenty- 448
five miles per hour at the location. An altered speed limit 449
adopted by a board of township trustees under this division 450
shall become effective when appropriate signs giving notice 451
thereof are erected at the location by the township. Whenever, 452
in the opinion of a board of township trustees, any altered 453
prima-facie speed limit established by it under this division 454
becomes unreasonable, it may adopt a resolution withdrawing the 455
altered prima-facie speed, and upon such withdrawal, the altered 456
prima-facie speed shall become ineffective, and the signs 457
relating thereto shall be immediately removed by the township. 458

(L) (1) The director of transportation, based upon an 459

engineering study, as defined by the director, of a highway, 460
expressway, or freeway described in division (B) (12), (13), 461
(14), (15), or (16) of this section, in consultation with the 462
director of public safety and, if applicable, the local 463
authority having jurisdiction over the studied highway, 464
expressway, or freeway, may determine and declare that the speed 465
limit established on such highway, expressway, or freeway under 466
division (B) (12), (13), (14), (15), or (16) of this section 467
either is reasonable and safe or is more or less than that which 468
is reasonable and safe. 469

(2) If the established speed limit for a highway, 470
expressway, or freeway studied pursuant to division (L) (1) of 471
this section is determined to be more or less than that which is 472
reasonable and safe, the director of transportation, in 473
consultation with the director of public safety and, if 474
applicable, the local authority having jurisdiction over the 475
studied highway, expressway, or freeway, shall determine and 476
declare a reasonable and safe speed limit for that highway, 477
expressway, or freeway. 478

(M) (1) (a) If the boundary of two local authorities rests 479
on the centerline of a highway and both authorities have 480
jurisdiction over the highway, the speed limit for the part of 481
the highway within their joint jurisdiction shall be either one 482
of the following as agreed to by both authorities: 483

(i) Either prima-facie speed limit permitted by division 484
(B) of this section; 485

(ii) An altered speed limit determined and posted in 486
accordance with this section. 487

(b) If the local authorities are unable to reach an 488

agreement, the speed limit shall remain as established and 489
posted under this section. 490

(2) Neither local authority may declare an altered prima- 491
facie speed limit pursuant to this section on the part of the 492
highway under their joint jurisdiction unless both of the local 493
authorities determine, upon the basis of criteria established by 494
an engineering study, as defined by the director, that the speed 495
permitted by this section is greater than is reasonable or safe 496
under the conditions found to exist at the location and both 497
authorities agree upon a uniform reasonable and safe prima-facie 498
speed limit of less than fifty-five but not less than twenty- 499
five miles per hour for that location. If both authorities so 500
agree, each shall follow the procedure specified in this section 501
for altering the prima-facie speed limit on the highway, and the 502
speed limit for the part of the highway within their joint 503
jurisdiction shall be uniformly altered. No altered speed limit 504
may be withdrawn unless both local authorities determine that 505
the altered prima-facie speed limit previously adopted becomes 506
unreasonable and each adopts a resolution withdrawing the 507
altered prima-facie speed limit pursuant to the procedure 508
specified in this section. 509

(N) The legislative authority of a municipal corporation 510
or township in which a boarding school is located, by resolution 511
or ordinance, may establish a boarding school zone. The 512
legislative authority may alter the speed limit on any street or 513
highway within the boarding school zone and shall specify the 514
hours during which the altered speed limit is in effect. For 515
purposes of determining the boundaries of the boarding school 516
zone, the altered speed limit within the boarding school zone, 517
and the hours the altered speed limit is in effect, the 518
legislative authority shall consult with the administration of 519

the boarding school and with the county engineer or other 520
appropriate engineer, as applicable. A boarding school zone 521
speed limit becomes effective only when appropriate signs giving 522
notice thereof are erected at the appropriate locations. 523

(0) As used in this section: 524

(1) "Interstate system" has the same meaning as in 23 525
U.S.C. 101. 526

(2) "Commercial bus" means a motor vehicle designed for 527
carrying more than nine passengers and used for the 528
transportation of persons for compensation. 529

(3) "Noncommercial bus" includes but is not limited to a 530
school bus or a motor vehicle operated solely for the 531
transportation of persons associated with a charitable or 532
nonprofit organization. 533

(4) "Outerbelt" means a portion of a freeway that is part 534
of the interstate system and is located in the outer vicinity of 535
a major municipal corporation or group of municipal 536
corporations, as designated by the director. 537

(5) "Rural" means an area outside urbanized areas and 538
outside of a business or urban district, and areas that extend 539
within urbanized areas where the roadway characteristics remain 540
mostly unchanged from those outside the urbanized areas. 541

(6) "Urbanized area" has the same meaning as in 23 U.S.C. 542
101. 543

(7) "Divided" means a roadway having two or more travel 544
lanes for vehicles moving in opposite directions and that is 545
separated by a median of more than four feet, excluding turn 546
lanes. 547

(P) (1) A violation of any provision of this section is one 548
of the following: 549

(a) Except as otherwise provided in divisions (P) (1) (b), 550
(1) (c), (2), and (3) of this section, a minor misdemeanor; 551

(b) If, within one year of the offense, the offender 552
previously has been convicted of or pleaded guilty to two 553
violations of any provision of this section or of any provision 554
of a municipal ordinance that is substantially similar to any 555
provision of this section, a misdemeanor of the fourth degree; 556

(c) If, within one year of the offense, the offender 557
previously has been convicted of or pleaded guilty to three or 558
more violations of any provision of this section or of any 559
provision of a municipal ordinance that is substantially similar 560
to any provision of this section, a misdemeanor of the third 561
degree. 562

(2) If the offender has not previously been convicted of 563
or pleaded guilty to a violation of any provision of this 564
section or of any provision of a municipal ordinance that is 565
substantially similar to this section and operated a motor 566
vehicle faster than thirty-five miles an hour in a business 567
district of a municipal corporation, faster than fifty miles an 568
hour in other portions of a municipal corporation, or faster 569
than thirty-five miles an hour in a school zone during recess or 570
while children are going to or leaving school during the 571
school's opening or closing hours, a misdemeanor of the fourth 572
degree. 573

(3) Notwithstanding division (P) (1) of this section, if 574
the offender operated a motor vehicle in a construction zone 575
where a sign was then posted in accordance with section 4511.98 576

of the Revised Code, the court, in addition to all other 577
penalties provided by law, shall impose upon the offender a fine 578
of two times the usual amount imposed for the violation. No 579
court shall impose a fine of two times the usual amount imposed 580
for the violation upon an offender if the offender alleges, in 581
an affidavit filed with the court prior to the offender's 582
sentencing, that the offender is indigent and is unable to pay 583
the fine imposed pursuant to this division and if the court 584
determines that the offender is an indigent person and unable to 585
pay the fine. 586

(4) If the offender commits the offense while distracted 587
and the distracting activity is a contributing factor to the 588
commission of the offense, the offender is subject to the 589
additional fine established under section 4511.991 of the 590
Revised Code." 591

In line 11018, after "4511.195" insert ", 4511.21" 592

The motion was _____ agreed to.

SYNOPSIS 593

Preschool school zones 594

R.C. 4511.21 595

Authorizes the creation of a school zone around any 596
preschool operated by an educational service center that is 597
located on a street or highway with a speed limit of 45 m.p.h. 598
or more, provided that the educational service center requests 599
in writing that the local county engineer create the school 600

zone.

601

As a result, for any new school zone created, prohibits a
person from driving a motor vehicle faster than 20 m.p.h. in the
school zone during recess or when children are going to or
leaving the preschool during opening or closing hours.

602

603

604

605

_____ moved to amend as follows:

Delete lines 11144 through 11150	1
In line 11151, delete "(2)" and insert "(1)"	2
In line 11156, delete "\$10,000,000" and insert "\$15,000,000"	3
In line 11158, delete "(3)" and insert "(2)"	4

The motion was _____ agreed to.

SYNOPSIS 5

Department of Transportation (DOTCD3) 6

Section 203.40 7

Restores the provisions dealing with the criteria for	8
Transportation Improvement Districts (TIDs) to be registered	9
with and receive funding from ODOT to the Executive version by	10
doing the following: (1) Removing the ability of a TID with a	11



project or program of projects with an aggregate of \$10.0 12
million, over an eight-year period, commencing on January 1, 13
2005, to be registered with ODOT and thus qualify for funding; 14
and (2) reverting to the minimum \$15.0 million total aggregate 15
project or program of projects cost as a criterion that a TID 16
must meet to be registered and to qualify for ODOT funding, 17
rather than \$10.0 million minimum as in the Senate substitute 18
bill. 19

_____ moved to amend as follows:

In line 2647, after "~~two~~" insert "three" 1

In line 2648, reinsert "hundred ten days"; delete "one year" 2

The motion was _____ agreed to.

SYNOPSIS 3

Farm bus registration 4

R.C. 4503.04 5

Restores the House-passed provision that increases the 6
period of validity of a motor vehicle registration for a farm 7
bus from 210 days to 310 days, rather than to one year, as in 8
the bill. 9



_____ moved to amend as follows:

In the table on line 11042, in row O, column 4, delete 1
"\$714,639,296" and insert "\$713,639,296"; column 5, delete "\$701,265,960" 2
and insert "\$700,265,960" 3

In the table on line 11042, in row AA, column 4, delete 4
"\$3,395,099,351" and insert "\$3,394,099,351"; column 5, delete 5
"\$3,063,973,646" and insert "\$3,062,973,646" 6

In the table on line 11042, in row AJ, column 4, delete 7
"\$3,555,595,151" and insert "\$3,554,595,151"; column 5, delete 8
"\$3,274,423,313" and insert "\$3,273,423,313" 9

The motion was _____ agreed to.

SYNOPSIS 10

Department of Transportation (DOTCD2) 11

Section 203.10 12

Decreases appropriations under Fund 7002 appropriation	13
item 772421, Highway Construction - State, by \$1.0 million in	14
each fiscal year to totals of \$713.6 million in FY 2022 and	15
\$700.3 million in FY 2023.	16

_____ moved to amend as follows:

In line 17 of the title, after "4507.53" insert ", 4508.02" 1

In line 58, after "4507.53" insert ", 4508.02" 2

After line 8019, insert: 3

"Sec. 4508.02. (A) (1) The director of public safety, 4
subject to Chapter 119. of the Revised Code, shall adopt and 5
prescribe such rules concerning the administration and 6
enforcement of this chapter as are necessary to protect the 7
public. The rules shall require an assessment of the holder of a 8
probationary instructor license. The director shall inspect the 9
school facilities and equipment of applicants and licensees and 10
examine applicants for instructor's licenses. 11

(2) The director shall adopt rules governing online driver 12
education courses that may be completed via the internet to 13
satisfy the classroom instruction under division (C) of this 14
section. The rules shall do all of the following: 15

(a) Establish standards that an online driver training 16
enterprise must satisfy to be licensed to offer an online driver 17



education course via the internet, including, at a minimum, 18
proven expertise in providing driver education and an acceptable 19
infrastructure capable of providing secure online driver 20
education in accord with advances in internet technology. The 21
rules shall allow an online driver training enterprise to be 22
affiliated with a licensed driver training school offering in- 23
person classroom instruction, but shall not require such an 24
affiliation. 25

(b) Establish content requirements that an online driver 26
education course must satisfy to be approved as equivalent to 27
twenty-four hours of in-person classroom instruction; 28

(c) Establish attendance standards, including a maximum 29
number of course hours that may be completed in a twenty-four- 30
hour period; 31

(d) Allow an enrolled applicant to begin the required 32
eight hours of actual behind-the-wheel instruction upon 33
completing ~~at least two~~ all twenty-four hours of course 34
~~instruction and being issued a certificate of enrollment by a~~ 35
~~licensed online driver training enterprise;~~ 36

(e) Establish any other requirements necessary to regulate 37
online driver education. 38

(B) The director shall administer and enforce this 39
chapter. 40

(C) The rules shall require twenty-four hours of completed 41
in-person classroom instruction or the completion of an 42
approved, equivalent online driver education course offered via 43
the internet by a licensed online driver training enterprise, 44
~~and followed by~~ eight hours of actual behind-the-wheel 45
instruction conducted on public streets and highways of this 46

state for all beginning drivers of noncommercial motor vehicles 47
who are under age eighteen. The rules also shall require the 48
classroom instruction or online driver education course for such 49
drivers to include instruction on both of the following: 50

(1) The dangers of driving a motor vehicle while using an 51
electronic wireless communications device to write, send, or 52
read a text-based communication; 53

(2) The dangers of driving a motor vehicle while under the 54
influence of a controlled substance, prescription medication, or 55
alcohol. 56

(D) The rules shall state the minimum hours for classroom 57
and behind-the-wheel instruction required for beginning drivers 58
of commercial trucks, commercial cars, buses, and commercial 59
tractors, trailers, and semitrailers. 60

(E) (1) The department of public safety may charge a fee to 61
each online driver training enterprise in an amount sufficient 62
to pay the actual expenses the department incurs in the 63
regulation of online driver education courses. 64

(2) The department shall supply to each licensed online 65
driver training enterprise certificates to be used for 66
certifying an applicant's enrollment in an approved online 67
driver education course and a separate certificate to be issued 68
upon successful completion of an approved online driver 69
education course. The certificates shall be numbered serially. 70
The department may charge a fee to each online driver training 71
enterprise per certificate supplied to pay the actual expenses 72
the department incurs in supplying the certificates. 73

(F) The director shall adopt rules in accordance with 74
Chapter 119. of the Revised Code governing an abbreviated driver 75

training course for adults."	76
In line 11018, after "4507.53" insert ", 4508.02"	77

The motion was _____ agreed to.

<u>SYNOPSIS</u>	78
 Behind-the-wheel driving instruction	79
 R.C. 4508.02	80
Regarding driver's education courses, requires the	81
completion of the eight hours of behind-the-wheel instruction to	82
occur after completion of all 24 hours of classroom or online	83
instruction.	84

_____ moved to amend as follows:

After line 11046, insert:

"Notwithstanding section 131.35 of the Revised Code, to
provide the most possible flexibility, if additional federal
funding designated for public transportation is allocated to
public transit agencies in Ohio, and that funding is not
required to be used exclusively for costs that public transit
agencies incurred as a result of the COVID-19 pandemic, then the
Director of Transportation may submit a request to the
Controlling Board to reduce the amount designated for public
transportation in this section under appropriation item 775470,
Public Transportation - State, by up to \$29,637,222 in each
fiscal year."

Delete lines 11179 through 11188

The motion was _____ agreed to.



<u>SYNOPSIS</u>	14
Department of Transportation (DOTCD33and34)	15
Sections 203.15 and 203.43	16
Specifies that if additional federal funding designated	17
for public transportation is allocated to public transit	18
agencies in Ohio and the additional federal funds are not	19
related to COVID-19 expenses, the Director of Transportation may	20
submit a request to the Controlling Board to reduce the amount	21
designated for public transportation under GRF appropriation	22
item 775470, Public Transportation - State, by up to \$29,637,222	23
in each fiscal year.	24
Removes the ability of the Director of Transportation to	25
request the Controlling Board to reduce the amount designated	26
for public transportation through the FHWA flexible spending	27
program under Highway Operating Fund (Fund 7002) appropriation	28
item 772422, Highway Construction - Federal, by \$13.0 million in	29
each fiscal year.	30

_____ moved to amend as follows:

In line 34 of the title, after "4561.40" insert ", 5512.11"

1

In line 71, after "4561.40" insert ", 5512.11"

2

After line 9958, insert:

3

"Sec. 5512.11. (A) The director of transportation shall
include in the process developed under section 5512.02 of the
Revised Code, a policy that makes the purchase and replacement
of rail lines used for public passenger transportation eligible
to receive funding approval from the transportation review
advisory council.

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(B) Purchases made under division (A) of this section are
other statutory highway purposes for the purpose of Ohio
Constitution, Article XII, Section 5a."

10

11

12

The motion was _____ agreed to.



<u>SYNOPSIS</u>	13
TRAC funding for rail lines	14
R.C. 5512.11	15
Requires the Director of Transportation, in its process to	16
select and prioritize major new capacity projects, to include a	17
policy that makes the purchase and replacement of rail lines	18
used for public passenger transportation eligible for funding	19
approval by the Transportation Review Advisory Council.	20
Specifies that such purchases of rail lines are a	21
statutory highway purpose for which revenue from motor fuel	22
taxes and motor vehicle registration-type taxes may be spent	23
under the Ohio Constitution, Article XII, Section 5a.	24

_____ moved to amend as follows:

In line 6031, after "title" insert ", payment of any applicable
taxes under Chapter 5741. of the Revised Code,"

The motion was _____ agreed to.

SYNOPSIS

Payment of use taxes with title assignment form

R.C. 4505.032

Requires that, if title to a motor vehicle is
electronically transferred in a casual sale using an assignment
form rather than the physical certificate of title, the
transferee must attest, when applying for title and presenting
the assignment form to the clerk of courts, that any use taxes
due have been paid with respect to the vehicle.



_____ moved to amend as follows:

In line 3 of the title, after "3704.14" insert ", 3743.01, 3743.04, 1
3743.15, 3743.17, 3743.75" 2

In line 47, after "3704.14" insert ", 3743.01, 3743.04, 3743.15, 3
3743.17, 3743.75" 4

After line 785, insert: 5

"Sec. 3743.01. As used in this chapter: 6

(A) "Beer" and "intoxicating liquor" have the same 7
meanings as in section 4301.01 of the Revised Code. 8

(B) "Booby trap" means a small tube that has a string 9
protruding from both ends, that has a friction-sensitive 10
composition, and that is ignited by pulling the ends of the 11
string. 12

(C) "Cigarette load" means a small wooden peg that is 13
coated with a small quantity of explosive composition and that 14
is ignited in a cigarette. 15

(D) (1) "1.3G fireworks" means display fireworks consistent 16



with regulations of the United States department of 17
transportation as expressed using the designation "division 1.3" 18
in Title 49, Code of Federal Regulations. 19

(2) "1.4G fireworks" means consumer fireworks consistent 20
with regulations of the United States department of 21
transportation as expressed using the designation "division 1.4" 22
in Title 49, Code of Federal Regulations. 23

(E) "Controlled substance" has the same meaning as in 24
section 3719.01 of the Revised Code. 25

(F) "Fireworks" means any composition or device prepared 26
for the purpose of producing a visible or an audible effect by 27
combustion, deflagration, or detonation, except ordinary matches 28
and except as provided in section 3743.80 of the Revised Code. 29

(G) "Fireworks plant" means all buildings and other 30
structures in which the manufacturing of fireworks, or the 31
storage or sale of manufactured fireworks by a manufacturer, 32
takes place. 33

(H) "Highway" means any public street, road, alley, way, 34
lane, or other public thoroughfare. 35

(I) "Licensed exhibitor of fireworks" or "licensed 36
exhibitor" means a person licensed pursuant to sections 3743.50 37
to 3743.55 of the Revised Code. 38

(J) "Licensed manufacturer of fireworks" or "licensed 39
manufacturer" means a person licensed pursuant to sections 40
3743.02 to 3743.08 of the Revised Code. 41

(K) "Licensed wholesaler of fireworks" or "licensed 42
wholesaler" means a person licensed pursuant to sections 3743.15 43
to 3743.21 of the Revised Code. 44

(L) "List of licensed exhibitors" means the list required	45
by division (C) of section 3743.51 of the Revised Code.	46
(M) "List of licensed manufacturers" means the list	47
required by division (C) of section 3743.03 of the Revised Code.	48
(N) "List of licensed wholesalers" means the list required	49
by division (C) of section 3743.16 of the Revised Code.	50
(O) "Manufacturing of fireworks" means the making of	51
fireworks from raw materials, none of which in and of themselves	52
constitute a fireworks, or the processing of fireworks.	53
(P) "Navigable waters" means any body of water susceptible	54
of being used in its ordinary condition as a highway of commerce	55
over which trade and travel is or may be conducted in the	56
customary modes, but does not include a body of water that is	57
not capable of navigation by barges, tugboats, and other large	58
vessels.	59
(Q) "Novelties and trick noisemakers" include the	60
following items:	61
(1) Devices that produce a small report intended to	62
surprise the user, including, but not limited to, booby traps,	63
cigarette loads, party poppers, and snappers;	64
(2) Snakes or glow worms;	65
(3) Smoke devices;	66
(4) Trick matches.	67
(R) "Party popper" means a small plastic or paper item	68
that contains not more than sixteen milligrams of friction-	69
sensitive explosive composition, that is ignited by pulling a	70
string protruding from the item, and from which paper streamers	71

are expelled when the item is ignited.	72
(S) "Processing of fireworks" means the making of	73
fireworks from materials all or part of which in and of	74
themselves constitute a fireworks, but does not include the mere	75
packaging or repackaging of fireworks.	76
(T) "Railroad" means any railway or railroad that carries	77
freight or passengers for hire, but does not include auxiliary	78
tracks, spurs, and sidings installed and primarily used in	79
serving a mine, quarry, or plant.	80
(U) "Retail sale" or "sell at retail" means a sale of	81
fireworks to a purchaser who intends to use the fireworks, and	82
not resell them.	83
(V) "Smoke device" means a tube or sphere that contains	84
pyrotechnic composition that, upon ignition, produces white or	85
colored smoke as the primary effect.	86
(W) "Snake or glow worm" means a device that consists of a	87
pressed pellet of pyrotechnic composition that produces a large,	88
snake-like ash upon burning, which ash expands in length as the	89
pellet burns.	90
(X) "Snapper" means a small, paper-wrapped item that	91
contains a minute quantity of explosive composition coated on	92
small bits of sand, and that, when dropped, implodes.	93
(Y) "Trick match" means a kitchen or book match that is	94
coated with a small quantity of explosive composition and that,	95
upon ignition, produces a small report or a shower of sparks.	96
(Z) "Wire sparkler" means a sparkler consisting of a wire	97
or stick coated with a nonexplosive pyrotechnic mixture that	98
produces a shower of sparks upon ignition and that contains no	99

more than one hundred grams of this mixture. 100

(AA) "Wholesale sale" or "sell at wholesale" means a sale 101
of fireworks to a purchaser who intends to resell the fireworks 102
so purchased. 103

(BB) "Licensed premises" means the real estate upon which 104
a licensed manufacturer or wholesaler of fireworks conducts 105
business. 106

(CC) "Licensed building" means a building on the licensed 107
premises of a licensed manufacturer or wholesaler of fireworks 108
that is approved for occupancy by the building official having 109
jurisdiction. 110

(DD) "Fireworks incident" means any action or omission 111
that occurs at a fireworks exhibition, that results in injury or 112
death, or a substantial risk of injury or death, to any person, 113
and that involves either of the following: 114

(1) The handling or other use, or the results of the 115
handling or other use, of fireworks or associated equipment or 116
other materials; 117

(2) The failure of any person to comply with any 118
applicable requirement imposed by this chapter or any applicable 119
rule adopted under this chapter. 120

(EE) "Discharge site" means an area immediately 121
surrounding the mortars used to fire aerial shells. 122

(FF) "Fireworks incident site" means a discharge site or 123
other location at a fireworks exhibition where a fireworks 124
incident occurs, a location where an injury or death associated 125
with a fireworks incident occurs, or a location where evidence 126
of a fireworks incident or an injury or death associated with a 127

fireworks incident is found. 128

(GG) "Storage location" means a single parcel or 129
contiguous parcels of real estate approved by the state fire 130
marshal pursuant to division (I) of section 3743.04 of the 131
Revised Code or division ~~(G)~~ (F) of section 3743.17 of the 132
Revised Code that are separate from a licensed premises 133
containing a retail showroom, and which parcel or parcels a 134
licensed manufacturer or wholesaler of fireworks may use only 135
for the distribution, possession, and storage of fireworks in 136
accordance with this chapter. 137

Sec. 3743.04. (A) The license of a manufacturer of 138
fireworks is effective for one year beginning on the first day 139
of December. ~~The,~~ and the state fire marshal shall issue or 140
renew a license only on that date and at no other time. If a 141
manufacturer of fireworks wishes to continue manufacturing 142
fireworks at the designated fireworks plant after its then 143
effective license expires, it shall apply no later than the 144
first day of October for a new license pursuant to section 145
3743.02 of the Revised Code. The state fire marshal shall send a 146
written notice of the expiration of its license to a licensed 147
manufacturer at least three months before the expiration date. 148

(B) If, during the effective period of its licensure, a 149
licensed manufacturer of fireworks wishes to construct, locate, 150
or relocate any buildings or other structures on the premises of 151
its fireworks plant, to make any structural change or renovation 152
in any building or other structure on the premises of its 153
fireworks plant, ~~or~~ to change the nature of its manufacturing of 154
fireworks so as to include the processing of fireworks, or to 155
relocate its fireworks plant to a new licensed premises, the 156
manufacturer shall notify the state fire marshal in writing. The 157

state fire marshal may require a licensed manufacturer also to 158
submit documentation, including, but not limited to, plans 159
covering the proposed construction, location, relocation, 160
structural change or renovation, ~~or~~ change in manufacturing of 161
fireworks, or new licensed premises, if the state fire marshal 162
determines the documentation is necessary for evaluation 163
purposes in light of the proposed construction, location, 164
relocation, structural change or renovation, ~~or~~ change in 165
manufacturing of fireworks, or new licensed premises. 166

Upon receipt of the notification and additional 167
documentation required by the state fire marshal, the state fire 168
marshal shall inspect the existing premises of the fireworks 169
plant, or proposed new licensed premises, to determine if the 170
proposed construction, location, relocation, structural change 171
or renovation, ~~or~~ change in manufacturing of fireworks ~~conforms~~, 172
or new licensed premises conform to sections 3743.02 to 3743.08 173
of the Revised Code and the rules adopted by the state fire 174
marshal pursuant to section 3743.05 of the Revised Code. The 175
state fire marshal shall issue a written authorization to the 176
manufacturer for the construction, location, relocation, 177
structural change or renovation, ~~or~~ change in manufacturing of 178
fireworks, or new licensed premises, if the state fire marshal 179
determines, upon the inspection and a review of submitted 180
documentation, that the construction, location, relocation, 181
structural change or renovation, ~~or~~ change in manufacturing of 182
fireworks ~~conforms~~, or new licensed premises conform to those 183
sections and rules. Upon authorizing a change in manufacturing 184
of fireworks to include the processing of fireworks, the state 185
fire marshal shall make notations on the manufacturer's license 186
and in the list of licensed manufacturers in accordance with 187
section 3743.03 of the Revised Code. 188

On or before June 1, 1998, a licensed manufacturer shall 189
install, in every licensed building in which fireworks are 190
manufactured, stored, or displayed and to which the public has 191
access, interlinked fire detection, smoke exhaust, and smoke 192
evacuation systems that are approved by the superintendent of 193
industrial compliance, and shall comply with floor plans showing 194
occupancy load limits and internal circulation and egress 195
patterns that are approved by the state fire marshal and 196
superintendent, and that are submitted under seal as required by 197
section 3791.04 of the Revised Code. Notwithstanding section 198
3743.59 of the Revised Code, the construction and safety 199
requirements established in this division are not subject to any 200
variance, waiver, or exclusion. 201

(C) The license of a manufacturer of fireworks authorizes 202
the manufacturer to engage only in the following activities: 203

(1) The manufacturing of fireworks on the premises of the 204
fireworks plant as described in the application for licensure or 205
in the notification submitted under division (B) of this 206
section, except that a licensed manufacturer shall not engage in 207
the processing of fireworks unless authorized to do so by its 208
license. 209

(2) To possess for sale at wholesale and sell at wholesale 210
the fireworks manufactured by the manufacturer, to persons who 211
are licensed wholesalers of fireworks, to out-of-state residents 212
in accordance with section 3743.44 of the Revised Code, to 213
residents of this state in accordance with section 3743.45 of 214
the Revised Code, or to persons located in another state 215
provided the fireworks are shipped directly out of this state to 216
them by the manufacturer. A person who is licensed as a 217
manufacturer of fireworks on June 14, 1988, also may possess for 218

sale and sell pursuant to division (C) (2) of this section 219
fireworks other than those the person manufactures. The 220
possession for sale shall be on the premises of the fireworks 221
plant described in the application for licensure or in the 222
notification submitted under division (B) of this section, and 223
the sale shall be from the inside of a licensed building and 224
from no other structure or device outside a licensed building. 225
At no time shall a licensed manufacturer sell any class of 226
fireworks outside a licensed building. 227

(3) Possess for sale at retail and sell at retail the 228
fireworks manufactured by the manufacturer, other than 1.4G 229
fireworks as designated by the state fire marshal in rules 230
adopted pursuant to division (A) of section 3743.05 of the 231
Revised Code, to licensed exhibitors in accordance with sections 232
3743.50 to 3743.55 of the Revised Code, and possess for sale at 233
retail and sell at retail the fireworks manufactured by the 234
manufacturer, including 1.4G fireworks, to out-of-state 235
residents in accordance with section 3743.44 of the Revised 236
Code, to residents of this state in accordance with section 237
3743.45 of the Revised Code, or to persons located in another 238
state provided the fireworks are shipped directly out of this 239
state to them by the manufacturer. A person who is licensed as a 240
manufacturer of fireworks on June 14, 1988, may also possess for 241
sale and sell pursuant to division (C) (3) of this section 242
fireworks other than those the person manufactures. The 243
possession for sale shall be on the premises of the fireworks 244
plant described in the application for licensure or in the 245
notification submitted under division (B) of this section, and 246
the sale shall be from the inside of a licensed building and 247
from no other structure or device outside a licensed building. 248
At no time shall a licensed manufacturer sell any class of 249

fireworks outside a licensed building. 250

A licensed manufacturer of fireworks shall sell under 251
division (C) of this section only fireworks that meet the 252
standards set by the consumer product safety commission or by 253
the American fireworks standard laboratories or that have 254
received an EX number from the United States department of 255
transportation. 256

(D) The license of a manufacturer of fireworks shall be 257
protected under glass and posted in a conspicuous place on the 258
premises of the fireworks plant. Except as otherwise provided in 259
this division, the license is not transferable or assignable. ~~A-~~ 260

(1) The ownership of a manufacturer of fireworks license 261
may be transferred to another person for the same fireworks 262
plant for which the license was issued, or approved pursuant to 263
division (B) of this section, if the assets of the plant are 264
transferred to that person by inheritance or by a sale approved 265
by the state fire marshal. ~~The~~ 266

(2) The license of a manufacturer of fireworks may be 267
geographically relocated in accordance with division (D) of 268
section 3743.75 of the Revised Code. 269

(3) The license is subject to revocation in accordance 270
with section 3743.08 of the Revised Code. 271

(E) The state fire marshal shall not place the license of 272
a manufacturer of fireworks in a temporarily inactive status 273
while the holder of the license is attempting to qualify to 274
retain the license. 275

(F) Each licensed manufacturer of fireworks that possesses 276
fireworks for sale and sells fireworks under division (C) of 277

section 3743.04 of the Revised Code, or a designee of the 278
manufacturer, whose identity is provided to the state fire 279
marshal by the manufacturer, annually shall attend a continuing 280
education program. The state fire marshal shall develop the 281
program and the state fire marshal or a person or public agency 282
approved by the state fire marshal shall conduct it. A licensed 283
manufacturer or the manufacturer's designee who attends a 284
program as required under this division, within one year after 285
attending the program, shall conduct in-service training as 286
approved by the state fire marshal for other employees of the 287
licensed manufacturer regarding the information obtained in the 288
program. A licensed manufacturer shall provide the state fire 289
marshal with notice of the date, time, and place of all in- 290
service training. For any program conducted under this division, 291
the state fire marshal shall, in accordance with rules adopted 292
by the state fire marshal under Chapter 119. of the Revised 293
Code, establish the subjects to be taught, the length of 294
classes, the standards for approval, and time periods for 295
notification by the licensee to the state fire marshal of any 296
in-service training. 297

(G) A licensed manufacturer shall maintain comprehensive 298
general liability insurance coverage in the amount and type 299
specified under division (B) (2) of section 3743.02 of the 300
Revised Code at all times. Each policy of insurance required 301
under this division shall contain a provision requiring the 302
insurer to give not less than fifteen days' prior written notice 303
to the state fire marshal before termination, lapse, or 304
cancellation of the policy, or any change in the policy that 305
reduces the coverage below the minimum required under this 306
division. Prior to canceling or reducing the amount of coverage 307
of any comprehensive general liability insurance coverage 308

required under this division, a licensed manufacturer shall 309
secure supplemental insurance in an amount and type that 310
satisfies the requirements of this division so that no lapse in 311
coverage occurs at any time. A licensed manufacturer who secures 312
supplemental insurance shall file evidence of the supplemental 313
insurance with the state fire marshal prior to canceling or 314
reducing the amount of coverage of any comprehensive general 315
liability insurance coverage required under this division. 316

(H) The state fire marshal shall adopt rules for the 317
expansion or contraction of a licensed premises and for approval 318
of such expansions or contractions. The boundaries of a licensed 319
premises, including any geographic expansion or contraction of 320
those boundaries, shall be approved by the state fire marshal in 321
accordance with rules the state fire marshal adopts. If the 322
licensed premises consists of more than one parcel of real 323
estate, those parcels shall be contiguous unless an exception is 324
allowed pursuant to division (I) of this section. 325

(I) (1) A licensed manufacturer may expand its licensed 326
premises within this state to include not more than two storage 327
locations that are located upon one or more real estate parcels 328
that are noncontiguous to the licensed premises as that licensed 329
premises exists on the date a licensee submits an application as 330
described below, if all of the following apply: 331

(a) The licensee submits an application to the state fire 332
marshal and an application fee of one hundred dollars per 333
storage location for which the licensee is requesting approval. 334

(b) The identity of the holder of the license remains the 335
same at the storage location. 336

(c) The storage location has received a valid certificate 337

of zoning compliance as applicable and a valid certificate of 338
occupancy for each building or structure at the storage location 339
issued by the authority having jurisdiction to issue the 340
certificate for the storage location, and those certificates 341
permit the distribution and storage of fireworks regulated under 342
this chapter at the storage location and in the buildings or 343
structures. The storage location shall be in compliance with all 344
other applicable federal, state, and local laws and regulations. 345

(d) Every building or structure located upon the storage 346
location is separated from occupied residential and 347
nonresidential buildings or structures, railroads, highways, or 348
any other buildings or structures on the licensed premises in 349
accordance with the distances specified in the rules adopted by 350
the state fire marshal pursuant to section 3743.05 of the 351
Revised Code. 352

(e) Neither the licensee nor any person holding, owning, 353
or controlling a five per cent or greater beneficial or equity 354
interest in the licensee has been convicted of or pleaded guilty 355
to a felony under the laws of this state, any other state, or 356
the United States, after September 29, 2005. 357

(f) The state fire marshal approves the application for 358
expansion. 359

(2) The state fire marshal shall approve an application 360
for expansion requested under division (I)(1) of this section if 361
the state fire marshal receives the application fee and proof 362
that the requirements of divisions (I)(1)(b) to (e) of this 363
section are satisfied. The storage location shall be considered 364
part of the original licensed premises and shall use the same 365
distinct number assigned to the original licensed premises with 366
any additional designations as the state fire marshal deems 367

necessary in accordance with section 3743.03 of the Revised Code. 368
369

(J) (1) A licensee who obtains approval for the use of a 370
storage location in accordance with division (I) of this section 371
shall use the storage location exclusively for the following 372
activities, in accordance with division (C) of this section: 373

(a) The packaging, assembling, or storing of fireworks, 374
which shall only occur in buildings or structures approved for 375
such hazardous uses by the building code official having 376
jurisdiction for the storage location or, for 1.4G fireworks, in 377
containers or trailers approved for such hazardous uses by the 378
state fire marshal if such containers or trailers are not 379
subject to regulation by the building code adopted in accordance 380
with Chapter 3781. of the Revised Code. All such storage shall 381
be in accordance with the rules adopted by the state fire 382
marshal under division (G) of section 3743.05 of the Revised 383
Code for the packaging, assembling, and storage of fireworks. 384

(b) Distributing fireworks to other parcels of real estate 385
located on the manufacturer's licensed premises, to licensed 386
wholesalers or other licensed manufacturers in this state or to 387
similarly licensed persons located in another state or country; 388

(c) Distributing fireworks to a licensed exhibitor of 389
fireworks pursuant to a properly issued permit in accordance 390
with section 3743.54 of the Revised Code. 391

(2) A licensed manufacturer shall not engage in any sales 392
activity, including the retail sale of fireworks otherwise 393
permitted under division (C) (2) or (C) (3) of this section, or 394
pursuant to section 3743.44 or 3743.45 of the Revised Code, at 395
the storage location approved under this section. 396

(3) A storage location may not be relocated for a minimum
period of five years after the storage location is approved by
the state fire marshal in accordance with division (I) of this
section.

(K) The licensee shall prohibit public access to the
storage location. The state fire marshal shall adopt rules to
describe the acceptable measures a manufacturer shall use to
prohibit access to the storage site.

Sec. 3743.15. (A) Except as provided in division (C) of
this section, any person who wishes to be a wholesaler of
fireworks in this state shall submit to the state fire marshal
an application for licensure as a wholesaler of fireworks before
the first day of October of each year. The application shall be
submitted prior to commencement of business operations, shall be
on a form prescribed by the state fire marshal, shall contain
all information requested by the state fire marshal, and shall
be accompanied by the license fee, fingerprints, and proof of
insurance coverage described in division (B) of this section.

The state fire marshal shall prescribe a form for
applications for licensure as a wholesaler of fireworks and make
a copy of the form available, upon request, to persons who seek
that licensure.

(B) An applicant for licensure as a wholesaler of
fireworks shall submit with the application all of the
following:

(1) A license fee of two thousand seven hundred fifty
dollars, which the state fire marshal shall use to pay for
fireworks safety education, training programs, and inspections.
If the applicant has any storage locations approved in

accordance with division ~~(G)~~ (F) of section 3743.17 of the
Revised Code, the applicant also shall submit a fee of one
hundred dollars per storage location for the inspection of each
storage location.

(2) Proof of comprehensive general liability insurance
coverage, specifically including fire and smoke casualty on
premises, in an amount not less than one million dollars for
each occurrence for bodily injury liability and wrongful death
liability at its business location. Proof of such insurance
coverage shall be submitted together with proof of coverage for
products liability on all inventory located at the business
location. All applicants shall submit evidence of comprehensive
general liability insurance coverage verified by the insurer and
certified as to its provision of the minimum coverage required
under this division.

(3) One set of the applicant's fingerprints or similar
identifying information and a set of fingerprints or similar
identifying information of any individual holding, owning, or
controlling a five per cent or greater beneficial or equity
interest in the applicant for the license. The state fire
marshal may adopt rules in accordance with Chapter 119. of the
Revised Code specifying the method to be used by the applicant
to provide the fingerprint or similar identifying information,
fees to be assessed by the state fire marshal to conduct such
background checks, and the procedures to be used by the state
fire marshal to verify compliance with this section. Such rules
may include provisions establishing the frequency that license
renewal applicants must update background check information
filed by the applicant with previous license applications and
provisions describing alternative forms of background check
information that may be accepted by the state fire marshal to

verify compliance with this section. 457

(C) A licensed manufacturer of fireworks is not required 458
to apply for and obtain a wholesaler of fireworks license in 459
order to engage in the wholesale sale of fireworks as authorized 460
by division (C) (2) of section 3743.04 of the Revised Code. A 461
business which is not a licensed manufacturer of fireworks may 462
engage in the wholesale and retail sale of fireworks in the same 463
manner as a licensed manufacturer of fireworks is authorized to 464
do under this chapter without the necessity of applying for and 465
obtaining a license pursuant to this section, but only if the 466
business sells the fireworks on the premises of a fireworks 467
plant covered by a license issued under section 3743.03 of the 468
Revised Code and the holder of that license owns at least a 469
majority interest in that business. However, if a licensed 470
manufacturer of fireworks wishes to engage in the wholesale sale 471
of fireworks in this state at a location other than the premises 472
of the fireworks plant described in its application for 473
licensure as a manufacturer or in a notification submitted under 474
division (B) of section 3743.04 of the Revised Code, the 475
manufacturer shall first apply for and obtain a wholesaler of 476
fireworks license before engaging in wholesale sales of 477
fireworks at the other location. 478

(D) A separate application for licensure as a wholesaler 479
of fireworks shall be submitted for each location at which a 480
person wishes to engage in wholesale sales of fireworks. 481

Sec. 3743.17. (A) The license of a wholesaler of fireworks 482
is effective for one year beginning on the first day of 483
December. ~~The, and the state~~ fire marshal shall issue or renew a 484
license only on that date and at no other time. If a wholesaler 485
of fireworks wishes to continue engaging in the wholesale sale 486

of fireworks at the particular location after its then effective
license expires, it shall apply not later than the first day of
October for a new license pursuant to section 3743.15 of the
Revised Code. The state fire marshal shall send a written notice
of the expiration of its license to a licensed wholesaler at
least three months before the expiration date.

(B) If, during the effective period of its licensure, a
licensed wholesaler of fireworks wishes to perform any
construction, or make any structural change or renovation, on
the premises on which the fireworks are sold, or to relocate its
sales operations to a new licensed premises, the wholesaler
shall notify the state fire marshal in writing. The state fire
marshal may require a licensed wholesaler also to submit
documentation, including, but not limited to, plans covering the
proposed construction or structural change or renovation, or
proposed new licensed premises, if the state fire marshal
determines the documentation is necessary for evaluation
purposes in light of the proposed construction~~or,~~ structural
change or renovation, or relocation.

Upon receipt of the notification and additional
documentation required by the state fire marshal, the state fire
marshal shall inspect the premises on which the fireworks are
sold, or the proposed new licensed premises, to determine if the
proposed construction~~or,~~ structural change or renovation, or
relocation conforms to sections 3743.15 to 3743.21 of the
Revised Code, divisions (C) (1) and (2) of section 3743.25 of the
Revised Code, and the rules adopted by the state fire marshal
pursuant to section 3743.18 of the Revised Code. The state fire
marshal shall issue a written authorization to the wholesaler
for the construction~~or,~~ structural change or renovation, or new
licensed premises if the state fire marshal determines, upon the

inspection and a review of submitted documentation, that the 518
construction ~~or, structural change or renovation conforms, or~~ 519
new licensed premises conform to those sections and rules. 520

(C) The license of a wholesaler of fireworks authorizes 521
the wholesaler to engage only in the following activities: 522

(1) Possess for sale at wholesale and sell at wholesale 523
fireworks to persons who are licensed wholesalers of fireworks, 524
to out-of-state residents in accordance with section 3743.44 of 525
the Revised Code, to residents of this state in accordance with 526
section 3743.45 of the Revised Code, or to persons located in 527
another state provided the fireworks are shipped directly out of 528
this state to them by the wholesaler. The possession for sale 529
shall be at the location described in the application for 530
licensure or in the notification submitted under division (B) of 531
this section, and the sale shall be from the inside of a 532
licensed building and from no structure or device outside a 533
licensed building. At no time shall a licensed wholesaler sell 534
any class of fireworks outside a licensed building. 535

(2) Possess for sale at retail and sell at retail 536
fireworks, other than 1.4G fireworks as designated by the state 537
fire marshal in rules adopted pursuant to division (A) of 538
section 3743.05 of the Revised Code, to licensed exhibitors in 539
accordance with sections 3743.50 to 3743.55 of the Revised Code, 540
and possess for sale at retail and sell at retail fireworks, 541
including 1.4G fireworks, to out-of-state residents in 542
accordance with section 3743.44 of the Revised Code, to 543
residents of this state in accordance with section 3743.45 of 544
the Revised Code, or to persons located in another state 545
provided the fireworks are shipped directly out of this state to 546
them by the wholesaler. The possession for sale shall be at the 547

location described in the application for licensure or in the 548
notification submitted under division (B) of this section, and 549
the sale shall be from the inside of the licensed building and 550
from no other structure or device outside this licensed 551
building. At no time shall a licensed wholesaler sell any class 552
of fireworks outside a licensed building. 553

A licensed wholesaler of fireworks shall sell under 554
division (C) of this section only fireworks that meet the 555
standards set by the consumer product safety commission or by 556
the American fireworks standard laboratories or that have 557
received an EX number from the United States department of 558
transportation. 559

(D) The license of a wholesaler of fireworks shall be 560
protected under glass and posted in a conspicuous place at the 561
location described in the application for licensure or in the 562
notification submitted under division (B) of this section. 563
Except as otherwise provided in this section, the license is not 564
transferable or assignable. ~~A~~ 565

(1) The ownership of a wholesaler of fireworks license may 566
be transferred to another person for the same location for which 567
the license was issued, or approved pursuant to division (B) of 568
this section, if the assets of the wholesaler are transferred to 569
that person by inheritance or by a sale approved by the state 570
fire marshal. ~~The~~ 571

(2) The license of a wholesaler of fireworks may be 572
geographically relocated in accordance with division (D) of 573
section 3743.75 of the Revised Code. 574

(3) The license is subject to revocation in accordance 575
with section 3743.21 of the Revised Code. 576

(E) The state fire marshal shall adopt rules for the expansion or contraction of a licensed premises and for the approval of an expansion or contraction. The boundaries of a licensed premises, including any geographic expansion or contraction of those boundaries, shall be approved by the state fire marshal in accordance with rules the state fire marshal adopts. If the licensed premises of a licensed wholesaler from which the wholesaler operates consists of more than one parcel of real estate, those parcels must be contiguous, unless an exception is allowed pursuant to division ~~(G)~~ (F) of this section.

~~(F) (1) Upon application by a licensed wholesaler of fireworks, a wholesaler license may be transferred from one geographic location to another within the same municipal corporation or within the unincorporated area of the same township, but only if all of the following apply:~~

~~(a) The identity of the holder of the license remains the same in the new location.~~

~~(b) The former location is closed prior to the opening of the new location and no fireworks business of any kind is conducted at the former location after the transfer of the license.~~

~~(c) The new location has received a local certificate of zoning compliance and a local certificate of occupancy, and otherwise is in compliance with all local building regulations.~~

~~(d) Every building or structure at the new location is separated from occupied residential and nonresidential buildings or structures, railroads, highways, or any other buildings or structures located on the licensed premises in accordance with~~

~~the distances specified in the rules adopted by the fire marshal pursuant to section 3743.18 of the Revised Code. If the licensee fails to comply with the requirements of division (F) (1) (d) of this section by the licensee's own act, the license at the new location is forfeited.~~

~~(e) Neither the licensee nor any person holding, owning, or controlling a five per cent or greater beneficial or equity interest in the licensee has been convicted of or has pleaded guilty to a felony under the laws of this state, any other state, or the United States after June 30, 1997.~~

~~(f) The fire marshal approves the request for the transfer.~~

~~(2) The new location shall comply with the requirements specified in divisions (C) (1) and (2) of section 3743.25 of the Revised Code whether or not the fireworks showroom at the new location is constructed, expanded, or first begins operating on and after June 30, 1997.~~

~~(G) (1)~~ A licensed wholesaler may expand its licensed premises within this state to include not more than two storage locations that are located upon one or more real estate parcels that are noncontiguous to the licensed premises as that licensed premises exists on the date a licensee submits an application as described below, if all of the following apply:

(a) The licensee submits an application to the state fire marshal requesting the expansion and an application fee of one hundred dollars per storage location for which the licensee is requesting approval.

(b) The identity of the holder of the license remains the same at the storage location.

(c) The storage location has received a valid certificate
of zoning compliance, as applicable, and a valid certificate of
occupancy for each building or structure at the storage location
issued by the authority having jurisdiction to issue the
certificate for the storage location, and those certificates
permit the distribution and storage of fireworks regulated under
this chapter at the storage location and in the buildings or
structures. The storage location shall be in compliance with all
other applicable federal, state, and local laws and regulations.

(d) Every building or structure located upon the storage
location is separated from occupied residential and
nonresidential buildings or structures, railroads, highways, and
any other buildings or structures on the licensed premises in
accordance with the distances specified in the rules adopted by
the state fire marshal pursuant to section 3743.18 of the
Revised Code.

(e) Neither the licensee nor any person holding, owning,
or controlling a five per cent or greater beneficial or equity
interest in the licensee has been convicted of or pleaded guilty
to a felony under the laws of this state, any other state, or
the United States, after September 29, 2005.

(f) The state fire marshal approves the application for
expansion.

(2) The state fire marshal shall approve an application
for expansion requested under division ~~(G)(1)~~ (F)(1) of this
section if the state fire marshal receives the application fee
and proof that the requirements of divisions ~~(G)(1)(b) to (e)~~
(F)(1)(b) to (e) of this section are satisfied. The storage
location shall be considered part of the original licensed
premises and shall use the same distinct number assigned to the

original licensed premises with any additional designations as 665
the state fire marshal deems necessary in accordance with 666
section 3743.16 of the Revised Code. 667

~~(H) (1)~~ (G) (1) A licensee who obtains approval for use of a 668
storage location in accordance with division ~~(G)~~ (F) of this 669
section shall use the site exclusively for the following 670
activities, in accordance with division (C) (1) of this section: 671

(a) Packaging, assembling, or storing fireworks, which 672
shall occur only in buildings or structures approved for such 673
hazardous uses by the building code official having jurisdiction 674
for the storage location or, for 1.4G fireworks, in containers 675
or trailers approved for such hazardous uses by the state fire 676
marshal if such containers or trailers are not subject to 677
regulation by the building code adopted in accordance with 678
Chapter 3781. of the Revised Code. All such storage shall be in 679
accordance with the rules adopted by the state fire marshal 680
under division (B) (4) of section 3743.18 of the Revised Code for 681
the packaging, assembling, and storage of fireworks. 682

(b) Distributing fireworks to other parcels of real estate 683
located on the wholesaler's licensed premises, to licensed 684
manufacturers or other licensed wholesalers in this state or to 685
similarly licensed persons located in another state or country; 686

(c) Distributing fireworks to a licensed exhibitor of 687
fireworks pursuant to a properly issued permit in accordance 688
with section 3743.54 of the Revised Code. 689

(2) A licensed wholesaler shall not engage in any sales 690
activity, including the retail sale of fireworks otherwise 691
permitted under division (C) (2) of this section or pursuant to 692
section 3743.44 or 3743.45 of the Revised Code, at a storage 693

location approved under this section. 694

(3) A storage location may not be relocated for a minimum 695
period of five years after the storage location is approved by 696
the state fire marshal in accordance with division ~~(G)~~ (F) of 697
this section. 698

~~(I)~~ (H) A licensee shall prohibit public access to all 699
storage locations it uses. The state fire marshal shall adopt 700
rules establishing acceptable measures a wholesaler shall use to 701
prohibit access to storage sites. 702

~~(J)~~ (I) The state fire marshal shall not place the license 703
of a wholesaler of fireworks in temporarily inactive status 704
while the holder of the license is attempting to qualify to 705
retain the license. 706

~~(K)~~ (J) Each licensed wholesaler of fireworks or a 707
designee of the wholesaler, whose identity is provided to the 708
state fire marshal by the wholesaler, annually shall attend a 709
continuing education program. The state fire marshal shall 710
develop the program and the state fire marshal or a person or 711
public agency approved by the state fire marshal shall conduct 712
it. A licensed wholesaler or the wholesaler's designee who 713
attends a program as required under this division, within one 714
year after attending the program, shall conduct in-service 715
training as approved by the state fire marshal for other 716
employees of the licensed wholesaler regarding the information 717
obtained in the program. A licensed wholesaler shall provide the 718
state fire marshal with notice of the date, time, and place of 719
all in-service training. For any program conducted under this 720
division, the state fire marshal shall, in accordance with rules 721
adopted by the state fire marshal under Chapter 119. of the 722
Revised Code, establish the subjects to be taught, the length of 723

classes, the standards for approval, and time periods for 724
notification by the licensee to the state fire marshal of any 725
in-service training. 726

~~(I)~~ (K) A licensed wholesaler shall maintain comprehensive 727
general liability insurance coverage in the amount and type 728
specified under division (B) (2) of section 3743.15 of the 729
Revised Code at all times. Each policy of insurance required 730
under this division shall contain a provision requiring the 731
insurer to give not less than fifteen days' prior written notice 732
to the state fire marshal before termination, lapse, or 733
cancellation of the policy, or any change in the policy that 734
reduces the coverage below the minimum required under this 735
division. Prior to canceling or reducing the amount of coverage 736
of any comprehensive general liability insurance coverage 737
required under this division, a licensed wholesaler shall secure 738
supplemental insurance in an amount and type that satisfies the 739
requirements of this division so that no lapse in coverage 740
occurs at any time. A licensed wholesaler who secures 741
supplemental insurance shall file evidence of the supplemental 742
insurance with the state fire marshal prior to canceling or 743
reducing the amount of coverage of any comprehensive general 744
liability insurance coverage required under this division. 745

Sec. 3743.75. (A) ~~During~~ Except as provided in division 746
(B) of this section, during the period beginning on June 29, 747
2001, and ending on December 31, 2021, the state fire marshal 748
shall not do any of the following: 749

(1) Issue a license as a manufacturer of fireworks under 750
sections 3743.02 and 3743.03 of the Revised Code to a person for 751
a particular fireworks plant unless that person possessed such a 752
license for that fireworks plant immediately prior to June 29, 753

2001; 754

(2) Issue a license as a wholesaler of fireworks under 755
sections 3743.15 and 3743.16 of the Revised Code to a person for 756
a particular location unless that person possessed such a 757
license for that location immediately prior to June 29, 2001; 758

(3) ~~Except as provided in division (B) of this section,~~ 759
~~approve~~ Approve the geographic transfer of a license as a 760
manufacturer or wholesaler of fireworks issued under this 761
chapter to any location other than a location for which a 762
license was issued under this chapter immediately prior to June 763
29, 2001. 764

(B) Division ~~(A)(3)~~ (A) of this section does not apply to 765
~~a~~ either of the following: 766

(1) An ownership transfer that the state fire marshal 767
approves under division (D) of section 3743.04 or division (D) 768
of section 3743.17 of the Revised Code that is consistent with 769
division (E) of this section; 770

(2) A geographic transfer that the state fire marshal 771
approves under division ~~(F)~~ (D) of this section ~~3743.17 of the~~ 772
~~Revised Code.~~ 773

(C) Notwithstanding section 3743.59 of the Revised Code, 774
the prohibited activities established in divisions (A)(1) and 775
(2) of this section, geographic transfers approved pursuant to 776
division ~~(F)~~ (D) of this section ~~3743.17 of the Revised Code,~~ 777
and nonconstruction-related matters at storage locations allowed 778
pursuant to division (I) of section 3743.04 of the Revised Code 779
or division ~~(G)~~ (F) of section 3743.17 of the Revised Code are 780
not subject to any variance, waiver, or exclusion. 781

~~(D)–~~

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(D) (1) A licensed manufacturer of fireworks or a licensed
wholesaler of fireworks may apply, on or after the effective
date of this amendment, to geographically relocate the license
to any location in the state if the license is in good standing,
as defined in division (D) (6) of this section.

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(2) Notwithstanding any other provisions of this chapter,
the state fire marshal shall approve the transfer if all of the
following conditions are met:

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(a) The identity of the holder of the license remains the
same in the new location.

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(b) The former licensed premises associated with the
transferred license is closed prior to the opening of the new
location and no fireworks business of any kind is conducted at
the former licensed premises associated with the transferred
license after the transfer of the license unless a separate
fireworks manufacturer or wholesaler license is or has been
issued for such location.

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(c) The new location has received a local certificate of
zoning compliance and all structures on the new licensed
location receive a valid certificate of occupancy, and are
otherwise in compliance with all applicable laws, rules, and
regulations, including the building code and fire code and this
chapter.

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(d) Every building or structure at the new location is
separated from occupied residential and nonresidential buildings
or structures, railroads, highways, or any other buildings or
structures located on the licensed premises in accordance with
the distances specified in the rules adopted by the state fire

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marshal pursuant to sections 3743.05 and 3743.18 of the Revised 811
Code. If the licensee fails to comply with the requirements of 812
division (D) (2) (d) of this section by the licensee's own act, 813
the license at the new location is forfeited. 814

(e) Neither the licensee nor any person holding, owning, 815
or controlling a five per cent or greater beneficial or equity 816
interest in the licensee has been convicted of or has pleaded 817
guilty to a felony under the laws of this state, any other 818
state, or the United States after June 30, 1997. 819

(f) The subject license is in active status and does not 820
have any pending proceedings or final orders of revocation or 821
denial under section 3743.08 or 3743.21 of the Revised Code. 822

(g) The state fire marshal approves the request for the 823
transfer. 824

(h) All sales structures at the new location comply with 825
the requirements specified in division (C) of section 3743.25 of 826
the Revised Code. Each licensed premises may only contain one 827
sales structure. A sales structure on any licensed premises may 828
be converted from a representative sample showroom to a retail 829
sales showroom or from a retail sales showroom to a 830
representative sample showroom at any time in accordance with 831
rules established by the state fire marshal under this chapter. 832

(i) A completed geographic transfer application, including 833
the designation of the new location, is received by the state 834
fire marshal on or after the effective date of this amendment 835
but not later than December 31, 2021. 836

(3) All construction at the new location shall be 837
authorized by the state fire marshal in writing before 838
initiation and shall be completed not later than December 31, 839

2022. The state fire marshal shall issue preliminary 840
construction approvals and may set conditions thereon. The state 841
fire marshal may authorize extensions of dates specified in this 842
section upon a finding of good cause based upon evidence 843
submitted by the applicant. Any final approvals of a geographic 844
transfer shall occur only after full compliance with this 845
section. 846

(4) The filing of an application to geographically 847
relocate a license and any conditional approvals issued under 848
this section do not vest in the applicant any rights to the 849
transfer. 850

(5) A licensed premises subject to this section may be 851
granted only one geographic transfer pursuant to this section 852
prior to December 31, 2021. After that date, any existing 853
license subject to this section may be geographically 854
transferred to any location within this state upon application 855
to the state fire marshal and compliance with divisions (D)(2) 856
(a) to (h) of this section. 857

(6) Notwithstanding any other section of the Revised Code, 858
the license of a licensed manufacturer of fireworks or a 859
licensed wholesaler of fireworks shall be deemed in good 860
standing for purposes of a geographic transfer if any of the 861
following applies to the license: 862

(a) The license existed immediately prior to June 29, 863
2001, and the owner of the license, including a license approved 864
for transfers of ownership subsequent to June 29, 2001, was an 865
active corporation in good standing as recognized by the 866
secretary of state of the state where the company is 867
incorporated as of December 1, 2019, or was a person, as defined 868
by section 1.59 of the Revised Code, as of December 1, 2019. 869

(b) The license existed on December 1, 1995, and the owner 870
of the license, including a license approved for changes or 871
transfers of ownership subsequent to December 1, 1995, was an 872
active corporation in good standing as recognized by the 873
secretary of state of the state where the company is 874
incorporated as of December 1, 2019, or was a person, as defined 875
by section 1.59 of the Revised Code, as of December 1, 2019. 876

(c) For transfers requested after December 31, 2021, the 877
owner of the license, including a license approved for transfers 878
of ownership subsequent to June 29, 2001, is an active 879
corporation in good standing as recognized by the secretary of 880
state of the state where the company is incorporated as of the 881
date of the application, or is a person, as defined by section 882
1.59 of the Revised Code, as of the date of application. 883

If, between December 1, 1995, and the effective date of 884
this amendment, a licensee, holding a license that has been 885
deemed to be in good standing under division (D) (6) of this 886
section, either converted the license type from a manufacturer 887
to a wholesaler or has otherwise ceased operations at its 888
licensed premises for any reason, the state fire marshal may 889
geographically transfer under this section and reissue the 890
license at the new location after full compliance with division 891
(D) (2) of this section without first issuing a license at the 892
premises where the license last existed. 893

(E) As used in division (A) of this section: 894

(1) "Person" includes any person or entity, in whatever 895
form or name, that acquires possession of a manufacturer or 896
wholesaler of fireworks license issued pursuant to this chapter 897
by transfer of possession of a license, whether that transfer 898
occurs by purchase, assignment, inheritance, bequest, stock 899

transfer, or any other type of transfer, on the condition that 900
the transfer is in accordance with division (D) of section 901
3743.04 of the Revised Code or division (D) of section 3743.17 902
of the Revised Code and is approved by the state fire marshal. 903

(2) "Particular location" includes a licensed premises 904
and, regardless of when approved, any storage location approved 905
in accordance with section 3743.04 or 3743.17 of the Revised 906
Code. 907

(3) "Such a license" includes a wholesaler of fireworks 908
license that was issued in place of a manufacturer of fireworks 909
license that existed prior to June 29, 2001, and was requested 910
to be canceled by the license holder pursuant to division (D) of 911
section 3743.03 of the Revised Code. " 912

In line 11007, after "3704.14" insert ", 3743.01, 3743.04, 3743.15, 913
3743.17, 3743.75" 914

The motion was _____ agreed to.

SYNOPSIS 915

Fireworks manufacturer and wholesaler licenses 916

R.C. 3743.04, 3743.17, and 3743.75, with conforming 917
changes in R.C. 3743.01 and 3743.15 918

Allows current and future fireworks manufacturer and 919
wholesaler licensees to transfer their licenses from one 920
geographic location to another upon application to, and approval 921
from, the State Fire Marshal. 922

Specifies that certain ownership transfers of fireworks	923
manufacturer and wholesaler licenses are not subject to the	924
current moratorium on new licenses if the transfer is through	925
inheritance or a sale approved by the State Fire Marshal.	926

_____ moved to amend as follows:

In line 1 of the title, delete "125.02,"	1
In line 46, delete "125.02,"	2
Delete lines 73 through 145	3
In line 11005, delete "125.02,"	4

The motion was _____ agreed to.

SYNOPSIS 5

Revenue share fee 6

R.C. 125.02 (removed from the bill) 7

Removes from the bill the provision that would have	8
prohibited the Department of Administrative Services from	9
charging a revenue share fee as a term or condition of a	10
purchase made through a cooperative purchasing program.	11



_____ moved to amend as follows:

In line 11758, delete "39.917" and insert "37.917"	1
In line 11765, delete "50.691" and insert "59.691"	2
In line 11772, delete "272.923" and insert "271.962"	3
In line 11778, delete "(B)" and insert "(B) (1) The deed conveying	4
the real property described in division (A) of this section shall only	5
convey real property owned by the state. Any land included in the land	6
descriptions described in division (A) of this section but not owned by	7
the state shall be omitted or expressly excluded from the deed.	8
(2) The deed conveying the real property described in	9
division (A) of this section shall contain restrictions	10
prohibiting the use of the real property in a manner that	11
either:	12
(a) Impacts current or future operation of the rail line	13
that runs through or adjacent to the real property;	14
(b) Lessens the safety of rail operations on the rail line	15
that runs through or adjacent to the real property.	16



(C) "	17
In line 11782, delete "(C)" and insert "(D)"	18
In line 11786, delete "(D)" and insert "(E)"	19
In line 11789, delete "(E)" and insert "(F)"	20
In line 11802, delete "(F)" and insert "(G)"	21

The motion was _____ agreed to.

<u>SYNOPSIS</u>	22
Land conveyance in Jefferson County	23
Section 753.10	24
Adds the following to the land conveyance currently contained in the bill:	25 26
-- A requirement that the deed contain conditions preventing use of the conveyed land in a manner that interferes with nearby railroad tracks.	27 28 29
-- An explicit statement that only land owned by the state may be conveyed.	30 31

_____ moved to amend as follows:

In line 19 of the title, delete ", 4561.01, 4561.021, 4561.05,"	1
Delete lines 20 through 25	2
In line 26 of the title, delete "4563.16, 4563.18, 4563.20, 4563.21"	3
In line 34 of the title, delete ", 4561.40"	4
In line 37 of the title, after "4503.79," insert "and"; delete ",	5
and 4561.30"	6
In line 60, delete ", 4561.01, 4561.021, 4561.05, 4561.06, 4561.08,	7
4561.09,"	8
Delete lines 61 through 64	9
In line 65, delete "4563.18, 4563.20, 4563.21"	10
In line 71, delete ", 4561.40"	11
Delete lines 8796 through 9886	12
In line 11019, delete ", 4561.01, 4561.021, 4561.05, 4561.06,"	13
Delete lines 11020 through 11023	14



In line 11024, delete "4563.13, 4563.16, 4563.18, 4563.20, 4563.21" 15

In line 11029, after "4503.79," insert "and"; delete ", and 4561.30" 16

The motion was _____ agreed to.

SYNOPSIS 17

Remove navigable airspace provisions 18

R.C. 4561.01, 4561.021, 4561.05, 4561.06, 4561.08, 19
4561.09, 4561.11, 4561.12, 4561.14, 4561.30 (repealed by bill), 20
4561.31, 4561.32, 4561.33, 4561.34, 4561.341, 4561.35, 4561.36, 21
4561.37, 4561.38, 4561.39, 4561.40, 4563.01, 4563.03, 4563.031, 22
4563.032, 4563.04, 4563.05, 4563.06, 4563.07, 4563.08, 4563.09, 23
4563.10, 4563.11, 4563.12, 4563.13, 4563.16, 4563.18, 4563.20, 24
and 4563.21 25

Removes all of the bill's provisions related to navigable 26
airspace, including: 27

1. Updates to state law to align with current federal law 28
and Federal Aviation Administration regulations; 29

2. Modifications to Office of Aviation permits for 30
structures and objects of natural growth that will penetrate 31
navigable airspace; and 32

3. Modifications to the Department of Transportation's and 33
Office of Aviation's authority, liability, and responsibilities 34
related to obstructions to navigable airspace. 35

_____ moved to amend as follows:

In line 11775, delete "July 3" and insert "September 14" 1

In line 11777, delete "July" and insert "September" 2

The motion was _____ agreed to.

SYNOPSIS 3

Land conveyance-technical change 4

Section 753.10 5

Make a technical change to the bill's existing language 6
authorizing a land conveyance in Jefferson County by correcting 7
a reference to the dates a land description was prepared. 8



_____ moved to amend as follows:

In line 11078, delete "\$3,562,000" and insert "\$2,562,000" 1

In line 11080, delete "(1)"; delete ", or" 2

In line 11081, delete "(2)" and insert ". 3

(C) Notwithstanding section 5511.06 of the Revised Code, 4
of the foregoing appropriation item 772421, Highway Construction 5
- State, \$500,000 in each fiscal year shall be used for the 6
construction, reconstruction, or maintenance of park drives or 7
park roads within the boundaries of" 8

In line 11083, after "transactions" insert ", and \$500,000 in each 9
fiscal year shall be used for construction, reconstruction, or maintenance 10
of drives and roads leading to such state parks and wildlife areas" 11

In line 11084, delete "(C)" and insert "(D)" 12

The motion was _____ agreed to.



<u>SYNOPSIS</u>	13
Department of Transportation (DOTCD2)	14
Section 203.30	15
Modifies a \$3.6 million earmark in each fiscal year for	16
park road construction and maintenance within the Senate	17
substitute bill by specifying that (1) \$2.6 million in each	18
fiscal year be used for roads within the boundaries of	19
metropolitan parks, (2) \$500,000 in each fiscal year be used for	20
roads within state parks and wildlife areas that meet specified	21
criteria, and (3) \$500,000 in each fiscal year be used for roads	22
leading to state parks and wildlife areas that meet the	23
specified criteria.	24

_____ moved to amend as follows:

In line 1391, reinsert "powered"; reinsert "in part by a"; delete	1
" <u>to which both of</u> "	2
Delete lines 1392 through 1395	3
In line 1396, delete " <u>(b) A</u> "	4
In line 1397, delete ";	5
Delete lines 1398 and 1399	6
In line 1400, delete " <u>energy system</u> "	7
In line 1401, reinsert "powered"	8
In line 1402, reinsert "by an internal propulsion system consisting	9
of"; delete " <u>to which</u> "	10
In line 1403, delete " <u>apply</u> "	11
In line 1404, delete " <u>It draws its propulsive power from both of</u>	12
<u>the</u> "	13
Delete line 1405	14



In line 1406, delete " <u>(a)</u> "	15
In line 1407, reinsert "(2)"; delete " <u>(b)</u> "	16
In line 1410, delete "i;"	17
Delete lines 1411 and 1412	18
In line 1413, delete " <u>energy system</u> "	19

The motion was _____ agreed to.

<u>SYNOPSIS</u>	20
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Hybrid and plug-in hybrid definitions	21
--	----

R.C. 4501.01 (DPSCD49)	22
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Removes the Senate changes to the definitions of "plug-in	23
hybrid electric motor vehicle" and "hybrid motor vehicle", which	24
effectively does both of the following:	25

-- Restores the definition of "plug-in hybrid electric	26
motor vehicle" to the definition in the House-Passed version of	27
the bill.	28

-- Restores the definition of "hybrid motor vehicle" to	29
the definition in current law.	30

_____ moved to amend as follows:

In line 34 of the title, delete "4501.12,"	1
In line 71, delete "4501.12,"	2
Delete lines 1427 through 1465	3

The motion was _____ agreed to.

<u>SYNOPSIS</u>	4
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Transfer of online transactions to deputy registrars	5
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R.C. 4501.12 (DPSCD46)	6
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Removes provisions, added by the Senate, that do all of	7
the following:	8

1. Require the Registrar of Motor Vehicles to develop a	9
procedure to transfer a portion of online Bureau of Motor	10
Vehicle transactions to the deputy registrars;	11

2. Require the deputy registrars to process any online	12
transactions transferred to them; and	13
3. Authorize the deputy registrars to retain the deputy	14
registrar service fees from the online transactions that they	15
process.	16

_____ moved to amend as follows:

In line 11794, delete the second "shall" and insert "may, at the
Governor's discretion,"

In line 11799, delete "The" and insert "If executed, countersigned,
sealed, presented in the Office of the Auditor of State for recording, and
delivered to the"

In line 11800, after "District" insert ", the District"

The motion was _____ agreed to.

SYNOPSIS

Land conveyance (DOTCD32)

Section 753.10

Changes the conveyance of certain state-owned land in
Jefferson County, authorized by the bill, from being mandatory
upon the fulfillment of a condition to permissive, at the



Governor's discretion, upon fulfillment of that condition.

13

_____ moved to amend as follows:

In line 11503, delete "Of" and insert "Notwithstanding sections 1
109.802 and 109.803 of the Revised Code, of" 2

The motion was _____ agreed to.

SYNOPSIS 3

Department of Public Safety (DPSCD47) 4

Section 205.20 5

Amends the \$312,000 earmark of appropriation item 764695, 6
State Highway Patrol Continuing Professional Training, in each 7
fiscal year for Ohio State Highway Patrol training at the Mid- 8
Ohio Sports Car Course notwithstanding sections 109.802 and 9
109.803 of the Revised Code, which govern peace officer and 10
trooper training. 11



_____ moved to amend as follows:

In line 2874, delete "on the effective date of this amendment" and 1
insert "January 1, 2022" 2

In line 3444, delete "(2)" and insert ", beginning January 1, 2022, 3
(C) (2)" 4

In line 11804, delete "the effective date of" 5

In line 11805, delete "this section" and insert "January 1, 2022"; 6
delete "July" and insert "December"; delete "1" and insert "31"; delete 7
"2022" and insert "2022" 8

In line 11826, delete "September" and insert "March"; delete "2022" 9
and insert "2023" 10

The motion was _____ agreed to.

SYNOPSIS 11

Commercial trailer and semitrailer registration 12



R.C. 4503.042 and 4503.103; Section 755.20 (DPSCD44)	13
Makes the new one-time registration tax for new commercial	14
trailer and semitrailer registrations effective January 1, 2022,	15
instead of 90 days after the bill is filed with the Secretary of	16
State.	17
Makes corresponding changes to the dates for the required	18
data collection and report related to the new commercial trailer	19
and semitrailer registrations to become the following:	20
1. Data collection: January 1, 2022, through December 31,	21
2022;	22
2. Report: March 15, 2023.	23

_____ moved to amend as follows:

In line 35 of the title, after "5525.27" insert ", 5529.02"

1

In line 71, after "5525.27" insert ", 5529.02"

2

After line 10258, insert:

3

"Sec. 5529.02. (A) As used in this section, "weigh
station" means a weigh station to which both of the following
apply:

4

5

6

(1) The weigh station is under either the department of
transportation's or the department of public safety's control
and jurisdiction.

7

8

9

(2) The weigh station was permanently closed prior to the
effective date of this section.

10

11

(B) The department of transportation in conjunction with
the Ohio state highway patrol shall reopen two closed Ohio weigh
stations for use as commercial motor vehicle parking in each
year, beginning in 2021 and ending in 2024, for a total of
eight. The director of transportation shall ensure that each

12

13

14

15

16



<u>such weigh station remains open and is clearly marked as being</u>	17
<u>for overnight parking only and not for standard weight checks."</u>	18
In line 11738, delete "(A) "	19
Delete lines 11744 through 11752	20

The motion was _____ agreed to.

<u>SYNOPSIS</u>	21
Weigh stations for overnight parking	22
R.C. 5529.02; Section 509.30 (DOTCD18)	23
Requires the Department of Transportation, in conjunction	24
with the State Highway Patrol, to open at least two of the	25
permanently closed weigh stations a year through 2024 for	26
overnight commercial motor vehicle parking (equaling eight	27
stations by the end of 2024).	28

_____ moved to amend as follows:

In line 17 of the title, after "4507.53" insert ", 4510.037" 1

In line 58, after "4507.53" insert ", 4510.037" 2

After line 8019, insert: 3

"Sec. 4510.037. (A) When the registrar of motor vehicles 4
determines that the total points charged against any person 5
under section 4510.036 of the Revised Code exceed five, the 6
registrar shall send a warning letter to the person at the 7
person's last known address by regular mail. The warning letter 8
shall list the reported violations that are the basis of the 9
points charged, list the number of points charged for each 10
violation, and outline the suspension provisions of this 11
section. 12

(B) When the registrar determines that the total points 13
charged against any person under section 4510.036 of the Revised 14
Code within any two-year period beginning on the date of the 15
first conviction within the two-year period is equal to twelve 16
or more, the registrar shall send a written notice to the person 17
at the person's last known address by regular mail. The notice 18



shall list the reported violations that are the basis of the 19
points charged, list the number of points charged for each 20
violation, and state that, because the total number of points 21
charged against the person within the applicable two-year period 22
is equal to twelve or more, the registrar is imposing a class D 23
suspension of the person's driver's or commercial driver's 24
license or permit or nonresident operating privileges for the 25
period of time specified in division (B) (4) of section 4510.02 26
of the Revised Code. The notice also shall state that the 27
suspension is effective on the twentieth day after the mailing 28
of the notice, unless the person files a petition appealing the 29
determination and suspension in the municipal court, county 30
court, or, if the person is under the age of eighteen, the 31
juvenile division of the court of common pleas in whose 32
jurisdiction the person resides or, if the person is not a 33
resident of this state, in the Franklin county municipal court 34
or juvenile division of the Franklin county court of common 35
pleas. By filing the appeal of the determination and suspension, 36
the person agrees to pay the cost of the proceedings in the 37
appeal of the determination and suspension and alleges that the 38
person can show cause why the person's driver's or commercial 39
driver's license or permit or nonresident operating privileges 40
should not be suspended. 41

(C) (1) Any person against whom at least two but less than 42
twelve points have been charged under section 4510.036 of the 43
Revised Code may enroll in a course of remedial driving 44
instruction that is approved by the director of public safety in 45
accordance with division (L) of this section. Upon the person's 46
completion of an approved course of remedial driving 47
instruction, the person may apply to the registrar on a form 48
prescribed by the registrar for a credit of two points on the 49

person's driving record. Upon receipt of the application and 50
proof of completion of the approved remedial driving course, the 51
registrar shall approve the two-point credit. The registrar 52
shall not approve any credits for a person who completes an 53
approved course of remedial driving instruction pursuant to a 54
judge's order under section 4510.02 of the Revised Code. 55

(2) In any three-year period, the registrar shall approve 56
only one two-point credit on a person's driving record under 57
division (C)(1) of this section. The registrar shall approve not 58
more than five two-point credits on a person's driving record 59
under division (C)(1) of this section during that person's 60
lifetime. 61

(D) When a judge of a court of record suspends a person's 62
driver's or commercial driver's license or permit or nonresident 63
operating privilege and charges points against the person under 64
section 4510.036 of the Revised Code for the offense that 65
resulted in the suspension, the registrar shall credit that 66
period of suspension against the time of any subsequent 67
suspension imposed under this section for which those points 68
were used to impose the subsequent suspension. When a United 69
States district court that has jurisdiction within this state 70
suspends a person's driver's or commercial driver's license or 71
permit or nonresident operating privileges pursuant to the 72
"Assimilative Crimes Act," 102 Stat. 4381 (1988), 18 U.S.C.A. 73
13, as amended, the district court prepares an abstract pursuant 74
to section 4510.031 of the Revised Code, and the district court 75
charges points against the person under section 4510.036 of the 76
Revised Code for the offense that resulted in the suspension, 77
the registrar shall credit the period of suspension imposed by 78
the district court against the time of any subsequent suspension 79
imposed under this section for which the points were used to 80

impose the subsequent suspension. 81

(E) The registrar, upon the written request of a licensee 82
who files a petition under division (B) of this section, shall 83
furnish the licensee a certified copy of the registrar's record 84
of the convictions and bond forfeitures of the person. This 85
record shall include the name, address, and date of birth of the 86
licensee; the name of the court in which each conviction or bail 87
forfeiture took place; the nature of the offense that was the 88
basis of the conviction or bond forfeiture; and any other 89
information that the registrar considers necessary. If the 90
record indicates that twelve points or more have been charged 91
against the person within a two-year period, it is prima-facie 92
evidence that the person is a repeat traffic offender, and the 93
registrar shall suspend the person's driver's or commercial 94
driver's license or permit or nonresident operating privilege 95
pursuant to division (B) of this section. 96

In hearing the petition and determining whether the person 97
filing the petition has shown cause why the person's driver's or 98
commercial driver's license or permit or nonresident operating 99
privilege should not be suspended, the court shall decide the 100
issue on the record certified by the registrar and any 101
additional relevant, competent, and material evidence that 102
either the registrar or the person whose license is sought to be 103
suspended submits. 104

(F) If a petition is filed under division (B) of this 105
section in a county court, the prosecuting attorney of the 106
county in which the case is pending shall represent the 107
registrar in the proceedings, except that, if the petitioner 108
resides in a municipal corporation within the jurisdiction of 109
the county court, the city director of law, village solicitor, 110

or other chief legal officer of the municipal corporation shall 111
represent the registrar in the proceedings. If a petition is 112
filed under division (B) of this section in a municipal court, 113
the registrar shall be represented in the resulting proceedings 114
as provided in section 1901.34 of the Revised Code. 115

(G) If the court determines from the evidence submitted 116
that a person who filed a petition under division (B) of this 117
section has failed to show cause why the person's driver's or 118
commercial driver's license or permit or nonresident operating 119
privileges should not be suspended, the court shall assess 120
against the person the cost of the proceedings in the appeal of 121
the determination and suspension and shall impose the applicable 122
suspension under this section or suspend all or a portion of the 123
suspension and impose any conditions upon the person that the 124
court considers proper or impose upon the person a community 125
control sanction pursuant to section 2929.15 or 2929.25 of the 126
Revised Code. If the court determines from the evidence 127
submitted that a person who filed a petition under division (B) 128
of this section has shown cause why the person's driver's or 129
commercial driver's license or permit or nonresident operating 130
privileges should not be suspended, the costs of the appeal 131
proceeding shall be paid out of the county treasury of the 132
county in which the proceedings were held. 133

(H) Any person whose driver's or commercial driver's 134
license or permit or nonresident operating privileges are 135
suspended under this section is not entitled to apply for or 136
receive a new driver's or commercial driver's license or permit 137
or to request or be granted nonresident operating privileges 138
during the effective period of the suspension. 139

(I) Upon the termination of any suspension or other 140

penalty imposed under this section involving the surrender of 141
license or permit and upon the request of the person whose 142
license or permit was suspended or surrendered, the registrar 143
shall return the license or permit to the person upon 144
determining that the person has complied with all provisions of 145
section 4510.038 of the Revised Code or, if the registrar 146
destroyed the license or permit pursuant to section 4510.52 of 147
the Revised Code, shall reissue the person's license or permit. 148

(J) Any person whose driver's or commercial driver's 149
license or permit or nonresident operating privileges are 150
suspended as a repeat traffic offender under this section and 151
who, during the suspension, operates any motor vehicle upon any 152
public roads and highways is guilty of driving under a twelve- 153
point suspension, a misdemeanor of the first degree. The court 154
shall sentence the offender to a minimum term of three days in 155
jail. No court shall suspend the first three days of jail time 156
imposed pursuant to this division. 157

(K) The registrar, in accordance with specific statutory 158
authority, may suspend the privilege of driving a motor vehicle 159
on the public roads and highways of this state that is granted 160
to nonresidents by section 4507.04 of the Revised Code. 161

(L) (1) ~~Except as provided in division (L)(2) of this~~ 162
~~section, any~~ Any course of remedial driving instruction the 163
director of public safety approves under this section shall 164
~~require its students to attend at least fifty per cent of the~~ 165
~~course in person and the director shall not approve any course~~ 166
~~of remedial driving instruction that permits its students to~~ 167
~~take more than fifty per cent of the course in any other manner,~~ 168
~~including via video teleconferencing or the internet~~ instruction 169
in one of the following ways: 170

(a) Entirely in person; 171

(b) Any combination of in-person and video 172
teleconferencing or internet instruction; 173

(c) Entirely remote instruction via video teleconferencing 174
or the internet. 175

(2) The director ~~may~~shall approve a course of remedial 176
instruction that permits students to take the ~~entire course via~~ 177
~~video teleconferencing or the internet~~in any of the ways 178
specified in division (L) (1) of this section, provided the 179
provider of the course is capable of meeting the instructional 180
standards established by the director. In accordance with 181
division (C) of this section, upon receiving an application with 182
a certificate or other proof of completion of a course approved 183
under this division, the registrar shall approve the two-point 184
reduction." 185

In line 11018, after "4507.53" insert ", 4510.037" 186

The motion was _____ agreed to.

SYNOPSIS 187

Remedial driver instruction courses (DPSCD43) 188

R.C. 4510.037 189

Restores a House-passed provision that does both of the 190
following: 191

1. Specifies that any remedial driver training course 192
approved by the Director of Public Safety must require 193

instruction in one of the following ways (rather than at least 194
50% in person and not more than 50% in any other manner, as in 195
current law): 196

- Entirely in-person instruction; 197
- Any combination of in-person and video teleconferencing 198
or internet instruction; or 199
- Entirely remote instruction via video teleconferencing 200
or internet instruction; and 201

2. Requires the Director to approve a course utilizing any 202
instruction method described above if it is capable of meeting 203
the instructional standards established by the Director. 204

_____ moved to amend as follows:

Delete lines 11592 and 11593 and insert "All"	1
In line 11600, delete "upon request of the Director of the Public Works"	2 3
In line 11601, delete "Commission and subject to approval by the Controlling Board,"	4 5
In line 11609, delete "upon"	6
Delete line 11610	7
In line 11611, delete "subject to approval by the Controlling Board,"	8 9

The motion was _____ agreed to.

<u>SYNOPSIS</u>	10
Public Works Commission (PWCCD1, PWCCD2)	11
Section 209.20	12

Removes the requirement from the bill that both (1)	13
capital appropriations and reappropriations from the Local	14
Transportation Improvement Fund (Fund 7052), and (2) temporary	15
cash transfers from Fund 7052 to the State Capital Improvement	16
Fund (Fund 7038) and the Clean Ohio Conservation Fund (Fund	17
7056) be subject to Controlling Board approval.	18

_____ moved to amend as follows:

Delete line 11627 and insert "CHARGING STATION GRANTS"	1
In line 11632, delete "Of the" and insert "The"	2
In line 11633, delete "up to \$8,000,000"	3
In line 11634, after "If" insert "funds"; delete "any of"	4
In line 11635, delete "the earmarked amount remains" and insert "remain"	5 6
In line 11637, delete "of the"	7
In line 11638, delete "earmarked amount"	8
In line 11643, after "foregoing" insert "appropriation"; delete "earmarked amount"	9 10

The motion was _____ agreed to.

SYNOPSIS

11



Technical changes	12
Section 209.30	13
Makes technical changes.	14

_____ moved to amend as follows:

In line 362, reinsert "thirty"; delete "one hundred fifty"

1

In line 366, reinsert "thirty"; delete "one hundred fifty"

2

After line 379, insert:

3

"On the first day of July of every odd-numbered year
beginning in 2021, the threshold amount established in this
section shall increase by an amount not to exceed the lesser of
three per cent, or the percentage amount of any increase in the
department of transportation's construction cost index as
annualized and totaled for the prior two calendar years. The
director of transportation shall notify each appropriate
engineer or other officer of the increased amount."

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In line 388, delete "one hundred fifty"; strike through "thousand"

12

In line 389, strike through "dollars" and insert "the amount
specified in that section"

13

14

In line 10370, reinsert "thirty"; delete "one hundred fifty"

15

In line 10387, reinsert "one"; delete "three"

16



In line 10394, after "(C)" insert "On the first day of July of every 17
odd-numbered year beginning in 2021, the threshold amounts established in 18
this section shall increase by an amount not to exceed the lesser of three 19
per cent, or the percentage amount of any increase in the department of 20
transportation's construction cost index as annualized and totaled for the 21
prior two calendar years. The director of transportation shall notify each 22
appropriate county engineer of the increased amount. 23

(D)" 24

In line 10460, reinsert "forty-five"; delete "one" 25

In line 10461, delete "hundred fifty" 26

In line 10465, reinsert "forty-five"; delete "one hundred fifty" 27

In line 10479, reinsert "fifteen"; delete "one" 28

In line 10480, delete "hundred fifty" 29

In line 10491, reinsert "fifteen"; delete "fifty" 30

In line 10493, reinsert "five"; delete "fifty" 31

In line 10495, after "(D)" insert "On the first day of July of every 32
odd-numbered year beginning in 2021, the threshold amounts established in 33
divisions (A) and (B) of this section shall increase by an amount not to 34
exceed the lesser of three per cent, or the percentage amount of any 35
increase in the department of transportation's construction cost index as 36
annualized and totaled for the prior two calendar years. The director of 37
transportation shall notify each appropriate county engineer of the 38
increased amount. 39

(E)" 40

After line 11847, insert: 41

"Section 755.90. (A) (1) There is created the Joint	42
Committee on Force Accounts composed of the following members:	43
(a) Three members of the Senate appointed by the President	44
of the Senate, two of whom are members of the majority party and	45
one who is a member of the minority party;	46
(b) Three members of the House of Representatives	47
appointed by the Speaker of the House of Representatives, two of	48
whom are members of the majority party and one who is a member	49
of the minority party;	50
(c) One industry representative appointed jointly by the	51
President and the Speaker of the House of Representatives;	52
(d) One member appointed by the Ohio County Engineer's	53
Association;	54
(e) One member appointed by the Ohio Township Association;	55
(f) One member appointed by the Ohio Municipal League;	56
(g) One member appointed by the County Commissioners	57
Association of Ohio.	58
(2) From the members appointed under divisions (A) (1) (a)	59
and (b) of this section, the Speaker shall appoint one member of	60
the House of Representatives as co-chairperson and the President	61
shall appoint one member of the Senate as co-chairperson.	62
(3) Not later than April 2, 2021, the organizations	63
appointing members under divisions (A) (1) (d) to (g) of this	64
section shall notify the President and the Speaker in writing of	65
their appointee.	66
(B) (1) The Committee shall study, take testimony	67
regarding, and discuss the issue of force accounts as applied to	68

local political subdivisions. The Committee shall examine the 69
force account limits specified in statute for all of the 70
following political subdivisions: 71

(a) Unchartered municipal corporations under sections 72
723.52 and 723.53 of the Revised Code; 73

(b) Counties under section 5543.19 of the Revised Code; 74

(c) Townships under section 5575.01 of the Revised Code. 75

(2) As part of the study, the Committee also shall examine 76
the following issues related to the above force accounts: 77

(a) What highway projects a local political subdivision is 78
capable of completing under the current limits; 79

(b) What highway projects a local political subdivision 80
would be capable of completing if the limits were increased; 81

(c) The impact on the cost of construction materials 82
resulting from the current limits. 83

(C) Not later than May 15, 2021, the Committee shall 84
complete an informational report that includes the Committee's 85
findings and a summary of the testimony provided to the 86
Committee. On that date, the Committee shall submit the report 87
to the President of the Senate, the Speaker of the House of 88
Representatives, and the Minority Leaders of the Senate and 89
House of Representatives. 90

(D) After the submission of the report, the Committee 91
shall cease to exist." 92

After line 11918, insert: 93

"Section 812.15. The enactment of Section 755.90 of this 94
act is exempt from the referendum under section 1d of Article 95

II, Ohio Constitution, and Section 755.90 therefore takes effect 96
immediately when this act becomes law." 97

The motion was _____ agreed to.

SYNOPSIS 98

Force account increase and joint committee 99

R.C. 723.52, 723.53, 5543.19, and 5575.01; Section 755.90 100
(LOCCD11) 101

Force account limits 102

Changes the force account limits proposed by the bill back 103
to the limits in current law, but adds an adjustment to increase 104
those limits every two years beginning in 2021 that is the 105
lesser of either: 106

1. Three per cent, or 107

2. The percentage amount of any increase in the Department 108
of Transportation's construction cost index as annualized and 109
totaled for the prior two calendar years. 110

Requires the Director of Transportation to notify the 111
appropriate local engineer or public official about the 112
increased amounts. 113

Joint Committee on Force Accounts 114

Creates a Joint Committee on Force Accounts, effective 115
immediately, composed of the following members: 116

1. Three members appointed by the President of the Senate 117

- 2 majority party and 1 minority party;	118
2. Three members appointed by the Speaker of the House of Representatives - 2 majority party and 1 minority party;	119
3. One industry representative appointed jointly by the President and the Speaker;	121
4. One member appointed by the Ohio County Engineer's Association;	123
5. One member appointed by the Ohio Township Association;	125
6. One member appointed by the Ohio Municipal League;	126
7. One member appointed by the Ohio County Commissioners Association of Ohio.	127
Requires the President and Speaker to appoint joint-chairs of the committee, from the members appointed by each.	129
Requires the various organizations to submit their appointee to the President and Speaker in writing by April 2, 2021.	131
Requires the Committee to study, take testimony regarding, and discuss issues surrounding force accounts for the local political subdivisions, including issues surrounding increased construction costs and the impact to the types of projects the political subdivisions are capable of completing under force account.	132
Requires the Committee to submit a report of its findings and a summary of testimony by May 15, 2021, to the President, the Speaker, and the Minority Leaders of the Senate and the House of Representatives.	133
Specifies that the bill's provisions governing the	134

Committee take effect immediately. 145

Dissolves the Committee on submission of the report. 146

_____ moved to amend as follows:

In line 14 of the title, delete the fifth ", "	1
In line 15 of the title, delete "4506.08, 4506.14"; delete ",	2
4507.09"	3
In line 16 of the title, delete ", 4507.23, 4507.24"	4
In line 17 of the title, delete ", 4507.52"	5
In line 18 of the title, delete ", 4511.521"	6
In line 39 of the title, delete "and"	7
Delete line 40	8
In line 41 of the title, delete "Assembly"	9
In line 56, delete ", 4506.08,"	10
In line 57, delete "4506.14"; delete ", 4507.09"; delete the seventh	11
", "	12
In line 58, delete "4507.23, 4507.24"; delete ", 4507.52"	13
In line 59, delete ", 4511.521"	14
Delete lines 6802 through 6979	15

Delete lines 7232 through 7302	16
Delete lines 7500 through 7696	17
In line 7736, reinsert "if the card"	18
Reinsert lines 7737 through 7739	19
In line 7740, reinsert "issuance"	20
In line 7742, reinsert "if the card will expire on the"	21
Reinsert lines 7743 and 7744	22
In line 7745, reinsert "birthday eight years after the date of issuance"	23 24
In line 7746, reinsert "if the card will"	25
Reinsert lines 7747 and 7748	26
In line 7749, reinsert "applicant's birthday eight years after the date of issuance,"	27 28
Delete lines 7861 through 8008	29
Delete lines 8442 through 8494	30
In line 11016, delete ", 4506.08, 4506.14"; delete ", 4507.09"	31
In line 11017, delete ", 4507.23, 4507.24"; delete ", 4507.52"	32
In line 11018, delete ", 4511.521"	33
In line 11032, delete "and Section 3 of S.B. 68 of the 133rd"	34
In line 11033, delete "General Assembly are" and insert "is"	35

The motion was _____ agreed to.

<u>SYNOPSIS</u>	36
8-year CDL, driver's license, and identification card	37
(DPSCD45)	38
R.C. 4506.08, 4506.14, 4507.09, 4507.23, 4507.24, 4507.50,	39
4507.52, and 4511.521; Section 3 of S.B. 68 of the 133rd General	40
Assembly	41
Removes provisions added by the Senate that would do both	42
of the following:	43
1. Repeal the authorization for a person between 21 and	44
65, beginning July 1, 2021, to apply for and renew a commercial	45
driver's license, a driver's license, a motorcycle operator's	46
endorsement, or a motorized bicycle license on an eight-year	47
renewal cycle.	48
2. Repeal the authorization for a person of any age,	49
beginning July 1, 2021, to apply for and renew a state	50
identification card on an eight-year renewal cycle.	51

_____ moved to amend as follows:

In line 34 of the title, delete the fourth ", "	1
In line 35 of the title, delete "5525.26"	2
In line 71, delete ", 5525.26"	3
Delete lines 10216 through 10243	4

The motion was _____ agreed to.

SYNOPSIS 5

Remove pavement preference provision 6

R.C. 5525.26 (DPSCD35) 7

Removes a provision of the bill that would require the	8
Director of Transportation to adopt rules effective by January	9
1, 2022, that prevent any particular type of highway pavement	10
from receiving priority in the highway construction bidding	11
process.	12

_____ moved to amend as follows:

In line 35 of the title, delete ", 5525.27"	1
In line 71, delete ", 5525.27"	2
Delete lines 10244 through 10258	3

The motion was _____ agreed to.

<u>SYNOPSIS</u>	4
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Remove ODOT price adjustment for rebar provision (DOTCD41)	5
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R.C. 5525.27	6
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Removes the provision, added by the Senate, that requires	7
the Director of Transportation to allow for a reasonable price	8
adjustment for reinforcing bar (also known as rebar) in ODOT	9
construction contracts under certain circumstances.	10

