

As Passed by the House

135th General Assembly

Regular Session

2023-2024

Am. Sub. H. B. No. 23

Representative Edwards

Cosponsors: Representatives Abdullahi, Baker, Blackshear, Brennan, Brent, Brewer, Brown, Callender, Carruthers, Cross, Cutrona, Dell'Aquila, Dobos, Forhan, Galonski, Ghanbari, Grim, Hillyer, Hoops, Humphrey, Isaacsohn, Jarrells, Johnson, Jones, LaRe, Lightbody, Liston, Loychik, Mathews, McNally, Miller, A., Miller, J., Miranda, Mohamed, Oelslager, Patton, Pavliga, Ray, Richardson, Robb Blasdel, Robinson, Roemer, Rogers, Russo, Schmidt, Seitz, Somani, Swearingen, Sweeney, Thomas, C., Thomas, J., Troy, Upchurch, Weinstein, Williams, Young, B., Speaker Stephens

A BILL

To amend sections 117.16, 117.161, 124.152, 303.02, 1
306.353, 519.02, 1710.01, 1710.02, 1710.03, 2
1710.13, 4503.10, 4503.103, 4503.11, 4503.191, 3
4503.44, 4506.01, 4506.11, 4507.01, 4507.061, 4
4507.13, 4507.52, 4511.092, 4511.093, 4511.0913, 5
4513.241, 4513.34, 4981.02, 4981.04, 5503.031, 6
5531.09, 5531.10, 5540.01, 5540.02, 5540.03, 7
5540.06, 5543.19, 5577.044, and 5747.502; to 8
enact sections 746.01, 746.02, 746.03, 746.04, 9
746.05, 746.06, 746.07, 4503.107, 4505.131, 10
4506.072, 4507.021, 4507.063, 4507.511, 4955.50, 11
4955.51, 4999.09, 5501.60, 5543.191, and 12
5543.192; and to repeal section 5501.09 of the 13
Revised Code and to amend Section 265.325 of 14
H.B. 110 of the 134th General Assembly and 15
Section 223.15 of H.B. 687 of the 134th General 16
Assembly to make appropriations for programs 17
related to transportation for the biennium 18

beginning July 1, 2023, and ending June 30, 19
2025, and to provide authorization and 20
conditions for the operation of those programs. 21

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

Section 101.01. That sections 117.16, 117.161, 124.152, 22
303.02, 306.353, 519.02, 1710.01, 1710.02, 1710.03, 1710.13, 23
4503.10, 4503.103, 4503.11, 4503.191, 4503.44, 4506.01, 4506.11, 24
4507.01, 4507.061, 4507.13, 4507.52, 4511.092, 4511.093, 25
4511.0913, 4513.241, 4513.34, 4981.02, 4981.04, 5503.031, 26
5531.09, 5531.10, 5540.01, 5540.02, 5540.03, 5540.06, 5543.19, 27
5577.044, and 5747.502 be amended and sections 746.01, 746.02, 28
746.03, 746.04, 746.05, 746.06, 746.07, 4503.107, 4505.131, 29
4506.072, 4507.021, 4507.063, 4507.511, 4955.50, 4955.51, 30
4999.09, 5501.60, 5543.191, and 5543.192 of the Revised Code be 31
enacted to read as follows: 32

Sec. 117.16. (A) The auditor of state shall do all of the 33
following: 34

(1) Develop a force account project assessment form that 35
each public office that undertakes force account projects shall 36
use to estimate or report the cost of a force account project. 37
The form shall include costs for employee salaries and benefits, 38
any other labor costs, materials, freight, fuel, hauling, 39
overhead expense, workers' compensation premiums, and all other 40
items of cost and expense, including a reasonable allowance for 41
the use of all tools and equipment used on or in connection with 42
such work and for the depreciation on the tools and equipment. 43

(2) Make the form available to public offices by any cost- 44

effective, convenient method accessible to the auditor of state 45
and the public offices; 46

(3) When conducting an audit under this chapter of a 47
public office that undertakes force account projects, examine 48
the forms and records of a sampling of the force account 49
projects the public office completed since an audit was last 50
conducted, to determine compliance with its force account 51
limits. 52

(B) If the auditor of state receives a complaint from any 53
person that a public office has violated the scope of work or 54
force account limits established for that office, the auditor of 55
state may conduct an audit in addition to the audit provided in 56
section 117.11 of the Revised Code if the auditor of state has 57
reasonable cause to believe that an additional audit is in the 58
public interest. 59

(C) (1) If the auditor of state finds that a county, 60
township, or municipal corporation violated the scope of work or 61
force account limits established for that political subdivision, 62
as applicable, the auditor of state, in addition to any other 63
action authorized by this chapter, shall notify the political 64
subdivision that, for a period of one year from the date of the 65
notification, the scope of work or force account limits for the 66
subdivision are reduced as follows: 67

(a) For a county, the limits shall be ~~ten thousand dollars~~ 68
~~per mile for construction or reconstruction of a road and forty~~ 69
~~thousand dollars for construction, reconstruction, maintenance,~~ 70
~~or repair of a bridge or culvert~~ a twenty per cent reduction from 71
the original scope of work amount authorized for the type of 72
work under which the violation occurred; 73

(b) For a township, the limit shall be fifteen thousand 74
dollars for maintenance and repair of a road or five thousand 75
per mile for construction or reconstruction of a township road; 76

(c) For a municipal corporation, the limit shall be ten 77
thousand dollars for the construction, reconstruction, widening, 78
resurfacing, or repair of a street or other public way. 79

(2) If the auditor of state finds that a county, township, 80
or municipal corporation violated the scope of work or force 81
account limits established for that political subdivision a 82
second or subsequent time, the auditor of state, in addition to 83
any other action authorized by this chapter, shall notify the 84
political subdivision that, for a period of two years from the 85
date of the notification, the scope of work or force account 86
limits for the subdivision are reduced in accordance with 87
division (C) (1) (a), (b), or (c) of this section. 88

(3) If the auditor of state finds that a county, township, 89
or municipal corporation violated the scope of work or force 90
account limits established for that political subdivision a 91
third or subsequent time, the auditor of state shall certify to 92
the tax commissioner an amount the auditor of state determines 93
to be twenty per cent of the total cost of the scope of work or 94
force account project that is the basis of the violation. Upon 95
receipt of this certification, the tax commissioner shall 96
withhold the certified amount from any funds under the tax 97
commissioner's control that are due or payable to that political 98
subdivision. The tax commissioner shall promptly deposit this 99
withheld amount to the credit of the local transportation 100
improvement program fund created by section 164.14 of the 101
Revised Code. 102

If the tax commissioner determines that no funds are due 103

and payable to the violating political subdivision or that 104
insufficient amounts of such funds are available to cover the 105
entire certified amount, the tax commissioner shall withhold and 106
deposit to the credit of the local transportation improvement 107
program fund any amount available and certify the remaining 108
amount to be withheld to the county auditor of the county in 109
which the political subdivision is located. The county auditor 110
shall withhold from that political subdivision any amount, up to 111
that certified by the tax commissioner, that is available from 112
any funds under the county auditor's control, that is due or 113
payable to that political subdivision, and that can be lawfully 114
withheld. The county auditor shall promptly pay that withheld 115
amount to the tax commissioner for deposit into the local 116
transportation improvement program fund. 117

The payments required under division (C) (3) of this 118
section are in addition to the scope of work or force account 119
limit reductions described in division (C) (2) of this section 120
and also are in addition to any other action authorized by this 121
chapter. 122

(D) If the auditor of state finds that a county, township, 123
or municipal corporation violated its scope of work or force 124
account limits when participating in a joint force account 125
project, the auditor of state shall impose the reduction in 126
scope of work or force account limits under division (C) of this 127
section on all entities participating in the joint project. 128

(E) As used in this section, ~~"force":~~ 129

(1) "Force account limits" means any of the following, as 130
applicable: 131

~~(1) For a county, the amounts established in section~~ 132

5543.19 of the Revised Code;	133
(2) (a) For a township, the amounts established in section 5575.01 of the Revised Code;	134
(3) (b) For a municipal corporation, the amount established in section 723.52 of the Revised Code;	136
(4) (c) For the department of transportation, the amount established in section 5517.02 of the Revised Code.	138
<u>(2) "Scope of work" means either of the following, as applicable:</u>	140
<u>(a) For a county, the projects listed in section 5543.191 of the Revised Code within their specified limitations;</u>	142
<u>(b) For the department of transportation, the projects listed in section 5517.021 of the Revised Code within their specified limitations.</u>	144
Sec. 117.161. If the department of transportation, a county, a township, or a municipal corporation proposes a joint force account project with one or more other entities, the controlling force account limit <u>or the scope of work limit</u> shall be <u>either the higher force account limit</u> that applies between the participating entities <u>or, if applicable, the scope of work limit</u> . The participating entities shall not aggregate their respective force account limits <u>or scope of work limit</u> , and the share of each participating entity shall not exceed its respective force account limit <u>or scope of work limit</u> . One of the participating entities shall complete the force account project assessment form developed by the auditor of state under section 117.16 of the Revised Code prior to proceeding by force account.	147
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The department of transportation and any county, township, 161
or municipal corporation shall not proceed with a joint force 162
account project if any one of the participating entities is 163
subject to reduced force account limits under division (C) or 164
(D) of section 117.16 of the Revised Code. 165

As used in this section, "force account limits" has the 166
same meaning as in section 117.16 of the Revised Code. 167

Sec. 124.152. (A) (1) Except as provided in division (A) (2) 168
of this section, each exempt employee shall be paid a salary or 169
wage in accordance with schedule E-1 or schedule E-2 of division 170
(B) of this section. 171

(2) Each exempt employee who holds a position in the 172
unclassified civil service pursuant to division (A) (26) or (30) 173
of section 124.11 of the Revised Code may be paid a salary or 174
wage in accordance with schedule E-1 or schedule E-2 of division 175
(B) of this section, as applicable. 176

(B) (1) Each exempt employee who must be paid in accordance 177
with schedule E-1 or schedule E-2 of this section shall be paid 178
a salary or wage in accordance with the following schedule of 179
rates as of the pay period that includes July 1, 2021: 180

Schedule E-1 181

182

1 2 3 4 5 6 7 8 9 10

A Pay Ranges and Step Values

B

C Step 1 Step 2 Step 3 Step 4 Step 5 Step 6 Step 7 Step 8

D Range

183

	1	2	3	4	5	6	7	8	9	10
A	1	Hourly	12.14	12.69	13.21	13.80				
B		Annually	25251	26395	27476	28704				
C	2	Hourly	14.73	15.36	16.01	16.72				
D		Annually	30638	31948	33300	34777				
E	3	Hourly	15.44	16.13	16.84	17.56				
F		Annually	32115	33550	35027	36524				
G	4	Hourly	16.20	16.93	17.75	18.51				
H		Annually	33696	35214	36920	38500				
I	5	Hourly	17.00	17.78	18.51	19.33				
J		Annually	35360	36982	38500	40206				
K	6	Hourly	17.91	18.66	19.47	20.27				
L		Annually	37252	38812	40497	42161				
M	7	Hourly	19.01	19.72	20.54	21.25	22.07			
N		Annually	39540	41017	42723	44200	45905			

O	8	Hourly	20.11	21.00	21.90	22.89	23.97			
P		Annually	41828	43680	45552	47611	49857			
Q	9	Hourly	21.45	22.56	23.67	24.85	26.11			
R		Annually	44616	46924	49233	51688	54308			
S	10	Hourly	23.13	24.41	25.72	27.20	28.64			
T		Annually	48110	50772	53497	56576	59571			
U	11	Hourly	25.20	26.66	28.20	29.80	31.49			
V		Annually	52416	55452	58656	61984	65499			
W	12	Hourly	27.80	29.36	30.93	32.64	34.46	36.34	37.82	39.60
X		Annually	57824	61068	64334	67891	71676	75587	78665	82368
Y	13	Hourly	30.64	32.32	34.09	35.92	37.95	39.99	41.63	43.59
Z		Annually	63731	67225	70907	74713	78936	83179	86590	90667
AA	14	Hourly	33.69	35.61	37.52	39.56	41.80	44.13	45.95	48.10
AB		Annually	70075	74068	78041	82284	86944	91790	95576	100048
AC	15	Hourly	37.02	39.10	41.30	43.57	45.99	48.51	50.50	52.88
AD		Annually	77001	81328	85904	90625	95659	100900	105040	109990
AE	16	Hourly	40.81	43.08	45.45	48.00	50.63	53.53	55.73	58.34
AF		Annually	84884	89606	94536	99840	105310	111342	115918	121347

AG	17	Hourly	44.96	47.44	50.10	52.86	55.83	58.94
AH		Annually	93516	98675	104208	109948	116126	122595
AI	18	Hourly	49.55	52.29	55.24	58.28	61.50	64.94
AJ		Annually	103064	108763	114899	121222	127920	135075

Schedule E-2

184

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	1	2	3	4
A	Range		Minimum	Maximum
B	41	Hourly	16.23	48.99
C		Annually	33758	101899
D	42	Hourly	17.89	54.09
E		Annually	37211	112507
F	43	Hourly	19.70	59.56
G		Annually	40976	123884
H	44	Hourly	21.73	65.08
I		Annually	45198	135366
J	45	Hourly	24.01	71.05

	1	2	3	4	5	6	7	8	9	10
A	1	Hourly	12.50	13.07	13.61	14.21				
B		Annually	26000	27185	28308	29556				
C	2	Hourly	15.17	15.82	16.49	17.22				
D		Annually	31553	32905	34299	35817				
E	3	Hourly	15.90	16.61	17.35	18.09				
F		Annually	33072	34548	36088	37627				
G	4	Hourly	16.69	17.44	18.28	19.07				
H		Annually	34715	36275	38022	39665				
I	5	Hourly	17.51	18.31	19.07	19.91				
J		Annually	36420	38084	39665	41412				
K	6	Hourly	18.45	19.22	20.05	20.88				
L		Annually	38376	39977	41704	43430				
M	7	Hourly	19.58	20.31	21.16	21.89	22.73			
N		Annually	40726	42244	44012	45531	47278			
O	8	Hourly	20.71	21.63	22.56	23.58	24.69			
P		Annually	43076	44990	46924	49046	51355			
Q	9	Hourly	22.09	23.24	24.38	25.60	26.89			

R	Annually	45947	48339	50710	53248	55931			
S	10 Hourly	23.82	25.14	26.49	28.02	29.50			
T	Annually	49545	52291	55099	58281	61360			
U	11 Hourly	25.96	27.46	29.05	30.69	32.43			
V	Annually	53996	57116	60424	63835	67454			
W	12 Hourly	28.63	30.24	31.86	33.62	35.49	37.43	38.95	40.79
X	Annually	59550	62889	66268	69929	73819	77854	81016	84843
Y	13 Hourly	31.56	33.29	35.11	37.00	39.09	41.19	42.88	44.90
Z	Annually	65644	69243	73028	76960	81307	85675	89190	93392
AA	14 Hourly	34.70	36.68	38.65	40.75	43.05	45.45	47.33	49.54
AB	Annually	72176	76294	80392	84760	89544	94536	98446	103043
AC	15 Hourly	38.13	40.27	42.54	44.88	47.37	49.97	52.02	54.47
AD	Annually	79310	83761	88483	93350	98529	103937	108201	113297
AE	16 Hourly	42.03	44.37	46.81	49.44	52.15	55.14	57.40	60.09
AF	Annually	87422	92289	97364	102835	108472	114691	119392	124987
AG	17 Hourly	46.31	48.86	51.60	54.45	57.50	60.71		
AH	Annually	96324	101628	107328	113256	119600	126276		
AI	18 Hourly	51.04	53.86	56.90	60.03	63.35	66.89		

AJ Annually 106163 112028 118352 124862 131768 139131

Schedule E-2

193

194

	1	2	3	4
A	Range		Minimum	Maximum
B	41	Hourly	16.23	50.46
C		Annually	33758	104956
D	42	Hourly	17.89	55.71
E		Annually	37211	115876
F	43	Hourly	19.70	61.35
G		Annually	40976	127608
H	44	Hourly	21.73	67.03
I		Annually	45198	139422
J	45	Hourly	24.01	73.18
K		Annually	49941	152214
L	46	Hourly	26.43	79.98
M		Annually	54974	166358

G		Annually	32510	33883	35318	36899		
H	3	Hourly	16.38	17.11	17.87	18.63		
I		Annually	34070	35588	37169	38750		
J	4	Hourly	17.19	17.96	18.83	19.64		
K		Annually	35755	37356	39166	40851		
L	5	Hourly	18.04	18.86	19.64	20.51		
M		Annually	37523	39228	40851	42660		
N	6	Hourly	19.00	19.80	20.65	21.51		
O		Annually	39520	41184	42952	44740		
P	7	Hourly	20.17	20.92	21.79	22.55	23.41	
Q		Annually	41953	43513	45323	46904	48692	
R	8	Hourly	21.33	22.28	23.24	24.29	25.43	
S		Annually	44366	46342	48339	50523	52894	
T	9	Hourly	22.75	23.94	25.11	26.37	27.70	
U		Annually	47320	49795	52228	54849	57616	
V	10	Hourly	24.53	25.89	27.28	28.86	30.39	
W		Annually	51022	53851	56742	60028	63211	
X	11	Hourly	26.74	28.28	29.92	31.61	33.40	

Y		Annually	55619	58822	62233	65748	69472			
Z	12	Hourly	29.49	31.15	32.82	34.63	36.55	38.55	40.12	42.01
AA		Annually	61339	64792	68265	72030	76024	80184	83449	87380
AB	13	Hourly	32.51	34.29	36.16	38.11	40.26	42.43	44.17	46.25
AC		Annually	67620	71323	75212	79268	83740	88254	91873	96200
AD	14	Hourly	35.74	37.78	39.81	41.97	44.34	46.81	48.75	51.03
AE		Annually	74339	78582	82804	87297	92227	97364	101400	106142
AF	15	Hourly	39.27	41.48	43.82	46.23	48.79	51.47	53.58	56.10
AG		Annually	81681	86278	91145	96158	101483	107057	111446	116688
AH	16	Hourly	43.29	45.70	48.21	50.92	53.71	56.79	59.12	61.89
AI		Annually	90043	95056	100276	105913	111716	118123	122969	128731
AJ	17	Hourly	47.70	50.33	53.15	56.08	59.23	62.53	<u>65.97</u>	
AK		Annually	99216	104686	110552	116646	123198	130062	<u>137217</u>	
AL	18	Hourly	52.57	55.48	58.61	61.83	65.25	68.90		
AM		Annually	109345	115398	121908	128606	135720	143312		
AN	<u>19</u>	<u>Hourly</u>	<u>57.83</u>	<u>61.03</u>	<u>64.47</u>	<u>68.01</u>	<u>71.78</u>	<u>75.79</u>		
AO		<u>Annually</u>	<u>120286</u>	<u>126942</u>	<u>134097</u>	<u>141460</u>	<u>149302</u>	<u>157643</u>		

	1	2	3	4
A	Range		Minimum	Maximum
B	41	Hourly	16.23	51.97
C		Annually	33758	108097
D	42	Hourly	17.89	57.38
E		Annually	37211	119350
F	43	Hourly	19.70	63.19
G		Annually	40976	131435
H	44	Hourly	21.73	69.04
I		Annually	45198	143603
J	45	Hourly	24.01	75.38
K		Annually	49941	156790
L	46	Hourly	26.43	82.38
M		Annually	54974	171350
N	47	Hourly	29.14	89.91
O		Annually	60611	187012
P	48	Hourly	32.14	98.08
Q		Annually	66851	204006

R	49	Hourly	35.44	105.90
S		Annually	73715	220272

(C) As used in this section: 203

(1) "Exempt employee" means a permanent full-time or 204
permanent part-time employee paid directly by warrant of the 205
director of budget and management whose position is included in 206
the job classification plan established under division (A) of 207
section 124.14 of the Revised Code but who is not considered a 208
public employee for the purposes of Chapter 4117. of the Revised 209
Code. "Exempt employee" also includes a permanent full-time or 210
permanent part-time employee of the secretary of state, auditor 211
of state, treasurer of state, or attorney general who has not 212
been placed in an appropriate bargaining unit by the state 213
employment relations board. 214

(2) "Base rate of pay" means the rate of pay established 215
under schedule E-1 of this section, plus the supplement provided 216
under division (E) of section 124.181 of the Revised Code, plus 217
any supplements enacted into law that are added to schedule E-1 218
of this section. 219

~~(D) (1) The director of administrative services shall adopt 220
rules establishing pay range 19 in schedule E-1 of division (B) 221
(3) of this section. In the rules, the director shall do both of 222
the following: 223~~

~~(a) Require that an individual paid in accordance with 224
range 19 be paid a minimum annual salary of \$101,935 up to a 225
maximum annual salary of \$122,465. 226~~

~~(b) Establish the step values within range 19 and 227
determine the hourly rates of pay that correspond to the annual 228~~

~~salaries assigned to the steps.~~ 229

~~(2) The director of administrative services shall adopt~~ 230
~~rules identifying a (D) Notwithstanding any division of this~~ 231
~~section to the contrary, or division (E) or (G) of section~~ 232
~~124.15 of the Revised Code with respect to requirements for step~~ 233
~~placement and advancement, no exempt employee other than a~~ 234
~~captain or equivalent officer in the state highway patrol shall~~ 235
~~be placed in step value 7 in range 17 of schedule E-1 of~~ 236
~~division (B) (3) of this section. In the rules, the director~~ 237
~~shall identify the hourly and annual pay for step value 7 in~~ 238
~~range 17, which shall be proportionally higher than the hourly~~ 239
~~and annual pay for step value 6 in range 17.~~ 240

Sec. 303.02. (A) Except as otherwise provided in this 241
section, in the interest of the public health and safety, the 242
board of county commissioners may regulate by resolution, in 243
accordance with a comprehensive plan, the location, height, 244
bulk, number of stories, and size of buildings and other 245
structures, including tents, cabins, and trailer coaches, 246
percentages of lot areas that may be occupied, set back building 247
lines, sizes of yards, courts, and other open spaces, the 248
density of population, the uses of buildings and other 249
structures, including tents, cabins, and trailer coaches, and 250
the uses of land for trade, industry, residence, recreation, or 251
other purposes in the unincorporated territory of the county. 252
Except as otherwise provided in this section, in the interest of 253
the public convenience, comfort, prosperity, or general welfare, 254
the board, by resolution, in accordance with a comprehensive 255
plan, may regulate the location of, set back lines for, and the 256
uses of buildings and other structures, including tents, cabins, 257
and trailer coaches, and the uses of land for trade, industry, 258
residence, recreation, or other purposes in the unincorporated 259

territory of the county, and may establish reasonable 260
landscaping standards and architectural standards excluding 261
exterior building materials in the unincorporated territory of 262
the county. Except as otherwise provided in this section, in the 263
interest of the public convenience, comfort, prosperity, or 264
general welfare, the board may regulate by resolution, in 265
accordance with a comprehensive plan, for nonresidential 266
property only, the height, bulk, number of stories, and size of 267
buildings and other structures, including tents, cabins, and 268
trailer coaches, percentages of lot areas that may be occupied, 269
sizes of yards, courts, and other open spaces, and the density 270
of population in the unincorporated territory of the county. For 271
all these purposes, the board may divide all or any part of the 272
unincorporated territory of the county into districts or zones 273
of such number, shape, and area as the board determines. All 274
such regulations shall be uniform for each class or kind of 275
building or other structure or use throughout any district or 276
zone, but the regulations in one district or zone may differ 277
from those in other districts or zones. 278

For any activities permitted and regulated under Chapter 279
1513. or 1514. of the Revised Code and any related processing 280
activities, the board of county commissioners may regulate under 281
the authority conferred by this section only in the interest of 282
public health or safety. A zoning resolution authorized under 283
this section shall provide for the activities that are permitted 284
and regulated under Chapter 1514. of the Revised Code, and any 285
related processing activities, as either a permitted use or a 286
conditional use through the board of zoning appeals in any 287
district or zone when such activities are to be added to an 288
existing permit issued under Chapter 1514. of the Revised Code. 289

(B) A board of county commissioners that pursuant to this 290

chapter regulates adult entertainment establishments, as defined 291
in section 2907.39 of the Revised Code, may modify its 292
administrative zoning procedures with regard to adult 293
entertainment establishments as the board determines necessary 294
to ensure that the procedures comply with all applicable 295
constitutional requirements. 296

Sec. 306.353. ~~This (A) As used in this section applies~~ 297
~~only to:~~ 298

(1) "Qualifying regional transit authority" means a 299
regional transit authority whose territory includes a county 300
having a population of more than seven hundred fifty thousand 301
but less than nine hundred thousand as of the most recent 302
federal decennial census. 303

(2) "Qualifying project" means the general construction or 304
maintenance of roads or bridges related to the provision of 305
service by a qualifying regional transit authority. 306

(3) "Qualifying bonds" means bonds or similar obligations 307
issued by a county, municipal corporation, township, or 308
transportation improvement district to fund or finance 309
qualifying projects. 310

(4) "Sales and use tax" means a tax levied in accordance 311
with sections 5739.023 and 5741.022 of the Revised Code. 312

~~(B) A qualifying regional transit authority to which this~~ 313
~~section applies may levy a sales and use tax, in accordance with~~ 314
~~section 5739.023 of the Revised Code, in part for the specific~~ 315
~~purpose of funding the general construction or maintenance of~~ 316
~~roads or bridges related to the provision of service by the~~ 317
~~regional transit authority or financing a qualifying project. If~~ 318
a regional transit authority levies such a tax, the authority 319

shall enter into agreements, which may include an agreement in 320
effect for more than one year, with counties, municipal 321
corporations, ~~and townships,~~ and transportation improvement 322
districts located within the authority's territorial boundaries 323
to fund ~~such~~ or finance qualifying projects. Pursuant to such an 324
agreement, the authority may pledge or assign sales and use tax 325
revenue to pay the debt service on qualifying bonds. Such 326
agreements shall be entered into before the authority may spend 327
any portion of the revenue from ~~such a~~ sales and use tax for 328
~~general construction or maintenance of any roads or bridges~~ a 329
qualifying project. Such agreements are subject to all of the 330
following: 331

~~(A)~~ (1) The regional transit authority shall submit each 332
such agreement for approval to the appropriate public works 333
integrating committee designated under section 164.03 of the 334
Revised Code. 335

~~(B)~~ (2) The integrating committee shall, on at least an 336
annual basis, review and approve or deny agreements submitted to 337
it under division ~~(A)~~ (B) (1) of this section, except for an 338
agreement that is in effect for more than one year and that was 339
reviewed and approved in a prior meeting of the committee. 340

~~(C)~~ (3) Notwithstanding anything to the contrary in 341
section 164.04 of the Revised Code, approvals and denials shall 342
be by an affirmative vote of six of the members of the 343
integrating committee. 344

~~(D)~~ (4) The integrating committee shall notify the 345
authority of the approval or denial. 346

~~(E)~~ (5) The qualifying regional transit authority shall 347
expend funds only as authorized in an approved agreement. 348

(C) Neither a qualifying regional transit authority, nor 349
the electors thereof, may repeal, rescind, or reduce any portion 350
of a sales and use tax pledged or assigned to pay the debt 351
service on qualifying bonds while those bonds remain 352
outstanding. If the sales and use tax is not in effect for a 353
continuing period of time, the final principal maturity date of 354
qualifying bonds shall not extend beyond the final year that the 355
tax is collected. 356

Sec. 519.02. (A) Except as otherwise provided in this 357
section, in the interest of the public health and safety, the 358
board of township trustees may regulate by resolution, in 359
accordance with a comprehensive plan, the location, height, 360
bulk, number of stories, and size of buildings and other 361
structures, including tents, cabins, and trailer coaches, 362
percentages of lot areas that may be occupied, set back building 363
lines, sizes of yards, courts, and other open spaces, the 364
density of population, the uses of buildings and other 365
structures, including tents, cabins, and trailer coaches, and 366
the uses of land for trade, industry, residence, recreation, or 367
other purposes in the unincorporated territory of the township. 368
Except as otherwise provided in this section, in the interest of 369
the public convenience, comfort, prosperity, or general welfare, 370
the board by resolution, in accordance with a comprehensive 371
plan, may regulate the location of, set back lines for, and the 372
uses of buildings and other structures, including tents, cabins, 373
and trailer coaches, and the uses of land for trade, industry, 374
residence, recreation, or other purposes in the unincorporated 375
territory of the township, and may establish reasonable 376
landscaping standards and architectural standards excluding 377
exterior building materials in the unincorporated territory of 378
the township. Except as otherwise provided in this section, in 379

the interest of the public convenience, comfort, prosperity, or 380
general welfare, the board may regulate by resolution, in 381
accordance with a comprehensive plan, for nonresidential 382
property only, the height, bulk, number of stories, and size of 383
buildings and other structures, including tents, cabins, and 384
trailer coaches, percentages of lot areas that may be occupied, 385
sizes of yards, courts, and other open spaces, and the density 386
of population in the unincorporated territory of the township. 387
For all these purposes, the board may divide all or any part of 388
the unincorporated territory of the township into districts or 389
zones of such number, shape, and area as the board determines. 390
All such regulations shall be uniform for each class or kind of 391
building or other structure or use throughout any district or 392
zone, but the regulations in one district or zone may differ 393
from those in other districts or zones. 394

For any activities permitted and regulated under Chapter 395
1513. or 1514. of the Revised Code and any related processing 396
activities, the board of township trustees may regulate under 397
the authority conferred by this section only in the interest of 398
public health or safety. A zoning resolution authorized under 399
this section shall provide for the activities that are permitted 400
and regulated under Chapter 1514. of the Revised Code, and any 401
related processing activities, as either a permitted use or a 402
conditional use through the board of zoning appeals in any 403
district or zone when such activities are to be added to an 404
existing permit issued under Chapter 1514. of the Revised Code. 405

(B) A board of township trustees that pursuant to this 406
chapter regulates adult entertainment establishments, as defined 407
in section 2907.39 of the Revised Code, may modify its 408
administrative zoning procedures with regard to adult 409
entertainment establishments as the board determines necessary 410

to ensure that the procedures comply with all applicable 411
constitutional requirements. 412

Sec. 746.01. As used in this chapter: 413

"Ferguson Act of 1869" means the act titled "An act 414
relating to cities of the first class having a population 415
exceeding one hundred and fifty thousand inhabitants" passed May 416
4, 1869, (66 O. L. p. 80) pursuant to which the city of 417
Cincinnati established the Cincinnati Southern Railway, as well 418
as acts subsequently amending the act passed May 4, 1869, which 419
included sections 15093 to 15150-20 of the General Code, as 420
subsequently amended by Section 2 of S.B. 200 of the 98th 421
general assembly, Section 1 of H.B. 314 of the 102nd general 422
assembly, Section 1 of S.B. 562 of the 104th general assembly, 423
and Sections 1 and 2 of H.B. 69 of the 112th general assembly. 424

"Railway" means any railroad built under and governed by 425
the Ferguson Act of 1869, and does not include property, land, 426
right-of-way, or easements which are a part of the railroad line 427
but are no longer necessary for the operation of the railroad, 428
as determined by the railway board of trustees. 429

"Railway board of trustees" means a board of trustees 430
established by a municipal corporation pursuant to H.B. 69 of 431
the 112th general assembly as successor to a board of trustees 432
that was established by the Ferguson Act of 1869. 433

Sec. 746.02. (A) (1) A railway board of trustees may 434
solicit or receive offers for, and sell, all or any portion of a 435
railway in accordance with the provisions of this chapter. The 436
board of trustees may approve and enter into a sale agreement by 437
adopting a resolution that shall include the terms of the 438
proposed sale, and the method that will be used to determine the 439

minimum annual amount to be transmitted to the municipal 440
corporation under section 746.05 of the Revised Code, which may 441
only be amended upon consultation with the fiscal officer of the 442
municipal corporation, and which shall result in an annual 443
amount equal to or greater than the minimum approved by the 444
electors under this section. 445

(2) After the railway board of trustees has adopted the 446
resolution described in division (A) (1) of this section, the 447
railway board of trustees may adopt a resolution setting the 448
date of the election in which the question of approval of the 449
sale is to be submitted to the electors of the municipal 450
corporation, along with the applicable ballot language as 451
described in division (D) of this section. 452

The board of trustees shall only sell a railway or portion 453
of a railway upon approval by the electors of the municipal 454
corporation, as described in divisions (B), (C), (D), and (E) of 455
this section. 456

(B) (1) The railway board of trustees, upon adopting a 457
resolution under division (A) (2) of this section, shall certify 458
the resolution to the legislative authority of the municipal 459
corporation and to the fiscal officer of the municipal 460
corporation. The legislative authority of the municipal 461
corporation, upon receiving a copy of the resolution, shall 462
certify the resolution to the board of elections not less than 463
ninety days before the date of the election specified in the 464
resolution. 465

(2) The board of elections shall submit the proposed 466
resolution for the approval or rejection of the electors of the 467
municipal corporation at the election specified in the 468
resolution. 469

(C) (1) The legislative authority of the municipal corporation shall cause a notice of an election under this section to be published in a newspaper of general circulation within the municipal corporation for the two consecutive weeks before the election, or as provided in section 7.16 of the Revised Code. 470
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(2) If the board of elections maintains a web site, the board of elections shall post notice of the election on its web site not later than thirty days before the election. 476
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(3) A notice published under this section shall state the time and place of the election and shall include a description of the railway or portion of the railway to be sold, the name of the proposed purchaser, the purchase price to be paid, including the amount and due date of any installments of the purchase price, the purposes for which the proceeds of the sale may be used, and the initial minimum annual amount payable to the municipal corporation, as described in section 746.05 of the Revised Code. 479
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(D) The ballot for an election under this section shall include the following language, as applicable: 488
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"Shall the _____ (name of railway board of trustees) be authorized to sell _____ (name and description of railway or portion of railway being sold) to _____ (name of the proposed buyer) for a purchase price of _____ (amount proposed for the sale), to be paid in _____ (number of installments) installments during the years _____ (years in which an installment will be paid), with the moneys received to be deposited into a trust fund operated by _____ (railway board of trustees), with _____ (municipal corporation) as the sole beneficiary, the moneys to be annually disbursed to the municipal corporation in 490
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an amount no less than _____ (dollar amount) per year, for the 500
purpose of the rehabilitation, modernization, or replacement of 501
existing streets, bridges, municipal buildings, parks and green 502
spaces, site improvements, recreation facilities, improvements 503
for parking purposes, and any other public facilities owned by 504
_____ (municipal corporation), and to pay for the costs of 505
administering the trust fund? 506

YES _____ 507

NO _____" 508

(E) If the question is approved by a majority of electors 509
voting on the question, the railway board of trustees may 510
proceed and take all necessary actions to complete the sale on 511
terms consistent with those described in the resolution adopted 512
under division (A) of this section. Notwithstanding any other 513
provisions of the Revised Code, any net proceeds from a sale 514
pursuant to this section shall be deposited into the trust fund 515
established under section 746.03 of the Revised Code. 516

(F) If the question is not approved by a majority of the 517
electors voting on the question, the railway board of trustees 518
shall not move forward with the sale. 519

Sec. 746.03. (A) A railway board of trustees that sells a 520
railway or any portion of a railway under section 746.02 of the 521
Revised Code shall establish a railway proceeds trust fund for 522
the purpose of receiving the net proceeds of the sale. The 523
municipal corporation that owned the railway or portion of the 524
railway before the sale shall be the sole beneficiary of the 525
trust fund. Any funds in the trust fund shall not be considered 526
part of the unencumbered balance or revenue of the subdivision 527
under section 5705.35 or 5705.36 of the Revised Code. 528

(B) The railway board of trustees shall manage and 529
administer the railway proceeds trust fund established under 530
division (A) of this section as trustees, in accordance with 531
this chapter and with ordinances passed by the legislative 532
authority of the municipal corporation not in conflict with this 533
chapter. 534

(C) Notwithstanding section 9.481 of the Revised Code, no 535
individual may be appointed to the railway board of trustees 536
after the effective date of this section unless the individual 537
is a resident of the municipal corporation. 538

Sec. 746.04. (A) A railway board of trustees that 539
establishes a trust fund under section 746.03 of the Revised 540
Code may invest and reinvest the moneys and assets held in the 541
trust fund, subject to this chapter. The railway board of 542
trustees shall invest and reinvest under the prudent investor 543
standard of care, as described in section 5809.02 of the Revised 544
Code. 545

(B) The railway board of trustees shall retain at least 546
one independent financial advisor to assist the railway board of 547
trustees in investing the trust fund. The railway board of 548
trustees may retain managers, administrative staff, agents, 549
attorneys, and employees, and engage advisors, as are 550
appropriate and reasonable in relation to the assets of the 551
trust fund, the purposes of the trust, and the skills and 552
knowledge of the members of the railway board of trustees, in 553
order to fulfill the board's duties and responsibilities in 554
administering the trust fund. The railway board of trustees 555
shall provide for payment of these and other reasonable expenses 556
of administering the trust fund from the investment earnings on 557
the trust fund. 558

(C) The railway board of trustees shall adopt management 559
and investment policies containing objectives and criteria 560
designed to ensure the trust fund is administered efficiently 561
and self-sustaining, and that the money and assets in the trust 562
fund are not diminished while providing the municipal 563
corporation payments pursuant to section 746.05 of the Revised 564
Code. These policies shall address asset allocation targets and 565
ranges, risk factors, asset class benchmarks, eligible 566
investments, time horizons, total return objectives, a strategy 567
for long-term growth of the principal of the trust fund, 568
competitive procurement processes, fees and administrative 569
expenses, and performance evaluation guidelines. 570

The management and investment policies, and any amendments 571
to those policies, shall be adopted after consultation with the 572
fiscal officer of the municipal corporation. 573

The railway board of trustees shall make public any 574
management and investment policies it adopts under this section. 575

(D) The railway board of trustees, following the creation 576
of a trust fund under this chapter, shall report to the fiscal 577
officer of the municipal corporation, each calendar year, the 578
fiscal transactions of the trust fund for the calendar year, the 579
amounts of accumulated moneys and securities, and the most 580
recent balance sheet showing the financial condition of the fund 581
by means of audited financial statements. The reports shall be 582
delivered at such times, and shall be in a form and content, as 583
reasonably requested by the fiscal officer of the municipal 584
corporation. 585

(E) Except as otherwise provided in this chapter, no 586
member of the railway board of trustees shall have any direct or 587
indirect interest in the gains or profits of any investment made 588

by the railway board of trustees. No member or person connected 589
with the railway board of trustees directly or indirectly, for 590
self or as an agent or partner of others, shall borrow any of 591
the funds or deposits of the railway board of trustees or trust 592
fund, or in any manner use the same except to make such current 593
and necessary payments as are authorized by the railway board of 594
trustees. No member or agent of the railway board of trustees 595
shall become an indorser or surety or become in any manner an 596
obligor for moneys loaned by or borrowed from the railway board 597
of trustees. 598

(F) The railway board of trustees, and the management and 599
investment of the trust fund, is not subject to Chapter 135., 600
sections 731.56 to 731.59, or any other conflicting provisions 601
of the Revised Code. 602

Sec. 746.05. Not later than the thirtieth day of September 603
of each year, the railway board of trustees shall certify to the 604
municipal corporation the amount of funds that the railway board 605
of trustees will disburse to the municipal corporation over the 606
course of the municipal corporation's immediately following 607
fiscal year. During the municipal corporation's immediately 608
following fiscal year, and with such frequency and in such 609
installments as may be determined by the railway board of 610
trustees after consultation with the fiscal officer of the 611
municipal corporation, the railway board of trustees shall 612
transmit to the municipal corporation the certified amount. 613

The railway board of trustees shall determine the amount 614
transferred pursuant to this section, which shall be not less 615
than the amount approved by the electors as provided in section 616
746.02 of the Revised Code, increased each year in the manner 617
set forth in the methodology approved pursuant to that section. 618

Amounts transferred pursuant to this section shall be paid from 619
investment earnings of the trust fund after payments of expenses 620
incurred under section 746.04 of the Revised Code. If there are 621
not sufficient investment earnings in a year to pay the amount 622
certified pursuant to this section, the railway board of 623
trustees shall remit the remainder of the certified amount to 624
the municipal corporation from the principal amount of the trust 625
fund. 626

Sec. 746.06. (A) As used in this section: 627

"Debt service" means the principal, interest, and 628
redemption premium payments, and any deposits pertaining 629
thereto, required with respect to bonds. 630

"Existing infrastructure improvements" means streets, 631
bridges, municipal buildings, parks and green space, site 632
improvements, recreation facilities, improvements for parking 633
purposes, and any other public facilities that are owned by a 634
municipal corporation with a useful life of five or more years. 635

"Existing infrastructure improvements" does not include the 636
construction of new infrastructure improvements. 637

(B) A municipal corporation that receives disbursements 638
under section 746.05 of the Revised Code shall deposit the 639
moneys received into a fund designated by the fiscal officer of 640
the municipal corporation. The municipal corporation shall spend 641
the funds received solely on the rehabilitation, modernization, 642
or replacement of existing infrastructure improvements. The 643
municipal corporation shall not use the funds received for 644
payment of debt service or for the construction of new 645
infrastructure improvements. 646

Sec. 746.07. All net earnings and income from the lease of 647

a railway established under the Ferguson Act of 1869 shall be 648
paid into the treasury of the municipal corporation that 649
established the railway, to the credit of the sinking fund or 650
bond retirement fund. 651

Sec. 1710.01. As used in this chapter: 652

(A) "Special improvement district" means a special 653
improvement district organized under this chapter. 654

(B) "Church" means a fellowship of believers, 655
congregation, society, corporation, convention, or association 656
that is formed primarily or exclusively for religious purposes 657
and that is not formed for the private profit of any person. 658

(C) "Church property" means property that is described as 659
being exempt from taxation under division (A) (2) of section 660
5709.07 of the Revised Code and that the county auditor has 661
entered on the exempt list compiled under section 5713.07 of the 662
Revised Code. 663

(D) "Municipal executive" means the mayor, city manager, 664
or other chief executive officer of the municipal corporation in 665
which a special improvement district is located. 666

(E) "Participating political subdivision" means the 667
municipal corporation or township, or each of the municipal 668
corporations or townships, that has territory within the 669
boundaries of a special improvement district created under this 670
chapter. 671

(F) "Legislative authority of a participating political 672
subdivision" means, with reference to a township, the board of 673
township trustees. 674

(G) "Public improvement" means the planning, design, 675

construction, reconstruction, enlargement, or alteration of any 676
facility or improvement, including the acquisition of land, for 677
which a special assessment may be levied under Chapter 727. of 678
the Revised Code, and includes any special energy improvement 679
project or shoreline improvement project. 680

(H) "Public service" means any service that can be 681
provided by a municipal corporation or any service for which a 682
special assessment may be levied under Chapter 727. of the 683
Revised Code. 684

(I) "Special energy improvement project" means any 685
property, device, structure, or equipment necessary for the 686
acquisition, installation, equipping, and improvement of any 687
real or personal property used for the purpose of creating a 688
solar photovoltaic project, a solar thermal energy project, a 689
geothermal energy project, a customer-generated energy project, 690
or an energy efficiency improvement, whether such real or 691
personal property is publicly or privately owned. 692

(J) (1) Except as provided in division (J) (2) of this 693
section, "existing" qualified nonprofit corporation" means a 694
nonprofit corporation that existed before the creation of the 695
corresponding district under this chapter, that is composed of 696
members located within or adjacent to the district, that has 697
established a police department under section 1702.80 of the 698
Revised Code, and that is organized for purposes that include 699
acquisition of real property within an area specified by its 700
articles for the subsequent transfer of such property to its 701
members exclusively for charitable, scientific, literary, or 702
educational purposes, or holding and maintaining and leasing 703
such property; planning for and assisting in the development of 704
its members; providing for the relief of the poor and distressed 705

or underprivileged in the area and adjacent areas; combating 706
community deterioration and lessening the burdens of government; 707
providing or assisting others in providing housing for low- or 708
moderate-income persons; and assisting its members by the 709
provision of public safety and security services, parking 710
facilities, transit service, landscaping, and parks. 711

(2) Regarding a special improvement district to implement 712
a shoreline improvement project, "existing qualified nonprofit 713
corporation" has the same meaning as in division (J)(1) of this 714
section, except that the nonprofit does not need to have an 715
established police department and does not need to be organized 716
for purposes that include the acquisition of real property. 717

(K) "Energy efficiency improvement" means energy 718
efficiency technologies, products, and activities that reduce or 719
support the reduction of energy consumption, allow for the 720
reduction in demand, or support the production of clean, 721
renewable energy and that are or will be permanently fixed to 722
real property. 723

(L) "Customer-generated energy project" means a wind, 724
biomass, or gasification facility for the production of 725
electricity that meets either of the following requirements: 726

(1) The facility is designed to have a generating capacity 727
of two hundred fifty kilowatts of electricity or less. 728

(2) The facility is: 729

(a) Designed to have a generating capacity of more than 730
two hundred fifty kilowatts of electricity; 731

(b) Operated in parallel with electric transmission and 732
distribution facilities serving the real property at the site of 733
the customer-generated energy project; 734

(c) Intended primarily to offset part or all of the 735
facility owner's requirements for electricity at the site of the 736
customer-generated energy project and is located on the facility 737
owner's real property; and 738

(d) Not producing energy for direct sale by the facility 739
owner to the public. 740

(M) "Reduction in demand" means a change in customer 741
behavior or a change in customer-owned or operated assets that 742
reduces or has the capability to reduce the demand for 743
electricity as a result of price signals or other incentives. 744

(N) "Electric distribution utility" and "mercantile 745
customer" have the same meanings as in section 4928.01 of the 746
Revised Code. 747

(O) "Shoreline improvement project" means acquiring, 748
constructing, installing, equipping, improving, maintaining, or 749
repairing real or tangible personal property necessary or useful 750
for making improvements to abate erosion along either the Lake 751
Erie shoreline or any water resource. 752

(P) "Water resource" has the same meaning as in section 753
6105.01 of the Revised Code. 754

(Q) "Park district" means a park district created under 755
Chapter 1545. of the Revised Code. 756

Sec. 1710.02. (A) (1) A special improvement district may be 757
created within the boundaries of any one municipal corporation, 758
any one township, or any combination of municipal corporations 759
and townships within a single county, or counties that adjoin 760
one another, for the purpose of developing and implementing 761
plans for public improvements and public services that benefit 762
the district. A district may be created by petition of the 763

owners of real property within the proposed district, or by an 764
existing qualified nonprofit corporation. 765

(2) If the district is created by an existing qualified 766
nonprofit corporation, the purposes for which the district is 767
created may be supplemental to the other purposes for which the 768
corporation is organized. The corporation is considered a 769
special improvement district only when it acts with respect to a 770
purpose for which the district is created, and not when it acts 771
with respect to any other purpose for which it is organized. 772

(3) All territory in a special improvement district shall 773
be contiguous; except that the territory in a special 774
improvement district may be noncontiguous if at least one 775
special energy improvement project or shoreline improvement 776
project is designated for each parcel of real property included 777
within the special improvement district. Additional territory 778
may be added to a special improvement district created under 779
this chapter for the purpose of developing and implementing 780
plans for special energy improvement projects or shoreline 781
improvement projects if at least one special energy improvement 782
project or shoreline improvement project, respectively, is 783
designated for each parcel of real property included within such 784
additional territory and the addition of territory is authorized 785
by the initial plan proposed under division (F) of this section 786
or a plan adopted by the board of directors of the special 787
improvement district under section 1710.06 of the Revised Code. 788

(4) The district shall be governed by the board of 789
trustees of a nonprofit corporation. This board shall be known 790
as the board of directors of the special improvement district. 791

(5) No special improvement district shall include any 792
church property, or property of the federal or state government 793

or a county, township, ~~or~~ municipal corporation, or park 794
district, unless the church or the county, township, ~~or~~ 795
municipal corporation, or park district specifically requests in 796
writing that the property be included within the district, or 797
unless the church is a member of the existing qualified 798
nonprofit corporation creating the district at the time the 799
district is created. 800

(6) A shoreline improvement project may extend into the 801
territory of Lake Erie as described in sections 1506.10 and 802
1506.11 of the Revised Code. However, the state shall remain 803
exempt from any special assessment that may be levied against 804
that territory under section 1710.06 and Chapter 727. of the 805
Revised Code. 806

(7) More than one district may be created within a 807
participating political subdivision, but no real property may be 808
included within more than one district unless the owner of the 809
property files a written consent with the clerk of the 810
legislative authority, the township fiscal officer, or the 811
village clerk, as appropriate. 812

(8) The area of each district shall be contiguous; except 813
that the area of a special improvement district may be 814
noncontiguous if all parcels of real property included within 815
such area contain at least one special energy improvement or 816
shoreline improvement thereon. 817

(B) Subject to division (A) (2) of this section, all of the 818
following apply: 819

(1) A district created under this chapter is not a 820
political subdivision, except for purposes of section 4905.34 of 821
the Revised Code. 822

(2) A district created under this chapter shall be 823
considered a public agency under section 102.01 and a public 824
authority under section 4115.03 of the Revised Code. 825

(3) Districts created under this chapter are not subject 826
to sections 121.81 to 121.83 of the Revised Code. Districts 827
created under this chapter are subject to sections 121.22 and 828
121.23 of the Revised Code. 829

(4) All records of the district are public records under 830
section 149.43 of the Revised Code, except that records of 831
organizations contracting with a district are not public records 832
under section 149.43 or section 149.431 of the Revised Code 833
solely by reason of any contract with a district. 834

(C) (1) Subject to division (C) (2) of this section, both of 835
the following apply: 836

(a) Membership on the board of directors of the district 837
shall not be considered as holding a public office. However, 838
each member of the board of directors of a district, each 839
member's designee or proxy, and each officer or employee of a 840
district is a public official or employee under section 102.01 841
and a public official under section 2921.42 of the Revised Code. 842
District officers and district members and directors and their 843
designees or proxies are not required to file a statement with 844
the Ohio ethics commission under section 102.02 of the Revised 845
Code. 846

(b) Directors and their designees shall be entitled to the 847
immunities provided by Chapter 1702. and to the same immunity as 848
an employee under division (A) (6) of section 2744.03 of the 849
Revised Code, except that directors and their designees shall 850
not be entitled to the indemnification provided in section 851

2744.07 of the Revised Code unless the director or designee is 852
an employee or official of a participating political subdivision 853
of the district and is acting within the scope of the director's 854
or designee's employment or official responsibilities. 855

(2) District officers and district members and directors 856
of a district created by an existing qualified nonprofit 857
corporation, and their designees or proxies, are public 858
officials or employees under section 102.01 and public officials 859
under section 2921.42 of the Revised Code by virtue of their 860
positions with the corporation only when they act with respect 861
to a purpose for which the district is created, and not when 862
they act with respect to any other purpose for which the 863
corporation is organized. 864

(D) Except as otherwise provided in this section, the 865
nonprofit corporation that governs a district shall be organized 866
in the manner described in Chapter 1702. of the Revised Code. 867
Except in the case of a district created by an existing 868
qualified nonprofit corporation, the corporation's articles of 869
incorporation are required to be approved, as provided in 870
division (E) of this section, by resolution of the legislative 871
authority of each participating political subdivision of the 872
district. A copy of that resolution shall be filed along with 873
the articles of incorporation in the secretary of state's 874
office. 875

In addition to meeting the requirements for articles of 876
incorporation set forth in Chapter 1702. of the Revised Code, 877
the articles of incorporation for the nonprofit corporation 878
governing a district formed under this chapter shall provide all 879
the following: 880

(1) The name for the district, which shall include the 881

name of each participating political subdivision of the 882
district; 883

(2) A description of the territory within the district, 884
which may be all or part of each participating political 885
subdivision. The description shall be specific enough to enable 886
real property owners to determine if their property is located 887
within the district. 888

(3) A description of the procedure by which the articles 889
of incorporation may be amended. The procedure shall include 890
receiving approval of the amendment, by resolution, from the 891
legislative authority of each participating political 892
subdivision and filing the approved amendment and resolution 893
with the secretary of state. 894

(4) The reasons for creating the district, plus an 895
explanation of how the district will be conducive to the public 896
health, safety, peace, convenience, and welfare of the district. 897

(E) The articles of incorporation for a nonprofit 898
corporation governing a district created under this chapter and 899
amendments to them shall be submitted to the municipal 900
executive, if any, and the legislative authority of each 901
municipal corporation or township in which the proposed district 902
is to be located. Except in the case of a district created by an 903
existing qualified nonprofit corporation, the articles or 904
amendments shall be accompanied by a petition signed either by 905
the owners of at least sixty per cent of the front footage of 906
all real property located in the proposed district that abuts 907
upon any street, alley, public road, place, boulevard, parkway, 908
park entrance, easement, or other existing public improvement 909
within the proposed district, excluding church property or 910
property owned by the state, county, township, municipal, park 911

district, or federal government, unless a church, county, 912
township, ~~or~~ municipal corporation, or park district has 913
specifically requested in writing that the property be included 914
in the district, or by the owners of at least seventy-five per 915
cent of the area of all real property located within the 916
proposed district, excluding church property or property owned 917
by the state, county, township, municipal, park district, or 918
federal government, unless a church, county, township, ~~or~~ 919
municipal corporation, or park district has specifically 920
requested in writing that the property be included in the 921
district. Pursuant to Section 2o of Article VIII, Ohio 922
Constitution, the petition required under this division may be 923
for the purpose of developing and implementing plans for special 924
energy improvement projects or shoreline improvement projects, 925
and, in such case, is determined to be in furtherance of the 926
purposes set forth in Section 2o of Article VIII, Ohio 927
Constitution. Except as provided in division (H) of this 928
section, if a special improvement district is being created 929
under this chapter for the purpose of developing and 930
implementing plans for special energy improvement projects or 931
shoreline improvement projects, the petition required under this 932
division shall be signed by one hundred per cent of the owners 933
of the area of all real property located within the proposed 934
special improvement district, at least one special energy 935
improvement project or shoreline improvement project shall be 936
designated for each parcel of real property within the special 937
improvement district, and the special improvement district may 938
include any number of parcels of real property as determined by 939
the legislative authority of each participating political 940
subdivision in which the proposed special improvement district 941
is to be located. For purposes of determining compliance with 942
these requirements, the area of the district, or the front 943

footage and ownership of property, shall be as shown in the most 944
current records available at the county recorder's office and 945
the county engineer's office sixty days prior to the date on 946
which the petition is filed. 947

Each municipal corporation or township with which the 948
petition is filed has sixty days to approve or disapprove, by 949
resolution, the petition, including the articles of 950
incorporation. In the case of a district created by an existing 951
qualified nonprofit corporation, each municipal corporation or 952
township has sixty days to approve or disapprove the creation of 953
the district after the corporation submits the articles of 954
incorporation or amendments thereto. This chapter does not 955
prohibit or restrict the rights of municipal corporations under 956
Article XVIII of the Ohio Constitution or the right of the 957
municipal legislative authority to impose reasonable conditions 958
in a resolution of approval. The acquisition, installation, 959
equipping, and improvement of a special energy improvement 960
project under this chapter shall not supersede any local zoning, 961
environmental, or similar law or regulation. In addition, all 962
activities associated with a shoreline improvement project that 963
is implemented under this chapter shall comply with all 964
applicable local zoning requirements, all local, state, and 965
federal environmental laws and regulations, and all applicable 966
requirements established in Chapter 1506. of the Revised Code 967
and rules adopted under it. 968

(F) Persons proposing creation and operation of the 969
district may propose an initial plan for public services or 970
public improvements that benefit all or any part of the 971
district. Any initial plan shall be submitted as part of the 972
petition proposing creation of the district or, in the case of a 973
district created by an existing qualified nonprofit corporation, 974

shall be submitted with the articles of incorporation or 975
amendments thereto. 976

An initial plan may include provisions for the following: 977

(1) Creation and operation of the district and of the 978
nonprofit corporation to govern the district under this chapter; 979

(2) Hiring employees and professional services; 980

(3) Contracting for insurance; 981

(4) Purchasing or leasing office space and office 982
equipment; 983

(5) Other actions necessary initially to form, operate, or 984
organize the district and the nonprofit corporation to govern 985
the district; 986

(6) A plan for public improvements or public services that 987
benefit all or part of the district, which plan shall comply 988
with the requirements of division (A) of section 1710.06 of the 989
Revised Code and may include, but is not limited to, any of the 990
permissive provisions described in the fourth sentence of that 991
division or listed in divisions (A) (1) to (7) of that section; 992

(7) If the special improvement district is being created 993
under this chapter for the purpose of developing and 994
implementing plans for special energy improvement projects or 995
shoreline improvement projects, provision for the addition of 996
territory to the special improvement district. 997

After the initial plan is approved by all municipal 998
corporations and townships to which it is submitted for approval 999
and the district is created, each participating subdivision 1000
shall levy a special assessment within its boundaries to pay for 1001
the costs of the initial plan. The levy shall be for no more 1002

than ten years from the date of the approval of the initial 1003
plan; except that if the proceeds of the levy are to be used to 1004
pay the costs of a special energy improvement project or 1005
shoreline improvement project, the levy of a special assessment 1006
shall be for no more than thirty years from the date of approval 1007
of the initial plan. In the event that additional territory is 1008
added to a special improvement district, the special assessment 1009
to be levied with respect to such additional territory shall 1010
commence not earlier than the date such territory is added and 1011
shall be for no more than thirty years from such date. For 1012
purposes of levying an assessment for this initial plan, the 1013
services or improvements included in the initial plan shall be 1014
deemed a special benefit to property owners within the district. 1015

(G) Each nonprofit corporation governing a district under 1016
this chapter may do the following: 1017

(1) Exercise all powers of nonprofit corporations granted 1018
under Chapter 1702. of the Revised Code that do not conflict 1019
with this chapter; 1020

(2) Develop, adopt, revise, implement, and repeal plans 1021
for public improvements and public services for all or any part 1022
of the district; 1023

(3) Contract with any person, political subdivision as 1024
defined in section 2744.01 of the Revised Code, or state agency 1025
as defined in section 1.60 of the Revised Code to develop and 1026
implement plans for public improvements or public services 1027
within the district; 1028

(4) Contract and pay for insurance for the district and 1029
for directors, officers, agents, contractors, employees, or 1030
members of the district for any consequences of the 1031

implementation of any plan adopted by the district or any 1032
actions of the district. 1033

The board of directors of a special improvement district 1034
may, acting as agent and on behalf of a participating political 1035
subdivision, sell, transfer, lease, or convey any special energy 1036
improvement project owned by the participating political 1037
subdivision upon a determination by the legislative authority 1038
thereof that the project is not required to be owned exclusively 1039
by the participating political subdivision for its purposes, for 1040
uses determined by the legislative authority thereof as those 1041
that will promote the welfare of the people of such 1042
participating political subdivision; improve the quality of life 1043
and the general and economic well-being of the people of the 1044
participating political subdivision; better ensure the public 1045
health, safety, and welfare; protect water and other natural 1046
resources; provide for the conservation and preservation of 1047
natural and open areas and farmlands, including by making urban 1048
areas more desirable or suitable for development and 1049
revitalization; control, prevent, minimize, clean up, or mediate 1050
certain contamination of or pollution from lands in the state 1051
and water contamination or pollution; or provide for safe and 1052
natural areas and resources. The legislative authority of each 1053
participating political subdivision shall specify the 1054
consideration for such sale, transfer, lease, or conveyance and 1055
any other terms thereof. Any determinations made by a 1056
legislative authority of a participating political subdivision 1057
under this division shall be conclusive. 1058

Any sale, transfer, lease, or conveyance of a special 1059
energy improvement project by a participating political 1060
subdivision or the board of directors of the special improvement 1061
district may be made without advertising, receipt of bids, or 1062

other competitive bidding procedures applicable to the 1063
participating political subdivision or the special improvement 1064
district under Chapter 153. or 735. or section 1710.11 of the 1065
Revised Code or other representative provisions of the Revised 1066
Code. 1067

(H) The owner of real property that is part of a planned 1068
community or a condominium development is deemed to have signed 1069
the petitions required under division (E) of this section and 1070
division (B) of section 1710.06 of the Revised Code with respect 1071
to a special improvement district that is being created for the 1072
purpose of developing and implementing plans for shoreline 1073
improvement projects if the district and the projects have been 1074
approved through an alternative process prescribed by the 1075
bylaws, declarations, covenants, and restrictions governing the 1076
planned community or condominium development. Such an 1077
alternative process may consist of a vote of the owners 1078
association or unit owners association, the approval of a 1079
specified percentage of property owners, or any other procedure 1080
authorized by the bylaws, declarations, covenants, and 1081
restrictions governing the planned community or condominium 1082
development. 1083

As used in this division, "condominium development" and 1084
"unit owners association" have the same meanings as in section 1085
5311.01 of the Revised Code, and "planned community," "owners 1086
association," "bylaws," and "declaration" have the same meanings 1087
as in section 5312.01 of the Revised Code. 1088

Sec. 1710.03. (A) Except as otherwise provided in this 1089
division, each owner of real property within a special 1090
improvement district other than the state or federal government 1091
is a member of the district, and the real property of each 1092

member of the district is subject to special assessment under 1093
division (C) of section 1710.06 of the Revised Code. A church is 1094
not a member of the district unless the church specifically 1095
requested in writing that its property be included in the 1096
district or unless, in the case of a district created by an 1097
existing qualified nonprofit corporation, the church is a member 1098
of the corporation at the time the district is created. A 1099
county, township, ~~or~~ municipal corporation, or park district 1100
owning real property in the district is not a member of the 1101
district unless such entity specifically requested in writing 1102
that its property be included in the district. 1103

The identity and address of the owners shall be determined 1104
for any particular action of the nonprofit corporation that 1105
governs the district, including notice of meetings of the 1106
district, no more than sixty days prior to the date of the 1107
action, from the most current records available at the county 1108
auditor's office. For purposes of this chapter, the persons 1109
shown on such records as having common or joint ownership 1110
interests in a parcel of real property collectively shall 1111
constitute the owner of the real property. 1112

(B) A member may file a written statement with the 1113
district's secretary at least three days prior to any meeting of 1114
the entire membership of the district to appoint a proxy to 1115
carry out the member's rights and responsibilities under this 1116
chapter at that meeting. 1117

(C) A member also may appoint a designee to carry out the 1118
member's rights and responsibilities under this chapter by 1119
filing a written designation form with the district's secretary. 1120
This form shall include the name and address of the member, the 1121
name and address of the designee, and the expiration date, if 1122

any, of the designation and may authorize the designee to vote 1123
at any meeting of the district. 1124

(D) A proxy or designee need not be an elector or resident 1125
of any participating political subdivision of the district or a 1126
member of the district. The appointment of a proxy or a designee 1127
may be changed by filing a new form with the district's 1128
secretary. The most current form filed with the secretary is the 1129
valid appointment. Service of any notice upon a proxy or 1130
designee at the proxy's or designee's address as shown on that 1131
form satisfies any requirements for notification of the member. 1132

Sec. 1710.13. This section does not apply to a special 1133
improvement district created by an existing qualified nonprofit 1134
corporation. 1135

The process for dissolving a special improvement district 1136
or repealing an improvements or services plan may be initiated 1137
by a petition signed by members of the district who own at least 1138
twenty per cent of the appraised value of the real property 1139
located in the district, excluding church property or real 1140
property owned by the federal government, the state, or a 1141
county, township, ~~or~~ municipal corporation, or park district, 1142
unless the church, county, township, ~~or~~ municipal corporation, or 1143
or park district has specifically requested in writing that the 1144
property be included in the district, and filed with the 1145
municipal executive, if any, and the legislative authorities of 1146
all the participating political subdivisions of the district. As 1147
used in this section, "appraised value" means the taxable value 1148
established by the county auditor for purposes of real estate 1149
taxation. 1150

No later than forty-five days after such a petition is 1151
filed, the members of the district shall meet to consider it. 1152

Notice of the meeting shall be given as provided in section 1153
1710.05 of the Revised Code. Upon the affirmative vote of 1154
members who collectively own more than fifty per cent of the 1155
appraised value of the real property in the district that may be 1156
subject to assessment under division (C) of section 1710.06 of 1157
the Revised Code, the district shall be dissolved, or the plan 1158
shall be repealed, as applicable. 1159

No rights or obligations of any person under any contract, 1160
or in relation to any bonds, notes, or assessments made under 1161
this chapter, shall be affected by the dissolution of the 1162
district or the repeal of a plan, except with the consent of 1163
that person or by order of a court with jurisdiction over the 1164
matter. Upon dissolution of a district, any assets or rights of 1165
the district, after payment of all bonds, notes, or other 1166
obligations of the district, shall be deposited in a special 1167
account in the treasury of each participating political 1168
subdivision, prorated among all participating political 1169
subdivisions to reflect the percentage of the district's 1170
territory within that political subdivision, to be used for the 1171
benefit of the territory that made up the district. 1172

Once the members have approved the repeal of a plan, all 1173
bonds, notes, and other obligations of the district associated 1174
with the plan shall be paid. Thereafter, the plan shall be 1175
repealed. Upon receipt of proof that all bonds, notes, and other 1176
obligations have been paid and that the plan has been repealed, 1177
the participating political subdivisions shall terminate any 1178
levies imposed to pay for costs of the plan. 1179

Sec. 4503.10. (A) The owner of every snowmobile, off- 1180
highway motorcycle, and all-purpose vehicle required to be 1181
registered under section 4519.02 of the Revised Code shall file 1182

an application for registration under section 4519.03 of the Revised Code. The owner of a motor vehicle, other than a snowmobile, off-highway motorcycle, or all-purpose vehicle, that is not designed and constructed by the manufacturer for operation on a street or highway may not register it under this chapter except upon certification of inspection pursuant to section 4513.02 of the Revised Code by the sheriff, or the chief of police of the municipal corporation or township, with jurisdiction over the political subdivision in which the owner of the motor vehicle resides. Except as provided in ~~section~~ sections 4503.103 and 4503.107 of the Revised Code, every owner of every other motor vehicle not previously described in this section and every person mentioned as owner in the last certificate of title of a motor vehicle that is operated or driven upon the public roads or highways shall cause to be filed each year, by mail or otherwise, in the office of the registrar of motor vehicles or a deputy registrar, a written or electronic application or a preprinted registration renewal notice issued under section 4503.102 of the Revised Code, the form of which shall be prescribed by the registrar, for registration for the following registration year, which shall begin on the first day of January of every calendar year and end on the thirty-first day of December in the same year. Applications for registration and registration renewal notices shall be filed at the times established by the registrar pursuant to section 4503.101 of the Revised Code. A motor vehicle owner also may elect to apply for or renew a motor vehicle registration by electronic means using electronic signature in accordance with rules adopted by the registrar. Except as provided in division (J) of this section, applications for registration shall be made on blanks furnished by the registrar for that purpose, containing the following information:

- (1) A brief description of the motor vehicle to be registered, including the year, make, model, and vehicle identification number, and, in the case of commercial cars, the gross weight of the vehicle fully equipped computed in the manner prescribed in section 4503.08 of the Revised Code;
- (2) The name and residence address of the owner, and the township and municipal corporation in which the owner resides;
- (3) The district of registration, which shall be determined as follows:
- (a) In case the motor vehicle to be registered is used for hire or principally in connection with any established business or branch business, conducted at a particular place, the district of registration is the municipal corporation in which that place is located or, if not located in any municipal corporation, the county and township in which that place is located.
- (b) In case the vehicle is not so used, the district of registration is the municipal corporation or county in which the owner resides at the time of making the application.
- (4) Whether the motor vehicle is a new or used motor vehicle;
- (5) The date of purchase of the motor vehicle;
- (6) Whether the fees required to be paid for the registration or transfer of the motor vehicle, during the preceding registration year and during the preceding period of the current registration year, have been paid. Each application for registration shall be signed by the owner, either manually or by electronic signature, or pursuant to obtaining a limited power of attorney authorized by the registrar for registration,

or other document authorizing such signature. If the owner 1244
elects to apply for or renew the motor vehicle registration with 1245
the registrar by electronic means, the owner's manual signature 1246
is not required. 1247

(7) The owner's social security number, driver's license 1248
number, or state identification number, or, where a motor 1249
vehicle to be registered is used for hire or principally in 1250
connection with any established business, the owner's federal 1251
taxpayer identification number. The bureau of motor vehicles 1252
shall retain in its records all social security numbers provided 1253
under this section, but the bureau shall not place social 1254
security numbers on motor vehicle certificates of registration. 1255

(8) Whether the applicant wishes to certify willingness to 1256
make an anatomical gift if an applicant has not so certified 1257
under section 2108.05 of the Revised Code. The applicant's 1258
response shall not be considered in the decision of whether to 1259
approve the application for registration. 1260

(B) (1) When an applicant first registers a motor vehicle 1261
in the applicant's name, the applicant shall provide proof of 1262
ownership of that motor vehicle. Proof of ownership may include 1263
any of the following: 1264

(a) The applicant may present for inspection a physical 1265
certificate of title or memorandum certificate showing title to 1266
the motor vehicle to be registered in the name of the applicant. 1267

(b) The applicant may present for inspection an electronic 1268
certificate of title for the applicant's motor vehicle in a 1269
manner prescribed by rules adopted by the registrar. 1270

(c) The registrar or deputy registrar may electronically 1271
confirm the applicant's ownership of the motor vehicle. 1272

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

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

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

(a) The application is not in proper form.

(b) The application is prohibited from being accepted by division (D) of section 2935.27, division (A) of section 2937.221, division (A) of section 4503.13, division (B) of section 4510.22, division (B)(1) of section 4521.10, or division (B) of section 5537.041 of the Revised Code.

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

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

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

(4) This section does not require the payment of license

or registration taxes on a motor vehicle for any preceding year, 1301
or for any preceding period of a year, if the motor vehicle was 1302
not taxable for that preceding year or period under sections 1303
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 1304
of the Revised Code. 1305

(5) When a certificate of registration is issued upon the 1306
first registration of a motor vehicle by or on behalf of the 1307
owner, the official issuing the certificate shall indicate the 1308
issuance with a stamp on the certificate of title or memorandum 1309
certificate or, in the case of an electronic certificate of 1310
title or electronic verification of ownership, an electronic 1311
stamp or other notation as specified in rules adopted by the 1312
registrar, and with a stamp on the inspection certificate for 1313
the motor vehicle, if any. 1314

(6) The official also shall indicate, by a stamp or by 1315
other means the registrar prescribes, on the registration 1316
certificate issued upon the first registration of a motor 1317
vehicle by or on behalf of the owner the odometer reading of the 1318
motor vehicle as shown in the odometer statement included in or 1319
attached to the certificate of title. Upon each subsequent 1320
registration of the motor vehicle by or on behalf of the same 1321
owner, the official also shall so indicate the odometer reading 1322
of the motor vehicle as shown on the immediately preceding 1323
certificate of registration. 1324

(7) The registrar shall include in the permanent 1325
registration record of any vehicle required to be inspected 1326
under section 3704.14 of the Revised Code the inspection 1327
certificate number from the inspection certificate that is 1328
presented at the time of registration of the vehicle as required 1329
under this division. 1330

(C) (1) Except as otherwise provided in division (C) (1) of 1331
this section, the registrar and each deputy registrar shall 1332
collect an additional fee of eleven dollars for each application 1333
for registration and registration renewal received. For vehicles 1334
specified in divisions (A) (1) to (21) of section 4503.042 of the 1335
Revised Code, the registrar and deputy registrar shall collect 1336
an additional fee of thirty dollars for each application for 1337
registration and registration renewal received. No additional 1338
fee shall be charged for vehicles registered under section 1339
4503.65 of the Revised Code. The additional fee is for the 1340
purpose of defraying the department of public safety's costs 1341
associated with the administration and enforcement of the motor 1342
vehicle and traffic laws of Ohio. Each deputy registrar shall 1343
transmit the fees collected under divisions (C) (1), (3), and (4) 1344
of this section in the time and manner provided in this section. 1345
The registrar shall deposit all moneys received under division 1346
(C) (1) of this section into the public safety - highway purposes 1347
fund established in section 4501.06 of the Revised Code. 1348

(2) In addition, a charge of twenty-five cents shall be 1349
made for each reflectorized safety license plate issued, and a 1350
single charge of twenty-five cents shall be made for each county 1351
identification sticker or each set of county identification 1352
stickers issued, as the case may be, to cover the cost of 1353
producing the license plates and stickers, including material, 1354
manufacturing, and administrative costs. Those fees shall be in 1355
addition to the license tax. If the total cost of producing the 1356
plates is less than twenty-five cents per plate, or if the total 1357
cost of producing the stickers is less than twenty-five cents 1358
per sticker or per set issued, any excess moneys accruing from 1359
the fees shall be distributed in the same manner as provided by 1360
section 4501.04 of the Revised Code for the distribution of 1361

license tax moneys. If the total cost of producing the plates 1362
exceeds twenty-five cents per plate, or if the total cost of 1363
producing the stickers exceeds twenty-five cents per sticker or 1364
per set issued, the difference shall be paid from the license 1365
tax moneys collected pursuant to section 4503.02 of the Revised 1366
Code. 1367

(3) The registrar and each deputy registrar shall collect 1368
an additional fee of two hundred dollars for each application 1369
for registration or registration renewal received for any ~~plug-~~ 1370
~~in hybrid electric motor vehicle or~~ battery electric motor 1371
vehicle. The fee shall be prorated based on the number of months 1372
for which the ~~plug-in hybrid electric motor vehicle or~~ battery 1373
electric motor vehicle is registered. The registrar shall 1374
transmit all money arising from the fee imposed by division (C) 1375
(3) of this section to the treasurer of state for distribution 1376
in accordance with division (E) of section 5735.051 of the 1377
Revised Code, subject to division (D) of section 5735.05 of the 1378
Revised Code. 1379

(4) The registrar and each deputy registrar shall collect 1380
an additional fee of one hundred dollars for each application 1381
for registration or registration renewal received for any plug- 1382
in hybrid electric motor vehicle or hybrid motor vehicle. The 1383
fee shall be prorated based on the number of months for which 1384
the plug-in hybrid electric motor vehicle or hybrid motor 1385
vehicle is registered. The registrar shall transmit all money 1386
arising from the fee imposed by division (C) (4) of this section 1387
to the treasurer of state for distribution in accordance with 1388
division (E) of section 5735.051 of the Revised Code, subject to 1389
division (D) of section 5735.05 of the Revised Code. 1390

(D) Each deputy registrar shall be allowed a fee equal to 1391

the amount established under section 4503.038 of the Revised 1392
Code for each application for registration and registration 1393
renewal notice the deputy registrar receives, which shall be for 1394
the purpose of compensating the deputy registrar for the deputy 1395
registrar's services, and such office and rental expenses, as 1396
may be necessary for the proper discharge of the deputy 1397
registrar's duties in the receiving of applications and renewal 1398
notices and the issuing of registrations. 1399

(E) Upon the certification of the registrar, the county 1400
sheriff or local police officials shall recover license plates 1401
erroneously or fraudulently issued. 1402

(F) Each deputy registrar, upon receipt of any application 1403
for registration or registration renewal notice, together with 1404
the license fee and any local motor vehicle license tax levied 1405
pursuant to Chapter 4504. of the Revised Code, shall transmit 1406
that fee and tax, if any, in the manner provided in this 1407
section, together with the original and duplicate copy of the 1408
application, to the registrar. The registrar, subject to the 1409
approval of the director of public safety, may deposit the funds 1410
collected by those deputies in a local bank or depository to the 1411
credit of the "state of Ohio, bureau of motor vehicles." Where a 1412
local bank or depository has been designated by the registrar, 1413
each deputy registrar shall deposit all moneys collected by the 1414
deputy registrar into that bank or depository not more than one 1415
business day after their collection and shall make reports to 1416
the registrar of the amounts so deposited, together with any 1417
other information, some of which may be prescribed by the 1418
treasurer of state, as the registrar may require and as 1419
prescribed by the registrar by rule. The registrar, within three 1420
days after receipt of notification of the deposit of funds by a 1421
deputy registrar in a local bank or depository, shall draw on 1422

that account in favor of the treasurer of state. The registrar, 1423
subject to the approval of the director and the treasurer of 1424
state, may make reasonable rules necessary for the prompt 1425
transmittal of fees and for safeguarding the interests of the 1426
state and of counties, townships, municipal corporations, and 1427
transportation improvement districts levying local motor vehicle 1428
license taxes. The registrar may pay service charges usually 1429
collected by banks and depositories for such service. If deputy 1430
registrars are located in communities where banking facilities 1431
are not available, they shall transmit the fees forthwith, by 1432
money order or otherwise, as the registrar, by rule approved by 1433
the director and the treasurer of state, may prescribe. The 1434
registrar may pay the usual and customary fees for such service. 1435

(G) This section does not prevent any person from making 1436
an application for a motor vehicle license directly to the 1437
registrar by mail, by electronic means, or in person at any of 1438
the registrar's offices, upon payment of a service fee equal to 1439
the amount established under section 4503.038 of the Revised 1440
Code for each application. 1441

(H) No person shall make a false statement as to the 1442
district of registration in an application required by division 1443
(A) of this section. Violation of this division is falsification 1444
under section 2921.13 of the Revised Code and punishable as 1445
specified in that section. 1446

(I) (1) Where applicable, the requirements of division (B) 1447
of this section relating to the presentation of an inspection 1448
certificate issued under section 3704.14 of the Revised Code and 1449
rules adopted under it for a motor vehicle, the refusal of a 1450
license for failure to present an inspection certificate, and 1451
the stamping of the inspection certificate by the official 1452

issuing the certificate of registration apply to the 1453
registration of and issuance of license plates for a motor 1454
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 1455
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 1456
4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 1457
Code. 1458

(2) (a) The registrar shall adopt rules ensuring that each 1459
owner registering a motor vehicle in a county where a motor 1460
vehicle inspection and maintenance program is in effect under 1461
section 3704.14 of the Revised Code and rules adopted under it 1462
receives information about the requirements established in that 1463
section and those rules and about the need in those counties to 1464
present an inspection certificate with an application for 1465
registration or preregistration. 1466

(b) Upon request, the registrar shall provide the director 1467
of environmental protection, or any person that has been awarded 1468
a contract under section 3704.14 of the Revised Code, an on-line 1469
computer data link to registration information for all passenger 1470
cars, noncommercial motor vehicles, and commercial cars that are 1471
subject to that section. The registrar also shall provide to the 1472
director of environmental protection a magnetic data tape 1473
containing registration information regarding passenger cars, 1474
noncommercial motor vehicles, and commercial cars for which a 1475
multi-year registration is in effect under section 4503.103 of 1476
the Revised Code or rules adopted under it, including, without 1477
limitation, the date of issuance of the multi-year registration, 1478
the registration deadline established under rules adopted under 1479
section 4503.101 of the Revised Code that was applicable in the 1480
year in which the multi-year registration was issued, and the 1481
registration deadline for renewal of the multi-year 1482
registration. 1483

(J) Subject to division (K) of this section, application 1484
for registration under the international registration plan, as 1485
set forth in sections 4503.60 to 4503.66 of the Revised Code, 1486
shall be made to the registrar on forms furnished by the 1487
registrar. In accordance with international registration plan 1488
guidelines and pursuant to rules adopted by the registrar, the 1489
forms shall include the following: 1490

(1) A uniform mileage schedule; 1491

(2) The gross vehicle weight of the vehicle or combined 1492
gross vehicle weight of the combination vehicle as declared by 1493
the registrant; 1494

(3) Any other information the registrar requires by rule. 1495

(K) The registrar shall determine the feasibility of 1496
implementing an electronic commercial fleet licensing and 1497
management program that will enable the owners of commercial 1498
tractors, commercial trailers, and commercial semitrailers to 1499
conduct electronic transactions by July 1, 2010, or sooner. If 1500
the registrar determines that implementing such a program is 1501
feasible, the registrar shall adopt new rules under this 1502
division or amend existing rules adopted under this division as 1503
necessary in order to respond to advances in technology. 1504

If international registration plan guidelines and 1505
provisions allow member jurisdictions to permit applications for 1506
registrations under the international registration plan to be 1507
made via the internet, the rules the registrar adopts under this 1508
division shall permit such action. 1509

Sec. 4503.103. (A) (1) The registrar of motor vehicles may 1510
adopt rules to permit any person or lessee, other than a person 1511
receiving an apportioned license plate under the international 1512

registration plan, who owns or leases one or more motor vehicles 1513
to file a written application for registration for no more than 1514
five succeeding registration years. The rules adopted by the 1515
registrar may designate the classes of motor vehicles that are 1516
eligible for such registration. At the time of application, all 1517
annual taxes and fees shall be paid for each year for which the 1518
person is registering. 1519

(2) (a) The registrar shall adopt rules to permit any 1520
person or lessee who owns or leases a trailer or semitrailer 1521
that is subject to the tax rate prescribed in either division 1522
(C) (1) or, beginning January 1, 2022, (C) (2) of section 4503.042 1523
of the Revised Code to file a written application for 1524
registration for any number of succeeding registration years, 1525
including a permanent registration, for such trailers or 1526
semitrailers. 1527

At the time of application, the applicant shall pay all of 1528
the following: 1529

(i) As applicable, either the annual tax prescribed in 1530
division (C) (1) of section 4503.042 of the Revised Code for each 1531
year for which the applicant is registering or the annual tax 1532
prescribed in division (C) (2) of section 4503.042 of the Revised 1533
Code, unless the applicant previously paid the tax specified in 1534
division (C) (2) of that section for the trailer or semitrailer 1535
being registered. However, an applicant paying the annual tax 1536
under division (C) (1) of section 4503.042 of the Revised Code 1537
shall not pay more than eight times the annual taxes due, 1538
regardless of the number of years for which the applicant is 1539
registering. 1540

(ii) The additional fee established under division (C) (1) 1541
of section 4503.10 of the Revised Code for each year of 1542

registration, provided that not more than eight times the 1543
additional fee due shall be paid, regardless of the number of 1544
years for which the applicant is registering. 1545

(iii) One single deputy registrar service fee in the 1546
amount specified in division (D) of section 4503.10 of the 1547
Revised Code or one single bureau of motor vehicles service fee 1548
in the amount specified in division (G) of that section, as 1549
applicable, regardless of the number of years for which the 1550
applicant is registering. 1551

(b) In addition, each applicant registering a trailer or 1552
semitrailer under division (A) (2) (a) of this section shall pay 1553
any applicable local motor vehicle license tax levied under 1554
Chapter 4504. of the Revised Code for each year for which the 1555
applicant is registering, provided that not more than eight 1556
times any such annual local taxes shall be due upon 1557
registration. 1558

(c) The period of registration for a trailer or 1559
semitrailer registered under division (A) (2) (a) of this section 1560
is exclusive to the trailer or semitrailer for which that 1561
certificate of registration is issued and is not transferable to 1562
any other trailer or semitrailer if the registration is a 1563
permanent registration. 1564

(3) Except as provided in division (A) (4) of this section, 1565
the registrar shall adopt rules to permit any person who owns a 1566
motor vehicle to file an application for registration for not 1567
more than five succeeding registration years. At the time of 1568
application, the person shall pay the annual taxes and fees for 1569
each registration year, calculated in accordance with division 1570
(C) of section 4503.11 of the Revised Code. A person who is 1571
registering a vehicle under division (A) (3) of this section 1572

shall pay for each year of registration the additional fee 1573
established under division (C) (1), (3), or (4) of section 1574
4503.10 of the Revised Code, as applicable. The person shall 1575
also pay the deputy registrar service fee or the bureau of motor 1576
vehicles service fee equal to the amount established under 1577
section 4503.038 of the Revised Code. 1578

(4) Division (A) (3) of this section does not apply to a 1579
person receiving an apportioned license plate under the 1580
international registration plan, or the owner of a commercial 1581
car used solely in intrastate commerce, or the owner of a bus as 1582
defined in section 4513.50 of the Revised Code. 1583

(5) A person registering a noncommercial trailer 1584
permanently shall register the trailer under section 4503.107 of 1585
the Revised Code. 1586

(B) No person applying for a multi-year registration under 1587
division (A) of this section is entitled to a refund of any 1588
taxes or fees paid. 1589

(C) The registrar shall not issue to any applicant who has 1590
been issued a final, nonappealable order under division (D) of 1591
this section a multi-year registration or renewal thereof under 1592
this division or rules adopted under it for any motor vehicle 1593
that is required to be inspected under section 3704.14 of the 1594
Revised Code the district of registration of which, as 1595
determined under section 4503.10 of the Revised Code, is or is 1596
located in the county named in the order. 1597

(D) Upon receipt from the director of environmental 1598
protection of a notice issued under rules adopted under section 1599
3704.14 of the Revised Code indicating that an owner of a motor 1600
vehicle that is required to be inspected under that section who 1601

obtained a multi-year registration for the vehicle under 1602
division (A) of this section or rules adopted under that 1603
division has not obtained a required inspection certificate for 1604
the vehicle, the registrar in accordance with Chapter 119. of 1605
the Revised Code shall issue an order to the owner impounding 1606
the certificate of registration and identification license 1607
plates for the vehicle. The order also shall prohibit the owner 1608
from obtaining or renewing a multi-year registration for any 1609
vehicle that is required to be inspected under that section, the 1610
district of registration of which is or is located in the same 1611
county as the county named in the order during the number of 1612
years after expiration of the current multi-year registration 1613
that equals the number of years for which the current multi-year 1614
registration was issued. 1615

An order issued under this division shall require the 1616
owner to surrender to the registrar the certificate of 1617
registration and license plates for the vehicle named in the 1618
order within five days after its issuance. If the owner fails to 1619
do so within that time, the registrar shall certify that fact to 1620
the county sheriff or local police officials who shall recover 1621
the certificate of registration and license plates for the 1622
vehicle. 1623

(E) Upon the occurrence of either of the following 1624
circumstances, the registrar in accordance with Chapter 119. of 1625
the Revised Code shall issue to the owner a modified order 1626
rescinding the provisions of the order issued under division (D) 1627
of this section impounding the certificate of registration and 1628
license plates for the vehicle named in that original order: 1629

(1) Receipt from the director of environmental protection 1630
of a subsequent notice under rules adopted under section 3704.14 1631

of the Revised Code that the owner has obtained the inspection 1632
certificate for the vehicle as required under those rules; 1633

(2) Presentation to the registrar by the owner of the 1634
required inspection certificate for the vehicle. 1635

(F) The owner of a motor vehicle for which the certificate 1636
of registration and license plates have been impounded pursuant 1637
to an order issued under division (D) of this section, upon 1638
issuance of a modified order under division (E) of this section, 1639
may apply to the registrar for their return. A fee of two 1640
dollars and fifty cents shall be charged for the return of the 1641
certificate of registration and license plates for each vehicle 1642
named in the application. 1643

Sec. 4503.107. (A) The registrar of motor vehicles shall 1644
permit any person or lessee who owns or leases a noncommercial 1645
trailer that is subject to the tax rates prescribed in division 1646
(E) of section 4503.04 of the Revised Code to file a written 1647
application for permanent registration of that noncommercial 1648
trailer. 1649

(B) (1) At the time of application, the applicant shall pay 1650
all of the following: 1651

(a) The equivalent of eight times the standard tax 1652
established for that noncommercial trailer by division (E) of 1653
section 4503.04 of the Revised Code; 1654

(b) The equivalent of eight times the additional fee 1655
established by division (C) (1) of section 4503.10 of the Revised 1656
Code; 1657

(c) The equivalent of eight times the deputy registrar 1658
service fee or eight times the bureau of motor vehicles service 1659
fee, as applicable, equal to the amount established by section 1660

4503.038 of the Revised Code. 1661

(2) In addition to any other prescribed tax or fee, if the noncommercial trailer registered under this section is subject to local motor vehicle taxes under Chapter 4504. of the Revised Code, the applicant shall pay the equivalent of eight times any applicable local motor vehicle license tax levied under that chapter for that noncommercial trailer. 1662
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(C) Upon submission of a completed application, payment of all applicable taxes and fees, and compliance with all other applicable laws relating to the registration of motor vehicles, the registrar or deputy registrar shall issue the applicant a permanent license plate and a validation sticker. 1668
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(D) The permanent registration of a noncommercial trailer under this section is exclusive to the trailer for which that certificate of registration is issued. The registration is not transferable to any other trailer. 1673
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(E) No person applying for a permanent registration under this section is entitled to a refund of any taxes or fees paid. 1677
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Sec. 4503.11. (A) Except as provided by sections 4503.103, 4503.107, 4503.173, 4503.41, 4503.43, and 4503.46 of the Revised Code, no person who is the owner or chauffeur of a motor vehicle operated or driven upon the public roads or highways shall fail to file annually the application for registration or to pay the tax therefor. 1679
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(B) Except as provided by sections 4503.12 and 4503.16 of the Revised Code, the taxes payable on all applications made under sections 4503.10 and 4503.102 of the Revised Code shall be the sum of the tax due under division (B) (1) (a) or (b) of this section plus the tax due under division (B) (2) (a) or (b) of this 1685
1686
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section: 1690

(1) (a) If the application is made before the second month 1691
of the current registration period to which the motor vehicle is 1692
assigned as provided in section 4503.101 of the Revised Code, 1693
the tax due is the full amount of the tax provided in section 1694
4503.04 of the Revised Code; 1695

(b) If the application is made during or after the second 1696
month of the current registration period to which the motor 1697
vehicle is assigned as provided in section 4503.101 of the 1698
Revised Code, and prior to the beginning of the next such 1699
registration period, the amount of the tax provided in section 1700
4503.04 of the Revised Code shall be reduced by one-twelfth of 1701
the amount of such tax, rounded upward to the nearest cent, 1702
multiplied by the number of full months that have elapsed in the 1703
current registration period. The resulting amount shall be 1704
rounded upward to the next highest dollar and shall be the 1705
amount of tax due. 1706

(2) (a) If the application is made before the sixth month 1707
of the current registration period to which the motor vehicle is 1708
assigned as provided in section 4503.101 of the Revised Code, 1709
the amount of tax due is the full amount of local motor vehicle 1710
license taxes levied under Chapter 4504. of the Revised Code; 1711

(b) If the application is made during or after the sixth 1712
month of the current registration period to which the motor 1713
vehicle is assigned as provided in section 4503.101 of the 1714
Revised Code and prior to the beginning of the next such 1715
registration period, the amount of tax due is one-half of the 1716
amount of local motor vehicle license taxes levied under Chapter 1717
4504. of the Revised Code. 1718

(C) The taxes payable on all applications made under 1719
division (A) (3) of section 4503.103 of the Revised Code shall be 1720
the sum of the tax due under division (B) (1) (a) or (b) of this 1721
section plus the tax due under division (B) (2) (a) or (b) of this 1722
section for the first year plus the full amount of the tax 1723
provided in section 4503.04 of the Revised Code and the full 1724
amount of local motor vehicle license taxes levied under Chapter 1725
4504. of the Revised Code for each succeeding year. 1726

(D) Whoever violates this section is guilty of a minor 1727
misdemeanor. 1728

Sec. 4503.191. (A) (1) The identification license plate 1729
shall be issued for a multi-year period as determined by the 1730
director of public safety, and, except as provided in division 1731
(A) (3) of this section, shall be accompanied by a validation 1732
sticker, to be attached to the license plate. Except as provided 1733
in divisions (A) (2) and (3) of this section, the validation 1734
sticker shall indicate the expiration of the registration period 1735
to which the motor vehicle for which the license plate is issued 1736
is assigned, in accordance with rules adopted by the registrar 1737
of motor vehicles. During each succeeding year of the multi-year 1738
period following the issuance of the plate and validation 1739
sticker, upon the filing of an application for registration and 1740
the payment of the tax therefor, a validation sticker alone 1741
shall be issued. The validation stickers required under this 1742
section shall be of different colors or shades each year, the 1743
new colors or shades to be selected by the director. 1744

(2) (a) The director shall develop a universal validation 1745
sticker that may be issued to any owner of five hundred or more 1746
passenger vehicles, so that a sticker issued to the owner may be 1747
placed on any passenger vehicle in that owner's fleet. Beginning 1748

January 1, 2019, the universal validation sticker shall not have 1749
an expiration date on it and shall not need replaced at the time 1750
of registration, except in the event of the loss, mutilation, or 1751
destruction of the validation sticker. The director may 1752
establish and charge an additional fee of not more than one 1753
dollar per registration to compensate for necessary costs of the 1754
universal validation sticker program. The additional fee shall 1755
be credited to the public safety - highway purposes fund created 1756
in section 4501.06 of the Revised Code. The director shall 1757
select the color or shade of the universal validation sticker. 1758

(b) A validation sticker issued for an all-purpose vehicle 1759
that is registered under Chapter 4519. of the Revised Code, for 1760
a noncommercial trailer that is permanently registered under 1761
section 4503.107 of the Revised Code, or for a trailer or 1762
semitrailer that is permanently registered under division (A) (2) 1763
of section 4503.103 of the Revised Code or is registered for any 1764
number of succeeding registration years may indicate the 1765
expiration of the registration period, if any, by any manner 1766
determined by the registrar by rule. 1767

(3) No validation sticker shall be issued, and a 1768
validation sticker is not required for display, on the license 1769
plate of a nonapportioned commercial tractor or any apportioned 1770
motor vehicle. 1771

(B) Identification license plates shall be produced by 1772
Ohio penal industries. Validation stickers and county 1773
identification stickers shall be produced by Ohio penal 1774
industries unless the registrar adopts rules expressly 1775
permitting the registrar or deputy registrars to provide for the 1776
printing or production of the stickers. 1777

Sec. 4503.44. (A) As used in this section and in section 1778

4511.69 of the Revised Code:	1779
(1) "Person with a disability that limits or impairs the ability to walk" means any person who, as determined by a health care provider, meets any of the following criteria:	1780
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(a) Cannot walk two hundred feet without stopping to rest;	1783
(b) Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;	1784
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	1786
(c) Is restricted by a lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty millimeters of mercury on room air at rest;	1787
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	1791
(d) Uses portable oxygen;	1792
(e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American heart association;	1793
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	1796
(f) Is severely limited in the ability to walk due to an arthritic, neurological, or orthopedic condition;	1797
	1798
(g) Is blind, legally blind, or severely visually impaired.	1799
	1800
(2) "Organization" means any private organization or corporation, or any governmental board, agency, department, division, or office, that, as part of its business or program, transports persons with disabilities that limit or impair the ability to walk on a regular basis in a motor vehicle that has not been altered for the purpose of providing it with special	1801
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equipment for use by persons with disabilities. This definition 1807
does not apply to division (I) of this section. 1808

(3) "Health care provider" means a physician, physician 1809
assistant, advanced practice registered nurse, optometrist, or 1810
chiropractor as defined in this section except that an 1811
optometrist shall only make determinations as to division (A) (1) 1812
(g) of this section. 1813

(4) "Physician" means a person licensed to practice 1814
medicine or surgery or osteopathic medicine and surgery under 1815
Chapter 4731. of the Revised Code. 1816

(5) "Chiropractor" means a person licensed to practice 1817
chiropractic under Chapter 4734. of the Revised Code. 1818

(6) "Advanced practice registered nurse" means a certified 1819
nurse practitioner, clinical nurse specialist, certified 1820
registered nurse anesthetist, or certified nurse-midwife who 1821
holds a certificate of authority issued by the board of nursing 1822
under Chapter 4723. of the Revised Code. 1823

(7) "Physician assistant" means a person who is licensed 1824
as a physician assistant under Chapter 4730. of the Revised 1825
Code. 1826

(8) "Optometrist" means a person licensed to engage in the 1827
practice of optometry under Chapter 4725. of the Revised Code. 1828

(B) (1) An organization, or a person with a disability that 1829
limits or impairs the ability to walk, may apply for the 1830
registration of any motor vehicle the organization or person 1831
owns or leases. When a motor vehicle has been altered for the 1832
purpose of providing it with special equipment for a person with 1833
a disability that limits or impairs the ability to walk, but is 1834
owned or leased by someone other than such a person, the owner 1835

or lessee may apply to the registrar or a deputy registrar for 1836
registration under this section. The application for 1837
registration of a motor vehicle owned or leased by a person with 1838
a disability that limits or impairs the ability to walk shall be 1839
accompanied by a signed statement from the applicant's health 1840
care provider certifying that the applicant meets at least one 1841
of the criteria contained in division (A)(1) of this section and 1842
that the disability is expected to continue for more than six 1843
consecutive months. The application for registration of a motor 1844
vehicle that has been altered for the purpose of providing it 1845
with special equipment for a person with a disability that 1846
limits or impairs the ability to walk but is owned by someone 1847
other than such a person shall be accompanied by such 1848
documentary evidence of vehicle alterations as the registrar may 1849
require by rule. 1850

(2) When an organization, a person with a disability that 1851
limits or impairs the ability to walk, or a person who does not 1852
have a disability that limits or impairs the ability to walk but 1853
owns a motor vehicle that has been altered for the purpose of 1854
providing it with special equipment for a person with a 1855
disability that limits or impairs the ability to walk first 1856
submits an application for registration of a motor vehicle under 1857
this section and every fifth year thereafter, the organization 1858
or person shall submit a signed statement from the applicant's 1859
health care provider, a completed application, and any required 1860
documentary evidence of vehicle alterations as provided in 1861
division (B)(1) of this section, and also a power of attorney 1862
from the owner of the motor vehicle if the applicant leases the 1863
vehicle. Upon submission of these items, the registrar or deputy 1864
registrar shall issue to the applicant appropriate vehicle 1865
registration and a set of license plates and validation 1866

stickers, or validation stickers alone when required by section 1867
4503.191 of the Revised Code. In addition to the letters and 1868
numbers ordinarily inscribed thereon, the license plates shall 1869
be imprinted with the international symbol of access. The 1870
license plates and validation stickers shall be issued upon 1871
payment of the regular license fee as prescribed under section 1872
4503.04 of the Revised Code and any motor vehicle tax levied 1873
under Chapter 4504. of the Revised Code, and the payment of a 1874
service fee equal to the amount specified in division (D) or (G) 1875
of section 4503.10 of the Revised Code. 1876

(C) (1) A person with a disability that limits or impairs 1877
the ability to walk may apply to the registrar of motor vehicles 1878
for a removable windshield placard by completing and signing an 1879
application provided by the registrar. The person shall include 1880
with the application a prescription from the person's health 1881
care provider prescribing such a placard for the person based 1882
upon a determination that the person meets at least one of the 1883
criteria contained in division (A) (1) of this section. The 1884
health care provider shall state on the prescription the length 1885
of time the health care provider expects the applicant to have 1886
the disability that limits or impairs the person's ability to 1887
walk. 1888

In addition to one placard or one or more sets of license 1889
plates, a person with a disability that limits or impairs the 1890
ability to walk is entitled to one additional placard, but only 1891
if the person applies separately for the additional placard, 1892
states the reasons why the additional placard is needed, and the 1893
registrar, in the registrar's discretion determines that good 1894
and justifiable cause exists to approve the request for the 1895
additional placard. 1896

(2) An organization may apply to the registrar of motor vehicles for a removable windshield placard by completing and signing an application provided by the registrar. The organization shall comply with any procedures the registrar establishes by rule. The organization shall include with the application documentary evidence that the registrar requires by rule showing that the organization regularly transports persons with disabilities that limit or impair the ability to walk.

(3) Upon receipt of a completed and signed application for a removable windshield placard, the accompanying documents required under division (C)(1) or (2) of this section, and payment of a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code, the registrar or deputy registrar shall issue to the applicant a removable windshield placard, which shall bear the date of expiration on both sides of the placard and shall be valid until expired, revoked, or surrendered. Every removable windshield placard expires as described in division (C)(4) of this section, but in no case shall a removable windshield placard be valid for a period of less than sixty days. Removable windshield placards shall be renewable upon application as provided in division (C)(1) or (2) of this section and upon payment of a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code for the renewal of a removable windshield placard. The registrar shall provide the application form and shall determine the information to be included thereon. The registrar also shall determine the form and size of the removable windshield placard, the material of which it is to be made, and any other information to be included thereon, and shall adopt rules relating to the issuance, expiration, revocation, surrender, and proper display of such placards. Any

placard issued after October 14, 1999, shall be manufactured in 1928
a manner that allows the expiration date of the placard to be 1929
indicated on it through the punching, drilling, boring, or 1930
creation by any other means of holes in the placard. 1931

(4) At the time a removable windshield placard is issued 1932
to a person with a disability that limits or impairs the ability 1933
to walk, the registrar or deputy registrar shall enter into the 1934
records of the bureau of motor vehicles the last date on which 1935
the person will have that disability, as indicated on the 1936
accompanying prescription. Not less than thirty days prior to 1937
that date and all removable windshield placard renewal dates, 1938
the bureau shall send a renewal notice to that person at the 1939
person's last known address as shown in the records of the 1940
bureau, informing the person that the person's removable 1941
windshield placard will expire on the indicated date not to 1942
exceed ~~five~~ten years from the date of issuance, and that the 1943
person is required to renew the placard by submitting to the 1944
registrar or a deputy registrar another prescription, as 1945
described in division (C) (1) or (2) of this section, and by 1946
complying with the renewal provisions prescribed in division (C) 1947
(3) of this section. If such a prescription is not received by 1948
the registrar or a deputy registrar by that date, the placard 1949
issued to that person expires and no longer is valid, and this 1950
fact shall be recorded in the records of the bureau. 1951

(5) At least once every year, on a date determined by the 1952
registrar, the bureau shall examine the records of the office of 1953
vital statistics, located within the department of health, that 1954
pertain to deceased persons, and also the bureau's records of 1955
all persons who have been issued removable windshield placards 1956
and temporary removable windshield placards. If the records of 1957
the office of vital statistics indicate that a person to whom a 1958

removable windshield placard or temporary removable windshield placard has been issued is deceased, the bureau shall cancel that placard, and note the cancellation in its records.

The office of vital statistics shall make available to the bureau all information necessary to enable the bureau to comply with division (C) (5) of this section.

(6) Nothing in this section shall be construed to require a person or organization to apply for a removable windshield placard or special license plates if the special license plates issued to the person or organization under prior law have not expired or been surrendered or revoked.

(D) (1) (a) A person with a disability that limits or impairs the ability to walk may apply to the registrar or a deputy registrar for a temporary removable windshield placard. The application for a temporary removable windshield placard shall be accompanied by a prescription from the applicant's health care provider prescribing such a placard for the applicant, provided that the applicant meets at least one of the criteria contained in division (A) (1) of this section and that the disability is expected to continue for six consecutive months or less. The health care provider shall state on the prescription the length of time the health care provider expects the applicant to have the disability that limits or impairs the applicant's ability to walk, which cannot exceed six months from the date of the prescription. Upon receipt of an application for a temporary removable windshield placard, presentation of the prescription from the applicant's health care provider, and payment of a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code, the registrar or deputy registrar shall issue to the applicant a

temporary removable windshield placard. 1989

(b) Any active-duty member of the armed forces of the 1990
United States, including the reserve components of the armed 1991
forces and the national guard, who has an illness or injury that 1992
limits or impairs the ability to walk may apply to the registrar 1993
or a deputy registrar for a temporary removable windshield 1994
placard. With the application, the person shall present evidence 1995
of the person's active-duty status and the illness or injury. 1996
Evidence of the illness or injury may include a current 1997
department of defense convalescent leave statement, any 1998
department of defense document indicating that the person 1999
currently has an ill or injured casualty status or has limited 2000
duties, or a prescription from any health care provider 2001
prescribing the placard for the applicant. Upon receipt of the 2002
application and the necessary evidence, the registrar or deputy 2003
registrar shall issue the applicant the temporary removable 2004
windshield placard without the payment of any service fee. 2005

(2) The temporary removable windshield placard shall be of 2006
the same size and form as the removable windshield placard, 2007
shall be printed in white on a red-colored background, and shall 2008
bear the word "temporary" in letters of such size as the 2009
registrar shall prescribe. A temporary removable windshield 2010
placard also shall bear the date of expiration on the front and 2011
back of the placard, and shall be valid until expired, 2012
surrendered, or revoked, but in no case shall such a placard be 2013
valid for a period of less than sixty days. The registrar shall 2014
provide the application form and shall determine the information 2015
to be included on it, provided that the registrar shall not 2016
require a health care provider's prescription or certification 2017
for a person applying under division (D) (1) (b) of this section. 2018
The registrar also shall determine the material of which the 2019

temporary removable windshield placard is to be made and any 2020
other information to be included on the placard and shall adopt 2021
rules relating to the issuance, expiration, surrender, 2022
revocation, and proper display of those placards. Any temporary 2023
removable windshield placard issued after October 14, 1999, 2024
shall be manufactured in a manner that allows for the expiration 2025
date of the placard to be indicated on it through the punching, 2026
drilling, boring, or creation by any other means of holes in the 2027
placard. 2028

(E) If an applicant for a removable windshield placard is 2029
a veteran of the armed forces of the United States whose 2030
disability, as defined in division (A)(1) of this section, is 2031
service-connected, the registrar or deputy registrar, upon 2032
receipt of the application, presentation of a signed statement 2033
from the applicant's health care provider certifying the 2034
applicant's disability, and presentation of such documentary 2035
evidence from the department of veterans affairs that the 2036
disability of the applicant meets at least one of the criteria 2037
identified in division (A)(1) of this section and is service- 2038
connected as the registrar may require by rule, but without the 2039
payment of any service fee, shall issue the applicant a 2040
removable windshield placard that is valid until expired, 2041
surrendered, or revoked. 2042

(F) Upon a conviction of a violation of division (H) or 2043
(I) of this section, the court shall report the conviction, and 2044
send the placard, if available, to the registrar, who thereupon 2045
shall revoke the privilege of using the placard and send notice 2046
in writing to the placardholder at that holder's last known 2047
address as shown in the records of the bureau, and the 2048
placardholder shall return the placard if not previously 2049
surrendered to the court, to the registrar within ten days 2050

following mailing of the notice. 2051

Whenever a person to whom a removable windshield placard 2052
has been issued moves to another state, the person shall 2053
surrender the placard to the registrar; and whenever an 2054
organization to which a placard has been issued changes its 2055
place of operation to another state, the organization shall 2056
surrender the placard to the registrar. 2057

(G) Subject to division (F) of section 4511.69 of the 2058
Revised Code, the operator of a motor vehicle displaying a 2059
removable windshield placard, temporary removable windshield 2060
placard, or the special license plates authorized by this 2061
section is entitled to park the motor vehicle in any special 2062
parking location reserved for persons with disabilities that 2063
limit or impair the ability to walk, also known as handicapped 2064
parking spaces or disability parking spaces. 2065

(H) No person or organization that is not eligible for the 2066
issuance of license plates or any placard under this section 2067
shall willfully and falsely represent that the person or 2068
organization is so eligible. 2069

No person or organization shall display license plates 2070
issued under this section unless the license plates have been 2071
issued for the vehicle on which they are displayed and are 2072
valid. 2073

(I) No person or organization to which a removable 2074
windshield placard or temporary removable windshield placard is 2075
issued shall do either of the following: 2076

(1) Display or permit the display of the placard on any 2077
motor vehicle when having reasonable cause to believe the motor 2078
vehicle is being used in connection with an activity that does 2079

not include providing transportation for persons with 2080
disabilities that limit or impair the ability to walk; 2081

(2) Refuse to return or surrender the placard, when 2082
required. 2083

(J) If a removable windshield placard, temporary removable 2084
windshield placard, or parking card is lost, destroyed, or 2085
mutilated, the placardholder or cardholder may obtain a 2086
duplicate by doing both of the following: 2087

(1) Furnishing suitable proof of the loss, destruction, or 2088
mutilation to the registrar; 2089

(2) Paying a service fee equal to the amount specified in 2090
division (D) or (G) of section 4503.10 of the Revised Code. 2091

Any placardholder or cardholder who loses a placard or 2092
card and, after obtaining a duplicate, finds the original, 2093
immediately shall surrender the original placard or card to the 2094
registrar. 2095

(K) (1) The registrar shall pay all fees received under 2096
this section for the issuance of removable windshield placards 2097
or temporary removable windshield placards or duplicate 2098
removable windshield placards or cards into the state treasury 2099
to the credit of the public safety - highway purposes fund 2100
created in section 4501.06 of the Revised Code. 2101

(2) In addition to the fees collected under this section, 2102
the registrar or deputy registrar shall ask each person applying 2103
for a removable windshield placard or temporary removable 2104
windshield placard or duplicate removable windshield placard or 2105
license plate issued under this section, whether the person 2106
wishes to make a two-dollar voluntary contribution to support 2107
rehabilitation employment services. The registrar shall transmit 2108

the contributions received under this division to the treasurer 2109
of state for deposit into the rehabilitation employment fund, 2110
which is hereby created in the state treasury. A deputy 2111
registrar shall transmit the contributions received under this 2112
division to the registrar in the time and manner prescribed by 2113
the registrar. The contributions in the fund shall be used by 2114
the opportunities for Ohioans with disabilities agency to 2115
purchase services related to vocational evaluation, work 2116
adjustment, personal adjustment, job placement, job coaching, 2117
and community-based assessment from accredited community 2118
rehabilitation program facilities. 2119

(L) For purposes of enforcing this section, every peace 2120
officer is deemed to be an agent of the registrar. Any peace 2121
officer or any authorized employee of the bureau of motor 2122
vehicles who, in the performance of duties authorized by law, 2123
becomes aware of a person whose placard or parking card has been 2124
revoked pursuant to this section, may confiscate that placard or 2125
parking card and return it to the registrar. The registrar shall 2126
prescribe any forms used by law enforcement agencies in 2127
administering this section. 2128

No peace officer, law enforcement agency employing a peace 2129
officer, or political subdivision or governmental agency 2130
employing a peace officer, and no employee of the bureau is 2131
liable in a civil action for damages or loss to persons arising 2132
out of the performance of any duty required or authorized by 2133
this section. As used in this division, "peace officer" has the 2134
same meaning as in division (B) of section 2935.01 of the 2135
Revised Code. 2136

(M) All applications for registration of motor vehicles, 2137
removable windshield placards, and temporary removable 2138

windshield placards issued under this section, all renewal 2139
notices for such items, and all other publications issued by the 2140
bureau that relate to this section shall set forth the criminal 2141
penalties that may be imposed upon a person who violates any 2142
provision relating to special license plates issued under this 2143
section, the parking of vehicles displaying such license plates, 2144
and the issuance, procurement, use, and display of removable 2145
windshield placards and temporary removable windshield placards 2146
issued under this section. 2147

(N) Whoever violates this section is guilty of a 2148
misdemeanor of the fourth degree. 2149

Sec. 4505.131. (A) Any person that purchases a motor 2150
vehicle that is financed shall choose, at the time that the 2151
security interest financing the motor vehicle is fully 2152
discharged, to either receive a physical certificate of title to 2153
that motor vehicle from the secured party or to have the 2154
certificate of title remain electronic. 2155

(B) Upon a secured party's receipt of good funds in the 2156
correct amount discharging the security interest financing the 2157
motor vehicle, the secured party shall send the purchaser a 2158
written form. The purchaser shall complete the form to 2159
affirmatively choose whether the purchaser wishes to receive a 2160
physical certificate of title or to have the certificate of 2161
title remain electronic. The form may be electronic or 2162
nonelectronic. 2163

(C) If the purchaser affirmatively selects to receive a 2164
physical certificate of title, the secured party shall deliver 2165
to the purchaser, without any additional fee, a physical 2166
certificate of title to the motor vehicle. 2167

(D) This section does not apply when a security interest 2168
financing a motor vehicle is discharged because the purchaser 2169
sold or traded the motor vehicle and no longer has an ownership 2170
interest in that motor vehicle. 2171

Sec. 4506.01. As used in this chapter: 2172

(A) "Alcohol concentration" means the concentration of 2173
alcohol in a person's blood, breath, or urine. When expressed as 2174
a percentage, it means grams of alcohol per the following: 2175

(1) One hundred milliliters of whole blood, blood serum, 2176
or blood plasma; 2177

(2) Two hundred ten liters of breath; 2178

(3) One hundred milliliters of urine. 2179

~~(B)~~(B) (1) "Commercial driver's license" means a license 2180
issued in accordance with this chapter that authorizes an 2181
individual to drive a commercial motor vehicle. Except as 2182
otherwise specifically provided, "commercial driver's license" 2183
includes an "enhanced commercial driver's license." 2184

(2) "Enhanced commercial driver's license" means a 2185
commercial driver's license issued in accordance with sections 2186
4507.021 and 4506.072 of the Revised Code that denotes 2187
citizenship and identity and is approved by the United States 2188
secretary of homeland security or other designated federal 2189
agency for purposes of entering the United States. 2190

(C) "Commercial driver's license information system" means 2191
the information system established pursuant to the requirements 2192
of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 2193
3207-171, 49 U.S.C.A. App. 2701. 2194

(D) Except when used in section 4506.25 of the Revised 2195

Code, "commercial motor vehicle" means any motor vehicle 2196
designed or used to transport persons or property that meets any 2197
of the following qualifications: 2198

(1) Any combination of vehicles with a gross vehicle 2199
weight or combined gross vehicle weight rating of twenty-six 2200
thousand one pounds or more, provided the gross vehicle weight 2201
or gross vehicle weight rating of the vehicle or vehicles being 2202
towed is in excess of ten thousand pounds; 2203

(2) Any single vehicle with a gross vehicle weight or 2204
gross vehicle weight rating of twenty-six thousand one pounds or 2205
more; 2206

(3) Any single vehicle or combination of vehicles that is 2207
not a class A or class B vehicle, but is designed to transport 2208
sixteen or more passengers including the driver; 2209

(4) Any school bus with a gross vehicle weight or gross 2210
vehicle weight rating of less than twenty-six thousand one 2211
pounds that is designed to transport fewer than sixteen 2212
passengers including the driver; 2213

(5) Is transporting hazardous materials for which 2214
placarding is required under subpart F of 49 C.F.R. part 172, as 2215
amended; 2216

(6) Any single vehicle or combination of vehicles that is 2217
designed to be operated and to travel on a public street or 2218
highway and is considered by the federal motor carrier safety 2219
administration to be a commercial motor vehicle, including, but 2220
not limited to, a motorized crane, a vehicle whose function is 2221
to pump cement, a rig for drilling wells, and a portable crane. 2222

(E) "Controlled substance" means all of the following: 2223

(1) Any substance classified as a controlled substance	2224
under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21	2225
U.S.C.A. 802(6), as amended;	2226
(2) Any substance included in schedules I through V of 21	2227
C.F.R. part 1308, as amended;	2228
(3) Any drug of abuse.	2229
(F) "Conviction" means an unvacated adjudication of guilt	2230
or a determination that a person has violated or failed to	2231
comply with the law in a court of original jurisdiction or an	2232
authorized administrative tribunal, an unvacated forfeiture of	2233
bail or collateral deposited to secure the person's appearance	2234
in court, a plea of guilty or nolo contendere accepted by the	2235
court, the payment of a fine or court cost, or violation of a	2236
condition of release without bail, regardless of whether or not	2237
the penalty is rebated, suspended, or probated.	2238
(G) "Disqualification" means any of the following:	2239
(1) The suspension, revocation, or cancellation of a	2240
person's privileges to operate a commercial motor vehicle;	2241
(2) Any withdrawal of a person's privileges to operate a	2242
commercial motor vehicle as the result of a violation of state	2243
or local law relating to motor vehicle traffic control other	2244
than parking, vehicle weight, or vehicle defect violations;	2245
(3) A determination by the federal motor carrier safety	2246
administration that a person is not qualified to operate a	2247
commercial motor vehicle under 49 C.F.R. 391.	2248
(H) "Domiciled" means having a true, fixed, principal, and	2249
permanent residence to which an individual intends to return.	2250
(I) "Downgrade" means any of the following, as applicable:	2251

(1) A change in the commercial driver's license, or	2252
commercial driver's license temporary instruction permit,	2253
holder's self-certified status as described in division (A) (1)	2254
of section 4506.10 of the Revised Code;	2255
(2) A change to a lesser class of vehicle;	2256
(3) Removal of commercial driver's license privileges from	2257
the individual's driver's license.	2258
(J) "Drive" means to drive, operate, or be in physical	2259
control of a motor vehicle.	2260
(K) "Driver" means any person who drives, operates, or is	2261
in physical control of a commercial motor vehicle or is required	2262
to have a commercial driver's license.	2263
(L) "Driver's license" means a license issued by the	2264
bureau of motor vehicles that authorizes an individual to drive.	2265
(M) "Drug of abuse" means any controlled substance,	2266
dangerous drug as defined in section 4729.01 of the Revised	2267
Code, or over-the-counter medication that, when taken in	2268
quantities exceeding the recommended dosage, can result in	2269
impairment of judgment or reflexes.	2270
(N) "Electronic device" includes a cellular telephone, a	2271
personal digital assistant, a pager, a computer, and any other	2272
device used to input, write, send, receive, or read text.	2273
(O) "Eligible unit of local government" means a village,	2274
township, or county that has a population of not more than three	2275
thousand persons according to the most recent federal census.	2276
(P) "Employer" means any person, including the federal	2277
government, any state, and a political subdivision of any state,	2278
that owns or leases a commercial motor vehicle or assigns a	2279

person to drive such a motor vehicle. 2280

(Q) "Endorsement" means an authorization on a person's 2281
commercial driver's license that is required to permit the 2282
person to operate a specified type of commercial motor vehicle. 2283

(R) "Farm truck" means a truck controlled and operated by 2284
a farmer for use in the transportation to or from a farm, for a 2285
distance of not more than one hundred fifty miles, of products 2286
of the farm, including livestock and its products, poultry and 2287
its products, floricultural and horticultural products, and in 2288
the transportation to the farm, from a distance of not more than 2289
one hundred fifty miles, of supplies for the farm, including 2290
tile, fence, and every other thing or commodity used in 2291
agricultural, floricultural, horticultural, livestock, and 2292
poultry production, and livestock, poultry, and other animals 2293
and things used for breeding, feeding, or other purposes 2294
connected with the operation of the farm, when the truck is 2295
operated in accordance with this division and is not used in the 2296
operations of a motor carrier, as defined in section 4923.01 of 2297
the Revised Code. 2298

(S) "Fatality" means the death of a person as the result 2299
of a motor vehicle accident occurring not more than three 2300
hundred sixty-five days prior to the date of death. 2301

(T) "Felony" means any offense under federal or state law 2302
that is punishable by death or specifically classified as a 2303
felony under the law of this state, regardless of the penalty 2304
that may be imposed. 2305

(U) "Foreign jurisdiction" means any jurisdiction other 2306
than a state. 2307

(V) "Gross vehicle weight rating" means the value 2308

specified by the manufacturer as the maximum loaded weight of a 2309
single or a combination vehicle. The gross vehicle weight rating 2310
of a combination vehicle is the gross vehicle weight rating of 2311
the power unit plus the gross vehicle weight rating of each 2312
towed unit. 2313

(W) "Hazardous materials" means any material that has been 2314
designated as hazardous under 49 U.S.C. 5103 and is required to 2315
be placarded under subpart F of 49 C.F.R. part 172 or any 2316
quantity of a material listed as a select agent or toxin in 42 2317
C.F.R. part 73, as amended. 2318

(X) "Imminent hazard" means the existence of a condition 2319
that presents a substantial likelihood that death, serious 2320
illness, severe personal injury, or a substantial endangerment 2321
to health, property, or the environment may occur before the 2322
reasonably foreseeable completion date of a formal proceeding 2323
begun to lessen the risk of that death, illness, injury, or 2324
endangerment. 2325

(Y) "Medical variance" means one of the following received 2326
by a driver from the federal motor carrier safety administration 2327
that allows the driver to be issued a medical certificate: 2328

(1) An exemption letter permitting operation of a 2329
commercial motor vehicle under 49 C.F.R. 381, subpart C or 49 2330
C.F.R. 391.64; 2331

(2) A skill performance evaluation certificate permitting 2332
operation of a commercial motor vehicle pursuant to 49 C.F.R. 2333
391.49. 2334

(Z) "Mobile telephone" means a mobile communication device 2335
that falls under or uses any commercial mobile radio service as 2336
defined in 47 C.F.R. 20, except that mobile telephone does not 2337

include two-way or citizens band radio services. 2338

(AA) "Motor vehicle" means a vehicle, machine, tractor, 2339
trailer, or semitrailer propelled or drawn by mechanical power 2340
used on highways, except that such term does not include a 2341
vehicle, machine, tractor, trailer, or semitrailer operated 2342
exclusively on a rail. 2343

(BB) "Out-of-service order" means a declaration by an 2344
authorized enforcement officer of a federal, state, local, 2345
Canadian, or Mexican jurisdiction declaring that a driver, 2346
commercial motor vehicle, or commercial motor carrier operation 2347
is out of service as defined in 49 C.F.R. 390.5. 2348

(CC) "Peace officer" has the same meaning as in section 2349
2935.01 of the Revised Code. 2350

(DD) "Portable tank" means a liquid or gaseous packaging 2351
designed primarily to be loaded onto or temporarily attached to 2352
a vehicle and equipped with skids, mountings, or accessories to 2353
facilitate handling of the tank by mechanical means. 2354

(EE) "Public safety vehicle" has the same meaning as in 2355
divisions (E) (1) and (3) of section 4511.01 of the Revised Code. 2356

(FF) "Recreational vehicle" includes every vehicle that is 2357
defined as a recreational vehicle in section 4501.01 of the 2358
Revised Code and is used exclusively for purposes other than 2359
engaging in business for profit. 2360

(GG) "Residence" means any person's residence determined 2361
in accordance with standards prescribed in rules adopted by the 2362
registrar. 2363

(HH) "School bus" has the same meaning as in section 2364
4511.01 of the Revised Code. 2365

(II) "Serious traffic violation" means any of the	2366
following:	2367
(1) A conviction arising from a single charge of operating	2368
a commercial motor vehicle in violation of any provision of	2369
section 4506.03 of the Revised Code;	2370
(2) (a) Except as provided in division (II) (2) (b) of this	2371
section, a violation while operating a commercial motor vehicle	2372
of a law of this state, or any municipal ordinance or county or	2373
township resolution, or any other substantially similar law of	2374
another state or political subdivision of another state	2375
prohibiting either of the following:	2376
(i) Texting while driving;	2377
(ii) Using a handheld mobile telephone.	2378
(b) It is not a serious traffic violation if the person	2379
was texting or using a handheld mobile telephone to contact law	2380
enforcement or other emergency services.	2381
(3) A conviction arising from the operation of any motor	2382
vehicle that involves any of the following:	2383
(a) A single charge of any speed in excess of the posted	2384
speed limit by fifteen miles per hour or more;	2385
(b) Violation of section 4511.20 or 4511.201 of the	2386
Revised Code or any similar ordinance or resolution, or of any	2387
similar law of another state or political subdivision of another	2388
state;	2389
(c) Violation of a law of this state or an ordinance or	2390
resolution relating to traffic control, other than a parking	2391
violation, or of any similar law of another state or political	2392
subdivision of another state, that results in a fatal accident;	2393

(d) Violation of section 4506.03 of the Revised Code or a 2394
substantially similar municipal ordinance or county or township 2395
resolution, or of any similar law of another state or political 2396
subdivision of another state, that involves the operation of a 2397
commercial motor vehicle without a valid commercial driver's 2398
license with the proper class or endorsement for the specific 2399
vehicle group being operated or for the passengers or type of 2400
cargo being transported; 2401

(e) Violation of section 4506.03 of the Revised Code or a 2402
substantially similar municipal ordinance or county or township 2403
resolution, or of any similar law of another state or political 2404
subdivision of another state, that involves the operation of a 2405
commercial motor vehicle without a valid commercial driver's 2406
license being in the person's possession; 2407

(f) Violation of section 4511.33 or 4511.34 of the Revised 2408
Code, or any municipal ordinance or county or township 2409
resolution substantially similar to either of those sections, or 2410
any substantially similar law of another state or political 2411
subdivision of another state; 2412

(g) Violation of any other law of this state, any law of 2413
another state, or any ordinance or resolution of a political 2414
subdivision of this state or another state that meets both of 2415
the following requirements: 2416

(i) It relates to traffic control, other than a parking 2417
violation; 2418

(ii) It is determined to be a serious traffic violation by 2419
the United States secretary of transportation and is designated 2420
by the director as such by rule. 2421

(JJ) "State" means a state of the United States and 2422

includes the District of Columbia. 2423

(KK) "Tank vehicle" means any commercial motor vehicle 2424
that is designed to transport any liquid or gaseous materials 2425
within a tank or tanks that are either permanently or 2426
temporarily attached to the vehicle or its chassis and have an 2427
individual rated capacity of more than one hundred nineteen 2428
gallons and an aggregate rated capacity of one thousand gallons 2429
or more. "Tank vehicle" does not include a commercial motor 2430
vehicle transporting an empty storage container tank that is not 2431
designed for transportation, has a rated capacity of one 2432
thousand gallons or more, and is temporarily attached to a 2433
flatbed trailer. 2434

(LL) "Tester" means a person or entity acting pursuant to 2435
a valid agreement entered into pursuant to division (B) of 2436
section 4506.09 of the Revised Code. 2437

(MM) "Texting" means manually entering alphanumeric text 2438
into, or reading text from, an electronic device. Texting 2439
includes short message service, e-mail, instant messaging, a 2440
command or request to access a world wide web page, pressing 2441
more than a single button to initiate or terminate a voice 2442
communication using a mobile telephone, or engaging in any other 2443
form of electronic text retrieval or entry, for present or 2444
future communication. Texting does not include the following: 2445

(1) Using voice commands to initiate, receive, or 2446
terminate a voice communication using a mobile telephone; 2447

(2) Inputting, selecting, or reading information on a 2448
global positioning system or navigation system; 2449

(3) Pressing a single button to initiate or terminate a 2450
voice communication using a mobile telephone; or 2451

(4) Using, for a purpose that is not otherwise prohibited 2452
by law, a device capable of performing multiple functions, such 2453
as a fleet management system, a dispatching device, a mobile 2454
telephone, a citizens band radio, or a music player. 2455

(NN) "Texting while driving" means texting while operating 2456
a commercial motor vehicle, with the motor running, including 2457
while temporarily stationary because of traffic, a traffic 2458
control device, or other momentary delays. Texting while driving 2459
does not include operating a commercial motor vehicle with or 2460
without the motor running when the driver has moved the vehicle 2461
to the side of, or off, a highway and is stopped in a location 2462
where the vehicle can safely remain stationary. 2463

(OO) "United States" means the fifty states and the 2464
District of Columbia. 2465

(PP) "Upgrade" means a change in the class of vehicles, 2466
endorsements, or self-certified status as described in division 2467
(A) (1) of section 4506.10 of the Revised Code, that expands the 2468
ability of a current commercial driver's license holder to 2469
operate commercial motor vehicles under this chapter; 2470

(QQ) "Use of a handheld mobile telephone" means: 2471

(1) Using at least one hand to hold a mobile telephone to 2472
conduct a voice communication; 2473

(2) Dialing or answering a mobile telephone by pressing 2474
more than a single button; or 2475

(3) Reaching for a mobile telephone in a manner that 2476
requires a driver to maneuver so that the driver is no longer in 2477
a seated driving position, or restrained by a seat belt that is 2478
installed in accordance with 49 C.F.R. 393.93 and adjusted in 2479
accordance with the vehicle manufacturer's instructions. 2480

(RR) "Vehicle" has the same meaning as in section 4511.01 2481
of the Revised Code. 2482

Sec. 4506.072. (A) Pursuant to the memorandum of 2483
understanding agreement authorized by section 4507.021 of the 2484
Revised Code between the director of public safety and the 2485
United States department of homeland security or other 2486
designated federal agency, and in accordance with the rules 2487
adopted by the registrar of motor vehicles under that section, 2488
the registrar or a deputy registrar shall issue an enhanced 2489
commercial driver's license to an eligible applicant. An 2490
applicant for an enhanced commercial driver's license shall do 2491
all of the following: 2492

(1) Provide satisfactory proof of the applicant's identity 2493
and citizenship; 2494

(2) Submit a biometric identifier as required by rule; 2495

(3) Sign a declaration on a form prescribed by the 2496
registrar acknowledging the use of the one-to-many biometric 2497
match and radio frequency identification or other security 2498
features of the license; 2499

(4) Pay a fee of twenty-five dollars, in addition to any 2500
other applicable fees in section 4506.08 of the Revised Code for 2501
issuance of a commercial driver's license. The fee shall be paid 2502
into the state treasury to the credit of the public safety - 2503
highway purposes fund created in section 4501.06 of the Revised 2504
Code. 2505

(5) Comply with all other conditions, qualifications, and 2506
requirements for issuance of a commercial driver's license. 2507

(B) All provisions in the Revised Code relating to a 2508
commercial driver's license include and apply to an enhanced 2509

commercial driver's license. An enhanced commercial driver's 2510
license may be used in the same manner as a commercial driver's 2511
license and additionally is approved for purposes of entering 2512
the United States at authorized land and sea ports. 2513

Sec. 4506.11. (A) Every commercial driver's license shall 2514
be marked "commercial driver's license" or "CDL" and shall be of 2515
such material and so designed as to prevent its reproduction or 2516
alteration without ready detection. The commercial driver's 2517
license for licensees under twenty-one years of age shall have 2518
characteristics prescribed by the registrar of motor vehicles 2519
distinguishing it from that issued to a licensee who is twenty- 2520
one years of age or older. Every commercial driver's license 2521
shall display all of the following information: 2522

(1) The name and residence address of the licensee; 2523

(2) A color photograph of the licensee showing the 2524
licensee's uncovered face; 2525

(3) A physical description of the licensee, including sex, 2526
height, weight, and color of eyes and hair; 2527

(4) The licensee's date of birth; 2528

(5) The licensee's social security number if the person 2529
has requested that the number be displayed in accordance with 2530
section 4501.31 of the Revised Code or if federal law requires 2531
the social security number to be displayed and any number or 2532
other identifier the director of public safety considers 2533
appropriate and establishes by rules adopted under Chapter 119. 2534
of the Revised Code and in compliance with federal law; 2535

(6) The licensee's signature; 2536

(7) The classes of commercial motor vehicles the licensee 2537

is authorized to drive and any endorsements or restrictions 2538
relating to the licensee's driving of those vehicles; 2539

(8) The name of this state; 2540

(9) The dates of issuance and of expiration of the 2541
license; 2542

(10) If the licensee has certified willingness to make an 2543
anatomical gift under section 2108.05 of the Revised Code, any 2544
symbol chosen by the registrar of motor vehicles to indicate 2545
that the licensee has certified that willingness; 2546

(11) If the licensee has executed a durable power of 2547
attorney for health care or a declaration governing the use or 2548
continuation, or the withholding or withdrawal, of life- 2549
sustaining treatment and has specified that the licensee wishes 2550
the license to indicate that the licensee has executed either 2551
type of instrument, any symbol chosen by the registrar to 2552
indicate that the licensee has executed either type of 2553
instrument; 2554

(12) On and after October 7, 2009, if the licensee has 2555
specified that the licensee wishes the license to indicate that 2556
the licensee is a veteran, active duty, or reservist of the 2557
armed forces of the United States and has presented a copy of 2558
the licensee's DD-214 form or an equivalent document, any symbol 2559
chosen by the registrar to indicate that the licensee is a 2560
veteran, active duty, or reservist of the armed forces of the 2561
United States; 2562

(13) If the licensee is a noncitizen of the United States, 2563
a notation designating that the licensee is a noncitizen; 2564

(14) Any other information the registrar considers 2565
advisable and requires by rule. 2566

(B) Every enhanced commercial driver's license shall have any additional characteristics established by the rules adopted under section 4507.021 of the Revised Code. 2567
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(C) The registrar may establish and maintain a file of negatives of photographs taken for the purposes of this section. 2570
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~~(C)~~ (D) Neither the registrar nor any deputy registrar shall issue a commercial driver's license to anyone under twenty-one years of age that does not have the characteristics prescribed by the registrar distinguishing it from the commercial driver's license issued to persons who are twenty-one years of age or older. 2572
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~~(D)~~ (E) Whoever violates division ~~(C)~~ (D) of this section is guilty of a minor misdemeanor. 2578
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Sec. 4507.01. (A) As used in this chapter, "motor vehicle," "motorized bicycle," "state," "owner," "operator," "chauffeur," and "highways" have the same meanings as in section 4501.01 of the Revised Code. 2580
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"Driver's license" means a class D license issued to any person to operate a motor vehicle or motor-driven cycle, other than a commercial motor vehicle, and includes "probationary license," "restricted license," and any operator's or chauffeur's license issued before January 1, 1990. Except as otherwise specifically provided, "driver's license" includes an "enhanced driver's license." 2584
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"Enhanced driver's license" means a driver's license issued in accordance with sections 4507.021 and 4507.063 of the Revised Code that denotes citizenship and identity and is approved by the United States secretary of homeland security or other designated federal agency for purposes of entering the 2591
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<u>United States.</u>	2596
"Probationary license" means the license issued to any person between sixteen and eighteen years of age to operate a motor vehicle.	2597 2598 2599
"Restricted license" means the license issued to any person to operate a motor vehicle subject to conditions or restrictions imposed by the registrar of motor vehicles.	2600 2601 2602
"Commercial driver's license" means the license issued to a person under Chapter 4506. of the Revised Code to operate a commercial motor vehicle.	2603 2604 2605
"Commercial motor vehicle" has the same meaning as in section 4506.01 of the Revised Code.	2606 2607
"Motorcycle operator's temporary instruction permit, license, or endorsement" includes a temporary instruction permit, license, or endorsement for a motor-driven cycle or motor scooter unless otherwise specified.	2608 2609 2610 2611
"Motorized bicycle license" means the license issued under section 4511.521 of the Revised Code to any person to operate a motorized bicycle including a "probationary motorized bicycle license."	2612 2613 2614 2615
"Probationary motorized bicycle license" means the license issued under section 4511.521 of the Revised Code to any person between fourteen and sixteen years of age to operate a motorized bicycle.	2616 2617 2618 2619
"Identification card" means a card issued under sections 4507.50 and 4507.51 <u>to 4507.52</u> of the Revised Code. <u>Except as otherwise specifically provided, "identification card" includes an "enhanced identification card."</u>	2620 2621 2622 2623

"Enhanced identification card" means an identification 2624
card issued in accordance with sections 4507.021 and 4507.511 of 2625
the Revised Code that denotes citizenship and identity and is 2626
approved by the United States secretary of homeland security or 2627
other designated federal agency for purposes of entering the 2628
United States. 2629

"Resident" means a person who, in accordance with 2630
standards prescribed in rules adopted by the registrar, resides 2631
in this state on a permanent basis. 2632

"Temporary resident" means a person who, in accordance 2633
with standards prescribed in rules adopted by the registrar, 2634
resides in this state on a temporary basis. 2635

(B) In the administration of this chapter and Chapter 2636
4506. of the Revised Code, the registrar has the same authority 2637
as is conferred on the registrar by section 4501.02 of the 2638
Revised Code. Any act of an authorized deputy registrar of motor 2639
vehicles under direction of the registrar is deemed the act of 2640
the registrar. 2641

To carry out this chapter, the registrar shall appoint 2642
such deputy registrars in each county as are necessary. 2643

The registrar also shall provide at each place where an 2644
application for a driver's or commercial driver's license or 2645
identification card may be made the necessary equipment to take 2646
a color photograph of the applicant for such license or card as 2647
required under section 4506.11 or 4507.06 of the Revised Code, 2648
and to conduct the vision screenings required by section 4507.12 2649
of the Revised Code. 2650

The registrar shall assign one or more deputy registrars 2651
to any driver's license examining station operated under the 2652

supervision of the director of public safety, whenever the 2653
registrar considers such assignment possible. Space shall be 2654
provided in the driver's license examining station for any such 2655
deputy registrar so assigned. The deputy registrars shall not 2656
exercise the powers conferred by such sections upon the 2657
registrar, unless they are specifically authorized to exercise 2658
such powers by such sections. 2659

(C) No agent for any insurance company, writing automobile 2660
insurance, shall be appointed deputy registrar, and any such 2661
appointment is void. No deputy registrar shall in any manner 2662
solicit any form of automobile insurance, nor in any manner 2663
advise, suggest, or influence any licensee or applicant for 2664
license for or against any kind or type of automobile insurance, 2665
insurance company, or agent, nor have the deputy registrar's 2666
office directly connected with the office of any automobile 2667
insurance agent, nor impart any information furnished by any 2668
applicant for a license or identification card to any person, 2669
except the registrar. This division shall not apply to any 2670
nonprofit corporation appointed deputy registrar. 2671

(D) The registrar shall immediately remove a deputy 2672
registrar who violates the requirements of this chapter. 2673

Sec. 4507.021. (A) (1) The director of public safety shall 2674
enter into a memorandum of understanding agreement with the 2675
United States department of homeland security or other 2676
designated federal agency. The purpose of the agreement is to 2677
obtain approval to issue enhanced driver's licenses, enhanced 2678
commercial driver's licenses, and enhanced identification cards 2679
to Ohio residents for use as proof of identity and citizenship 2680
and for purposes of entering the United States at authorized 2681
land and sea ports. 2682

(2) In conjunction with the United States department of 2683
homeland security or other designated federal agency, the 2684
director may enter into an agreement with the United Mexican 2685
States, any country within the region of the Caribbean, Canada, 2686
or any Canadian province for the purpose of implementing a 2687
border-crossing initiative. 2688

(B) (1) Pursuant to an agreement under division (A) (1) of 2689
this section, the registrar of motor vehicles, subject to 2690
approval by the director, shall adopt rules in accordance with 2691
Chapter 119. of the Revised Code governing issuance of an 2692
enhanced driver's license, enhanced commercial driver's license, 2693
and enhanced identification card. 2694

(2) The rules shall establish all of the following: 2695

(a) Acceptable methods of proving citizenship for an 2696
applicant for an enhanced driver's license, enhanced commercial 2697
driver's license, or enhanced identification card; 2698

(b) Reasonable security measures to prevent counterfeiting 2699
of enhanced licenses and identification cards and to protect 2700
against unauthorized disclosure of personal information that is 2701
contained in an enhanced license or identification card. The 2702
rules may require a one-to-many biometric matching system for 2703
identification purposes, use of radio frequency identification 2704
technology, or use of other secure technology that is acceptable 2705
to the United States department of homeland security and is 2706
encrypted or otherwise secure from unauthorized data access. 2707

(c) Any other additional characteristics of an enhanced 2708
license or identification card as determined by the registrar. 2709

(C) The registrar may adopt any other rules necessary to 2710
administer the issuance of an enhanced driver's license, 2711

enhanced commercial driver's license, and enhanced 2712
identification card. 2713

Sec. 4507.061. (A) Beginning on and after July 1, 2022, 2714
the registrar of motor vehicles may authorize the online renewal 2715
of a driver's license or identification card issued by the 2716
bureau of motor vehicles for eligible applicants. An applicant 2717
is eligible for online renewal if all of the following apply: 2718

(1) The applicant's current driver's license or 2719
identification card was processed in person at a deputy 2720
registrar office. 2721

(2) The applicant has a photo on file with the bureau of 2722
motor vehicles from the applicant's current driver's license or 2723
identification card. 2724

(3) The applicant's current driver's license or 2725
identification card expires on the birthday of the applicant in 2726
the fourth year after the date it was issued. 2727

(4) The applicant is applying for a driver's license or 2728
identification card that expires on the birthday of the 2729
applicant in the fourth year after the date it is issued. 2730

(5) The applicant's current driver's license or 2731
identification card is unexpired or expired not more than six 2732
months prior to the date of the application. 2733

(6) The applicant is a citizen of the United States and a 2734
permanent resident of this state. 2735

(7) The applicant is twenty-one years of age or older, but 2736
less than sixty-five years of age. 2737

(8) The applicant's current driver's license or driving 2738
privileges are not suspended, canceled, revoked, or restricted, 2739

and the applicant is not otherwise prohibited by law from 2740
obtaining a driver's license or identification card. 2741

(9) The applicant has no changes to the applicant's name 2742
or personal information, other than a change of address. 2743

(10) The applicant has no medical restrictions that would 2744
require the applicant to apply for a driver's license or 2745
identification card in person at a deputy registrar office. The 2746
registrar shall determine the medical restrictions that require 2747
in person applications. 2748

(B) An applicant may not submit an application online for 2749
any of the following: 2750

(1) A temporary instruction permit; 2751

(2) A commercial driver's license or a commercial driver's 2752
license temporary instruction permit; 2753

(3) An initial issuance of an Ohio driver's license or 2754
identification card; 2755

(4) An initial issuance of a federally compliant driver's 2756
license or identification card; 2757

(5) An initial issuance of an enhanced driver's license or 2758
enhanced identification card; 2759

(6) An ignition interlock license; 2760

~~(6)~~ (7) A nonrenewable license. 2761

(C) The registrar may require an applicant to provide a 2762
digital copy of any identification documents and supporting 2763
documents as required by statute or administrative rule to 2764
comply with current state and federal requirements. 2765

(D) Except as otherwise provided, an applicant shall 2766

comply with all other applicable laws related to the issuance of 2767
a driver's license or identification card in order to renew a 2768
driver's license or identification card under this section. 2769

(E) The registrar may adopt rules in accordance with 2770
Chapter 119. of the Revised Code to implement and administer 2771
this section. 2772

Sec. 4507.063. (A) Pursuant to the memorandum of 2773
understanding agreement authorized by section 4507.021 of the 2774
Revised Code between the director of public safety and the 2775
United States department of homeland security or other 2776
designated federal agency, and in accordance with the rules 2777
adopted by the registrar of motor vehicles under that section, 2778
the registrar or a deputy registrar shall issue an enhanced 2779
driver's license to an eligible applicant. An applicant for an 2780
enhanced driver's license shall do all of the following: 2781

(1) Provide satisfactory proof of the applicant's identity 2782
and citizenship; 2783

(2) Submit a biometric identifier as required by rule; 2784

(3) Sign a declaration on a form prescribed by the 2785
registrar acknowledging the use of the one-to-many biometric 2786
match and radio frequency identification or other security 2787
features of the license; 2788

(4) Pay a fee of twenty-five dollars, in addition to any 2789
other applicable fees in sections 4507.23 and 4507.24 of the 2790
Revised Code for issuance of a driver's license. The fee shall 2791
be paid into the state treasury to the credit of the public 2792
safety - highway purposes fund created in section 4501.06 of the 2793
Revised Code. 2794

(5) Comply with all other conditions, qualifications, and 2795

requirements for issuance of a driver's license. 2796

(B) All provisions in the Revised Code relating to a 2797
driver's license include and apply to an enhanced driver's 2798
license. An enhanced driver's license may be used in the same 2799
manner as a driver's license and additionally is approved for 2800
purposes of entering the United States at authorized land and 2801
sea ports. 2802

Sec. 4507.13. (A) (1) The registrar of motor vehicles shall 2803
issue a driver's license to every person licensed as an operator 2804
of motor vehicles other than commercial motor vehicles. No 2805
person licensed as a commercial motor vehicle driver under 2806
Chapter 4506. of the Revised Code need procure a driver's 2807
license, but no person shall drive any commercial motor vehicle 2808
unless licensed as a commercial motor vehicle driver. 2809

(2) Every driver's license shall display all of the 2810
following information: 2811

(a) The distinguishing number assigned to the licensee; 2812

(b) The licensee's name and date of birth; 2813

(c) The licensee's residence address and county of 2814
residence; 2815

(d) A color photograph of the licensee; 2816

(e) A brief description of the licensee for the purpose of 2817
identification; 2818

(f) A facsimile of the signature of the licensee as it 2819
appears on the application for the license; 2820

(g) A notation, in a manner prescribed by the registrar, 2821
indicating any condition described in division (D) (3) of section 2822

4507.08 of the Revised Code to which the licensee is subject; 2823

(h) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument; 2824
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(i) If the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States; 2832
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(j) If the licensee is a noncitizen of the United States, a notation designating that the licensee is a noncitizen; 2839
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(k) Any additional information that the registrar requires by rule. 2841
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(3) No license shall display the licensee's social security number unless the licensee specifically requests that the licensee's social security number be displayed on the license. If federal law requires the licensee's social security number to be displayed on the license, the social security number shall be displayed on the license notwithstanding this section. 2843
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(4) The driver's license for licensees under twenty-one years of age shall have characteristics prescribed by the 2850
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registrar distinguishing it from that issued to a licensee who 2852
is twenty-one years of age or older, except that a driver's 2853
license issued to a person who applies no more than thirty days 2854
before the applicant's twenty-first birthday shall have the 2855
characteristics of a license issued to a person who is twenty- 2856
one years of age or older. 2857

(5) The driver's license issued to a temporary resident 2858
shall contain the word "nonrenewable" and shall have any 2859
additional characteristics prescribed by the registrar 2860
distinguishing it from a license issued to a resident. 2861

(6) Every enhanced driver's license shall have any 2862
additional characteristics established by the rules adopted 2863
under section 4507.021 of the Revised Code. 2864

(7) Every driver's or commercial driver's license 2865
displaying a motorcycle operator's endorsement and every 2866
restricted license to operate a motor vehicle also shall display 2867
the designation "novice," if the endorsement or license is 2868
issued to a person who is eighteen years of age or older and 2869
previously has not been licensed to operate a motorcycle by this 2870
state or another jurisdiction recognized by this state. The 2871
"novice" designation shall be effective for one year after the 2872
date of issuance of the motorcycle operator's endorsement or 2873
license. 2874

~~(7)~~ (8) Each license issued under this section shall be of 2875
such material and so designed as to prevent its reproduction or 2876
alteration without ready detection. 2877

(B) Except in regard to a driver's license issued to a 2878
person who applies no more than thirty days before the 2879
applicant's twenty-first birthday, neither the registrar nor any 2880

deputy registrar shall issue a driver's license to anyone under 2881
twenty-one years of age that does not have the characteristics 2882
prescribed by the registrar distinguishing it from the driver's 2883
license issued to persons who are twenty-one years of age or 2884
older. 2885

(C) Whoever violates division (B) of this section is 2886
guilty of a minor misdemeanor. 2887

Sec. 4507.511. (A) Pursuant to the memorandum of 2888
understanding agreement authorized by section 4507.021 of the 2889
Revised Code between the director of public safety and the 2890
United States department of homeland security or other 2891
designated federal agency, and in accordance with the rules 2892
adopted by the registrar of motor vehicles under that section, 2893
the registrar or a deputy registrar shall issue an enhanced 2894
identification card to an eligible applicant. An applicant for 2895
an enhanced identification card shall do all of the following: 2896

(1) Provide satisfactory proof of the applicant's identity 2897
and citizenship; 2898

(2) Submit a biometric identifier as required by rule; 2899

(3) Sign a declaration on a form prescribed by the 2900
registrar acknowledging the use of the one-to-many biometric 2901
match and radio frequency identification or other security 2902
features of the card; 2903

(4) Pay a fee of twenty-five dollars, in addition to any 2904
other applicable fees in section 4507.50 of the Revised Code for 2905
issuance of an identification card. The fee shall be paid into 2906
the state treasury to the credit of the public safety - highway 2907
purposes fund created in section 4501.06 of the Revised Code. 2908

(5) Comply with all other requirements for issuance of an 2909

identification card. 2910

(B) All provisions in the Revised Code relating to an 2911
identification card issued under sections 4507.50 to 4507.52 of 2912
the Revised Code include and apply to an enhanced identification 2913
card. An enhanced identification card may be used in the same 2914
manner as an identification card and additionally is approved 2915
for purposes of entering the United States at authorized land 2916
and sea ports. 2917

Sec. 4507.52. (A) (1) Each identification card issued by 2918
the registrar of motor vehicles or a deputy registrar shall 2919
display a distinguishing number assigned to the cardholder, and 2920
shall display the following inscription: 2921

"STATE OF OHIO IDENTIFICATION CARD 2922

This card is not valid for the purpose of operating a 2923
motor vehicle. It is provided solely for the purpose of 2924
establishing the identity of the bearer described on the card, 2925
who currently is not licensed to operate a motor vehicle in the 2926
state of Ohio." 2927

(2) The identification card shall display substantially 2928
the same information as contained in the application and as 2929
described in division (A) (1) of section 4507.51 of the Revised 2930
Code, including, if the cardholder is a noncitizen of the United 2931
States, a notation designating that the cardholder is a 2932
noncitizen. The identification card shall not display the 2933
cardholder's social security number unless the cardholder 2934
specifically requests that the cardholder's social security 2935
number be displayed on the card. If federal law requires the 2936
cardholder's social security number to be displayed on the 2937
identification card, the social security number shall be 2938

displayed on the card notwithstanding this section. 2939

(3) The identification card also shall display the color 2940
photograph of the cardholder. 2941

(4) If the cardholder has executed a durable power of 2942
attorney for health care or a declaration governing the use or 2943
continuation, or the withholding or withdrawal, of life- 2944
sustaining treatment and has specified that the cardholder 2945
wishes the identification card to indicate that the cardholder 2946
has executed either type of instrument, the card also shall 2947
display any symbol chosen by the registrar to indicate that the 2948
cardholder has executed either type of instrument. 2949

(5) If the cardholder has specified that the cardholder 2950
wishes the identification card to indicate that the cardholder 2951
is a veteran, active duty, or reservist of the armed forces of 2952
the United States and has presented a copy of the cardholder's 2953
DD-214 form or an equivalent document, the card also shall 2954
display any symbol chosen by the registrar to indicate that the 2955
cardholder is a veteran, active duty, or reservist of the armed 2956
forces of the United States. 2957

(6) The card shall be designed as to prevent its 2958
reproduction or alteration without ready detection. 2959

(7) The identification card for persons under twenty-one 2960
years of age shall have characteristics prescribed by the 2961
registrar distinguishing it from that issued to a person who is 2962
twenty-one years of age or older, except that an identification 2963
card issued to a person who applies no more than thirty days 2964
before the applicant's twenty-first birthday shall have the 2965
characteristics of an identification card issued to a person who 2966
is twenty-one years of age or older. 2967

(8) (a) Except as provided in division (A) (8) (b) of this section, every identification card issued to a resident of this state shall expire, unless canceled or surrendered earlier, on the birthday of the cardholder in the fourth or the eighth year after the date on which it is issued, based on the period of renewal requested by the applicant.

(b) Upon request, the registrar or a deputy registrar shall issue an identification card to a resident of this state who is permanently or irreversibly disabled that shall expire, unless canceled or surrendered earlier, on the birthday of the cardholder in the eighth year after the date on which it is issued. The registrar shall issue a reminder notice to a cardholder, at the last known address of the cardholder, six months before the identification card is scheduled to expire. The registrar shall adopt rules governing the documentation a cardholder shall submit to certify that the cardholder is permanently or irreversibly disabled.

As used in this section, "permanently or irreversibly disabled" means a condition of disability from which there is no present indication of recovery.

(c) Every identification card issued to a temporary resident shall expire in accordance with rules adopted by the registrar and is nonrenewable, but may be replaced with a new identification card upon the applicant's compliance with all applicable requirements.

(9) A cardholder may renew the cardholder's identification card within ninety days prior to the day on which it expires by filing an application and paying the prescribed fee, if required, in accordance with section 4507.50 of the Revised Code.

(10) If a cardholder applies for a driver's or commercial driver's license in this state or another licensing jurisdiction, the cardholder shall surrender the cardholder's identification card to the registrar or any deputy registrar before the license is issued.

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

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

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

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

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

(3) Any person who loses a card and, after obtaining a duplicate or reprint, finds the original, immediately shall surrender the original to the registrar or a deputy registrar.

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

(5) Except as provided in division (A)(6) or (7) of this section, when a cardholder applies for a duplicate, reprint, or

replacement identification card, the cardholder shall pay the 3026
following fees: 3027

(a) Two dollars and fifty cents; 3028

(b) A deputy registrar or service fee equal to the amount 3029
established under section 4503.038 of the Revised Code. 3030

(6) The following cardholders may apply for a duplicate, 3031
reprint, or replacement identification card without payment of 3032
any fee prescribed in division (B)(5) of this section: 3033

(a) A disabled veteran who has a service-connected 3034
disability rated at one hundred per cent by the veterans' 3035
administration; 3036

(b) A resident who is permanently or irreversibly disabled 3037
and who is unemployed. 3038

(7) A cardholder who is seventeen years of age or older 3039
may apply for a replacement identification card without payment 3040
of any fee prescribed in division (B)(5) of this section. 3041

(8) A duplicate, reprint, or replacement identification 3042
card expires on the same date as the card it replaces. 3043

(C) The registrar shall cancel any card upon determining 3044
that the card was obtained unlawfully, issued in error, or was 3045
altered. The registrar also shall cancel any card that is 3046
surrendered to the registrar or to a deputy registrar after the 3047
holder has obtained a duplicate, reprint, replacement, or 3048
driver's or commercial driver's license. 3049

(D) (1) No agent of the state or its political subdivisions 3050
shall condition the granting of any benefit, service, right, or 3051
privilege upon the possession by any person of an identification 3052
card. Nothing in this section shall preclude any publicly 3053

operated or franchised transit system from using an 3054
identification card for the purpose of granting benefits or 3055
services of the system. 3056

(2) No person shall be required to apply for, carry, or 3057
possess an identification card. 3058

(E) Except in regard to an identification card issued to a 3059
person who applies no more than thirty days before the 3060
applicant's twenty-first birthday, neither the registrar nor any 3061
deputy registrar shall issue an identification card to a person 3062
under twenty-one years of age that does not have the 3063
characteristics prescribed by the registrar distinguishing it 3064
from the identification card issued to persons who are twenty- 3065
one years of age or older. 3066

(F) Whoever violates division (E) of this section is 3067
guilty of a minor misdemeanor. 3068

Sec. 4511.092. As used in sections 4511.092 to 4511.0914 3069
of the Revised Code: 3070

(A) "Designated party" means the person whom the 3071
registered owner of a motor vehicle, upon receipt of a ticket 3072
based upon images recorded by a traffic law photo-monitoring 3073
device that indicate a traffic law violation, identifies as the 3074
person who was operating the vehicle of the registered owner at 3075
the time of the violation. 3076

(B) "Law enforcement officer" means a ~~sheriff, deputy-~~ 3077
~~sheriff, marshal, deputy marshal, police officer of a police-~~ 3078
~~department of any municipal corporation, police constable of any~~ 3079
~~township, or police officer of a township or joint police-~~ 3080
~~district,~~ law enforcement officer who is employed on a permanent, 3081
full-time basis by the law enforcement agency of a local 3082

authority that assigns such person to the location of a traffic 3083
law photo-monitoring device. 3084

(C) "Local authority" means a municipal corporation, ~~—~~ 3085
~~county, or township.~~ 3086

(D) "Motor vehicle leasing dealer" has the same meaning as 3087
in section 4517.01 of the Revised Code. 3088

(E) "Motor vehicle renting dealer" has the same meaning as 3089
in section 4549.65 of the Revised Code. 3090

(F) "Recorded images" means any of the following images 3091
recorded by a traffic law photo-monitoring device that show, on 3092
at least one image or on a portion of the videotape, the rear of 3093
a motor vehicle and the letters and numerals on the rear license 3094
plate of the vehicle: 3095

(1) Two or more photographs, microphotographs, electronic 3096
images, or digital images; 3097

(2) Videotape. 3098

(G) "Registered owner" means all of the following: 3099

(1) Any person or entity identified by the bureau of motor 3100
vehicles or any other state motor vehicle registration bureau, 3101
department, or office as the owner of a motor vehicle; 3102

(2) The lessee of a motor vehicle under a lease of six 3103
months or longer; 3104

(3) The renter of a motor vehicle pursuant to a written 3105
rental agreement with a motor vehicle renting dealer. 3106

(H) "System location" means the approach to an 3107
intersection or area of roadway toward which a traffic law 3108
photo-monitoring device is directed and is in operation. 3109

(I) "Ticket" means any traffic ticket, citation, summons, 3110
or other ticket issued in response to an alleged traffic law 3111
violation detected by a traffic law photo-monitoring device, 3112
that represents a civil violation. 3113

(J) "Traffic law photo-monitoring device" means an 3114
electronic system consisting of a photographic, video, or 3115
electronic camera and a means of sensing the presence of a motor 3116
vehicle that automatically produces recorded images. 3117

(K) "Traffic law violation" means either of the following: 3118

(1) A violation of section 4511.12 of the Revised Code 3119
based on the failure to comply with section 4511.13 of the 3120
Revised Code or a substantially equivalent municipal ordinance 3121
that occurs at an intersection due to failure to obey a traffic 3122
control signal; 3123

(2) A violation of section 4511.21 or 4511.211 of the 3124
Revised Code or a substantially equivalent municipal ordinance 3125
due to failure to observe the applicable speed limit. 3126

Sec. 4511.093. (A) A local authority may utilize a traffic 3127
law photo-monitoring device for the purpose of detecting traffic 3128
law violations. ~~If the local authority is a county or township,~~ 3129
~~the board of county commissioners or the board of township~~ 3130
~~trustees may adopt such resolutions as may be necessary to~~ 3131
~~enable the county or township to utilize traffic law photo-~~ 3132
~~monitoring devices.~~No county, township, or representative of a 3133
county or township shall utilize a traffic law photo-monitoring 3134
device to detect and enforce traffic law violations in 3135
accordance with sections 4511.092 to 4511.0912 of the Revised 3136
Code. 3137

(B) The use of a traffic law photo-monitoring device is 3138

subject to the following conditions: 3139

(1) A local authority shall use a traffic law photo- 3140
monitoring device to detect and enforce traffic law violations 3141
only if a law enforcement officer is present at the location of 3142
the device at all times during the operation of the device and 3143
if the local authority complies with sections 4511.094 and 3144
4511.095 of the Revised Code. 3145

(2) A law enforcement officer who is present at the 3146
location of any traffic law photo-monitoring device and who 3147
personally witnesses a traffic law violation may issue a ticket 3148
for the violation. Such a ticket shall be issued in accordance 3149
with section 2935.26 of the Revised Code and is not subject to 3150
sections 4511.096 to 4511.0910 and section 4511.912 of the 3151
Revised Code. 3152

(3) If a traffic law photo-monitoring device records a 3153
traffic law violation and the law enforcement officer who was 3154
present at the location of the traffic law photo-monitoring 3155
device does not issue a ticket as provided under division (B) (2) 3156
of this section, the local authority may only issue a ticket in 3157
accordance with sections 4511.096 to 4511.0912 of the Revised 3158
Code. 3159

~~(C) No township constable appointed under section 509.01- 3160
of the Revised Code, member of a police force of a township or 3161
joint police district created under section 505.48 or 505.482 of- 3162
the Revised Code, or other representative of a township shall- 3163
utilize a traffic law photo-monitoring device to detect and 3164
enforce traffic law violations on an interstate highway. 3165~~

Sec. 4511.0913. Sections 4511.092 to 4511.0912 of the 3166
Revised Code do not apply to ~~the~~ either of the following: 3167

(A) The use of a traffic law photo-monitoring device that 3168
is placed on a school bus for the purpose of detecting 3169
violations of section 4511.75 of the Revised Code or a 3170
substantially equivalent municipal ordinance; 3171

(B) The use of a traffic law photo-monitoring device or an 3172
associated license plate reader by a county or township for the 3173
purpose of detecting and assisting in the enforcement of 3174
criminal offenses. 3175

Sec. 4513.241. (A) The director of public safety, in 3176
accordance with Chapter 119. of the Revised Code, shall adopt 3177
rules governing the use of tinted glass, and the use of 3178
transparent, nontransparent, translucent, and reflectorized 3179
materials in or on motor vehicle windshields, side windows, 3180
sidewings, and rear windows that prevent a person of normal 3181
vision looking into the motor vehicle from seeing or identifying 3182
persons or objects inside the motor vehicle. 3183

(B) The rules adopted under this section may provide for 3184
persons who meet either of the following qualifications: 3185

(1) On November 11, 1994, or the effective date of any 3186
rule adopted under this section, own a motor vehicle that does 3187
not conform to the requirements of this section or of any rule 3188
adopted under this section; 3189

(2) Establish residency in this state and are required to 3190
register a motor vehicle that does not conform to the 3191
requirements of this section or of any rule adopted under this 3192
section. 3193

(C) No person shall operate, on any highway or other 3194
public or private property open to the public for vehicular 3195
travel or parking, lease, or rent any motor vehicle that is 3196

registered in this state unless the motor vehicle conforms to 3197
the requirements of this section and of any applicable rule 3198
adopted under this section. 3199

(D) No person shall install in or on any motor vehicle, 3200
any glass or other material that fails to conform to the 3201
requirements of this section or of any rule adopted under this 3202
section. 3203

(E) (1) No used motor vehicle dealer or new motor vehicle 3204
dealer, as defined in section 4517.01 of the Revised Code, shall 3205
sell any motor vehicle that fails to conform to the requirements 3206
of this section or of any rule adopted under this section. 3207

(2) No manufacturer, remanufacturer, or distributor, as 3208
defined in section 4517.01 of the Revised Code, shall provide to 3209
a motor vehicle dealer licensed under Chapter 4517. of the 3210
Revised Code or to any other person, a motor vehicle that fails 3211
to conform to the requirements of this section or of any rule 3212
adopted under this section. 3213

(F) No reflectorized materials shall be permitted upon or 3214
in any front windshield, side windows, sidewings, or rear 3215
window. 3216

(G) This section does not apply to the manufacturer's 3217
tinting or glazing of motor vehicle windows or windshields that 3218
is otherwise in compliance with or permitted by federal motor 3219
vehicle safety standard number two hundred five. 3220

(H) With regard to any side window behind a driver's seat 3221
or any rear window other than any window on an emergency door, 3222
this section does not apply to any school bus used to transport 3223
a child with disabilities pursuant to Chapter 3323. of the 3224
Revised Code, whom it is impossible or impractical to transport 3225

by regular school bus in the course of regular route 3226
transportation provided by a school district. As used in this 3227
division, "child with disabilities" has the same meaning as in 3228
section 3323.01 of the Revised Code. 3229

(I) This section does not apply to any school bus that is 3230
to be sold and operated outside this state. 3231

(J) (1) This section and the rules adopted under it do not 3232
apply to a motor vehicle used by a law enforcement agency ~~under~~ 3233
~~either of the following circumstances:~~ 3234

~~(a) The vehicle does not have distinctive markings of a 3235
law enforcement vehicle but is operated by or on behalf of the 3236
law enforcement agency in an authorized investigation or other 3237
activity requiring that the presence and identity of the vehicle 3238
occupants be undisclosed.~~ 3239

~~(b) The vehicle primarily when the motor vehicle is used 3240
by the law enforcement canine unit for transporting a police 3241
agency for a purpose within the scope of the law enforcement 3242
agency's duties.~~ 3243

(2) As used in this division, "law enforcement agency" 3244
means a police department, the office of a sheriff, the state 3245
highway patrol, a county prosecuting attorney, or a federal, 3246
state, or local governmental body that enforces criminal laws 3247
and that has employees who have a statutory power of arrest. 3248

(K) (1) Whoever violates division (C), ~~(E)(2)~~, or (F) of 3249
this section ~~is guilty of a minor misdemeanor shall be fined not~~ 3250
~~more than twenty-five dollars.~~ 3251

(2) Whoever violates division (E) (1) of this section is 3252
guilty of a minor misdemeanor if the dealer or the dealer's 3253
agent knew of the nonconformity at the time of sale. 3254

(3) (a) Whoever violates division (D) of this section is 3255
guilty of a misdemeanor of the fourth degree, except that an 3256
organization may not be convicted unless the act of installation 3257
was authorized by the board of directors, trustees, partners, or 3258
by a high managerial officer acting on behalf of the 3259
organization, and installation was performed by an employee of 3260
the organization acting within the scope of the person's 3261
employment. 3262

(b) In addition to any other penalty imposed under this 3263
section, whoever violates division (D) of this section is liable 3264
in a civil action to the owner of a motor vehicle on which was 3265
installed the nonconforming glass or material for any damages 3266
incurred by that person as a result of the installation of the 3267
nonconforming glass or material, costs of maintaining the civil 3268
action, and attorney fees. 3269

(c) In addition to any other penalty imposed under this 3270
section, if the offender previously has been convicted of or 3271
pleaded guilty to a violation of division (D) of this section 3272
and the offender is a motor vehicle repair operator registered 3273
under Chapter 4775. of the Revised Code or a motor vehicle 3274
dealer licensed under Chapter 4517. of the Revised Code, whoever 3275
violates division (D) of this section is subject to a 3276
registration or license suspension, as applicable, for a period 3277
of not more than one hundred eighty days. 3278

(4) Whoever violates division (E) (2) of this section is 3279
guilty of a minor misdemeanor. 3280

(L) (1) Every county court judge, mayor of a mayor's court, 3281
and clerk of a court of record shall keep a full record of every 3282
case in which a person is charged with any violation of this 3283
section. If a person is convicted of or forfeits bail in 3284

relation to a violation of division (D) of this section, the 3285
county court judge, mayor of a mayor's court, or clerk, within 3286
ten days after the conviction or bail forfeiture, shall prepare 3287
and immediately forward to the motor vehicle repair board and 3288
the motor vehicle dealers board, an abstract, certified by the 3289
preparer to be true and correct, of the court record covering 3290
the case in which the person was convicted or forfeited bail. 3291

(2) The motor vehicle repair board and the motor vehicle 3292
dealers board each shall keep and maintain all abstracts 3293
received under this section. Within ten days after receipt of an 3294
abstract, each board, respectively, shall determine whether the 3295
person named in the abstract is registered or licensed with the 3296
board and, if the person is so registered or licensed, shall 3297
proceed in accordance with section 4775.09 or 4517.33 of the 3298
Revised Code, as applicable, and determine whether the person's 3299
registration or license is to be suspended for a period of not 3300
more than one hundred eighty days. 3301

Sec. 4513.34. (A) (1) The director of transportation with 3302
respect to all highways that are a part of the state highway 3303
system and local authorities with respect to highways under 3304
their jurisdiction, upon application in writing, shall issue a 3305
special regional heavy hauling permit authorizing the applicant 3306
to operate or move a vehicle or combination of vehicles as 3307
follows: 3308

(a) At a size or weight of vehicle or load exceeding the 3309
maximum specified in sections 5577.01 to 5577.09 of the Revised 3310
Code, or otherwise not in conformity with sections 4513.01 to 3311
4513.37 of the Revised Code; 3312

(b) Upon any highway under the jurisdiction of the 3313
authority granting the permit except those highways with a 3314

condition insufficient to bear the weight of the vehicle or 3315
combination of vehicles as stated in the application. 3316

Issuance of a special regional heavy hauling permit is 3317
subject to the payment of a fee established by the director or 3318
local authority in accordance with this section. 3319

(2) In circumstances where a person is not eligible to 3320
receive a permit under division (A) (1) of this section, the 3321
director of transportation with respect to all highways that are 3322
a part of the state highway system and local authorities with 3323
respect to highways under their jurisdiction, upon application 3324
in writing and for good cause shown, may issue a special permit 3325
in writing authorizing the applicant to operate or move a 3326
vehicle or combination of vehicles of a size or weight of 3327
vehicle or load exceeding the maximum specified in sections 3328
5577.01 to 5577.09 of the Revised Code, or otherwise not in 3329
conformity with sections 4513.01 to 4513.37 of the Revised Code, 3330
upon any highway under the jurisdiction of the authority 3331
granting the permit. 3332

(3) For purposes of this section, the director may 3333
designate certain state highways or portions of state highways 3334
as special economic development highways. If an application 3335
submitted to the director under this section involves travel of 3336
a nonconforming vehicle or combination of vehicles upon a 3337
special economic development highway, the director, in 3338
determining whether good cause has been shown that issuance of a 3339
permit is justified, shall consider the effect the travel of the 3340
vehicle or combination of vehicles will have on the economic 3341
development in the area in which the designated highway or 3342
portion of highway is located. 3343

~~(B)~~ (B) (1) Notwithstanding sections 715.22 and 723.01 of 3344

the Revised Code, the holder of a permit issued by the director 3345
under this section may move the vehicle or combination of 3346
vehicles described in the permit on any highway that is a part 3347
of the state highway system when the movement is partly within 3348
and partly without the corporate limits of a municipal 3349
corporation. No local authority shall require any other permit 3350
or license or charge any license fee or other charge against the 3351
holder of a permit for the movement of a vehicle or combination 3352
of vehicles on any highway that is a part of the state highway 3353
system. The director shall not require the holder of a permit 3354
issued by a local authority to obtain a special permit for the 3355
movement of vehicles or combination of vehicles on highways 3356
within the jurisdiction of the local authority. ~~Permits~~ 3357

(2) Except as provided in division (B) (3) of this section, 3358
permits may be issued for any period of time not to exceed one 3359
year, as the director in the director's discretion or a local 3360
authority in its discretion determines advisable, or for the 3361
duration of any public construction project. 3362

(3) The director and every county shall issue an annual 3363
permit under division (A) (2) of this section for: 3364

(a) A vehicle or combination of vehicles that haul farm 3365
machinery, provided that the farm machinery otherwise qualifies 3366
for the farm equipment permit or a similar permit offered by the 3367
county for farm machinery or equipment; 3368

(b) A vehicle or combination of vehicles that haul 3369
agricultural produce or agricultural production materials that 3370
otherwise could be hauled by farm machinery or equipment under 3371
the farm equipment permit or a similar permit offered by the 3372
county for farm machinery or equipment. 3373

(4) In addition to the annual permit issued under (B) (3) 3374
of this section, the director and every county may continue to 3375
issue a permit under division (A) (2) of this section for the 3376
vehicles specified in division (B) (3) of this section, for any 3377
period of time up to one year. 3378

(C) (1) The application for a permit issued under this 3379
section shall be in the form that the director or local 3380
authority prescribes. The director or local authority may 3381
prescribe a permit fee to be imposed and collected when any 3382
permit described in this section is issued. The permit fee may 3383
be in an amount sufficient to reimburse the director or local 3384
authority for the administrative costs incurred in issuing the 3385
permit, and also to cover the cost of the normal and expected 3386
damage caused to the roadway or a street or highway structure as 3387
the result of the operation of the nonconforming vehicle or 3388
combination of vehicles. The director, in accordance with 3389
Chapter 119. of the Revised Code, shall establish a schedule of 3390
fees for permits issued by the director under this section; 3391
however, the fee to operate a triple trailer unit, at locations 3392
authorized under federal law, shall be one hundred dollars. 3393

(2) For the purposes of this section and of rules adopted 3394
by the director under this section, milk transported in bulk by 3395
vehicle is deemed a nondivisible load. 3396

(3) For purposes of this section and of rules adopted by 3397
the director under this section, three or fewer aluminum coils, 3398
transported by a vehicle, are deemed a nondivisible load. The 3399
director shall adopt rules establishing requirements for an 3400
aluminum coil permit that are substantially similar to the 3401
requirements for a steel coil permit under Chapter 5501:2-1 of 3402
the Administrative Code. 3403

(D) The director or a local authority shall issue a 3404
special regional heavy hauling permit under division (A) (1) of 3405
this section upon application and payment of the applicable fee. 3406
~~However~~Except when required to issue a special permit under 3407
division (B) (3) of this section, the director or local authority 3408
may issue or withhold a special permit specified in division (A) 3409
(2) of this section. If a permit is to be issued, the director 3410
or local authority may limit or prescribe conditions of 3411
operation for the vehicle and may require the posting of a bond 3412
or other security conditioned upon the sufficiency of the permit 3413
fee to compensate for damage caused to the roadway or a street 3414
or highway structure. In addition, a local authority, as a 3415
condition of issuance of an overweight permit, may require the 3416
applicant to develop and enter into a mutual agreement with the 3417
local authority to compensate for or to repair excess damage 3418
caused to the roadway by travel under the permit. 3419

For a permit that will allow travel of a nonconforming 3420
vehicle or combination of vehicles on a special economic 3421
development highway, the director, as a condition of issuance, 3422
may require the applicant to agree to make periodic payments to 3423
the department to compensate for damage caused to the roadway by 3424
travel under the permit. 3425

(E) Every permit issued under this section shall be 3426
carried in the vehicle or combination of vehicles to which it 3427
refers and shall be open to inspection by any police officer or 3428
authorized agent of any authority granting the permit. No person 3429
shall violate any of the terms of a permit. 3430

(F) The director may debar an applicant from applying for 3431
a permit under this section upon a finding based on a reasonable 3432
belief that the applicant has done any of the following: 3433

- (1) Abused the process by repeatedly submitting false information or false travel plans or by using another company or individual's name, insurance, or escrow account without proper authorization; 3434
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- (2) Failed to comply with or substantially perform under a previously issued permit according to its terms, conditions, and specifications within specified time limits; 3438
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- (3) Failed to cooperate in the application process for the permit or in any other procedures that are related to the issuance of the permit by refusing to provide information or documents required in a permit or by failing to respond to and correct matters related to the permit; 3441
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- (4) Accumulated repeated justified complaints regarding performance under a permit that was previously issued to the applicant or previously failed to obtain a permit when such a permit was required; 3446
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- (5) Attempted to influence a public employee to breach ethical conduct standards; 3450
3451
- (6) Been convicted of a disqualifying offense as determined under section 9.79 of the Revised Code; 3452
3453
- (7) Accumulated repeated convictions under a state or federal safety law governing commercial motor vehicles or a rule or regulation adopted under such a law; 3454
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- (8) Accumulated repeated convictions under a law, rule, or regulation governing the movement of traffic over the public streets and highways; 3457
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- (9) Failed to pay any fees associated with any permitted operation or move; 3460
3461

(10) Deliberately or willfully submitted false or 3462
misleading information in connection with the application for, 3463
or performance under, a permit issued under this section. 3464

If the applicant is a partnership, association, or 3465
corporation, the director also may debar from consideration for 3466
permits any partner of the partnership, or the officers, 3467
directors, or employees of the association or corporation being 3468
debarred. 3469

The director may adopt rules in accordance with Chapter 3470
119. of the Revised Code governing the debarment of an 3471
applicant. 3472

(G) When the director reasonably believes that grounds for 3473
debarment exist, the director shall send the person that is 3474
subject to debarment a notice of the proposed debarment. A 3475
notice of proposed debarment shall indicate the grounds for the 3476
debarment of the person and the procedure for requesting a 3477
hearing. The notice and hearing shall be in accordance with 3478
Chapter 119. of the Revised Code. If the person does not respond 3479
with a request for a hearing in the manner specified in that 3480
chapter, the director shall issue the debarment decision without 3481
a hearing and shall notify the person of the decision by 3482
certified mail, return receipt requested. The debarment period 3483
may be of any length determined by the director, and the 3484
director may modify or rescind the debarment at any time. During 3485
the period of debarment, the director shall not issue, or 3486
consider issuing, a permit under this section to any 3487
partnership, association, or corporation that is affiliated with 3488
a debarred person. After the debarment period expires, the 3489
person, and any partnership, association, or corporation 3490
affiliated with the person, may reapply for a permit. 3491

(H) (1) No person shall violate the terms of a permit 3492
issued under this section that relate to gross load limits. 3493

(2) No person shall violate the terms of a permit issued 3494
under this section that relate to axle load by more than two 3495
thousand pounds per axle or group of axles. 3496

(3) No person shall violate the terms of a permit issued 3497
under this section that relate to an approved route except upon 3498
order of a law enforcement officer or authorized agent of the 3499
issuing authority. 3500

(I) Whoever violates division (H) of this section shall be 3501
punished as provided in section 4513.99 of the Revised Code. 3502

(J) A permit issued by the department of transportation or 3503
a local authority under this section for the operation of a 3504
vehicle or combination of vehicles is valid for the purposes of 3505
the vehicle operation in accordance with the conditions and 3506
limitations specified on the permit. Such a permit is voidable 3507
by law enforcement only for operation of a vehicle or 3508
combination of vehicles in violation of the weight, dimension, 3509
or route provisions of the permit. However, a permit is not 3510
voidable for operation in violation of a route provision of a 3511
permit if the operation is upon the order of a law enforcement 3512
officer. 3513

Sec. 4955.50. (A) As used in this section and section 3514
4955.51 of the Revised Code: 3515

(1) "Wayside detector system" means an electronic device 3516
or a series of connected devices that scan passing trains, 3517
rolling stock, on-track equipment, and their component equipment 3518
and parts for defects. 3519

(2) "Defects" include hot wheel bearings, hot wheels, 3520

defective bearings that are detected through acoustics, dragging 3521
equipment, excessive height or weight, shifted loads, low hoses, 3522
rail temperature, and wheel condition. 3523

(B) The public utilities commission in conjunction with 3524
the department of transportation shall work with each railroad 3525
company that does business in this state to ensure that wayside 3526
detector systems are installed and are operating along railroad 3527
tracks on which the railroad operates and to ensure that such 3528
systems meet all of following standards: 3529

(1) The systems are properly installed, maintained, 3530
repaired, and operational in accordance with the latest 3531
guidelines issued by the United States department of 3532
transportation, the federal railroad administration, and the 3533
association of American railroads. 3534

(2) Any expired, nonworking, or outdated wayside detector 3535
system or component parts of a system are removed and replaced 3536
with new parts or an entirely new system that reflects the 3537
current best practices and standards of the industry. 3538

(3) The distance between wayside detector systems is 3539
appropriate when accounting for the natural terrain surrounding 3540
the railroad track on which the railroad operates and the safety 3541
of the trains, rolling stock, on-track equipment, their 3542
operators, their passengers, and the persons and property in the 3543
vicinity of such railroad track so that if defects are detected 3544
operators have sufficient time to do the following: 3545

(a) Respond to the alerts projected by the wayside 3546
detector system; 3547

(b) Stop the train, rolling stock, or on-track equipment, 3548
if necessary; 3549

(c) Make all necessary repairs or, if repair is impossible 3550
at the location, to remove the component parts or equipment that 3551
is defective. 3552

(4) The railroad company has defined, written standards 3553
and training for its employees pertaining to wayside detector 3554
system defect alerts, the course of action that employees are 3555
required to take to respond to an alert, and appropriate 3556
monitoring and responses by the company if employees fail to 3557
take the required course of action. 3558

(C) If a railroad company refuses to work or otherwise 3559
cooperate with the public utilities commission and the 3560
department of transportation in good faith in accordance with 3561
this section, the commission and department shall investigate 3562
that railroad company's safety practices and standards in 3563
accordance with 49 C.F.R. Part 212. The commission and 3564
department shall determine whether the company appears to be in 3565
compliance with federal railroad safety laws, as defined in 49 3566
C.F.R. Part 209. 3567

(D) (1) If a railroad company does not appear to be in 3568
compliance with the applicable federal standards based on an 3569
investigation conducted under division (C) of this section, not 3570
later than sixty days after the conclusion of the investigation, 3571
the commission and department shall make a report to the federal 3572
railroad administration. The report shall detail the results of 3573
the investigation and recommend that the administration take 3574
enforcement action in accordance with its authority against the 3575
railroad company for the safety violations discovered through 3576
that investigation. 3577

(2) The commission and department shall send a copy of the 3578
report to the governor, the president of the senate, the speaker 3579

of the house of representatives, and the minority leaders of 3580
both the senate and the house of representatives. 3581

Sec. 4955.51. (A) When a wayside detector system detects a 3582
defect in a passing train, rolling stock, on-track equipment, or 3583
its component equipment and parts, if the message regarding the 3584
defect is not immediately sent to the operator of that train, 3585
rolling stock, or on-track equipment, the person that receives 3586
the message shall immediately notify the operator of the defect. 3587

(B) The department of transportation and the public 3588
utilities commission, as part of their work with each railroad 3589
company under division (B) of section 4955.50 of the Revised 3590
Code, shall ensure that the manner in which wayside detector 3591
system messages are sent and received complies with division (A) 3592
of this section. 3593

Sec. 4981.02. (A) There is hereby created the Ohio rail 3594
development commission, as an independent agency of the state 3595
within the department of transportation, consisting of ~~seven~~ 3596
~~members appointed by the governor with the advice and consent of~~ 3597
~~the senate, two~~ the following members: 3598

(1) Two members of the Ohio senate, one of whom shall be 3599
appointed by and serve at the pleasure of the president of the 3600
senate and one of whom shall be appointed by and serve at the 3601
pleasure of the minority leader of the senate, ~~two~~; 3602

(2) Two members of the Ohio house of representatives, one 3603
of whom shall be appointed by and serve at the pleasure of the 3604
speaker of the house of representatives and one of whom shall be 3605
appointed by and serve at the pleasure of the minority leader of 3606
the house of representatives, ~~and two~~; 3607

(3) Two members representing the general public, one of 3608

whom shall be appointed by the president of the senate and one 3609
of whom shall be appointed by the speaker of the house of 3610
representatives. ~~The director of transportation and the director~~ 3611
~~of development, or their designees, shall be ex officio members~~ 3612
~~of the commission. Of the ;~~ 3613

(4) The director of transportation, or the director's 3614
designee, who shall be an ex officio member; 3615

(5) The director of development, or the director's 3616
designee, who shall be an ex officio member; 3617

(6) The following members appointed by the governor, ~~one~~ 3618
with the advice and consent of the senate; 3619

(a) One member, who shall serve as ~~chairman~~ chairperson of 3620
the commission, ~~one~~ until October 21, 2025, or an earlier date 3621
if the member resigns or otherwise leaves office; 3622

(b) One member, who shall represent the interests of a 3623
freight rail company, ~~one~~ ; 3624

(c) One member, who shall represent the interests of 3625
passenger rail service, ~~one~~ ; 3626

(d) One member, who shall have expertise in infrastructure 3627
financing, ~~one~~ ; 3628

(e) One member, who shall represent the interests of 3629
organized labor, ~~one~~ ; 3630

(f) One member, who shall represent the interests of 3631
manufacturers, ~~and one~~ ; 3632

(g) One member who shall represent the general public, 3633
subject to division (B) of this section. ~~All~~ 3634

(B) Beginning on October 21, 2025, or at an earlier date 3635

if there is a vacancy in the position of chairperson, the 3636
director of transportation or the director's designee shall 3637
serve as the chairperson of the commission. Upon the director or 3638
director's designee assuming the position of chairperson, the 3639
governor shall appoint an additional member to the commission to 3640
represent the general public. 3641

(C) All members shall be reimbursed for actual expenses 3642
incurred in the performance of their duties. The members of the 3643
commission from the Ohio senate and the Ohio house of 3644
representatives shall serve as nonvoting members. No more than 3645
four members of the seven appointed to the commission by the 3646
governor shall be from the same political party. Each member of 3647
the commission shall be a resident of this state. 3648

~~(B)~~ (D) Within sixty days after ~~the effective date of this~~ 3649
~~amendment~~ October 20, 1994, the governor shall make initial 3650
appointments to the commission. Of the initial appointments made 3651
to the commission, three shall be for a term ending three years 3652
after ~~the effective date of this amendment~~ October 20, 1994, and 3653
three shall be for a term ending six years after that date. 3654
Terms for all other appointments made to the commission shall be 3655
for six years. Vacancies shall be filled in the manner provided 3656
for original appointments. Any member appointed to fill a 3657
vacancy shall have the same qualifications as ~~his~~ the member's 3658
predecessor. Each term shall end on the same day of the same 3659
month of the year as did the term which it succeeds. Each 3660
appointed member shall hold office from the date of ~~his~~ the 3661
member's appointment until the end of the term for which ~~he~~ the 3662
member was appointed. Any member appointed to fill a vacancy 3663
before the expiration of the term for which ~~his~~ the member's 3664
predecessor was appointed shall hold office for the remainder of 3665
that term. Any appointed member shall continue in office 3666

subsequent to the expiration date of ~~his~~ the member's term until 3667
~~his~~ the member's successor takes office, or for a period of 3668
sixty days, whichever occurs first. All members shall be 3669
eligible for reappointment. 3670

~~(C)~~ (E) The commission may employ an executive director, 3671
who shall have appropriate experience as determined by the 3672
commission, and a secretary-treasurer and other employees that 3673
the commission considers appropriate. The commission may fix the 3674
compensation of the employees. 3675

~~(D)~~ (F) Six members of the commission shall constitute a 3676
quorum, and the affirmative vote of six members shall be 3677
necessary for any action taken by the commission. No vacancy in 3678
the membership of the commission shall impair the rights of a 3679
quorum to exercise all the rights and perform all the duties of 3680
the commission. 3681

~~(E)~~ (G) All members of the commission are subject to 3682
Chapter 102. of the Revised Code. 3683

~~(F)~~ (H) The department of transportation may use all 3684
appropriate sources of revenue to assist the commission in 3685
developing and implementing rail service. 3686

~~(G)~~ (I) Expenditures by the department of transportation, 3687
the Ohio rail development commission, or any other state agency 3688
for capital improvements for the development of passenger rail 3689
shall be subject to the approval of the controlling board with 3690
an affirmative vote of not fewer than five members, including 3691
the affirmative vote of a majority of the controlling board 3692
members appointed by the president of the senate and a majority 3693
of the controlling board members appointed by the speaker of the 3694
house of representatives. All public funds acquired by the 3695

commission shall be used for developing, implementing, and 3696
regulating rail service and not for operating rail service 3697
unless the general assembly specifically approves the 3698
expenditure of funds for operating rail service. 3699

Sec. 4981.04. (A) The Ohio rail development commission 3700
shall prepare a plan for the construction and operation of an 3701
intercity conventional or high speed passenger transportation 3702
system in this state. The system shall be constructed and 3703
operated by the commission or its designees. The plan for 3704
construction and operation shall be based on existing studies, 3705
and shall state that the ~~system's initial route~~ system will 3706
~~connect Cleveland, Columbus, and Cincinnati and any points in~~ 3707
~~between those cities~~ Ohio and nearby states as determined by the 3708
authority. The plan shall include the following information: 3709

(1) The route alignment of the proposed system; 3710

(2) The proposed technology; 3711

(3) The size, nature, and scope of the proposed system; 3712

(4) The sources of the public and private revenue needed 3713
to finance the system; 3714

(5) The projected ability of all revenue sources to meet 3715
both capital and operating funding requirements of the proposed 3716
system; 3717

(6) The construction, operation, and management plan for 3718
the system, including a timetable for construction and the 3719
proposed location and number of transit stations considered 3720
necessary; 3721

(7) The likelihood that Ohio-based corporations will be 3722
used to manufacture or supply components of the proposed system; 3723

(8) The likelihood that additional or subsidiary 3724
development will be generated; 3725

(9) The extent to which the proposed system will create an 3726
additional or reduced demand for sources of energy; 3727

(10) Any changes in the law necessary to implement the 3728
proposed system; 3729

(11) The proposed system's impact on the economy of the 3730
state and on the economic and other public policies of the 3731
state. 3732

The commission may revise any plan of the Ohio high speed 3733
rail authority or may submit a separate plan for construction 3734
and operation and a funding request to the governor, the speaker 3735
of the house of representatives, and to the president of the 3736
senate. Any plan for an intercity conventional or high speed 3737
passenger transportation system submitted by the commission 3738
pursuant to this section shall not propose the operation of such 3739
a system by the state other than through the commission. 3740

Sec. 4999.09. (A) The requirements set forth in division 3741
(B) of this section are solely related to safety, including 3742
ensuring that no train or light engine used in connection with 3743
the movement of freight in this state is left without a 3744
functional crew person as a result of a medical emergency. 3745

(B) A train or light engine used in connection with the 3746
movement of freight shall have a crew that consists of at least 3747
two individuals. No superintendent, trainmaster, or other 3748
employee of a railroad shall order or otherwise require a train 3749
or light engine used in connection with the movement of freight 3750
to be operated unless it has a crew that consists of at least 3751
two individuals. 3752

As used in this division, "train or light engine used in 3753
connection with the movement of freight" does not include 3754
hostler service or utility employees. 3755

(C)(1) The public utilities commission may assess a civil 3756
penalty against a person who willfully violates division (B) of 3757
this section. If the commission assesses a civil penalty, the 3758
commission shall do so as follows: 3759

(a) If, within three years of the violation, the 3760
commission has not previously assessed a civil penalty against 3761
the person under this section, in an amount not less than two 3762
hundred fifty, but not more than one thousand dollars; 3763

(b) If, within three years of the violation, the 3764
commission has previously assessed one civil penalty against the 3765
person under this section, in an amount not less than one 3766
thousand, but not more than five thousand dollars; 3767

(c) If, within three years of the violation, the 3768
commission has previously assessed two or more civil penalties 3769
against the person under this section, in an amount not less 3770
than five thousand, but not more than ten thousand dollars. 3771

(2) The attorney general, upon the request of the public 3772
utilities commission, shall bring a civil action to collect the 3773
penalties described in division (C)(1) of this section. All 3774
penalties collected under the division shall be deposited into 3775
the state treasury to the credit of the public utilities fund 3776
created in section 4905.10 of the Revised Code. 3777

(D) The requirements of this section do not apply on and 3778
after the date a federal law or regulation takes effect 3779
requiring a train or light engine used in connection with the 3780
movement of freight in this state to have a crew of at least two 3781

individuals. 3782

Sec. 5501.60. (A) When the boundaries of two municipal corporations are adjacent, the department of transportation shall ensure that limited access exit and entrance interchanges to an interstate highway located in those municipal corporations are constructed at intervals of at least one interchange every four and one-half miles when the following conditions exist: 3783
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(1) The adjacent municipal corporations each have a population of more than thirty-five thousand according to the most recent federal decennial census. 3789
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(2) The municipal corporations are located in different counties. 3792
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(3) At least one of the municipal corporations is located in a county with a population of more than one million according to the most recent federal decennial census. 3794
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(B) The department shall use money appropriated to it for highway purposes to comply with this section. 3797
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Sec. 5503.031. ~~(A)~~ Beginning July 1, 2023, the following officers of the state highway patrol shall be paid in accordance with the indicated pay ranges from schedule E-1 of division (B) of section 124.152 of the Revised Code: 3799
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~~(1)~~ (A) A sergeant or equivalent officer who is an exempt employee under section 124.152 of the Revised Code shall be paid in accordance with pay range 14. 3803
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3805

(B) A lieutenant or equivalent officer shall be paid in accordance with pay range 15. 3806
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~~(2)~~ (C) A staff lieutenant or equivalent officer shall be paid in accordance with pay range 16. 3808
3809

~~(3)-(D)~~ A captain or equivalent officer shall be paid in accordance with pay range 17. 3810
3811

~~(4)-(E)~~ A major or equivalent officer shall be paid in accordance with pay range 18. 3812
3813

~~(5)-(F)~~ A lieutenant colonel or equivalent officer shall be paid in accordance with pay range 19 ~~established in rules adopted in accordance with division (D) of section 124.152 of the Revised Code.~~ 3814
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Sec. 5531.09. (A) As used in this section and section 5531.10 of the Revised Code: 3818
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(1) "Qualified project" means any public or private transportation project as determined by the director of transportation, including, without limitation, planning, environmental impact studies, engineering, construction, reconstruction, resurfacing, restoring, rehabilitation, or replacement of public or private transportation facilities within the state, studying the feasibility thereof, and the acquisition of real or personal property or interests therein; any highway, public transit, aviation, rail, or other transportation project eligible for financing or aid under any federal or state program; and any project involving the maintaining, repairing, improving, or construction of any public or private highway, road, street, parkway, public transit, aviation, or rail project, and any related rights-of-way, bridges, tunnels, railroad-highway crossings, drainage structures, signs, guardrails, or protective structures. 3820
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(2) "Small municipal corporation" means a municipal corporation that is determined by the department of transportation to be an eligible small city in accordance with 3836
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the department's small city program. 3839

(B) The state infrastructure bank shall consist of the 3840
highway and transit infrastructure bank fund, the aviation 3841
infrastructure bank fund, the rail infrastructure bank fund, and 3842
the infrastructure bank obligations fund, which are hereby 3843
created as funds of the state treasury, to be administered by 3844
the director of transportation and used for the purposes 3845
described in division ~~(B)~~(C) of this section. The highway and 3846
transit infrastructure bank fund, the aviation infrastructure 3847
bank fund, and the rail infrastructure bank fund shall consist 3848
of federal grants and awards or other assistance received by the 3849
state and eligible for deposit therein under applicable federal 3850
law, payments received by the department in connection with 3851
providing financial assistance for qualifying projects under 3852
division ~~(B)~~(C) of this section, and such other amounts as may 3853
be provided by law. The infrastructure bank obligations fund 3854
shall consist of such amounts of the proceeds of obligations 3855
issued under section 5531.10 of the Revised Code as the director 3856
of transportation determines with the advice of the director of 3857
budget and management; and such other amounts as may be provided 3858
by law. The director of budget and management, upon the request 3859
of the director of transportation, may transfer amounts between 3860
the funds created in this division, except the infrastructure 3861
bank obligations fund. The investment earnings of each fund 3862
created by this division shall be credited to such fund. 3863

~~(B)~~(C) The director of transportation shall use the state 3864
infrastructure bank to encourage public and private investment 3865
in transportation facilities that contribute to the multi-modal 3866
and intermodal transportation capabilities of the state, develop 3867
a variety of financing techniques designed to expand the 3868
availability of funding resources and to reduce direct state 3869

costs, maximize private and local participation in financing 3870
projects, and improve the efficiency of the state transportation 3871
system by using and developing the particular advantages of each 3872
transportation mode to the fullest extent. In furtherance of 3873
these purposes, the director shall use the state infrastructure 3874
bank to provide financial assistance to public or private 3875
entities for qualified projects. Such assistance shall be in the 3876
form of loans, loan guarantees, letters of credit, leases, 3877
lease-purchase agreements, interest rate subsidies, debt service 3878
reserves, and such other forms as the director determines to be 3879
appropriate. All fees, charges, rates of interest, payment 3880
schedules, security for, and other terms and conditions relating 3881
to such assistance shall be determined by the director. Any loan 3882
made to a small municipal corporation from the state 3883
infrastructure bank shall be a zero interest loan. 3884

~~(C)-(D)~~ The director of transportation shall adopt rules 3885
establishing guidelines necessary for the implementation and 3886
exercise of the authority granted by this section, including 3887
rules for receiving, reviewing, evaluating, and selecting 3888
projects for which financial assistance may be approved. 3889

~~(D) As used in this section and in section 5531.10 of the~~ 3890
~~Revised Code, "qualified project" means any public or private~~ 3891
~~transportation project as determined by the director of~~ 3892
~~transportation, including, without limitation, planning,~~ 3893
~~environmental impact studies, engineering, construction,~~ 3894
~~reconstruction, resurfacing, restoring, rehabilitation, or~~ 3895
~~replacement of public or private transportation facilities~~ 3896
~~within the state, studying the feasibility thereof, and the~~ 3897
~~acquisition of real or personal property or interests therein;~~ 3898
~~any highway, public transit, aviation, rail, or other~~ 3899
~~transportation project eligible for financing or aid under any~~ 3900

~~federal or state program; and any project involving the~~ 3901
~~maintaining, repairing, improving, or construction of any public~~ 3902
~~or private highway, road, street, parkway, public transit,~~ 3903
~~aviation, or rail project, and any related rights of way,~~ 3904
~~bridges, tunnels, railroad highway crossings, drainage~~ 3905
~~structures, signs, guardrails, or protective structures.~~ 3906

(E) The general assembly finds that state infrastructure 3907
projects, as defined in division (A) (8) of section 5531.10 of 3908
the Revised Code, and the state infrastructure bank, will 3909
materially contribute to the economic revitalization of areas of 3910
the state and result in improving the economic welfare of all 3911
the people of the state. Accordingly, it is declared to be the 3912
public purpose of the state, through operations under sections 3913
5531.09 and 5531.10 of the Revised Code, and other applicable 3914
laws adopted pursuant to Section 13 of Article VIII, Ohio 3915
Constitution, and other authority vested in the general 3916
assembly, to assist in and facilitate the purposes set forth in 3917
division (B) of section 5531.10 of the Revised Code, and to 3918
assist and cooperate with any governmental agency in achieving 3919
such purposes. 3920

Sec. 5531.10. (A) As used in this chapter: 3921

(1) "Bond proceedings" means the resolution, order, trust 3922
agreement, indenture, lease, lease-purchase agreements, and 3923
other agreements, amendments and supplements to the foregoing, 3924
or any one or more or combination thereof, authorizing or 3925
providing for the terms and conditions applicable to, or 3926
providing for the security or liquidity of, obligations issued 3927
pursuant to this section, and the provisions contained in such 3928
obligations. 3929

(2) "Bond service charges" means principal, including 3930

mandatory sinking fund requirements for retirement of 3931
obligations, and interest, and redemption premium, if any, 3932
required to be paid by the state on obligations. 3933

(3) "Bond service fund" means the applicable fund and 3934
accounts therein created for and pledged to the payment of bond 3935
service charges, which may be, or may be part of, the state 3936
infrastructure bank revenue bond service fund created by 3937
division (R) of this section including all moneys and 3938
investments, and earnings from investments, credited and to be 3939
credited thereto. 3940

(4) "Issuing authority" means the treasurer of state, or 3941
the officer who by law performs the functions of the treasurer 3942
of state. 3943

(5) "Obligations" means bonds, notes, or other evidence of 3944
obligation including interest coupons pertaining thereto, issued 3945
pursuant to this section. 3946

(6) "Pledged receipts" means moneys accruing to the state 3947
from the lease, lease-purchase, sale, or other disposition, or 3948
use, of qualified projects, and from the repayment, including 3949
interest, of loans made from proceeds received from the sale of 3950
obligations; accrued interest received from the sale of 3951
obligations; income from the investment of the special funds; 3952
any gifts, grants, donations, and pledges, and receipts 3953
therefrom, available for the payment of bond service charges; 3954
and any amounts in the state infrastructure bank pledged to the 3955
payment of such charges. If the amounts in the state 3956
infrastructure bank are insufficient for the payment of such 3957
charges, "pledged receipts" also means moneys that are 3958
apportioned by the United States secretary of transportation 3959
under United States Code, Title XXIII, as amended, or any 3960

successor legislation, or under any other federal law relating 3961
to aid for highways, and that are to be received as a grant by 3962
the state, to the extent the state is not prohibited by state or 3963
federal law from using such moneys and the moneys are pledged to 3964
the payment of such bond service charges. 3965

(7) "Special funds" or "funds" means, except where the 3966
context does not permit, the bond service fund, and any other 3967
funds, including reserve funds, created under the bond 3968
proceedings, and the state infrastructure bank revenue bond 3969
service fund created by division (R) of this section to the 3970
extent provided in the bond proceedings, including all moneys 3971
and investments, and earnings from investment, credited and to 3972
be credited thereto. 3973

(8) "State infrastructure project" means any public 3974
transportation project undertaken by the state, including, but 3975
not limited to, all components of any such project, as described 3976
in division ~~(D)~~ (A)(1) of section 5531.09 of the Revised Code. 3977

(9) "District obligations" means bonds, notes, or other 3978
evidence of obligation including interest coupons pertaining 3979
thereto, issued to finance a qualified project by a 3980
transportation improvement district created pursuant to section 3981
5540.02 of the Revised Code, of which the principal, including 3982
mandatory sinking fund requirements for retirement of such 3983
obligations, and interest and redemption premium, if any, are 3984
payable by the department of transportation. 3985

(B) The issuing authority, after giving written notice to 3986
the director of budget and management and upon the certification 3987
by the director of transportation to the issuing authority of 3988
the amount of moneys or additional moneys needed either for 3989
state infrastructure projects or to provide financial assistance 3990

for any of the purposes for which the state infrastructure bank 3991
may be used under section 5531.09 of the Revised Code, or needed 3992
for capitalized interest, funding reserves, and paying costs and 3993
expenses incurred in connection with the issuance, carrying, 3994
securing, paying, redeeming, or retirement of the obligations or 3995
any obligations refunded thereby, including payment of costs and 3996
expenses relating to letters of credit, lines of credit, 3997
insurance, put agreements, standby purchase agreements, 3998
indexing, marketing, remarketing and administrative 3999
arrangements, interest swap or hedging agreements, and any other 4000
credit enhancement, liquidity, remarketing, renewal, or 4001
refunding arrangements, all of which are authorized by this 4002
section, shall issue obligations of the state under this section 4003
in the required amount. The proceeds of such obligations, except 4004
for the portion to be deposited in special funds, including 4005
reserve funds, as may be provided in the bond proceedings, shall 4006
as provided in the bond proceedings be credited to the 4007
infrastructure bank obligations fund of the state infrastructure 4008
bank created by section 5531.09 of the Revised Code and 4009
disbursed as provided in the bond proceedings for such 4010
obligations. The issuing authority may appoint trustees, paying 4011
agents, transfer agents, and authenticating agents, and may 4012
retain the services of financial advisors, accounting experts, 4013
and attorneys, and retain or contract for the services of 4014
marketing, remarketing, indexing, and administrative agents, 4015
other consultants, and independent contractors, including 4016
printing services, as are necessary in the issuing authority's 4017
judgment to carry out this section. The costs of such services 4018
are payable from funds of the state infrastructure bank or as 4019
otherwise provided in the bond proceedings. 4020

(C) The holders or owners of such obligations shall have 4021

no right to have moneys raised by taxation by the state of Ohio 4022
obligated or pledged, and moneys so raised shall not be 4023
obligated or pledged, for the payment of bond service charges. 4024
The right of such holders and owners to the payment of bond 4025
service charges is limited to all or that portion of the pledged 4026
receipts and those special funds pledged thereto pursuant to the 4027
bond proceedings for such obligations in accordance with this 4028
section, and each such obligation shall bear on its face a 4029
statement to that effect. Moneys received as repayment of loans 4030
made by the state infrastructure bank pursuant to section 4031
5531.09 of the Revised Code shall not be considered moneys 4032
raised by taxation by the state of Ohio regardless of the source 4033
of the moneys. 4034

(D) Obligations shall be authorized by order of the 4035
issuing authority and the bond proceedings shall provide for the 4036
purpose thereof and the principal amount or amounts, and shall 4037
provide for or authorize the manner or agency for determining 4038
the principal maturity or maturities, not exceeding twenty-five 4039
years from the date of issuance or, with respect to obligations 4040
issued to finance a transportation facility pursuant to a 4041
public-private agreement, not exceeding forty-five years from 4042
the date of issuance, the interest rate or rates or the maximum 4043
interest rate, the date of the obligations and the dates of 4044
payment of interest thereon, their denomination, and the 4045
establishment within or without the state of a place or places 4046
of payment of bond service charges. Sections 9.98 to 9.983 of 4047
the Revised Code are applicable to obligations issued under this 4048
section. The purpose of such obligations may be stated in the 4049
bond proceedings in terms describing the general purpose or 4050
purposes to be served. The bond proceedings also shall provide, 4051
subject to the provisions of any other applicable bond 4052

proceedings, for the pledge of all, or such part as the issuing 4053
authority may determine, of the pledged receipts and the 4054
applicable special fund or funds to the payment of bond service 4055
charges, which pledges may be made either prior or subordinate 4056
to other expenses, claims, or payments, and may be made to 4057
secure the obligations on a parity with obligations theretofore 4058
or thereafter issued, if and to the extent provided in the bond 4059
proceedings. The pledged receipts and special funds so pledged 4060
and thereafter received by the state immediately are subject to 4061
the lien of such pledge without any physical delivery thereof or 4062
further act, and the lien of any such pledges is valid and 4063
binding against all parties having claims of any kind against 4064
the state or any governmental agency of the state, irrespective 4065
of whether such parties have notice thereof, and shall create a 4066
perfected security interest for all purposes of Chapter 1309. of 4067
the Revised Code, without the necessity for separation or 4068
delivery of funds or for the filing or recording of the bond 4069
proceedings by which such pledge is created or any certificate, 4070
statement, or other document with respect thereto; and the 4071
pledge of such pledged receipts and special funds is effective 4072
and the money therefrom and thereof may be applied to the 4073
purposes for which pledged without necessity for any act of 4074
appropriation. Every pledge, and every covenant and agreement 4075
made with respect thereto, made in the bond proceedings may 4076
therein be extended to the benefit of the owners and holders of 4077
obligations authorized by this section, and to any trustee 4078
therefor, for the further security of the payment of the bond 4079
service charges. 4080

For purposes of this division, "transportation facility" 4081
and "public-private agreement" have the same meanings as in 4082
section 5501.70 of the Revised Code. 4083

(E) The bond proceedings may contain additional provisions	4084
as to:	4085
(1) The redemption of obligations prior to maturity at the	4086
option of the issuing authority at such price or prices and	4087
under such terms and conditions as are provided in the bond	4088
proceedings;	4089
(2) Other terms of the obligations;	4090
(3) Limitations on the issuance of additional obligations;	4091
(4) The terms of any trust agreement or indenture securing	4092
the obligations or under which the same may be issued;	4093
(5) The deposit, investment, and application of special	4094
funds, and the safeguarding of moneys on hand or on deposit,	4095
without regard to Chapter 131. or 135. of the Revised Code, but	4096
subject to any special provisions of this section with respect	4097
to particular funds or moneys, provided that any bank or trust	4098
company which acts as depository of any moneys in the special	4099
funds may furnish such indemnifying bonds or may pledge such	4100
securities as required by the issuing authority;	4101
(6) Any or every provision of the bond proceedings being	4102
binding upon such officer, board, commission, authority, agency,	4103
department, or other person or body as may from time to time	4104
have the authority under law to take such actions as may be	4105
necessary to perform all or any part of the duty required by	4106
such provision;	4107
(7) Any provision that may be made in a trust agreement or	4108
indenture;	4109
(8) Any other or additional agreements with the holders of	4110
the obligations, or the trustee therefor, relating to the	4111

obligations or the security therefor, including the assignment 4112
of mortgages or other security relating to financial assistance 4113
for qualified projects under section 5531.09 of the Revised 4114
Code. 4115

(F) The obligations may have the great seal of the state 4116
or a facsimile thereof affixed thereto or printed thereon. The 4117
obligations and any coupons pertaining to obligations shall be 4118
signed or bear the facsimile signature of the issuing authority. 4119
Any obligations or coupons may be executed by the person who, on 4120
the date of execution, is the proper issuing authority although 4121
on the date of such bonds or coupons such person was not the 4122
issuing authority. In case the issuing authority whose signature 4123
or a facsimile of whose signature appears on any such obligation 4124
or coupon ceases to be the issuing authority before delivery 4125
thereof, such signature or facsimile nevertheless is valid and 4126
sufficient for all purposes as if the former issuing authority 4127
had remained the issuing authority until such delivery; and in 4128
case the seal to be affixed to obligations has been changed 4129
after a facsimile of the seal has been imprinted on such 4130
obligations, such facsimile seal shall continue to be sufficient 4131
as to such obligations and obligations issued in substitution or 4132
exchange therefor. 4133

(G) All obligations are negotiable instruments and 4134
securities under Chapter 1308. of the Revised Code, subject to 4135
the provisions of the bond proceedings as to registration. The 4136
obligations may be issued in coupon or in registered form, or 4137
both, as the issuing authority determines. Provision may be made 4138
for the registration of any obligations with coupons attached 4139
thereto as to principal alone or as to both principal and 4140
interest, their exchange for obligations so registered, and for 4141
the conversion or reconversion into obligations with coupons 4142

attached thereto of any obligations registered as to both 4143
principal and interest, and for reasonable charges for such 4144
registration, exchange, conversion, and reconversion. 4145

(H) Obligations may be sold at public sale or at private 4146
sale, as determined in the bond proceedings. 4147

(I) Pending preparation of definitive obligations, the 4148
issuing authority may issue interim receipts or certificates 4149
which shall be exchanged for such definitive obligations. 4150

(J) In the discretion of the issuing authority, 4151
obligations may be secured additionally by a trust agreement or 4152
indenture between the issuing authority and a corporate trustee 4153
which may be any trust company or bank possessing corporate 4154
trust powers that has a place of business within or without the 4155
state. Any such agreement or indenture may contain the order 4156
authorizing the issuance of the obligations, any provisions that 4157
may be contained in any bond proceedings, and other provisions 4158
which are customary or appropriate in an agreement or indenture 4159
of such type, including, but not limited to: 4160

(1) Maintenance of each pledge, trust agreement, 4161
indenture, or other instrument comprising part of the bond 4162
proceedings until the state has fully paid the bond service 4163
charges on the obligations secured thereby, or provision 4164
therefor has been made; 4165

(2) In the event of default in any payments required to be 4166
made by the bond proceedings, or any other agreement of the 4167
issuing authority made as a part of the contract under which the 4168
obligations were issued, enforcement of such payments or 4169
agreement by mandamus, the appointment of a receiver, suit in 4170
equity, action at law, or any combination of the foregoing; 4171

(3) The rights and remedies of the holders of obligations 4172
and of the trustee, and provisions for protecting and enforcing 4173
them, including limitations on the rights of individual holders 4174
of obligations; 4175

(4) The replacement of any obligations that become 4176
mutilated or are destroyed, lost, or stolen; 4177

(5) Such other provisions as the trustee and the issuing 4178
authority agree upon, including limitations, conditions, or 4179
qualifications relating to any of the foregoing. 4180

(K) Any holder of obligations or a trustee under the bond 4181
proceedings, except to the extent that the holder's or trustee's 4182
rights are restricted by the bond proceedings, may by any 4183
suitable form of legal proceedings, protect and enforce any 4184
rights under the laws of this state or granted by such bond 4185
proceedings. Such rights include the right to compel the 4186
performance of all duties of the issuing authority and the 4187
director of transportation required by the bond proceedings or 4188
sections 5531.09 and 5531.10 of the Revised Code; to enjoin 4189
unlawful activities; and in the event of default with respect to 4190
the payment of any bond service charges on any obligations or in 4191
the performance of any covenant or agreement on the part of the 4192
issuing authority or the director of transportation in the bond 4193
proceedings, to apply to a court having jurisdiction of the 4194
cause to appoint a receiver to receive and administer the 4195
pledged receipts and special funds, other than those in the 4196
custody of the treasurer of state, which are pledged to the 4197
payment of the bond service charges on such obligations or which 4198
are the subject of the covenant or agreement, with full power to 4199
pay, and to provide for payment of bond service charges on, such 4200
obligations, and with such powers, subject to the direction of 4201

the court, as are accorded receivers in general equity cases, 4202
excluding any power to pledge additional revenues or receipts or 4203
other income or moneys of the state or local governmental 4204
entities, or agencies thereof, to the payment of such principal 4205
and interest and excluding the power to take possession of, 4206
mortgage, or cause the sale or otherwise dispose of any project 4207
facilities. 4208

Each duty of the issuing authority and the issuing 4209
authority's officers and employees, and of each state or local 4210
governmental agency and its officers, members, or employees, 4211
undertaken pursuant to the bond proceedings or any loan, loan 4212
guarantee, lease, lease-purchase agreement, or other agreement 4213
made under authority of section 5531.09 of the Revised Code, and 4214
in every agreement by or with the issuing authority, is hereby 4215
established as a duty of the issuing authority, and of each such 4216
officer, member, or employee having authority to perform such 4217
duty, specifically enjoined by the law resulting from an office, 4218
trust, or station within the meaning of section 2731.01 of the 4219
Revised Code. 4220

The person who is at the time the issuing authority, or 4221
the issuing authority's officers or employees, are not liable in 4222
their personal capacities on any obligations issued by the 4223
issuing authority or any agreements of or with the issuing 4224
authority. 4225

(L) The issuing authority may authorize and issue 4226
obligations for the refunding, including funding and retirement, 4227
and advance refunding with or without payment or redemption 4228
prior to maturity, of any obligations previously issued by the 4229
issuing authority or district obligations. Such refunding 4230
obligations may be issued in amounts sufficient for payment of 4231

the principal amount of the prior obligations or district 4232
obligations, any redemption premiums thereon, principal 4233
maturities of any such obligations or district obligations 4234
maturing prior to the redemption of the remaining obligations or 4235
district obligations on a parity therewith, interest accrued or 4236
to accrue to the maturity dates or dates of redemption of such 4237
obligations or district obligations, and any expenses incurred 4238
or to be incurred in connection with such issuance and such 4239
refunding, funding, and retirement. Subject to the bond 4240
proceedings therefor, the portion of proceeds of the sale of 4241
refunding obligations issued under this division to be applied 4242
to bond service charges on the prior obligations or district 4243
obligations shall be credited to an appropriate account held by 4244
the trustee for such prior or new obligations or to the 4245
appropriate account in the bond service fund for such 4246
obligations or district obligations. Obligations authorized 4247
under this division shall be deemed to be issued for those 4248
purposes for which such prior obligations or district 4249
obligations were issued and are subject to the provisions of 4250
this section pertaining to other obligations, except as 4251
otherwise provided in this section. The last maturity of 4252
obligations authorized under this division shall not be later 4253
than the latest permitted maturity of the original securities 4254
issued for the original purpose. 4255

(M) The authority to issue obligations under this section 4256
includes authority to issue obligations in the form of bond 4257
anticipation notes and to renew the same from time to time by 4258
the issuance of new notes. The holders of such notes or interest 4259
coupons pertaining thereto shall have a right to be paid solely 4260
from the pledged receipts and special funds that may be pledged 4261
to the payment of the bonds anticipated, or from the proceeds of 4262

such bonds or renewal notes, or both, as the issuing authority 4263
provides in the order authorizing such notes. Such notes may be 4264
additionally secured by covenants of the issuing authority to 4265
the effect that the issuing authority and the state will do such 4266
or all things necessary for the issuance of such bonds or 4267
renewal notes in the appropriate amount, and apply the proceeds 4268
thereof to the extent necessary, to make full payment of the 4269
principal of and interest on such notes at the time or times 4270
contemplated, as provided in such order. For such purpose, the 4271
issuing authority may issue bonds or renewal notes in such 4272
principal amount and upon such terms as may be necessary to 4273
provide funds to pay when required the principal of and interest 4274
on such notes, notwithstanding any limitations prescribed by or 4275
for purposes of this section. Subject to this division, all 4276
provisions for and references to obligations in this section are 4277
applicable to notes authorized under this division. 4278

The issuing authority in the bond proceedings authorizing 4279
the issuance of bond anticipation notes shall set forth for such 4280
bonds an estimated interest rate and a schedule of principal 4281
payments for such bonds and the annual maturity dates thereof. 4282

(N) Obligations issued under this section are lawful 4283
investments for banks, societies for savings, savings and loan 4284
associations, deposit guarantee associations, trust companies, 4285
trustees, fiduciaries, insurance companies, including domestic 4286
for life and domestic not for life, trustees or other officers 4287
having charge of sinking and bond retirement or other special 4288
funds of political subdivisions and taxing districts of this 4289
state, the commissioners of the sinking fund of the state, the 4290
administrator of workers' compensation, the state teachers 4291
retirement system, the public employees retirement system, the 4292
school employees retirement system, and the Ohio police and fire 4293

pension fund, notwithstanding any other provisions of the 4294
Revised Code or rules adopted pursuant thereto by any agency of 4295
the state with respect to investments by them, and are also 4296
acceptable as security for the deposit of public moneys. 4297

(O) Unless otherwise provided in any applicable bond 4298
proceedings, moneys to the credit of or in the special funds 4299
established by or pursuant to this section may be invested by or 4300
on behalf of the issuing authority only in notes, bonds, or 4301
other obligations of the United States, or of any agency or 4302
instrumentality of the United States, obligations guaranteed as 4303
to principal and interest by the United States, obligations of 4304
this state or any political subdivision of this state, and 4305
certificates of deposit of any national bank located in this 4306
state and any bank, as defined in section 1101.01 of the Revised 4307
Code, subject to inspection by the superintendent of financial 4308
institutions. If the law or the instrument creating a trust 4309
pursuant to division (J) of this section expressly permits 4310
investment in direct obligations of the United States or an 4311
agency of the United States, unless expressly prohibited by the 4312
instrument, such moneys also may be invested in no-front-end- 4313
load money market mutual funds consisting exclusively of 4314
obligations of the United States or an agency of the United 4315
States and in repurchase agreements, including those issued by 4316
the fiduciary itself, secured by obligations of the United 4317
States or an agency of the United States; and in collective 4318
investment funds as defined in division (A) of section 1111.01 4319
of the Revised Code and consisting exclusively of any such 4320
securities. The income from such investments shall be credited 4321
to such funds as the issuing authority determines, and such 4322
investments may be sold at such times as the issuing authority 4323
determines or authorizes. 4324

(P) Provision may be made in the applicable bond 4325
proceedings for the establishment of separate accounts in the 4326
bond service fund and for the application of such accounts only 4327
to the specified bond service charges on obligations pertinent 4328
to such accounts and bond service fund and for other accounts 4329
therein within the general purposes of such fund. Unless 4330
otherwise provided in any applicable bond proceedings, moneys to 4331
the credit of or in the several special funds established 4332
pursuant to this section shall be disbursed on the order of the 4333
treasurer of state, provided that no such order is required for 4334
the payment from the bond service fund when due of bond service 4335
charges on obligations. 4336

(Q) (1) The issuing authority may pledge all, or such 4337
portion as the issuing authority determines, of the pledged 4338
receipts to the payment of bond service charges on obligations 4339
issued under this section, and for the establishment and 4340
maintenance of any reserves, as provided in the bond 4341
proceedings, and make other provisions therein with respect to 4342
pledged receipts as authorized by this chapter, which provisions 4343
are controlling notwithstanding any other provisions of law 4344
pertaining thereto. 4345

(2) An action taken under division (Q) (2) of this section 4346
does not limit the generality of division (Q) (1) of this 4347
section, and is subject to division (C) of this section and, if 4348
and to the extent otherwise applicable, Section 13 of Article 4349
VIII, Ohio Constitution. The bond proceedings may contain a 4350
covenant that, in the event the pledged receipts primarily 4351
pledged and required to be used for the payment of bond service 4352
charges on obligations issued under this section, and for the 4353
establishment and maintenance of any reserves, as provided in 4354
the bond proceedings, are insufficient to make any such payment 4355

in full when due, or to maintain any such reserve, the director 4356
of transportation shall so notify the governor, and shall 4357
determine to what extent, if any, the payment may be made or 4358
moneys may be restored to the reserves from lawfully available 4359
moneys previously appropriated for that purpose to the 4360
department of transportation. The covenant also may provide that 4361
if the payments are not made or the moneys are not immediately 4362
and fully restored to the reserves from such moneys, the 4363
director shall promptly submit to the governor and to the 4364
director of budget and management a written request for either 4365
or both of the following: 4366

(a) That the next biennial budget submitted by the 4367
governor to the general assembly include an amount to be 4368
appropriated from lawfully available moneys to the department 4369
for the purpose of and sufficient for the payment in full of 4370
bond service charges previously due and for the full 4371
replenishment of the reserves; 4372

(b) That the general assembly be requested to increase 4373
appropriations from lawfully available moneys for the department 4374
in the current biennium sufficient for the purpose of and for 4375
the payment in full of bond service charges previously due and 4376
to come due in the biennium and for the full replenishment of 4377
the reserves. 4378

The director of transportation shall include with such 4379
requests a recommendation that the payment of the bond service 4380
charges and the replenishment of the reserves be made in the 4381
interest of maximizing the benefits of the state infrastructure 4382
bank. Any such covenant shall not obligate or purport to 4383
obligate the state to pay the bond service charges on such bonds 4384
or notes or to deposit moneys in a reserve established for such 4385

payments other than from moneys that may be lawfully available 4386
and appropriated for that purpose during the then-current 4387
biennium. 4388

(R) There is hereby created the state infrastructure bank 4389
revenue bond service fund, which shall be in the custody of the 4390
treasurer of state but shall not be a part of the state 4391
treasury. All moneys received by or on account of the issuing 4392
authority or state agencies and required by the applicable bond 4393
proceedings, consistent with this section, to be deposited, 4394
transferred, or credited to the bond service fund, and all other 4395
moneys transferred or allocated to or received for the purposes 4396
of the fund, shall be deposited and credited to such fund and to 4397
any separate accounts therein, subject to applicable provisions 4398
of the bond proceedings, but without necessity for any act of 4399
appropriation. The state infrastructure bank revenue bond 4400
service fund is a trust fund and is hereby pledged to the 4401
payment of bond service charges to the extent provided in the 4402
applicable bond proceedings, and payment thereof from such fund 4403
shall be made or provided for by the treasurer of state in 4404
accordance with such bond proceedings without necessity for any 4405
act of appropriation. 4406

(S) The obligations issued pursuant to this section, the 4407
transfer thereof, and the income therefrom, including any profit 4408
made on the sale thereof, shall at all times be free from 4409
taxation within this state. 4410

Sec. 5540.01. As used in this chapter: 4411

(A) "Transportation improvement district" or "district" 4412
means a transportation improvement district designated pursuant 4413
to section 5540.02 of the Revised Code. 4414

(B) "Governmental agency" means a department, division, or 4415
other unit of state government; a county, township, or municipal 4416
corporation or other political subdivision; a regional transit 4417
authority or regional transit commission created pursuant to 4418
Chapter 306. of the Revised Code; a port authority created 4419
pursuant to Chapter 4582. of the Revised Code; and the United 4420
States or any agency thereof. 4421

(C) "Project" means a street, highway, parking facility, 4422
freight rail tracks and necessarily related freight rail 4423
facilities, or other transportation project constructed or 4424
improved under this chapter and includes all bridges, tunnels, 4425
overpasses, underpasses, interchanges, approaches, those 4426
portions of connecting streets or highways that serve 4427
interchanges and are determined by the district to be necessary 4428
for the safe merging of traffic between the project and those 4429
streets or highways, service facilities, and administration, 4430
storage, and other buildings, property, and facilities, that the 4431
district considers necessary for the operation of the project, 4432
together with all property and rights that must be acquired by 4433
the district for the construction, maintenance, or operation of 4434
the project. "Project" includes a qualifying project. 4435

(D) "Cost," as applied to the construction of a project, 4436
includes the cost of construction, including bridges over or 4437
under existing highways and railroads, acquisition of all 4438
property acquired by the district for such construction, 4439
demolishing or removing any buildings or structures on land so 4440
acquired, including the cost of acquiring any lands to which 4441
such buildings or structures may be moved, site clearance, 4442
improvement, and preparation, diverting streets or highways, 4443
interchanges with streets or highways, access roads to private 4444
property, including the cost of land or easements therefor, all 4445

machinery, furnishings, and equipment, communications 4446
facilities, financing and auditing expenses, interest prior to 4447
and during construction and for one year after completion of 4448
construction, traffic estimates, indemnity and surety bonds and 4449
premiums on insurance, and guarantees, engineering, feasibility 4450
studies, and legal expenses, plans, specifications, surveys, 4451
estimates of cost and revenues, other expenses necessary or 4452
incidental to determining the feasibility or practicability of 4453
constructing a project, and such other expense as may be 4454
necessary or incident to the construction of the project and the 4455
financing of such construction. Any obligation or expense 4456
incurred by any governmental agency or person for surveys, 4457
borings, preparation of plans and specifications, and other 4458
engineering services, or any other cost described above, in 4459
connection with the construction of a project may be regarded as 4460
part of the cost of the project and reimbursed from revenues, 4461
taxes, or the proceeds of bonds as authorized by this chapter. 4462

(E) "Owner" includes any person having any title or 4463
interest in any property authorized to be acquired by a district 4464
under this chapter. 4465

(F) "Revenues" means all moneys received by a district 4466
with respect to the lease, sublease, or sale, including 4467
installment sale, conditional sale, or sale under a lease- 4468
purchase agreement, of a project, all moneys received by a 4469
district under an agreement pursuant to Section 515.03 of H.B. 4470
66 of the 126th ~~General Assembly~~ general assembly, Section 4471
555.10 of H.B. 67 of the 127th general assembly, or Section 4472
755.20 of H.B. 153 of the 129th general assembly, any gift or 4473
grant received with respect to a project, tolls, special 4474
assessments levied by the district, sales and use taxes received 4475
from a qualifying regional transit authority for any purpose 4476

authorized by section 306.353 of the Revised Code, proceeds of 4477
bonds to the extent the use thereof for payment of principal or 4478
of premium, if any, or interest on the bonds is authorized by 4479
the district, proceeds from any insurance, condemnation, or 4480
guaranty pertaining to a project or property mortgaged to secure 4481
bonds or pertaining to the financing of a project, and income 4482
and profit from the investment of the proceeds of bonds or of 4483
any revenues. 4484

(G) "Street or highway" has the same meaning as in section 4485
4511.01 of the Revised Code. 4486

(H) "Financing expenses" means all costs and expenses 4487
relating to the authorization, issuance, sale, delivery, 4488
authentication, deposit, custody, clearing, registration, 4489
transfer, exchange, fractionalization, replacement, payment, and 4490
servicing of bonds including, without limitation, costs and 4491
expenses for or relating to publication and printing, postage, 4492
delivery, preliminary and final official statements, offering 4493
circulars, and informational statements, travel and 4494
transportation, underwriters, placement agents, investment 4495
bankers, paying agents, registrars, authenticating agents, 4496
remarketing agents, custodians, clearing agencies or 4497
corporations, securities depositories, financial advisory 4498
services, certifications, audits, federal or state regulatory 4499
agencies, accounting and computation services, legal services 4500
and obtaining approving legal opinions and other legal opinions, 4501
credit ratings, redemption premiums, and credit enhancement 4502
facilities. 4503

(I) "Bond proceedings" means the resolutions, trust 4504
agreements, certifications, notices, sale proceedings, leases, 4505
lease-purchase agreements, assignments, credit enhancement 4506

facility agreements, and other agreements, instruments, and 4507
documents, as amended and supplemented, or any one or more of 4508
combination thereof, authorizing, or authorizing or providing 4509
for the terms and conditions applicable to, or providing for the 4510
security or sale or award or liquidity of, bonds, and includes 4511
the provisions set forth or incorporated in those bonds and bond 4512
proceedings. 4513

(J) "Bond service charges" means principal, including any 4514
mandatory sinking fund or mandatory redemption requirements for 4515
retirement of bonds, and interest and any redemption premium 4516
payable on bonds, as those payments come due and are payable to 4517
the bondholder or to a person making payment under a credit 4518
enhancement facility of those bond service charges to a 4519
bondholder. 4520

(K) "Bond service fund" means the applicable fund created 4521
by the bond proceedings for and pledged to the payment of bond 4522
service charges on bonds provided for by those proceedings, 4523
including all moneys and investments, and earnings from 4524
investments, credited and to be credited to that fund as 4525
provided in the bond proceedings. 4526

(L) "Bonds" means bonds, notes, including notes 4527
anticipating bonds or other notes, commercial paper, 4528
certificates of participation, or other evidences of obligation, 4529
including any interest coupons pertaining thereto, issued 4530
pursuant to this chapter. 4531

(M) "Net revenues" means revenues lawfully available to 4532
pay both current operating expenses of a district and bond 4533
service charges in any fiscal year or other specified period, 4534
less current operating expenses of the district and any amount 4535
necessary to maintain a working capital reserve for that period. 4536

(N) "Pledged revenues" means net revenues, moneys and 4537
investments, and earnings on those investments, in the 4538
applicable bond service fund and any other special funds, and 4539
the proceeds of any bonds issued for the purpose of refunding 4540
prior bonds, all as lawfully available and by resolution of the 4541
district committed for application as pledged revenues to the 4542
payment of bond service charges on particular issues of bonds. 4543

(O) "Special funds" means the applicable bond service fund 4544
and any accounts and subaccounts in that fund, any other funds 4545
or accounts permitted by and established under, and identified 4546
as a special fund or special account in, the bond proceedings, 4547
including any special fund or account established for purposes 4548
of rebate or other requirements under federal income tax laws. 4549

(P) "Credit enhancement facilities" means letters of 4550
credit, lines of credit, standby, contingent, or firm securities 4551
purchase agreements, insurance, or surety arrangements, 4552
guarantees, and other arrangements that provide for direct or 4553
contingent payment of bond service charges, for security or 4554
additional security in the event of nonpayment or default in 4555
respect of bonds, or for making payment of bond service charges 4556
and at the option and on demand of bondholders or at the option 4557
of the district or upon certain conditions occurring under put 4558
or similar arrangements, or for otherwise supporting the credit 4559
or liquidity of the bonds, and includes credit, reimbursement, 4560
marketing, remarketing, indexing, carrying, interest rate hedge, 4561
and subrogation agreements, and other agreements and 4562
arrangements for payment and reimbursement of the person 4563
providing the credit enhancement facility and the security for 4564
that payment and reimbursement. 4565

(Q) "Refund" means to fund and retire outstanding bonds, 4566

including advance refunding with or without payment or 4567
redemption prior to stated maturity. 4568

(R) "Property" includes interests in property. 4569

(S) "Administrative agent," "agent," "commercial paper," 4570
"floating rate interest structure," "indexing agent," "interest 4571
rate hedge," "interest rate period," "put arrangement," and 4572
"remarketing agent" have the same meanings as in section 9.98 of 4573
the Revised Code. 4574

(T) "Outstanding" as applied to bonds means outstanding in 4575
accordance with the terms of the bonds and the applicable bond 4576
proceedings. 4577

(U) "Interstate system" has the same meaning as in section 4578
5516.01 of the Revised Code. 4579

(V) "Qualifying regional transit authority," "qualifying 4580
project," "qualifying bonds," and "sales and use tax" have the 4581
same meanings as in section 306.353 of the Revised Code. 4582

Sec. 5540.02. (A) A transportation improvement district 4583
may be created by the board of county commissioners of a county. 4584
The board, by resolution, shall determine the structure of the 4585
board of trustees of the transportation improvement district it 4586
creates by adopting the structure contained either in division 4587
(C) (1) or (2) of this section. 4588

(B) A transportation improvement district is a body both 4589
corporate and politic, and the exercise by it of the powers 4590
conferred by this chapter in the financing, construction, 4591
maintenance, repair, and operation of a project are and shall be 4592
held to be essential governmental functions. 4593

(C) (1) If the board of county commissioners so elects, a 4594

transportation improvement district shall be governed by a board 4595
of trustees consisting of the following members: 4596

(a) Two members appointed by the board of county 4597
commissioners; 4598

(b) Three members appointed by the legislative authority 4599
of the most populous municipal corporation in the district; 4600

(c) Two members appointed by the legislative authority of 4601
the second most populous municipal corporation in the district; 4602

(d) Two members appointed by the board of township 4603
trustees of the township in the county that is most populous in 4604
its unincorporated area; 4605

(e) The county engineer; 4606

(f) One member appointed by the legislative authority of 4607
any township or municipal corporation that cannot otherwise 4608
appoint a member to the board pursuant to this section, and that 4609
is wholly or partially within the area of the transportation 4610
improvement district as the district was originally designated 4611
by the board of county commissioners; 4612

(g) If the area of a transportation improvement district 4613
is expanded by the board of county commissioners, the 4614
legislative authority of any township or municipal corporation 4615
that is wholly or partially within the area of expansion and 4616
that cannot otherwise appoint a member to the board pursuant to 4617
this section, with the consent of the board of trustees of the 4618
district, may appoint one member to the board; 4619

(h) One member appointed by the regional planning 4620
commission for the county, who shall be a nonvoting member of 4621
the board; 4622

(i) One member appointed at the discretion of the speaker 4623
of the house of representatives, who, if appointed, shall be a 4624
nonvoting member of the board and who may be a member of the 4625
house of representatives; 4626

(j) One member appointed at the discretion of the 4627
president of the senate, who, if appointed, shall be a nonvoting 4628
member of the board and who may be a member of the senate. 4629

One of each of the appointments made by the board of 4630
county commissioners, the legislative authority of a municipal 4631
corporation, and the board of township trustees under divisions 4632
(C) (1) (a), (b), (c), and (d) of this section, shall be members 4633
of the chamber of commerce for the respective political 4634
subdivision. 4635

Whenever the addition of members to the board of trustees 4636
of a transportation improvement district pursuant to division 4637
(C) (1) (f) or (g) of this section results in an even number of 4638
total voting members on the board, the board of trustees of the 4639
district may appoint an additional person to its membership to 4640
maintain an odd number of voting members. 4641

(2) As an alternative to the structure prescribed in 4642
division (C) (1) of this section, a board of county 4643
commissioners, by resolution, may elect that the transportation 4644
improvement district it creates be governed by a board of 4645
trustees consisting of the following members: 4646

(a) Five members appointed by the board of county 4647
commissioners; 4648

(b) One member appointed at the discretion of the speaker 4649
of the house of representatives, who, if appointed, shall be a 4650
nonvoting member of the board and who may be a member of the 4651

house of representatives; 4652

(c) One member appointed at the discretion of the 4653
president of the senate, who, if appointed, shall be a nonvoting 4654
member of the board and who may be a member of the senate. 4655

(D) Each appointed member of the board shall hold office 4656
for a term of two years but subject to removal at the pleasure 4657
of the authority that appointed the member. Members may be 4658
reappointed. Except as otherwise provided in this division, any 4659
vacancy on the board shall be filled in the same manner as the 4660
original appointment. Any vacancy on a board appointed under 4661
division (C) (1) of this section lasting longer than thirty days 4662
due to the failure of the legislative authority of a municipal 4663
corporation or a board of township trustees to make an 4664
appointment shall be filled by the board of trustees of the 4665
transportation improvement district. 4666

(E) The voting members of the board shall elect from the 4667
entire board membership a chairperson, vice-chairperson, and 4668
secretary-treasurer. A majority of the voting members of the 4669
board constitutes a quorum, the affirmative vote of which is 4670
necessary for any action of the district. No vacancy in the 4671
membership of the board impairs the right of a quorum to 4672
exercise all the rights and perform all duties of the district. 4673

(F) The board of county commissioners of ~~the any~~ county, 4674
the legislative authority of any municipal corporation, and the 4675
board of township trustees of any township ~~that is part of the~~ 4676
~~district,~~ may make appropriations from moneys available to them 4677
and not otherwise appropriated, to pay costs incurred by the 4678
district in the exercise of its functions under this chapter, 4679
provided those moneys are available to use for that purpose. 4680

(G) An organizational meeting of the board of trustees of a transportation improvement district created under this section shall be held at the time and place designated by the board member who has served the most years as a member of the board of county commissioners that created the transportation improvement district.

Sec. 5540.03. (A) A transportation improvement district may:

(1) Adopt bylaws for the regulation of its affairs and the conduct of its business;

(2) Adopt an official seal;

(3) Sue and be sued in its own name, plead and be impleaded, provided any actions against the district shall be brought in the court of common pleas of the county in which the principal office of the district is located, or in the court of common pleas of the county in which the cause of action arose, and all summonses, exceptions, and notices of every kind shall be served on the district by leaving a copy thereof at its principal office with the secretary-treasurer;

(4) Purchase, fund, finance, construct, maintain, repair, sell, exchange, police, operate, or lease projects;

(5) Issue either or both of the following for the purpose of providing funds to pay the costs of any project or part thereof:

(a) Transportation improvement district revenue bonds;

(b) Bonds pursuant to Section 13 of Article VIII, Ohio Constitution.

(6) Maintain such funds as it considers necessary;

(7) Direct its agents or employees, when properly 4709
identified in writing and after at least five days' written 4710
notice, to enter upon lands within its jurisdiction to make 4711
surveys and examinations preliminary to the location and 4712
construction of projects for the district, without liability of 4713
the district or its agents or employees except for actual damage 4714
done; 4715

(8) Make and enter into all contracts and agreements 4716
necessary or incidental to the performance of its functions and 4717
the execution of its powers under this chapter; 4718

(9) Employ or retain or contract for the services of 4719
consulting engineers, superintendents, managers, and such other 4720
engineers, construction and accounting experts, auditors, 4721
financial advisers, trustees, marketing, remarketing, and 4722
administrative agents, attorneys, and other employees, 4723
independent contractors, or agents as are necessary in its 4724
judgment and fix their compensation, provided all such expenses 4725
shall be payable solely from the proceeds of bonds or from 4726
revenues; 4727

(10) Receive and accept from the federal or any state or 4728
local government, including, but not limited to, any agency, 4729
entity, or instrumentality of any of the foregoing, loans and 4730
grants for or in aid of the construction, maintenance, or repair 4731
of any project, and receive and accept aid or contributions from 4732
any source or person of money, property, labor, or other things 4733
of value, to be held, used, and applied only for the purposes 4734
for which such loans, grants, and contributions are made. 4735
Nothing in division (A) (10) of this section shall be construed 4736
as imposing any liability on this state for any loan received by 4737
a transportation improvement district from a third party unless 4738

this state has entered into an agreement to accept such 4739
liability. 4740

(11) Acquire, hold, and dispose of property in the 4741
exercise of its powers and the performance of its duties under 4742
this chapter; 4743

(12) Establish and collect tolls or user charges for its 4744
projects; 4745

(13) Subject to section 5540.18 of the Revised Code, enter 4746
into an agreement with a contiguous board of county 4747
commissioners other than the board of county commissioners that 4748
created the transportation improvement district, for the 4749
district to exercise all or any portion of its powers with 4750
respect to a project that is located wholly or partially within 4751
the county that is party to the agreement; 4752

(14) Cooperate with any governmental agencies in the 4753
planning, design, acquisition, construction, maintenance, 4754
funding, and financing of projects, including qualifying 4755
projects. In doing so, the district may enter into agreements 4756
with other governmental agencies to plan, design, acquire, 4757
construct, maintain, fund, and finance the projects or 4758
qualifying projects and to use pledged or assigned sales and use 4759
tax revenue to pay the debt service on qualifying bonds. 4760

(15) Enter into an agreement with the board of county 4761
commissioners that created the transportation improvement 4762
district and with the boards of county commissioners of any 4763
contiguous group of counties to exercise all powers of the 4764
district with respect to a project that is both of the 4765
following: 4766

(a) Located partially or wholly within any county that is 4767

a party to the agreement; 4768

(b) Partially funded with federal money. 4769

(16) Do all acts necessary and proper to carry out the 4770
powers expressly granted in this chapter. 4771

(B) (1) Chapters 123., 124., 125., and 153., and sections 4772
9.331 to 9.335 and 307.86 of the Revised Code do not apply to 4773
contracts or projects of a transportation improvement district. 4774

(2) A transportation improvement district is subject to 4775
sections 4115.03 to 4115.21 and 4115.99 of the Revised Code, 4776
unless the amount of state or local government funds, including, 4777
but not limited to, those provided by any agency, entity, or 4778
instrumentality of the state or a local government as described 4779
in division (A) (10) of this section received for the contract or 4780
project, is, in the aggregate, less than the amounts described 4781
in or calculated under section 4115.03 of the Revised Code. 4782

Sec. 5540.06. (A) The board of trustees of a 4783
transportation improvement district may provide by resolution 4784
for the issuance, at one time or from time to time, of bonds of 4785
the district for the purpose of paying all or any part of the 4786
cost of any one or more projects. The bond service charges shall 4787
be payable solely from pledged revenues pledged for such payment 4788
pursuant to the applicable bond proceedings. The bonds of each 4789
issue shall be dated, shall bear interest at a rate or rates or 4790
at variable rates, and shall mature or be payable at such time 4791
or times, with a final maturity not to exceed thirty years from 4792
their date or dates, all as determined by the board in the bond 4793
proceedings. The board shall determine the form of the bonds, 4794
including any interest coupons to be attached thereto, and shall 4795
fix the denomination or denominations of the bonds and the place 4796

or places of payment of bond service charges. 4797

(B) The bonds shall be signed by the chairperson or vice- 4798
chairperson of the board or by the facsimile signature of that 4799
officer, the official seal of the district or a facsimile 4800
thereof may be affixed thereto or printed thereon and attested 4801
by the secretary-treasurer of the district, which may be by 4802
facsimile signature, and any coupons attached thereto shall bear 4803
the facsimile signature of the chairperson or vice-chairperson 4804
of the board. In case any officer whose signature, or a 4805
facsimile of whose signature, appears on any bonds or coupons 4806
ceases to be such officer before delivery of the bonds, such 4807
signature or facsimile shall nevertheless be valid and 4808
sufficient for all purposes the same as if the officer had 4809
remained in office until such delivery. 4810

(C) Subject to the bond proceedings and provisions for 4811
registration, the bonds shall have all the qualities and 4812
incidents of negotiable instruments under Title XIII of the 4813
Revised Code. The bonds may be issued in such form or forms as 4814
the board determines, including without limitation coupon, book 4815
entry, and fully registered form, and provision may be made for 4816
the registration of any coupon bonds as to principal alone and 4817
also as to both principal and interest, and for the exchange of 4818
bonds between forms. The board may sell such bonds by 4819
competitive bid on the best bid after advertisement or request 4820
for bids or by private sale in the manner, and for the price, it 4821
determines to be for the best interest of the district. 4822

(D) The proceeds of the bonds of each issue shall be used 4823
solely for the payment of the costs of the project or projects 4824
for which the bonds were issued, and shall be disbursed in such 4825
manner and under such restrictions as the board provides in the 4826

bond proceedings. 4827

(E) Prior to the preparation of definitive bonds, the 4828
board may, under like restrictions, issue interim receipts or 4829
temporary bonds or bond anticipation notes, with or without 4830
coupons, exchangeable for definitive bonds when such bonds have 4831
been executed and are available for delivery. The board may 4832
provide for the replacement of any mutilated, stolen, destroyed, 4833
or lost bonds. 4834

(F) Sections 9.98 to 9.983 of the Revised Code apply to 4835
the bonds. 4836

(G) The bond proceedings shall provide, subject to the 4837
provisions of any other applicable bond proceedings, for the 4838
pledge to the payment of bond service charges and of any costs 4839
of or relating to credit enhancement facilities of all, or such 4840
part as the board may determine, of the pledged revenues and the 4841
applicable special fund or funds, which pledges may be made to 4842
secure the bonds on a parity with bonds theretofore or 4843
thereafter issued if and to the extent provided in the bond 4844
proceedings. Every pledge, and every covenant and agreement with 4845
respect thereto, made in the bond proceedings may in the bond 4846
proceedings be extended to the benefit of the owners and holders 4847
of bonds and to any trustee and any person providing a credit 4848
enhancement facility for those bonds, for the further security 4849
for the payment of the bond service charges and credit 4850
enhancement facility costs. 4851

(H) The bond proceedings may contain additional provisions 4852
as to: 4853

(1) The redemption of bonds prior to maturity at the 4854
option of the board or of the bondholders or upon the occurrence 4855

of certain stated conditions, and at such price or prices and 4856
under such terms and conditions as are provided in the bond 4857
proceedings; 4858

(2) Other terms of the bonds; 4859

(3) Limitations on the issuance of additional bonds; 4860

(4) The terms of any trust agreement securing the bonds or 4861
under which the same may be issued; 4862

(5) Any or every provision of the bond proceedings being 4863
binding upon the board and state agencies, or other person as 4864
may from time to time have the authority under law to take such 4865
actions as may be necessary to perform all or any part of the 4866
duty required by such provision; 4867

(6) Any provision that may be made in a trust agreement; 4868

(7) Any other or additional agreements with the holders of 4869
the bonds, or the trustee therefor, relating to the bonds or the 4870
security for the bonds, including agreements for credit 4871
enhancement facilities. 4872

(I) Any holder of bonds or a trustee under the bond 4873
proceedings, except to the extent that the holder's or trustee's 4874
rights are restricted by the bond proceedings, may by any 4875
suitable form of legal proceedings, protect and enforce any 4876
rights under the laws of this state or granted by the bond 4877
proceedings. Those rights include the right to compel the 4878
performance of all duties of the board required by this chapter 4879
or the bond proceedings; to enjoin unlawful activities; and in 4880
the event of default with respect to the payment of any bond 4881
service charges on any bonds or in the performance of any 4882
covenant or agreement on the part of the board contained in the 4883
bond proceedings, to apply to a court having jurisdiction of the 4884

cause to appoint a receiver to receive and administer the 4885
revenues and the pledged revenues which are pledged to the 4886
payment of the bond service charges on such bonds or that are 4887
the subject of the covenant or agreement, with full power to 4888
pay, and to provide for payment of, bond service charges on such 4889
bonds, and with such powers, subject to the direction of the 4890
court, as are accorded receivers in general equity cases, 4891
excluding any power to pledge additional revenue or receipts or 4892
other income, funds, or moneys of the board to the payment of 4893
such bond service charges and excluding the power to take 4894
possession of, mortgage, or cause the sale or otherwise dispose 4895
of any project or other property of the board. 4896

(J) Each duty of the board and the board's officers and 4897
employees, undertaken pursuant to the bond proceedings, is 4898
hereby established as a duty of the board, and of each such 4899
officer, member, or employee having authority to perform the 4900
duty, specifically enjoined by law resulting from an office, 4901
trust, or station within the meaning of section 2731.01 of the 4902
Revised Code. 4903

(K) The board's officers or employees are not liable in 4904
their personal capacities on any bonds issued by the board or 4905
any agreements of or with the board relating to those bonds. 4906

(L) The bonds are lawful investments for banks, savings 4907
and loan associations, credit union share guaranty corporations, 4908
trust companies, trustees, fiduciaries, insurance companies, 4909
including domestic for life and domestic not for life, trustees 4910
or other officers having charge of sinking and bond retirement 4911
or other funds of the state or its political subdivisions and 4912
taxing districts, the commissioners of the sinking fund of the 4913
state, the administrator of workers' compensation, the state 4914

teachers retirement system, the public employees retirement 4915
system, the school employees retirement system, and the Ohio 4916
police and fire pension fund, notwithstanding any other 4917
provisions of the Revised Code or rules adopted pursuant thereto 4918
by any state agency with respect to investments by them, and 4919
also are acceptable as security for the repayment of the deposit 4920
of public moneys. 4921

(M) Provision may be made in the applicable bond 4922
proceedings for the establishment of separate accounts in the 4923
bond service fund and for the application of such accounts only 4924
to the specified bond service charges pertinent to such accounts 4925
and bond service fund, and for other accounts therein within the 4926
general purposes of such fund. 4927

(N) The board may pledge all, or such portion as it 4928
determines, of the pledged revenues to the payment of bond 4929
service charges, and for the establishment and maintenance of 4930
any reserves and special funds, as provided in the bond 4931
proceedings, and make other provisions therein with respect to 4932
pledged revenues, revenues, and net revenues as authorized by 4933
this chapter, which provisions shall be controlling 4934
notwithstanding any other provisions of law pertaining thereto. 4935

(O) The board may pledge all, or such portion as it 4936
determines, of the pledged or assigned sales and use taxes 4937
received from a qualifying regional transit authority to the 4938
payment of debt service charges on any qualifying bonds issued 4939
by the transportation improvement district to fund or finance 4940
qualifying projects under section 306.353 of the Revised Code. 4941

Sec. 5543.19. (A) The ~~As~~ used in this section and sections 4942
5543.191 and 5543.192 of the Revised Code: 4943

(1) "Competitive bidding" means the competitive process 4944
specified in sections 307.86 to 307.92 of the Revised Code 4945
involving competition for a whole contract and its component 4946
parts, including labor, equipment, and materials, that does not 4947
include any plan or specification that is drawn to favor any 4948
manufacturer or bidder unless required by the public interest. 4949

(2) "Force account" means that the county engineer will 4950
act as contractor, using county engineer employees and material 4951
and equipment either owned by the county or leased or purchased 4952
in compliance with sections 307.86 to 307.92 of the Revised 4953
Code, but shall not include subcontracting any part of such work 4954
unless the subcontracting is done pursuant to those sections. 4955

(3) "Culvert" means any structure that is covered with 4956
soil, rock, and roadway paving materials for the purpose of 4957
conveyance through an embankment. 4958

(4) "Deck" means that portion of a bridge that comprises 4959
the roadway surface and any pedestrian walkways and that 4960
provides direct support for vehicles and pedestrians traveling 4961
over the structure. The deck may include the appurtenances 4962
necessary for vehicle guidance, including guide or guardrails, 4963
barrier walls, sidewalks, integrated sign supports, and water 4964
conveyance items for roadway drainage. 4965

(5) "Superstructure" means that portion of a bridge that 4966
includes the beams or girders, the pads on which the beams rest 4967
on the substructure of the bridge, and the deck. 4968

(B) The county engineer may, when authorized by the board 4969
of county commissioners and not required by this section or 4970
other law to use competitive bidding, employ ~~such~~ laborers and 4971
vehicles, use ~~such~~ county employees and property, lease ~~such~~ 4972

implements and tools, and purchase ~~such materials as are~~ 4973
necessary ~~in for~~ the construction, reconstruction, improvement, 4974
maintenance, or repair of roads ~~by force account, bridges, and~~ 4975
culverts within the county. 4976

(C) ~~In determining whether construction or,~~ 4977
~~reconstruction, including widening and resurfacing, improvement,~~ 4978
maintenance, or repair of roads, bridges, or culverts may be 4979
undertaken ~~by force account as specified in division (B) of this~~ 4980
section, the county engineer shall first ~~cause to be made an~~ 4981
~~estimate of the cost~~ determine the scope of such work ~~using the~~ 4982
~~force account project assessment form developed by the auditor~~ 4983
~~of state under~~ in accordance with section 117.16-5543.191 of the 4984
Revised Code. When the ~~total estimated cost~~ scope of the work 4985
exceeds ~~thirty thousand dollars per mile~~ the parameters specified 4986
in section 5543.191 of the Revised Code, the county 4987
commissioners shall invite and receive competitive bids for 4988
furnishing all the labor, materials, and equipment necessary to 4989
complete the work in accordance with sections 307.86 to 307.92 4990
of the Revised Code. 4991

~~(B) The county engineer may, when authorized by the board~~ 4992
~~of county commissioners and not required by this section or~~ 4993
~~other law to use competitive bidding, employ such laborers and~~ 4994
~~vehicles, use such county employees and property, lease such~~ 4995
~~implements and tools, and purchase such materials as are~~ 4996
~~necessary in the construction, reconstruction, improvement,~~ 4997
~~maintenance, or repair of bridges and culverts by force account.~~ 4998

~~In determining whether such construction, reconstruction,~~ 4999
~~improvement, maintenance, or repair of bridges or culverts may~~ 5000
~~be undertaken by force account, the county engineer shall first~~ 5001
~~cause to be made an estimate of the cost of such work using the~~ 5002

~~force account project assessment form. When the total estimated- 5003
cost of the work exceeds one hundred thousand dollars, the board- 5004
of county commissioners shall invite and receive competitive- 5005
bids for furnishing all the labor, materials, and equipment- 5006
necessary to complete the work, in accordance with sections- 5007
307.86 to 307.92 of the Revised Code. The county engineer shall- 5008
obtain the approval required by section 5543.02 of the Revised- 5009
Code. 5010~~

~~(C) On the first day of July of every odd numbered year- 5011
beginning in 2021, the threshold amounts established in this- 5012
section shall increase by an amount not to exceed the lesser of- 5013
three per cent, or the percentage amount of any increase in the- 5014
department of transportation's construction cost index as- 5015
annualized and totaled for the prior two calendar years. The- 5016
director of transportation shall notify each appropriate county- 5017
engineer of the increased amount. 5018~~

~~(D) "Force account," as used in this section means that- 5019
the county engineer will act as contractor, using labor employed- 5020
by the engineer using material and equipment either owned by the- 5021
county or leased or purchased in compliance with sections 307.86- 5022
to 307.92 of the Revised Code and excludes subcontracting any- 5023
part of such work unless done pursuant to sections 307.86 to- 5024
307.92 of the Revised Code. 5025~~

~~The term "competitive bids" as used in this section- 5026
requires competition for the whole contract and in regard to its- 5027
component parts, including labor and materials. Neither plans- 5028
nor specifications shall be drawn to favor any manufacturer or- 5029
bidder unless required by the public interest. 5030~~

Sec. 5543.191. (A) A county engineer may proceed without 5031
competitive bidding by force account by employing labor, 5032

<u>purchasing materials, and furnishing equipment to do any of the</u>	5033
<u>following work:</u>	5034
<u>(1) Construct, replace, or widen any bridge or replace the</u>	5035
<u>superstructure of a bridge when the total length of the bridge</u>	5036
<u>does not exceed sixty feet as measured from face of abutment to</u>	5037
<u>face of abutment;</u>	5038
<u>(2) Replace the concrete deck of a bridge when the total</u>	5039
<u>length of the bridge does not exceed seventy-five feet as</u>	5040
<u>measured from face of abutment to face of abutment;</u>	5041
<u>(3) Construct, replace, or lengthen any pipe, including a</u>	5042
<u>multi-cell pipe, under a roadway, including making any necessary</u>	5043
<u>modifications to wingwalls and the related roadway</u>	5044
<u>modifications, when the total waterway opening for all cells</u>	5045
<u>does not exceed eighty-five square feet;</u>	5046
<u>(4) Construct, replace, or lengthen any culvert under a</u>	5047
<u>roadway, including making any necessary modifications to</u>	5048
<u>wingwalls and the related roadway modifications, when the total</u>	5049
<u>span does not exceed ten feet;</u>	5050
<u>(5) Perform any full-width asphalt surface paving</u>	5051
<u>operation when the operation does not exceed four hundred feet</u>	5052
<u>per centerline mile;</u>	5053
<u>(6) Widen an existing roadway when the widening does not</u>	5054
<u>exceed one thousand eight hundred square yards per lane mile;</u>	5055
<u>(7) Perform a chip-and-seal operation on a two-lane</u>	5056
<u>roadway when the operation does not exceed fifteen thousand</u>	5057
<u>square yards per centerline mile per layer, excluding any</u>	5058
<u>noncontinuous turn lanes;</u>	5059
<u>(8) Perform a partial or full-depth concrete pavement</u>	5060

repair when the repair does not exceed one hundred twenty square yards per lane mile. 5061
5062

(B) Both of the following apply to bridge, culvert, and pipe work performed under division (A) of this section: 5063
5064

(1) The approach roadway work for a bridge or culvert shall not extend more than two hundred feet, as measured from the back side of the abutment wall or outside edge of the culvert, as applicable. The approach roadway work for pipe replacement shall not extend more than fifty feet in either direction from the centerline of the pipe. 5065
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(2) The length of approach guardrails shall not be included in the approach work size limitations. 5071
5072

(C) A county engineer shall not divide any project into separate sections or items of work for the purpose of circumventing the requirements and scope of work limitations of this section. 5073
5074
5075
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(D) The work identified in this section is exempt from audit for force account purposes except to determine compliance with the applicable size restrictions. No force account assessment forms are required for such work. Divisions (B), (C), (D), and (E) of section 117.16 of the Revised Code remain in full force and effect. 5077
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Sec. 5543.192. (A) Notwithstanding any other provision of the Revised Code to the contrary, the board of county commissioners may provide that, prior to the bid opening for any construction, reconstruction, improvement, maintenance, or repair of roads, bridges, and culverts within the county that is competitively bid in accordance with section 5543.19 of the Revised Code, the official county engineer's total cost estimate 5083
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for the project shall be confidential information. 5090

(B) After the bid opening, the total cost estimate may be 5091
published by the board of county commissioners, but the unit 5092
price components and the estimate of cost of any particular item 5093
of work involved therein shall be kept and regarded by the board 5094
of county commissioners and the county engineer as confidential 5095
and are not public records for purposes of section 149.43 of the 5096
Revised Code. 5097

(C) Any provision in the Revised Code that provides that 5098
no contract for any improvement made by a county shall be 5099
awarded for a greater sum than the estimated cost thereof plus 5100
ten per cent, does not apply in the case of any project when the 5101
authority conferred by this section is exercised. 5102

Sec. 5577.044. (A) Notwithstanding sections 5577.02 and 5103
5577.04 of the Revised Code, a vehicle fueled solely by 5104
compressed natural gas or liquid natural gas or powered 5105
primarily by means of an electric battery may exceed by not more 5106
than two thousand pounds the gross vehicle weight provisions of 5107
sections 5577.01 to 5577.09 of the Revised Code or the axle load 5108
limits of those sections. 5109

(B) If a vehicle described in division (A) of this section 5110
exceeds the weight provisions of sections 5577.01 to 5577.09 of 5111
the Revised Code by more than the allowance provided for in 5112
division (A) of this section, both of the following apply: 5113

(1) The applicable penalty prescribed in section 5577.99 5114
of the Revised Code; 5115

(2) The civil liability imposed by section 5577.12 of the 5116
Revised Code. 5117

(C) Division (A) of this section does not apply to the 5118

operation of a vehicle on a highway, road, or bridge that is 5119
subject to reduced maximum weights under section 4513.33, 5120
5577.07, 5577.071, 5577.08, 5577.09, or 5591.42 of the Revised 5121
Code. 5122

Sec. 5747.502. (A) As used in this section: 5123

(1) ~~"Local authority" and "traffic"~~ "Traffic law photo- 5124
monitoring device" ~~have~~ has the same ~~meanings~~ meaning as in 5125
section 4511.092 of the Revised Code. 5126

(2) "School zone" has the same meaning as in section 5127
4511.21 of the Revised Code. 5128

(3) "Transportation district" means a territorial district 5129
established by the director of transportation under section 5130
5501.14 of the Revised Code. 5131

(4) "District deputy director" means the person appointed 5132
and assigned by the director of transportation under section 5133
5501.14 of the Revised Code to administer the activities of a 5134
transportation district. 5135

(5) "Gross amount" means the entire amount of traffic 5136
camera fines and fees paid by a driver. 5137

(6) "Local government fund adjustment" or "LGF adjustment" 5138
means the sum of: 5139

(a) The gross amount of all traffic camera fines collected 5140
by a local authority during the preceding fiscal year, as 5141
reported under division (B) (1) of this section, if such a report 5142
is required; plus 5143

(b) The residual adjustment computed for the local 5144
authority under division (B) (4) of this section, if such an 5145
adjustment applies. 5146

(7) "Local government fund payments" or "LGF payments" 5147
means the payments a local authority would receive under 5148
sections ~~5747.502~~5747.503, 5747.51, and 5747.53, and division 5149
(C) of section 5747.50 of the Revised Code, as applicable, if 5150
not for the reductions required by divisions (C) and (D) of this 5151
section. 5152

(8) "Residual adjustment" means the most recent LGF 5153
adjustment computed for a local authority under division (B) (2) 5154
or (3) of this section minus the sum of the reductions applied 5155
after that computation under division (C) of this section to the 5156
local authority's LGF payments. 5157

(9) "Traffic camera fines" means civil fines for any 5158
violation of any local ordinance or resolution that are based 5159
upon evidence recorded by a traffic law photo-monitoring device. 5160

(10) "Qualifying village" has the same meaning as in 5161
section 5747.503 of the Revised Code. 5162

(11) "Local authority" means a municipal corporation, 5163
county, or township. 5164

(B) (1) Annually, on or before the thirty-first day of 5165
July, any local authority that directly or indirectly collected 5166
traffic camera fines during the preceding fiscal year shall file 5167
a report with the tax commissioner that includes a detailed 5168
statement of the gross amount of all traffic camera fines the 5169
local authority collected during that period and the gross 5170
amount of such fines that the local authority collected for 5171
violations that occurred within a school zone. 5172

(2) Annually, on or before the tenth day of August, the 5173
commissioner shall compute a local government fund adjustment 5174
for each local authority that files a report under division (B) 5175

(1) of this section or with respect to which a residual 5176
adjustment applies. Subject to division (B) (3) of this section, 5177
the LGF adjustment shall be used by the commissioner to 5178
determine the amount of the reductions required under division 5179
(C) of this section for each of the next twelve months, starting 5180
with the month in which the LGF adjustment is computed. After 5181
those twelve months, the LGF adjustment ceases to apply and, if 5182
an LGF adjustment continues to be required, the amount of the 5183
reductions required under division (C) of this section shall be 5184
determined based on an updated LGF adjustment computed under 5185
this division. 5186

(3) Upon receipt of a report described by division (B) (1) 5187
of this section that is not timely filed, the commissioner shall 5188
do both of the following: 5189

(a) If one or more payments to the local authority has 5190
been withheld under division (D) of this section because of the 5191
local authority's failure to file the report, notify the county 5192
auditor and county treasurer of the appropriate county that the 5193
report has been received and that, subject to division (C) of 5194
this section, payments to the local authority from the undivided 5195
local government fund are to resume. 5196

(b) Compute the local authority's LGF adjustment using the 5197
information in the report. An LGF adjustment computed under this 5198
division shall be used by the commissioner to determine the 5199
amount of the reductions required under division (C) of this 5200
section starting with the next required reduction. The LGF 5201
adjustment ceases to apply on the thirty-first day of the 5202
ensuing July, following which, if an LGF adjustment continues to 5203
be required, the amount of the reductions required under 5204
division (C) of this section shall be determined based on an 5205

updated LGF adjustment computed under division (B) (2) of this section. 5206
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(4) Annually, on or before the tenth day of August, the commissioner shall compute a residual adjustment for each local authority whose LGF adjustment for the preceding year exceeds the amount by which the local authority's LGF payments were reduced during that year under division (C) of this section. The residual adjustment shall be used to compute the LGF adjustment for the ensuing year under division (B) (2) of this section. 5208
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(C) The commissioner shall do the following, as applicable, respecting any local authority to which an LGF adjustment computed under division (B) of this section applies: 5215
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(1) If the local authority is a municipal corporation with a population of one thousand or more, reduce payments to the municipal corporation under division (C) of section 5747.50 of the Revised Code by one-twelfth of the LGF adjustment. If one-twelfth of the LGF adjustment exceeds the amount of money the municipal corporation would otherwise receive under division (C) of section 5747.50 of the Revised Code, the commissioner also shall reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to the lesser of (a) one-twelfth of the excess, or (b) the amount of the payment the municipal corporation would otherwise receive from the fund under section 5747.51 or 5747.53 of the Revised Code. 5218
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(2) If the local authority is a township or qualifying village, reduce the supplemental payments to the appropriate county undivided local government fund under section 5747.503 of the Revised Code by the lesser of one-twelfth of the LGF adjustment, or the amount of money the township or qualifying 5231
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village would otherwise receive under that section. If one- 5236
twelfth of the LGF adjustment exceeds the amount of money the 5237
township or qualifying village would otherwise receive under 5238
section 5747.503 of the Revised Code, the commissioner also 5239
shall reduce payments to the appropriate county undivided local 5240
government fund under division (B) of section 5747.50 of the 5241
Revised Code by an amount equal to the lesser of (a) one-twelfth 5242
of the excess, or (b) the amount of the payment the township or 5243
qualifying village would otherwise receive from the fund under 5244
section 5747.51 or 5747.53 of the Revised Code. 5245

(3) If the local authority is a county, reduce payments to 5246
the appropriate county undivided local government fund under 5247
division (B) of section 5747.50 of the Revised Code by an amount 5248
equal to the lesser of (a) one-twelfth of the LGF adjustment, or 5249
(b) the amount of the payment the county would otherwise receive 5250
from the fund under section 5747.51 or 5747.53 of the Revised 5251
Code. 5252

(4) For any local authority, on or before the tenth day of 5253
each month a reduction is made under division (C) (1), (2), or 5254
(3) of this section, make a payment to the local authority in an 5255
amount equal to the lesser of (a) one-twelfth of the gross 5256
amount of traffic camera fines the local authority collected in 5257
the preceding fiscal year for violations that occurred within a 5258
school zone, as indicated on the report filed by the local 5259
authority pursuant to division (B) (1) of this section, or (b) 5260
the amount by which the local authority's LGF payments were 5261
reduced that month pursuant to division (C) (1), (2), or (3) of 5262
this section. Payments received by a local authority under this 5263
division shall be used by the local authority for school safety 5264
purposes or for acquiring or updating public safety technology, 5265
including body cameras, license plate readers, and gunfire 5266

locator or detection systems. 5267

(D) Upon discovery, based on information in the 5268
commissioner's possession, that a local authority required to 5269
file a report under division (B) (1) of this section has failed 5270
to do so, the commissioner shall do the following, as 5271
applicable: 5272

(1) If the local authority is a municipal corporation with 5273
a population of one thousand or more, cease providing for 5274
payments to the municipal corporation under section 5747.50 of 5275
the Revised Code beginning with the next required payment and 5276
until such time as the report is received by the commissioner; 5277

(2) If the local authority is a township or qualifying 5278
village, reduce the supplemental payments to the appropriate 5279
county undivided local government fund under section 5747.503 of 5280
the Revised Code by an amount equal to the amount of such 5281
payments the local authority would otherwise receive under that 5282
section, beginning with the next required payment and until such 5283
time as the report is received by the commissioner; 5284

(3) For any local authority, reduce payments to the 5285
appropriate county undivided local government fund under 5286
division (B) of section 5747.50 of the Revised Code by an amount 5287
equal to the amount of such payments the local authority would 5288
otherwise receive under section 5747.51 or 5747.53 of the 5289
Revised Code, beginning with the next required payment and until 5290
such time as the report is received by the commissioner; 5291

(4) For any local authority, notify the county auditor and 5292
county treasurer that such payments are to cease until the 5293
commissioner notifies the auditor and treasurer under division 5294
(E) of this section that the payments are to resume. 5295

(E) The commissioner shall notify the county auditor and 5296
county treasurer on or before the day the commissioner first 5297
reduces a county undivided local government fund payment to that 5298
county under division (C) of this section. The notice shall 5299
include the full amount of the reduction, a list of the local 5300
authorities to which the reduction applies, and the amount of 5301
reduction attributed to each such local authority. The 5302
commissioner shall send an updated notice to the county auditor 5303
and county treasurer any time the amount the reduction 5304
attributed to any local authority changes. 5305

A county treasurer that receives a notice from the 5306
commissioner under this division or division (B) (3) (a) or (D) (4) 5307
of this section shall reduce, cease, or resume payments from the 5308
undivided local government fund to the local authority that is 5309
the subject of the notice as specified by the commissioner in 5310
the notice. Unless otherwise specified in the notice, the 5311
payments shall be reduced, ceased, or resumed beginning with the 5312
next required payment. 5313

(F) There is hereby created in the state treasury the Ohio 5314
highway and transportation safety fund. On or before the tenth 5315
day of each month, the commissioner shall deposit in the fund an 5316
amount equal to the total amount by which payments to local 5317
authorities were reduced or ceased under division (C) or (D) of 5318
this section minus the total amount of payments made under 5319
division (C) (4) of this section. The amount deposited with 5320
respect to a local authority shall be credited to an account to 5321
be created in the fund for the transportation district in which 5322
that local authority is located. If the local authority is 5323
located within more than one transportation district, the amount 5324
credited to the account of each such transportation district 5325
shall be prorated on the basis of the number of centerline miles 5326

of public roads and highways in both the local authority and the 5327
respective districts. Amounts credited to a transportation 5328
district's account shall be used by the department of 5329
transportation and the district deputy director exclusively to 5330
enhance public safety on public roads and highways within that 5331
transportation district. 5332

Section 101.02. That existing sections 117.16, 117.161, 5333
124.152, 303.02, 306.353, 519.02, 1710.01, 1710.02, 1710.03, 5334
1710.13, 4503.10, 4503.103, 4503.11, 4503.191, 4503.44, 4506.01, 5335
4506.11, 4507.01, 4507.061, 4507.13, 4507.52, 4511.092, 5336
4511.093, 4511.0913, 4513.241, 4513.34, 4981.02, 4981.04, 5337
5503.031, 5531.09, 5531.10, 5540.01, 5540.02, 5540.03, 5540.06, 5338
5543.19, 5577.044, and 5747.502 of the Revised Code are hereby 5339
repealed. 5340

Section 105.01. That section 5501.09 of the Revised Code 5341
is hereby repealed. 5342

Section 201.10. Except as otherwise provided in this act, 5343
all appropriation items in this act are appropriated out of any 5344
moneys in the state treasury to the credit of the designated 5345
fund that are not otherwise appropriated. For all appropriations 5346
made in this act, the amounts in the first column are for fiscal 5347
year 2024 and the amounts in the second column are for fiscal 5348
year 2025. 5349

Section 203.10. 5350

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B	General Revenue Fund				
C	GRF	775470	Public Transportation - State	\$37,014,636	\$37,014,636
D	TOTAL General Revenue Fund			\$37,014,636	\$37,014,636
E	Highway Operating Fund Group				
F	2120	772426	Highway Infrastructure Bank - Federal	\$5,750,500	\$5,750,500
G	2120	772427	Highway Infrastructure Bank - State	\$15,099,500	\$15,099,500
H	2130	772431	Roadway Infrastructure Bank - State	\$3,750,000	\$3,750,000
I	2130	777477	Aviation Infrastructure Bank - State	\$2,400,000	\$2,400,000
J	5XI0	772504	Ohio Highway Transportation Safety	\$2,736,000	\$1,600,000
K	7002	770003	Transportation Facilities Lease Rental Bond	\$23,000,000	\$23,000,000

			Payments		
L	7002	771411	Planning and Research - State	\$30,078,120	\$29,650,000
M	7002	771412	Planning and Research - Federal	\$57,095,074	\$57,095,074
N	7002	772421	Highway Construction - State	\$902,000,000	\$734,000,000
O	7002	772422	Highway Construction - Federal	\$2,120,000,000	\$1,950,000,000
P	7002	772424	Highway Construction - Other	\$83,500,000	\$83,500,000
Q	7002	772437	Major New State Infrastructure Bond Debt Service - State	\$18,500,000	\$18,500,000
R	7002	772438	Major New State Infrastructure Bond Debt Service - Federal	\$132,500,000	\$132,500,000
S	7002	772603	Brent Spence Bridge Corridor - State	\$182,800,000	\$0

T	7002	772604	Brent Spence Bridge Corridor - Federal	\$1,909,200,000		\$0
U	7002	772605	Brent Spence Bridge Corridor - Other	\$809,000,000		\$0
V	7002	773431	Highway Maintenance - State	\$635,000,000		\$640,427,010
W	7002	775452	Public Transportation - Federal	\$57,445,919		\$63,004,296
X	7002	775454	Public Transportation - Other	\$1,570,000		\$1,570,000
Y	7002	776462	Grade Crossings - Federal	\$14,068,961		\$14,068,961
Z	7002	777472	Airport Improvements - Federal	\$405,000		\$405,000
AA	7002	777475	Aviation Administration	\$6,635,945		\$6,699,938
AB	7002	779491	Administration - State	\$115,424,899		\$115,593,642

AC TOTAL HOF Highway Operating Fund Group		\$7,127,959,918	\$3,898,613,921
AD Dedicated Purpose Fund Group			
AE 4N40 776664 Rail Transportation - Other		\$2,911,491	\$2,911,491
AF 5CV3 776672 Strategic Transportation and Development Analysis		\$10,000,000	\$0
AG 5W90 777615 County Airport Maintenance		\$620,000	\$620,000
AH 5ZR0 776673 Rural Highway Construction		\$1,000,000,000	\$0
AI TOTAL DPF Dedicated Purpose Fund Group		\$1,013,531,491	\$3,531,491
AJ Capital Projects Fund Group			
AK 7042 772723 Highway Construction - Bonds		\$94,450,000	\$94,450,000
AL 7045 772428 Highway Infrastructure Bank - Bonds		\$83,950,000	\$83,950,000
AM TOTAL CPF Capital Projects Fund		\$178,400,000	\$178,400,000

Group

AN TOTAL ALL BUDGET FUND GROUPS \$8,356,906,045 \$4,117,560,048

Section 203.20. TRANSPORTATION FACILITIES LEASE RENTAL 5352
BOND PAYMENTS 5353

The foregoing appropriation item 770003, Transportation 5354
Facilities Lease Rental Bond Payments, shall be used to meet all 5355
payments during the period from July 1, 2023, through June 30, 5356
2025, pursuant to the leases and agreements for facilities made 5357
under Chapter 154. of the Revised Code. These appropriations are 5358
the source of funds pledged for bond service charges on related 5359
obligations issued under Chapter 154. of the Revised Code. 5360

Should the appropriation in appropriation item 770003, 5361
Transportation Facilities Lease Rental Bond Payments, exceed the 5362
associated debt service payments in either fiscal year of the 5363
biennium ending June 30, 2025, the balance may be transferred to 5364
appropriation item 772421, Highway Construction - State, 773431, 5365
Highway Maintenance - State, or 779491, Administration - State, 5366
upon the written request of the Director of Transportation and 5367
with the approval of the Director of Budget and Management. The 5368
transfers are hereby appropriated and shall be reported to the 5369
Controlling Board. 5370

Section 203.30. ROADS FOR DNR, METROPOLITAN PARKS, 5371
EXPOSITIONS COMMISSION, AND HISTORY CONNECTION 5372

(A) Notwithstanding section 5511.06 of the Revised Code, 5373
in each fiscal year of the biennium ending June 30, 2025, the 5374
Director of Transportation shall determine portions of the 5375
foregoing appropriation item 772421, Highway Construction - 5376
State, which shall be used for the construction, reconstruction, 5377

or maintenance of public access roads, including support 5378
features, to and within state facilities owned or operated by 5379
the Department of Natural Resources. 5380

(B) Notwithstanding section 5511.06 of the Revised Code, 5381
of the foregoing appropriation item 772421, Highway Construction 5382
- State, \$2,562,000 in each fiscal year shall be used for the 5383
construction, reconstruction, or maintenance of park drives or 5384
park roads within the boundaries of metropolitan parks. 5385

(C) Notwithstanding section 5511.06 of the Revised Code, 5386
of the foregoing appropriation item 772421, Highway Construction 5387
- State, \$500,000 in each fiscal year shall be used for the 5388
construction, reconstruction, or maintenance of park drives or 5389
park roads within the boundaries of state parks and wildlife 5390
areas greater than 10,000 contiguous acres that were purchased 5391
in a single, or series, of transactions, and \$500,000 in each 5392
fiscal year shall be used for construction, reconstruction, or 5393
maintenance of drives and roads leading to such state parks and 5394
wildlife areas. 5395

(D) The Department of Transportation may use the foregoing 5396
appropriation item 772421, Highway Construction - State, to 5397
perform: 5398

(1) Related road work on behalf of the Ohio Expositions 5399
Commission at the state fairgrounds, including reconstruction or 5400
maintenance of public access roads and support features to and 5401
within fairgrounds facilities, as requested by the Commission 5402
and approved by the Director of Transportation; and 5403

(2) Related road work on behalf of the Ohio History 5404
Connection, including reconstruction or maintenance of public 5405
access roads and support features to and within Ohio History 5406

Connection facilities, as requested by the Ohio History 5407
Connection and approved by the Director of Transportation. 5408

Section 203.40. TRANSPORTATION IMPROVEMENT DISTRICTS 5409

(A) Of the foregoing appropriation item 772421, Highway 5410
Construction - State, \$4,500,000 in each fiscal year shall be 5411
made available for distribution by the Director of 5412
Transportation to Transportation Improvement Districts that have 5413
facilitated funding for the cost of a project or projects in 5414
conjunction with and through other governmental agencies. 5415

(B) A Transportation Improvement District shall submit 5416
requests for project funding to the Director of Transportation 5417
by a day determined by the Director. The Department shall notify 5418
the Transportation Improvement District whether the Department 5419
has approved or disapproved the project funding request within 5420
ninety days after the day the request was submitted by the 5421
Transportation Improvement District. 5422

(C) Any funding provided to a Transportation Improvement 5423
District specified in this section shall not be used for the 5424
purposes of administrative costs or administrative staffing and 5425
must be used to fund a specific project or projects within that 5426
District's area. The total amount of a specific project's cost 5427
shall not be fully funded by the amount of funds provided under 5428
this section. The total amount of funding provided for each 5429
project is limited to \$500,000 per fiscal year. Transportation 5430
Improvement Districts that are co-sponsoring a specific project 5431
may individually apply for up to \$500,000 for that project per 5432
fiscal year. 5433

(D) Funding provided under this section may be used for 5434
preliminary engineering, detailed design, right-of-way 5435

acquisition, and construction of the specific project and such 5436
other project costs that are defined in section 5540.01 of the 5437
Revised Code and approved by the Director of Transportation. 5438
Upon receipt of a copy of an invoice for work performed on the 5439
specific project, the Director shall reimburse a Transportation 5440
Improvement District for the expenditures described above, 5441
subject to the requirements of this section. 5442

(E) A Transportation Improvement District that is 5443
requesting funds under this section shall register with the 5444
Director of Transportation. The Director shall register a 5445
Transportation Improvement District only if the district has a 5446
specific, eligible project and may cancel the registration of a 5447
Transportation Improvement District that is not eligible to 5448
receive funds under this section. The Director shall not provide 5449
funds to any Transportation Improvement District under this 5450
section if the district is not registered. The Director shall 5451
not register a Transportation Improvement District and may 5452
cancel the registration of a currently registered Transportation 5453
Improvement District unless at least one of the following 5454
applies: 5455

(1) The Transportation Improvement District, by a 5456
resolution or resolutions, designated a project or program of 5457
projects and facilitated, including in conjunction with and 5458
through other governmental agencies, funding for costs of a 5459
project or program of projects in an aggregate amount of not 5460
less than \$15,000,000 from the commencement date of the project 5461
or program of projects. 5462

(2) The Transportation Improvement District has 5463
designated, by a resolution or resolutions, a project or program 5464
of projects that has estimated aggregate costs in excess of 5465

\$10,000,000 and the County Engineer of the county in which the
Transportation Improvement District is located has attested by a
sworn affidavit that the costs of the project or program of
projects exceeds \$10,000,000 and that the Transportation
Improvement District is facilitating a portion of funding for
that project or program of projects.

(F) For the purposes of this section:

(1) "Project" has the same meaning as in division (C) of
section 5540.01 of the Revised Code.

(2) "Governmental agency" has the same meaning as in
division (B) of section 5540.01 of the Revised Code.

(3) "Cost" has the same meaning as in division (D) of
section 5540.01 of the Revised Code.

Section 203.43. HIGHWAY CONSTRUCTION - FEDERAL

Of the foregoing appropriation item 772422, Highway
Construction - Federal, \$33,000,000 in each fiscal year shall be
used to support public transportation statewide through the
Federal Highway Administration (FHWA) flexible funding program.

**Section 203.45. REGIONAL TRANSPORTATION PLANNING
ORGANIZATIONS**

Of the foregoing appropriation item 772422 Highway
Construction - Federal, \$10,000,000 in each fiscal year shall be
used by Regional Transportation Planning Organizations to
conduct a rural transportation planning grant program.

OHIO WORKFORCE MOBILITY PARTNERSHIP PROGRAM

Of the foregoing appropriation item 772422 Highway
Construction - Federal, \$15,000,000 in each fiscal year shall be

used by the Ohio Department of Transportation to administer the 5493
Ohio Workforce Mobility Partnership Program established in 5494
Section 755.20 of this act. 5495

Section 203.47. STRATEGIC TRANSPORTATION AND DEVELOPMENT 5496
ANALYSIS 5497

The foregoing appropriation item 776672, Strategic 5498
Transportation and Development Analysis, shall be used for a 5499
statewide study of the Ohio transportation system, in 5500
collaboration with the Department of Development and the 5501
Governor's Office of Workforce Transformation. The study shall 5502
analyze statewide and regional demographics, investigate 5503
economic development growth opportunities, examine current 5504
transportation systems and capacities, forecast passenger and 5505
freight travel needs over a ten, twenty, and thirty year 5506
timeframe, identify current and future transportation links, 5507
evaluate and rank current and potential risks of future system 5508
congestion, and make actionable recommendations for 5509
transportation system projects to support statewide economic 5510
growth, including improving links between Toledo and Columbus 5511
and between Sandusky and Columbus. At any time, individual 5512
hotspot locations may receive advanced analysis of conceptual 5513
remedies with planning-level costs. The Department of 5514
Transportation may contract with third parties as necessary to 5515
execute this study. 5516

BRENT SPENCE BRIDGE CORRIDOR PROJECT 5517

All spending related to the Brent Spence Bridge Corridor 5518
Project shall be documented in the Ohio Administrative Knowledge 5519
System (OAKS) and made visible in the Ohio State and Local 5520
Government Expenditure Database pursuant to section 113.71 of 5521
the Revised Code. 5522

Section 203.49. RURAL HIGHWAY CONSTRUCTION 5523

The foregoing appropriation item 776673, Rural Highway Construction, shall be used to provide supplemental funding for rural highway construction projects that would be submitted and approved by the Transportation Review Advisory Council (TRAC) approval process under the Major/New Capacity Program. The unexpended, unencumbered portion of appropriation item 776673, Rural Highway Construction, at the end of fiscal year 2024 is reappropriated for the same purpose in fiscal year 2025.

Eighty per cent of the funding available under appropriation item 776673, Rural Highway Construction, shall be used for direct funding of rural highway projects approved under TRAC. The remaining twenty per cent of this appropriation shall be used to provide any local matching funds that are necessary to receive approval for any such rural highway construction projects paid for through this appropriation under the Major/New Capacity Program.

To be eligible for TRAC funding under this section, rural highway projects are projects that are on federal or state highways in counties that do not contain a municipality with a population greater than 65,000 according to the most recent decennial census, and have already received TRAC approval through a previous TRAC application and award process. Under this section, rural highway projects do not include projects on Interstate routes. Eligible rural highway projects shall prioritize adding capacity or reducing commute times to urban areas or other employment centers. Any such rural highway projects funded through Fund 5ZR0 under this section may not receive any additional funding through any other TRAC funding source for that project.

At the end of fiscal year 2024, the Director of
Transportation shall determine the remaining portion of cash
available in Fund 5ZR0 after all eligible rural highway award
determinations have been made. This remaining portion of cash in
Fund 5ZR0 may be used to provide additional funding for any
other previously awarded TRAC projects.

Section 203.50. BOND ISSUANCE AUTHORIZATION 5559

The Treasurer of State, upon the request of the Director
of Transportation, is authorized to issue and sell, in
accordance with Section 2m of Article VIII, Ohio Constitution,
and Chapter 151. and particularly sections 151.01 and 151.06 of
the Revised Code, obligations, including bonds and notes, in the
aggregate amount of \$251,000,000 in addition to the original
issuance of obligations authorized by prior acts of the General
Assembly.

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

Section 203.60. APPROPRIATION TRANSFERS, APPROPRIATION 5579
INCREASES, AND CASH TRANSFERS 5580

(A) TRANSFERS OF HIGHWAY OPERATING FUND APPROPRIATIONS: 5581

EMERGENCIES, INCLEMENT WEATHER, AND FEDERAL FUNDING CHANGES 5582

The Director of Transportation may request the Controlling Board to approve transfers between Highway Operating Fund (Fund 7002) appropriations for planning and research (appropriation items 771411 and 771412), highway construction and debt service (appropriation items 772421, 772422, 772424, 772425, 772437, 772438, and 770003), highway maintenance (appropriation item 773431), public transportation - federal (appropriation item 775452), rail grade crossings (appropriation item 776462), aviation (appropriation item 777475), airport improvement (appropriation item 777472), and administration (appropriation item 779491). The Director of Transportation may not seek requests of appropriation transfers out of debt service appropriation items unless the Director determines that the appropriated amounts exceed the actual and projected debt service requirements.

This transfer request authorization is intended to provide for emergency situations or for the purchase of goods and services relating to dangerous inclement weather that arise during the biennium ending June 30, 2025. It also is intended to allow the Department to adjust to circumstances affecting the obligation and expenditure of federal funds.

(B) TRANSFERS OF FEDERAL AND LOCAL FUNDED APPROPRIATIONS:
HIGHWAY, PLANNING, TRANSIT, RAIL, AND AVIATION

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations between appropriation items 772422, Highway Construction - Federal, 771412, Planning and Research - Federal, 775452, Public Transportation - Federal, 775454, Public Transportation - Other, 776475, Federal Rail Administration, 776462, Grade Crossing -

Federal, and 777472, Airport Improvements - Federal. 5612

(C) TRANSFERS OF APPROPRIATIONS AND CASH: STATE 5613
INFRASTRUCTURE BANK 5614

The Director of Transportation may request the Controlling 5615
Board to approve the transfer of appropriations and cash of the 5616
Infrastructure Bank funds created in section 5531.09 of the 5617
Revised Code, including transfers between fiscal years 2024 and 5618
2025. 5619

The Director of Transportation may request the Controlling 5620
Board to approve the transfer of appropriations and cash from 5621
the Highway Operating Fund (Fund 7002) to the Infrastructure 5622
Bank funds created in section 5531.09 of the Revised Code. The 5623
Director of Budget and Management may transfer from the 5624
Infrastructure Bank funds to Fund 7002 up to the amounts 5625
originally transferred to the Infrastructure Bank funds under 5626
this section. However, the Director may not make transfers 5627
between modes or transfers between different funding sources. 5628

(D) TRANSFERS OF APPROPRIATIONS AND CASH: TOLLING FUNDS 5629

The Director of Transportation may request the Controlling 5630
Board to approve the transfer of appropriations and cash of the 5631
Ohio Toll Fund and any subaccounts created in section 5531.14 of 5632
the Revised Code, including transfers between fiscal years 2024 5633
and 2025. 5634

(E) INCREASING APPROPRIATIONS: STATE FUNDS 5635

In the event that receipts or unexpended balances credited 5636
to the Highway Operating Fund (Fund 7002) exceed the estimates 5637
upon which the appropriations have been made in this act, upon 5638
the request of the Director of Transportation, the Controlling 5639
Board may approve expenditures, in excess of the amounts 5640

appropriated, from the Highway Operating Fund in the manner 5641
prescribed in section 131.35 of the Revised Code. The amounts 5642
approved by the Controlling Board under this division are hereby 5643
appropriated. 5644

(F) INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS 5645

In the event that receipts or unexpended balances credited 5646
to the Highway Operating Fund (Fund 7002) or apportionments or 5647
allocations made available from the federal and local 5648
governments exceed the estimates upon which the appropriations 5649
have been made in this act, upon the request of the Director of 5650
Transportation, the Controlling Board may approve expenditures, 5651
in excess of the amounts appropriated, from the Highway 5652
Operating Fund in the manner prescribed in section 131.35 of the 5653
Revised Code. The amounts approved by the Controlling Board 5654
under this division are hereby appropriated. 5655

(G) TRANSFERS OF CASH BETWEEN THE HIGHWAY OPERATING FUND 5656
AND THE HIGHWAY CAPITAL IMPROVEMENT FUND 5657

Upon the request of the Director of Transportation, the 5658
Director of Budget and Management may transfer cash from the 5659
Highway Operating Fund (Fund 7002) to the Highway Capital 5660
Improvement Fund (Fund 7042) created in section 5528.53 of the 5661
Revised Code. The Director of Budget and Management may transfer 5662
cash from Fund 7042 to Fund 7002 up to the amount of cash 5663
previously transferred to Fund 7042 under this section. 5664

(H) DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING 5665

On July 1 and January 1 of each year in the biennium 5666
ending June 30, 2025, or as soon as possible thereafter, 5667
respectively, the Director of Budget and Management shall 5668
transfer \$200,000 cash, for each semiannual period, from the 5669

Highway Operating Fund (Fund 7002) to the Deputy Inspector 5670
General for ODOT Fund (Fund 5FA0). 5671

The Inspector General, with the consent of the Director of 5672
Budget and Management, may request the Controlling Board to 5673
approve additional transfers of cash and expenditures in excess 5674
of the amount appropriated under appropriation item 965603, 5675
Deputy Inspector General for ODOT, if additional amounts are 5676
necessary. The amounts approved by the Controlling Board are 5677
hereby appropriated. 5678

(I) LIQUIDATION OF UNFORESEEN LIABILITIES 5679

Any appropriation made from the Highway Operating Fund 5680
(Fund 7002) not otherwise restricted by law is available to 5681
liquidate unforeseen liabilities arising from contractual 5682
agreements of prior years when the prior year encumbrance is 5683
insufficient. 5684

(J) ELECTRIC VEHICLE EXPENDITURES 5685

The Director of Transportation shall request Controlling 5686
Board approval for any expenditure of funds received under the 5687
federal "Infrastructure Investment and Jobs Act," Pub. L. No. 5688
117-58, that are to be used for the construction or maintenance 5689
of electric vehicle charging stations. Any such expenditures 5690
approved by the Controlling Board are hereby appropriated. 5691

Section 203.65. REAPPROPRIATIONS 5692

In each year of the biennium ending June 30, 2025, the 5693
Director of Budget and Management may request the Controlling 5694
Board to approve the expenditure of any remaining unencumbered 5695
balances of prior years' appropriations to the Ohio Highway 5696
Transportation Safety Fund (Fund 5XI0), the Highway Operating 5697
Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 5698

7042), and the Infrastructure Bank funds created in section 5699
5531.09 of the Revised Code for the same purpose in the 5700
following fiscal year. The amounts approved by the Controlling 5701
Board are hereby reappropriated. 5702

Prior to the Director of Budget and Management's seeking 5703
approval of the Controlling Board, the Director of 5704
Transportation shall develop a reappropriation request plan that 5705
identifies the appropriate fund and appropriation item of the 5706
reappropriation, and the reappropriation request amount and 5707
submit the plan to the Director of Budget and Management for 5708
evaluation. The Director of Budget and Management may request 5709
additional information necessary for evaluating the 5710
reappropriation request plan, and the Director of Transportation 5711
shall provide the requested information to the Director of 5712
Budget and Management. Based on the information provided by the 5713
Director of Transportation, the Director of Budget and 5714
Management shall determine amounts to be reappropriated by fund 5715
and appropriation item to submit to the Controlling Board for 5716
its approval. 5717

Any balances of prior years' unencumbered appropriations 5718
to the Highway Operating Fund (Fund 7002), the Highway Capital 5719
Improvement Fund (Fund 7042), the Ohio Highway Transportation 5720
Safety Fund (Fund 5XI0), and the Infrastructure Bank funds 5721
created in section 5531.09 of the Revised Code for which 5722
reappropriations are requested and approved are subject to the 5723
availability of revenue in the funds. 5724

Section 203.70. MAINTENANCE OF INTERSTATE HIGHWAYS 5725

The Department of Transportation has the responsibility to 5726
maintain all interstate highways in the state. The Director of 5727
Transportation may enter into an agreement with a political 5728

subdivision to allow the political subdivision to remove snow 5729
and ice and maintain, repair, improve, or provide lighting upon 5730
interstate highways that are located within the boundaries of 5731
the political subdivision, in a manner adequate to meet the 5732
requirements of federal law. 5733

When agreed in writing by the Director of Transportation 5734
and the legislative authority of a political subdivision and 5735
notwithstanding sections 125.01 and 125.11 of the Revised Code, 5736
the Department of Transportation may reimburse a political 5737
subdivision for all or any part of the costs, as provided by 5738
such agreement, incurred by the political subdivision in 5739
maintaining, repairing, lighting, and removing snow and ice from 5740
the interstate system. 5741

Section 203.80. PUBLIC TRANSPORTATION HIGHWAY PURPOSE 5742
GRANTS 5743

The Director of Transportation may use revenues from the 5744
state motor vehicle fuel tax to match approved federal grants 5745
awarded to the Department of Transportation, regional transit 5746
authorities, or eligible public transportation systems, for 5747
public transportation highway purposes, or to support local or 5748
state-funded projects for public transportation highway 5749
purposes. 5750

Public transportation highway purposes include (1) the 5751
construction or repair of high-occupancy vehicle traffic lanes, 5752
(2) the acquisition or construction of park-and-ride facilities, 5753
(3) the acquisition or construction of public transportation 5754
vehicle loops, (4) the construction or repair of bridges used by 5755
public transportation vehicles or that are the responsibility of 5756
a regional transit authority or other public transportation 5757
system, or (5) other similar construction that is designated as 5758

an eligible public transportation highway purpose. Motor vehicle 5759
fuel tax revenues may not be used for operating assistance or 5760
for the purchase of vehicles, equipment, or maintenance 5761
facilities. 5762

Section 203.90. AGREEMENTS WITH FEDERAL AGENCIES FOR 5763
ENVIRONMENTAL REVIEW PURPOSES 5764

The Director of Transportation may enter into agreements 5765
as provided in this section with the United States or any 5766
department or agency of the United States, including, but not 5767
limited to, the United States Army Corps of Engineers, the 5768
United States Forest Service, the United States Environmental 5769
Protection Agency, and the United States Fish and Wildlife 5770
Service. An agreement entered into pursuant to this section 5771
shall be solely for the purpose of dedicating staff to the 5772
expeditious and timely review of environmentally related 5773
documents submitted by the Director of Transportation, as 5774
necessary for the approval of federal permits. 5775

The agreements may include provisions for advance payment 5776
by the Director of Transportation for labor and all other 5777
identifiable costs of the United States or any department or 5778
agency of the United States providing the services, as may be 5779
estimated by the United States, or the department or agency of 5780
the United States. 5781

The Director shall submit a request to the Controlling 5782
Board indicating the amount of the agreement, the services to be 5783
performed by the United States or the department or agency of 5784
the United States, and the circumstances giving rise to the 5785
agreement. 5786

Section 203.100. INDEFINITE DELIVERY INDEFINITE QUANTITY 5787

CONTRACTS	5788
(A) As used in this section, "indefinite delivery indefinite quantity contract" means a contract for an indefinite quantity, within stated limits, of supplies or services that will be delivered by the awarded bidder over a defined contract period.	5789 5790 5791 5792 5793
(B) The Director of Transportation shall advertise and seek bids for, and shall award, indefinite delivery indefinite quantity contracts for not more than two projects in fiscal year 2024 and for not more than two projects in fiscal year 2025. For purposes of entering into indefinite delivery indefinite quantity contracts, the Director shall do all of the following:	5794 5795 5796 5797 5798 5799
(1) Prepare bidding documents;	5800
(2) Establish contract forms;	5801
(3) Determine contract terms and conditions, including the following:	5802 5803
(a) The maximum overall value of the contract, which may include an allowable increase of one hundred thousand dollars or five per cent of the advertised contract value, whichever is less;	5804 5805 5806 5807
(b) The duration of the contract, including a time extension of up to one year if determined appropriate by the Director;	5808 5809 5810
(c) The defined geographical area to which the contract applies, which shall be not greater than the size of one district of the Department of Transportation.	5811 5812 5813
(4) Develop and implement a work order process in order to provide the awarded bidder adequate notice of requested supplies	5814 5815

or services, the anticipated quantities of supplies, and work 5816
location information for each work order; 5817

(5) Take any other action necessary to fulfill the duties 5818
and obligations of the Director under this section. 5819

(C) Section 5525.01 of the Revised Code applies to 5820
indefinite delivery indefinite quantity contracts. 5821

Section 207.10. 5822

5823

	1	2	3	4	5
A	DEV DEPARTMENT OF DEVELOPMENT				
B	Dedicated Purpose Fund Group				
C	4W00	195629	Roadwork Development	\$15,200,000	\$15,200,000
D	TOTAL DPF Dedicated Purpose Fund Group			\$15,200,000	\$15,200,000
E	TOTAL ALL BUDGET FUND GROUPS			\$15,200,000	\$15,200,000

Section 207.20. ROADWORK DEVELOPMENT 5824

The foregoing appropriation item 195629, Roadwork 5825
Development, shall be used for road improvements associated with 5826
economic development opportunities that will retain or attract 5827
businesses for Ohio, including the construction, reconstruction, 5828
maintenance, or repair of public roads that provide access to a 5829
public airport or are located within a public airport. "Road 5830
improvements" are improvements to public roadway facilities 5831
located on, or serving or capable of serving, a project site, 5832

and include the construction, reconstruction, maintenance or 5833
repair of public roads that provide access to a public airport 5834
or are located within a public airport. The appropriation item 5835
may be used in conjunction with any other state funds 5836
appropriated for infrastructure improvements. 5837

The Director of Budget and Management, pursuant to a plan 5838
submitted by the Director of Development or as otherwise 5839
determined by the Director of Budget and Management, shall set a 5840
cash transfer schedule to meet the cash needs of the Roadwork 5841
Development Fund (Fund 4W00) used by the Department of 5842
Development, less any other available cash. The Director of 5843
Budget and Management shall transfer such cash amounts from the 5844
Highway Operating Fund (Fund 7002) to Fund 4W00 at such times as 5845
determined by the transfer schedule. 5846

The Director of Transportation, under the direction of the 5847
Director of Development, shall provide these funds in accordance 5848
with all guidelines and requirements established for other 5849
Department of Development programs, including Controlling Board 5850
review and approval, as well as the requirements for usage of 5851
motor vehicle fuel tax revenue prescribed in Section 5a of 5852
Article XII, Ohio Constitution. Should the Department of 5853
Development require the assistance of the Department of 5854
Transportation to bring a project to completion, the Department 5855
of Transportation shall use its authority under Title 55 of the 5856
Revised Code to provide such assistance and may enter into 5857
contracts on behalf of the Department of Development. 5858

Section 209.10. 5859

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	1	2	3	4	5
A			PWC PUBLIC WORKS COMMISSION		
B			Dedicated Purpose Fund Group		
C	7052	150402	Local Transportation Improvement Program - Operating	\$328,705	\$323,792
D	7052	150701	Local Transportation Improvement Program	\$60,000,000	\$64,000,000
E	TOTAL DPF Dedicated Purpose Fund Group			\$60,328,705	\$64,323,792
F	TOTAL ALL BUDGET FUND GROUPS			\$60,328,705	\$64,323,792

Section 209.20. REAPPROPRIATIONS 5861

All capital appropriations from the Local Transportation
Improvement Program Fund (Fund 7052) in H.B. 74 of the 134th
General Assembly remaining unencumbered as of June 30, 2023, may
be reappropriated for use during the period July 1, 2023,
through June 30, 2024, for the same purpose. 5862
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Notwithstanding division (B) of section 127.14 of the
Revised Code, all capital appropriations and reappropriations
from the Local Transportation Improvement Program Fund (Fund
7052) in this act remaining unencumbered as of June 30, 2024,
are reappropriated for use during the period July 1, 2024,
through June 30, 2025, for the same purposes, subject to the
availability of revenue as determined by the Director of the
Public Works Commission. 5867
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TEMPORARY TRANSFERS 5875

Notwithstanding section 127.14 of the Revised Code, the 5876
Director of Budget and Management may transfer cash from the 5877
Local Transportation Improvement Fund (Fund 7052) to the State 5878
Capital Improvement Fund (Fund 7038) and the Clean Ohio 5879
Conservation Fund (Fund 7056). The Director of Budget and 5880
Management may approve temporary cash transfers if such 5881
transfers are needed for capital outlays for which notes or 5882
bonds will be issued. When there is a sufficient cash balance in 5883
the fund that receives a cash transfer under this section, the 5884
Director of Budget and Management shall transfer cash from that 5885
fund to Fund 7052 in order to repay Fund 7052 for the amount of 5886
the temporary cash transfers made under this section. Any 5887
transfers executed under this section shall be reported to the 5888
Controlling Board by June 30 of the fiscal year in which the 5889
transfer occurred. 5890

Section 501.10. LIMITATION ON USE OF CAPITAL 5891
APPROPRIATIONS 5892

The capital appropriations made in this act for buildings 5893
or structures, including remodeling and renovations, are limited 5894
to: 5895

(A) Acquisition of real property or interests in real 5896
property; 5897

(B) Buildings and structures, which includes construction, 5898
demolition, complete heating and cooling, lighting and lighting 5899
fixtures, and all necessary utilities, ventilating, plumbing, 5900
sprinkling, water, and sewer systems, when such systems are 5901
authorized or necessary; 5902

(C) Architectural, engineering, and professional services 5903
expenses directly related to the projects; 5904

(D) Machinery that is a part of structures at the time of 5905
initial acquisition or construction; 5906

(E) Acquisition, development, and deployment of new 5907
computer systems, including the redevelopment or integration of 5908
existing and new computer systems, but excluding regular or 5909
ongoing maintenance or support agreements; 5910

(F) Furniture, fixtures, or equipment that meets all the 5911
following criteria: 5912

(1) Is essential in bringing the facility up to its 5913
intended use or is necessary for the functioning of the 5914
particular facility or project; 5915

(2) Has a unit cost, and not the individual parts of a 5916
unit, of about \$100 or more; and 5917

(3) Has a useful life of five years or more. 5918

Furniture, fixtures, or equipment that is not an integral 5919
part of or directly related to the basic purpose or function of 5920
a project for which moneys are appropriated shall not be paid 5921
from these appropriations. 5922

Section 503.10. STATE ARBITRAGE REBATE AUTHORIZATION 5923

If it is determined that a payment is necessary in the 5924
amount computed at the time to represent the portion of 5925
investment income to be rebated or amounts in lieu of or in 5926
addition to any rebate amount to be paid to the federal 5927
government in order to maintain the exclusion from gross income 5928
for federal income tax purposes of interest on those state 5929
obligations under section 148(f) of the Internal Revenue Code, 5930
such amount is hereby appropriated from those funds designated 5931
by or pursuant to the applicable proceedings authorizing the 5932

issuance of state obligations.	5933
Payments for this purpose shall be approved and vouchered	5934
by the Office of Budget and Management.	5935
Section 509.10. AUTHORIZATION FOR TREASURER OF STATE AND	5936
OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS	5937
The Office of Budget and Management shall process payments	5938
from lease rental payment appropriation items during the period	5939
from July 1, 2023, to June 30, 2025, pursuant to the lease and	5940
other agreements relating to bonds or notes issued under Section	5941
2i of Article VIII of the Ohio Constitution and Chapters 152.	5942
and 154. of the Revised Code, and acts of the General Assembly.	5943
Payments shall be made upon certification by the Treasurer of	5944
State of the dates and amounts due on those dates.	5945
Section 509.20. LEASE AND DEBT SERVICE PAYMENTS	5946
Certain appropriations are in this act for the purpose of	5947
paying debt service and financing costs on general obligation	5948
bonds or notes of the state and for the purpose of making lease	5949
rental and other payments under leases and agreements relating	5950
to bonds or notes issued under the Ohio Constitution, Revised	5951
Code, and acts of the General Assembly. If it is determined that	5952
additional appropriations are necessary for this purpose, such	5953
amounts are hereby appropriated.	5954
Section 513.10. FISCAL YEAR 2023 GENERAL REVENUE FUND	5955
ENDING BALANCE	5956
The Director of Budget and Management shall determine the	5957
surplus General Revenue Fund revenue that exists on June 30,	5958
2023. Notwithstanding section 131.44 of the Revised Code or any	5959
other provision of law to the contrary, the remaining surplus	5960
revenue, except for the transfer listed in this section, shall	5961

remain in the General Revenue Fund. The Director shall transfer 5962
cash, not to exceed the amount of the remaining surplus revenue, 5963
in the amount of \$1,000,000,000 to the Rural Highway Fund (Fund 5964
5ZR0). 5965

Section 610.10. That Section 265.325 of H.B. 110 of the 5966
134th General Assembly be amended to read as follows: 5967

Sec. 265.325. SCHOOL BUS PURCHASE 5968

The foregoing appropriation item 200663, School Bus 5969
Purchase, shall be used to distribute bus purchasing grants to 5970
city, local, and exempted village school districts pursuant to 5971
section 3317.071 of the Revised Code. 5972

An amount equal to the unexpended, unencumbered balance of 5973
the foregoing appropriation item 200663, School Bus Purchase, at 5974
the end of fiscal year 2022 is hereby reappropriated for the 5975
same purpose in fiscal year 2023. 5976

Notwithstanding any provision of law to the contrary, 5977
awards under this section may be used by recipients through 5978
fiscal year 2024 according to guidelines established by the 5979
Department of Education. 5980

Section 610.11. That existing Section 265.325 of H.B. 110 5981
of the 134th General Assembly is hereby repealed. 5982

Section 610.16. That Section 223.15 of H.B. 687 of the 5983
134th General Assembly be amended to read as follows: 5984

Sec. 223.15. The foregoing appropriation item C725E2, 5985
Local Parks, Recreation, and Conservation Projects, shall be 5986
used to support the projects listed in this section. An amount 5987
equal to two per cent of the projects listed may be used by the 5988
Department of Natural Resources for the administration of local 5989

projects. 5990

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A	Project List	
B	Heritage Trail Extension	\$2,500,000
C	Lima Community Pool	\$2,400,000
D	Cleveland Zoo Primate Rainforest	\$1,700,000
E	Columbus Zoo	\$1,400,000
F	Cincinnati Findlay Community and Recreation Center	\$1,200,000
G	Gateway to Freedom Park	\$1,200,000
H	Akron Area YMCA Camp Y-Noah Capital Improvement	\$1,000,000
I	Euclid Waterfront Improvement Plan - Phase III	\$1,000,000
J	Franklin Park Conservatory Renovation of the Wolfe Palm House and the Davis Showhouse	\$1,000,000
K	Cincinnati Zoo and Botanical Garden Pedestrian Bridge	\$900,000
L	The Wilds RV Park and Campground	\$900,000

M	Irishtown Bend and Canal Basin Park	\$850,000
N	Cincinnati Playhouse in the Park	\$800,000
O	Lima Rotary Community Stage and Park	\$800,000
P	Copley Ridgewood Trail	\$750,000
Q	Delhi Towne Square	\$750,000
R	Environmental Education Pavilion at Forest Lawn Stormwater Park	\$750,000
S	Glen Helen Nature Preserve Accessibility Improvements	\$750,000
T	Lebanon Scenic Railway Bridge	\$750,000
U	Strongsville Town Center Enhancement and Walkability Initiative	\$725,000
V	Salem City Village Green Park	\$700,000
W	Green Township Veterans Park Enhancement	\$650,000
X	Ohio Bird Sanctuary	\$600,000
Y	Stark Parks Magnolia Flouring Mill Public Access	\$571,000
Z	ArtsinStark Park	\$500,000

AA	Indian Lake Maintenance	\$500,000
AB	North Ridgeville Mills Creek	\$500,000
AC	Sidney Feeder Canal Bike Trail	\$500,000
AD	Sylvania YMCA	\$500,000
AE	The Foundry	\$500,000
AF	Vienna Air Heritage Park	\$500,000
AG	Litzenberg Memorial Woods Improvement Project	\$498,000
AH	Geneva Township Park - Old Lake Road Shoreline Restoration	\$450,000
AI	Hamilton-Clover Groff Trail Project	\$450,000
AJ	Lake Erie Shoreline Erosion Mitigation	\$450,000
AK	McCord Park Renovations	\$450,000
AL	Mentor Marsh Observation Tower	\$450,000
AM	Replacement of Discovery Frontier Playground at Fryer Park	\$450,000
AN	Mosquito Creek Lake Park Improvements	\$404,000

AO	Avon Traxler Preserve	\$400,000
AP	Chagrin Meadows Preserve	\$400,000
AQ	Fort Colerain Phase III	\$400,000
AR	Kelleys Island East Lakeshore Shoreline Protection	\$400,000
AS	Lake Metroparks Lake Erie Shoreline Trail and Revetment Wall	\$400,000
AT	Mason Makino Park	\$400,000
AU	McDonald Commons Renovation and Construction	\$400,000
AV	Ripley Freedom Landing Riverfront Development	\$400,000
AW	Solon to Chagrin Falls Multi- Purpose Trail	\$400,000
AX	Hamilton Beltline Recreational Trail	\$380,000
AY	Holbrook Hollows Park Expansion	\$375,000
AZ	Alum Creek Pedestrian/Bike Bridge - Bexley	\$350,000
BA	Boeckling Building Pier	\$350,000
BB	CROWN Wasson Way Crossing	\$350,000

Improvements		
BC	Fairport Harbor Marina Boat Launch	\$350,000
BD	Hiking Trails and Playground Refurbishment - Cincinnati	\$350,000
BE	Elyria Intergenerational Community Center	\$350,000
BF	Medina Recreation Center	\$350,000
BG	Project Playground Galena	\$350,000
BH	Wauseon Community Social and Recreational Center	\$350,000
BI	Twinsburg Glen Chamberlin Park	\$338,000
BJ	Botkins Community Park	\$300,000
BK	Camp Joy	\$300,000
BL	Canal Fulton Community Park	\$300,000
BM	Canton Township Faircrest Park	\$300,000
BN	Chagrin River Trail	\$300,000
BO	Creston Community Park Renovations	\$300,000
BP	Edge Adventure Park	\$300,000

BQ	Harbin Park ADA-Accessible Play Area and Splash Pad	\$300,000
BR	Kalida St. Michael Holy Name Ballpark	\$300,000
BS	Legacy Park Shelter House and Restrooms Project - Cridersville	\$300,000
BT	Liberty Landing Phase II	\$300,000
BU	Lincoln Heights Memorial Athletic Field Renovations	\$300,000
BV	Marysville Heritage Park	\$300,000
BW	Massillon Park Splash Pad	\$300,000
BX	Mayerson JCC Expansion	\$300,000
BY	Meredith Park	\$300,000
BZ	Niles Bike Path Bridge Improvements	\$300,000
CA	North Canton Dogwood Pool House	\$300,000
CB	Olmsted Township Nature Trail and Bark Park	\$300,000
CC	Plain Township Diamond Park Historic Barn	\$300,000
CD	Town Square Redevelopment - Blue Ash	\$300,000

CE	Willadale Trail- Boettler/Southgate Connector	\$275,000
CF	Fallen Timbers Family Recreation Center Pool Replacement <u>Capital</u> <u>Improvements</u>	\$275,000
CG	Grailville Park Improvements	\$260,000
CH	Streetsboro Industrial Park	\$250,000
CI	Brunswick Recreation Center	\$250,000
CJ	Chudzinski Johansen Conservancy Park	\$250,000
CK	Clearcreek Park Trail	\$250,000
CL	Coke Oven Community Civic Center Park	\$250,000
CM	Covington - Schoolhouse Park	\$250,000
CN	Girl Scouts of Western Ohio - EMPOWER HER	\$250,000
CO	Girl Scouts of Western Ohio Camp Libbey	\$250,000
CP	Johnstown Splash Pad	\$250,000
CQ	Lockington Trail Bridge	\$250,000
CR	Lodi Community Park	\$250,000

CS	Louisville Metzger Park	\$250,000
CT	Noble County Heritage Park	\$250,000
CU	Rotary Lodge at River Cliff Park Renovation	\$250,000
CV	Schoonover Observatory Improvements	\$250,000
CW	SPIRE Institute and Academy	\$250,000
CX	Timken Gatehouse Renovation	\$250,000
CY	West Carrollton Whitewater Park	\$250,000
CZ	Wooster Barnes Preserve	\$250,000
DA	Valleyview Park	\$240,000
DB	Cave Lake Dam	\$225,000
DC	Moonville Rail Trail	\$225,000
DD	Dan Beard Scout Camp Flooding and Erosion Mitigation	\$223,000
DE	Chillicothe Paint Creek Recreational Trail	\$215,000
DF	Ashtabula Township Park - Restoration	\$200,000
DG	Augusta Community Park	\$200,000

DH	Bryan Lincoln Park	\$200,000
DI	Camp Oty'Okwa Capital Improvements	\$200,000
DJ	Center Gateway Improvement Project - Rocky River	\$200,000
DK	Centerville Benham's Grove	\$200,000
DL	City of Monroe Lookout Point	\$200,000
DM	Coshocton County Connector	\$200,000
DN	Franklin Furnace Park	\$200,000
DO	Great Miami River Trail - Middletown to Monroe Segment Construction Project	\$200,000
DP	Memorial Park All-Purpose Trail - North Royalton	\$200,000
DQ	Mount Aloysius Community Rec Center	\$200,000
DR	Portage Bike and Hike Trail - Mill Race Segment	\$200,000
DS	Seven Gables Park Playground Replacement	\$200,000
DT	Sylvania Plummer Pool	\$200,000
DU	Tuscarawas Memorial Park	\$200,000

	Improvements	
DV	Wellness at the Generational Recreation Complex- Construction	\$200,000
DW	West Farmington Park Improvements	\$200,000
DX	Shawnee West Buckeye Trail	\$195,000
DY	Jim Terrell Park Canoe/Kayak Launch	\$190,000
DZ	Racine Star Mill Park	\$190,000
EA	Darke County Art Trail	\$180,000
EB	Bryn Du Barn	\$175,000
EC	Erie MetroParks Nature Center	\$175,000
ED	Norton Bicentennial Park	\$175,000
EE	Ohio and Erie Canal Restoration	\$175,000
EF	Concord Township Park Renovation	\$172,000
EG	Ward Park Swimming Pool Filtration System Replacement	\$171,000
EH	Ashland County Corner Park	\$150,000
EI	Brown County Board of Developmental Disabilities Resource and Community Center	\$150,000

EJ	Buckeye Lake Boat Ramps and Pier Enabling Project	\$150,000
EK	Deer Park Chamberlin Park	\$150,000
EL	Elyria Holly Hall	\$150,000
EM	Forest Park Central Park Improvements	\$150,000
EN	Fostoria Splash Pad	\$150,000
EO	Geneva Township Park Commission - Handicap Accessible Ramp	\$150,000
EP	Gibsonburg Logyard Park	\$150,000
EQ	Greenville Downtown Park	\$150,000
ER	Hammertown Lake Improvements Project	\$150,000
ES	Kingsbury Riverfront Park Rehabilitation Project	\$150,000
ET	Lock Nine Riverfront Park	\$150,000
EU	MAGNET's Manufacturing Innovation, Technology and Job Center Park	\$150,000
EV	Mansfield B&O Trail Connector	\$150,000
EW	Mansfield Central Park	\$150,000

EX	Middle Point Recreation Center	\$150,000
EY	Mount Gilead Park Site Preparations	\$150,000
EZ	Navarre Park	\$150,000
FA	North Kingsville Village - Community Park	\$150,000
FB	North Olmsted Community Park Improvements	\$150,000
FC	Olmsted Falls East River Road Park	\$150,000
FD	Portsmouth Market Square Park	\$150,000
FE	Powhatan Point Municipal Park District	\$150,000
FF	Restore Rockefeller	\$150,000
FG	Richwood Splash Pad	\$150,000
FH	Rio Grande Reservoir and Park Improvements	\$150,000
FI	Seven Hills Calvin Park Drainage Improvements	\$150,000
FJ	Unger Park Multi-Use Loop Trail	\$150,000
FK	Urban Meadow Park Connector Trail	\$150,000

FL	Wellsville Marina Dredging	\$150,000
FM	Austintown Township Park Bandshell Replacement	\$140,000
FN	West Union SR 41 Shared Use Path Phase II	\$140,000
FO	Bellefontaine Blue Jacket Park	\$135,000
FP	Alliance Memorial Park	\$125,000
FQ	Alliance Thompson- Snodgrass Park	\$125,000
FR	Antwerp Holly Kobee Memorial Splash Pad	\$125,000
FS	Carey Splash Pad	\$125,000
FT	Flight Line: East Dayton Rails- to-Trails	\$125,000
FU	Friedt Park	\$125,000
FV	Kirtland Community Center	\$125,000
FW	Miami Valley Research Park Bike Path and Pedestrian Bridge	\$125,000
FX	Old Murray City School Building Demolition	\$125,000
FY	Vermillion Main Street Beach and Harbor Access Project	\$125,000

FZ	Clepper Park Pickleball Courts	\$122,000
GA	Village of Fort Loramie Community Park Improvements	\$122,000
GB	North Fork Preserve of Bath	\$120,000
GC	Rootstown Community Park and Gracie Field Paving	\$120,000
GD	New Knoxville Splash Pad and Shelter House	\$110,000
GE	Sally Buffalo Park Stage	\$110,000
GF	South Lebanon Veteran's Park Playground	\$110,000
GG	Middleburg Heights Memorial Hall Courtyard	\$104,000
GH	Akron Zoo Additional Animal Housing Phase II	\$100,000
GI	Bay Village Green Improvements	\$100,000
GJ	Brecksville Field House	\$100,000
GK	Cobblestone Park - Medina	\$100,000
GL	Fairfield Township Veterans Memorial Project	\$100,000
GM	Gahanna Exploration Center	\$100,000

GN	Harmony Park	\$100,000
GO	Highland Heights Park Connector	\$100,000
GP	Holden Arboretum All-Season Trails	\$100,000
GQ	Kenton Saulisberry Park at France Lake	\$100,000
GR	Mansfield Sterkel Park	\$100,000
GS	Marion Lincoln Park	\$100,000
GT	Mecca Township Recreation Center	\$100,000
GU	Montgomery Cultural Arts and Performance Fountain	\$100,000
GV	Ottawa Memorial Pool Splash Pad	\$100,000
GW	Outdoor Theater and Performing Arts Community Park - Hillsboro	\$100,000
GX	Painesville Kiwanis Recreation Park	\$100,000
GY	Pickleball Courts at Patricia Allyn Park	\$100,000
GZ	Plain City Heritage Trail	\$100,000
HA	Plan4Health Perry Township Park Trail Improvement Plan	\$100,000

HB	Police and Fire Dedication Playground - Lyndhurst	\$100,000
HC	Sheffield Village James Day Park	\$100,000
HD	Syracuse Skatepark	\$100,000
HE	The Pony Wagon Trail	\$100,000
HF	The Wilds Shade and Shelter Improvements	\$100,000
HG	Veterans Memorial at Rose Run Park	\$100,000
HH	Village of Bellville Historic Bandstand Renovations	\$100,000
HI	Village of Bentleyville Riverview Community Park	\$100,000
HJ	Village of Middlefield Parks Upgrades	\$100,000
HK	Weatherstone Park - Wadsworth	\$100,000
HL	West Alexandria Smith Street Park	\$100,000
HM	Wintersville Recreation Complex	\$100,000
HN	Acres of Adventure Learning Center	\$90,000
HO	Byesville Patriot Park	\$90,000

HP	Malta Park Improvements	\$90,000
HQ	Parma Park Improvements	\$90,000
HR	Perrysville Weltmer Park - Playground	\$85,000
HS	4-H Camp Piedmont Upgrades	\$75,000
HT	Brook Park Central Park	\$75,000
HU	Cuyahoga Heights Willowbrook Connector Trail	\$75,000
HV	Fairborn Memorial Park	\$75,000
HW	Fairview Park Bain Park	\$75,000
HX	Havener Park Improvements	\$75,000
HY	Independence Pool Facility Improvements	\$75,000
HZ	Lancaster Nature Trail at AHA!	\$75,000
IA	Leipsic Buckeye Park	\$75,000
IB	Little Miami River Access and Park Development	\$75,000
IC	Loveland Heights Playground Improvements	\$75,000
ID	Middleport-Pomeroy Walking Path Project Phase IV	\$75,000

IE	Monroe Township Park Playground	\$75,000
IF	Mt. Sterling Mason Park	\$75,000
IG	New Concord Swimming Pool	\$75,000
IH	Outdoor Sports Court Revitalization - Springdale	\$75,000
II	Sharon Nature Preserve Trails Phase I	\$75,000
IJ	Wadsworth Safety Town Park	\$75,000
IK	Voice of America MetroPark Tylersville Road Entrance	\$70,000
IL	Wilhelmina Park Trail and Shelter Project	\$70,000
IM	Ellsworth Hills Learning Lab	\$65,000
IN	Roscoe Village Infrastructure Project	\$60,000
IO	Buckeye Trail East Fork Wildlife Area	\$57,000
IP	Caldwell Walking Track Expansion	\$55,000
IQ	Reservoir Park Pathway Pedestrian Bridge - Deshler	\$52,000
IR	McCulloughs Run - Newton	\$50,000

IS	Bellaire Walking Trail	\$50,000
IT	Big Walnut Trail Extension and Park	\$50,000
IU	Big Walnut Trail SE Columbus - Eastland Area	\$50,000
IV	Brunswick Lake ADA Canoe/Kayak Launch	\$50,000
IW	Bryan George Bible Park	\$50,000
IX	Buckeye Lake Crystal Lagoon and Public Park	\$50,000
IY	Center Ice Foundation	\$50,000
IZ	Cleveland Botanical Garden Public Accessible Garden Path	\$50,000
JA	Concord Township Park Restroom Facility Project	\$50,000
JB	Doylestown Memorial Park	\$50,000
JC	Drews Track Memorial Pump Track Expansion	\$50,000
JD	Glass City Enrichment Center	\$50,000
JE	Greenwich Reservoir Park	\$50,000
JF	Leila McGuire Jeffrey Park Playground	\$50,000

JG	Levitt Pavilion Dayton	\$50,000
JH	Madison Village Dana's Park	\$50,000
JI	Madison Village Wetland Trail	\$50,000
JJ	Martins Ferry Recreation Center- Water Splash Park/Ice Rink	\$50,000
JK	Millersport Lions Park	\$50,000
JL	Moscow Ohio River Stabilization, Phase II	\$50,000
JM	Ohio FFA Camp Muskingum	\$50,000
JN	P&G MLB Cincinnati Reds Youth Academy	\$50,000
JO	Penney Nature Center Improvement Project	\$50,000
JP	Prairie Trail/Stitt Park Improvements	\$50,000
JQ	Caldwell Race Track Upgrades	\$50,000
JR	Richmond Heights Community Park Gazebo	\$50,000
JS	Richwood Park Lynn St. Shelterhouse and Parking	\$50,000
JT	Salt Fork State Park	\$50,000

JU	Shade Community Center Upgrades	\$50,000
JV	Tinker's Creek Trail	\$50,000
JW	Village of Bloomdale Reservoir Project	\$50,000
JX	Wapakoneta Waterpark	\$50,000
JY	Walton Hills Thomas Young Park	\$48,000
JZ	Byrd Township Community Center	\$45,000
KA	Selby Building Revitalization	\$45,000
KB	Village of Dunkirk Splash Pad and Storage Building	\$45,000
KC	Burr Oak State Park	\$44,000
KD	Veterans Memorial Park Accessibility Improvements - Liberty Center	\$42,000
KE	Chippewa Falls Rail Trail Parking Lot	\$40,000
KF	Chippewa Park Shelter House	\$40,000
KG	Gates Mills Community House Improvements	\$40,000
KH	Hartinger Park/Diles Park Playground Improvements	\$40,000

KI	Fifth Street Park Play Structure and Splash Pad	\$30,000
KJ	Keener Park Sledding Hill	\$30,000
KK	Alger Park Upgrades	\$25,000
KL	Blue Heron Park Trail Phase II	\$25,000
KM	Charlement Reservation Stable	\$25,000
KN	Gloria Glens Southwest Park Grading	\$25,000
KO	Pickerington Promenade	\$25,000
KP	Plymouth Mary Fate Park	\$25,000
KQ	Blue Heron Park Flood Mitigation	\$20,000
KR	Hardin County Veterans Memorial Park	\$20,000
KS	Malinta Community Park	\$20,000
KT	Zuck Riparian Preserve Trail	\$18,000
KU	Perrysville Weltmer Park - Electrical	\$15,000
KV	Sardinia Veteran's Community Park Revitalization	\$15,000
KW	Kokosing Gap Trail	\$14,000

KX	Paulding County Park District Floating Pier Addition	\$10,000
KY	Buckeye Trail Boesel Easement Bridge	\$2,800
KZ	Paulding County Park District Boat Launch Improvement	\$2,500
LA	Paulding County Park District	\$1,000
LB	Paulding County Park District Pier	\$1,000

Section 610.17. That existing Section 223.15 of H.B. 687 5992
of the 134th General Assembly is hereby repealed. 5993

Section 610.50. That Section 15149 of the General Code, 5994
Section 1 of Am. S.B. 200 of the 98th General Assembly, and 5995
Section 3 of H.B. 69 of the 112th General Assembly are hereby 5996
repealed. 5997

Section 610.51. Any proceedings pending or in progress on 5998
the effective date of sections 746.01, 746.02, 746.03, 746.04, 5999
746.05, 746.06, and 746.07 of the Revised Code as enacted by 6000
this act are deemed to have been taken in conformity with those 6001
sections. 6002

Section 749.10. (A) The Public Utilities Commission, in 6003
collaboration with the Ohio Environmental Protection Agency, 6004
shall examine current federal and state laws regarding both of 6005
the following: 6006

(1) The regulations and protocols pertaining to the 6007
transportation of hazardous materials and hazardous waste; 6008

(2) Any requirements pertaining to when, how, and to whom the transportation of hazardous materials and hazardous waste must be disclosed. 6009
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(B) The Commission and Agency shall compile the information obtained under division (A) of this section into a written report. The report shall include recommendations related to all of the following: 6012
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(1) Methods to strengthen Ohio's safety requirements for the transportation of hazardous materials and hazardous waste; 6016
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(2) Appropriate enhancements to current civil and criminal penalties related to the transportation of hazardous materials and hazardous waste, including penalties related to: 6018
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(a) The mishandling of hazardous materials and hazardous waste; 6021
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(b) Failing to disclose or failing to meet all disclosure requirements related to the transportation of hazardous materials and hazardous waste. 6023
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(C) Not later than ninety days after the effective date of this section, the Commission and the Agency shall submit the report required under division (B) of this section to the General Assembly in accordance with section 101.68 of the Revised Code. 6026
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Section 755.10. (A) Upon recommendation under division (D) of this section, the Department of Transportation shall contract with a neutral third-party entity to conduct a study of the Department's pavement-selection process. The study shall include, but not be limited to, life cycle cost analysis, user delay analysis, constructability, and environmental factors. The Department shall hold the contract with the neutral third-party 6031
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entity, and the contract shall be submitted to the Controlling Board for approval. The Controlling Board shall approve or disapprove the contract in the same manner in which contracts entered into under Chapter 5526. of the Revised Code are approved or disapproved. The entity shall be an individual or an academic, research, or professional association with an expertise in pavement-selection decisions and shall not be a research center for concrete or asphalt pavement.

The study conducted by the neutral third-party entity shall compare and contrast the Department's pavement-selection process with those of other states and with model selection processes as described by the American Association of State Highway and Transportation Officials and the Federal Highway Administration.

(B) The Director of Transportation shall appoint an advisory council to recommend the neutral third-party entity, approve the entity's scope of study, and issue a final report with recommendations in accordance with division (D) of this section. The advisory council shall consist of the following members:

(1) The Director of Transportation, who shall act as Chairperson of the council;

(2) A member of the Ohio Society of Certified Public Accountants;

(3) A member of a statewide business organization representing major corporate entities from a list of three names recommended by the Speaker of the House of Representatives;

(4) A member of the Ohio Society of Professional Engineers;

(5) A member of a business organization representing small 6067
or independent businesses from a list of three names recommended 6068
by the President of the Senate; 6069

(6) A representative of the Ohio Concrete Construction 6070
Association; 6071

(7) A representative of Flexible Pavements Association of 6072
Ohio, Inc. 6073

(C) Members of the advisory council representing the Ohio 6074
Society of Certified Public Accountants, the Ohio Society of 6075
Professional Engineers, the small or independent businesses, and 6076
the major corporate entities shall have no conflict of interest 6077
with the position. For purposes of this section, "conflict of 6078
interest" means taking any action that violates any provision of 6079
Chapter 102. or 2921. of the Revised Code. 6080

(D) The Director shall appoint the advisory council no 6081
later than July 31, 2023. The advisory council shall recommend 6082
the neutral third-party entity to the Director and shall 6083
determine the scope of the study to be conducted by the entity 6084
not later than September 1, 2023. Once appointed, the advisory 6085
council shall meet, at a minimum, every thirty days to direct 6086
and monitor the work of the neutral third-party entity, 6087
including responding to any questions raised by the neutral 6088
third-party entity. The council shall publish a schedule of 6089
meetings and provide adequate public notice of these meetings. 6090
The meetings are subject to applicable public meeting 6091
requirements. 6092

The advisory council shall issue a final report with 6093
recommendations concerning the Department's pavement selection 6094
process to the Director. The report and recommendations shall 6095

take into account the study conducted by the neutral third-party 6096
entity. The advisory council shall allow a comment period of not 6097
less than thirty days before it issues the final report. The 6098
advisory council shall issue the report on or before December 6099
31, 2023. Upon issuing its final report, the advisory council 6100
ceases to exist. 6101

(E) The Department shall make changes to its pavement- 6102
selection process based on the neutral third-party entity's 6103
study and recommendations included in the advisory council's 6104
final report. 6105

Section 755.20. (A) As used in this section: 6106

(1) "Economically significant employment center" means a 6107
single site, multiple adjoining sites, or a business park where 6108
the employers located at the site or park employ not less than 6109
two hundred fifty full-time employees who work onsite. 6110

(2) "Rural or urban transit authorities" means regional 6111
transit authorities that are established pursuant to sections 6112
306.30 to 306.53 of the Revised Code and that serve either a 6113
rural population, an urban population, or both populations. 6114

(B) There is hereby established the Ohio Workforce 6115
Mobility Partnership Program. The Department of Transportation 6116
shall administer the Program. Under the Program, one or more 6117
boards of trustees of rural or urban transit authorities may 6118
either singularly or jointly apply for competitive grant funding 6119
for individual or collaborative projects. All grant funding 6120
shall be spent in accordance with division (C) of this section. 6121

(C) Any boards of trustees awarded grants under this 6122
section shall use the grant funding for purposes of transporting 6123
resident workforce members between the service territories of 6124

the joint rural or urban transit authorities. The boards shall 6125
also use the grant money to focus on transportation that 6126
supports the employment needs of economically significant 6127
employment centers located within or near the service 6128
territories of the rural or urban transit authorities. Such 6129
support shall include efforts to easily, efficiently, and 6130
economically transport a resident workforce that either lives 6131
within a service territory that has little or no public transit 6132
service to an employment center or lives within one service 6133
territory but is employed full-time within another service 6134
territory. 6135

(D) The Director of Transportation shall establish any 6136
procedures and requirements necessary to administer this 6137
section, including grant application, evaluation of 6138
applications, and award processes, and any conditions for the 6139
expenditure of grant funding awarded under the Program. 6140

(E) This section expires two years after its effective 6141
date. 6142

Section 755.30. (A) As used in this section: 6143

(1) "Low-income individual" means an individual residing 6144
within a family unit with an income that is equal to or less 6145
than four hundred per cent of the poverty federal poverty level. 6146

(2) "Private transit voucher" means a voucher for 6147
ridesharing, transportation network company, taxicab, or other 6148
similar vehicle for hire arrangements. 6149

(B) The Office of Transit within the Department of 6150
Transportation shall conduct a study to evaluate the use of 6151
private transit vouchers for low-income individuals. 6152
Specifically, the study shall evaluate both of the following: 6153

(1) Whether the use of private transit vouchers would benefit low-income individuals in maintaining effective access to transportation services;

(2) Whether the distribution of private transit vouchers is a cost-effective option to eliminate public transit routes with low ridership.

(C) The Office shall submit a report of its findings and recommendations not later than July 1, 2024, to the President of the Senate, the Speaker of the House of Representatives, and the chairs of the respective committees of the House of Representatives and Senate responsible for transportation-related matters.

Section 757.10. MOTOR FUEL TAX DISTRIBUTIONS TO HIGHWAY OPERATING FUND

On the last day of each month in the biennium ending June 30, 2025, before making any of the distributions specified in section 5735.051 of the Revised Code but after any transfers to the tax refund fund as required by that section and section 5703.052 of the Revised Code, the Treasurer of State shall deposit the first two per cent of the amount of motor fuel tax received for the preceding calendar month to the credit of the Highway Operating Fund (Fund 7002).

Section 757.20. MOTOR FUEL DEALER REFUNDS

Notwithstanding Chapter 5735. of the Revised Code, the following apply for the period of July 1, 2023, to June 30, 2025:

(A) For the discount under section 5735.06 of the Revised Code, if the monthly report is timely filed and the tax is timely paid, one per cent of the total number of gallons of

motor fuel received by the motor fuel dealer within the state 6183
during the preceding calendar month, less the total number of 6184
gallons deducted under divisions (B) (1) (a) and (b) of section 6185
5735.06 of the Revised Code, less one-half of one per cent of 6186
the total number of gallons of motor fuel that were sold to a 6187
retail dealer during the preceding calendar month. 6188

(B) For the semiannual periods ending December 31, 2023, 6189
June 30, 2024, December 31, 2024, and June 30, 2025, the refund 6190
provided to retail dealers under section 5735.141 of the Revised 6191
Code shall be one-half of one per cent of the Ohio motor fuel 6192
taxes paid on fuel purchased during those semiannual periods. 6193

Section 757.30. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX 6194
FUND 6195

The Director of Budget and Management shall transfer cash 6196
in equal monthly increments totaling \$166,055,868 in fiscal year 6197
2024 and in equal monthly increments totaling \$168,885,288 in 6198
fiscal year 2025 from the Highway Operating Fund (Fund 7002) to 6199
the Gasoline Excise Tax Fund (Fund 7060). The monthly amounts 6200
transferred under this section shall be distributed as follows: 6201

(A) 42.86 per cent shall be distributed among the 6202
municipal corporations within the state under division (A) (2) (b) 6203
(i) of section 5735.051 of the Revised Code; 6204

(B) 37.14 per cent shall be distributed among the counties 6205
within the state under division (A) (2) (b) (ii) of section 6206
5735.051 of the Revised Code; and 6207

(C) 20 per cent shall be distributed among the townships 6208
within the state under division (A) (2) (b) (iii) of section 6209
5735.051 of the Revised Code. 6210

Section 801.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO 6211

APPROPRIATIONS	6212
Law contained in the main operating appropriations act of the 135th General Assembly that is generally applicable to the appropriations made in the main operating appropriations act also is generally applicable to the appropriations made in this act.	6213 6214 6215 6216 6217
Section 803.10. The amendments made by this act to division (C) (3) of section 4503.10 of the Revised Code apply beginning on January 1, 2024.	6218 6219 6220
Section 806.10. SEVERABILITY	6221
The items of law contained in this act, and their applications, are severable. If any item of law contained in this act, or if any application of any item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be given effect without the invalid item or application.	6222 6223 6224 6225 6226 6227
Section 809.10. An item of law, other than an amending, enacting, or repealing clause, that composes the whole or part of an uncodified section contained in this act has no effect after June 30, 2025, unless its context clearly indicates otherwise.	6228 6229 6230 6231 6232
Section 812.10. LAWS AND REFERENDUM	6233
Except as otherwise provided in this act, the amendment, enactment, or repeal by this act of a section of law is subject to the referendum under Ohio Constitution, Article II, Section 1c and therefore takes effect on the ninety-first day after this act is filed with the Secretary of State or, if a later effective date is specified below, on that date.	6234 6235 6236 6237 6238 6239

Section 812.15. The Director of the Department of 6240
Administrative Services shall take no action with respect to the 6241
amendments to section 124.152 of the Revised Code contained in 6242
H.B. 462 of the 134th General Assembly. The amendments to 6243
sections 124.152 and 5503.031 of the Revised Code as made in 6244
this act shall become effective on July 1, 2023. 6245

Section 812.20. APPROPRIATIONS AND REFERENDUM 6246

In this section, an "appropriation" includes another 6247
provision of law in this act that relates to the subject of the 6248
appropriation. 6249

An appropriation of money made in this act is not subject 6250
to the referendum insofar as a contemplated expenditure 6251
authorized thereby is wholly to meet a current expense within 6252
the meaning of Ohio Constitution, Article II, Section 1d and 6253
section 1.471 of the Revised Code. To that extent, the 6254
appropriation takes effect immediately when this act becomes 6255
law. Conversely, the appropriation is subject to the referendum 6256
insofar as a contemplated expenditure authorized thereby is 6257
wholly or partly not to meet a current expense within the 6258
meaning of Ohio Constitution, Article II, Section 1d. To that 6259
extent, the appropriation takes effect on the ninety-first day 6260
after this act is filed with the Secretary of State. 6261

Section 820.10. The General Assembly, applying the 6262
principle stated in division (B) of section 1.52 of the Revised 6263
Code that amendments are to be harmonized if reasonably capable 6264
of simultaneous operation, finds that the following sections, 6265
presented in this act as composites of the sections as amended 6266
by the acts indicated, are the resulting versions of the 6267
sections in effect prior to the effective date of the sections 6268
as presented in this act: 6269

6270

Section 4503.10 of the Revised Code as amended by H.B. 21,
H.B. 74, and S.B. 162, all of the 134th General Assembly.

6271

6272