As Reported by the House Transportation and Public Safety Committee

132nd General Assembly

Regular Session 2017-2018

H. B. No. 710

Representative Johnson

Cosponsor: Representative Green

A BILL

То	amend sections 4501.01 and 4503.181 of the	1
	Revised Code to add "high-mobility multipurpose	2
	wheeled vehicle manufactured for military	3
	purposes" to the definition of "historical motor	4
	vehicle."	5

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

Section 1. That sections 4501.01 and 4503.181 of the	6
Revised Code be amended to read as follows:	7
Sec. 4501.01. As used in this chapter and Chapters 4503.,	8
4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of	9
the Revised Code, and in the penal laws, except as otherwise	10
provided:	11
(A) "Vehicles" means everything on wheels or runners,	12
including motorized bicycles, but does not mean electric	13
personal assistive mobility devices, vehicles that are operated	14
exclusively on rails or tracks or from overhead electric trolley	15
wires, and vehicles that belong to any police department,	16
municipal fire department, or volunteer fire department, or that	17
are used by such a department in the discharge of its functions.	18

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- (B) "Motor vehicle" means any vehicle, including mobile 19 homes and recreational vehicles, that is propelled or drawn by 20 power other than muscular power or power collected from overhead 21 electric trolley wires. "Motor vehicle" does not include utility 22 vehicles as defined in division (VV) of this section, under-2.3 speed vehicles as defined in division (XX) of this section, 2.4 mini-trucks as defined in division (BBB) of this section, 25 motorized bicycles, road rollers, traction engines, power 26 shovels, power cranes, and other equipment used in construction 27 work and not designed for or employed in general highway 28 transportation, well-drilling machinery, ditch-digging 29 machinery, farm machinery, and trailers that are designed and 30 used exclusively to transport a boat between a place of storage 31 and a marina, or in and around a marina, when drawn or towed on 32 a public road or highway for a distance of no more than ten 33 miles and at a speed of twenty-five miles per hour or less. 34
- (C) "Agricultural tractor" and "traction engine" mean any self-propelling vehicle that is designed or used for drawing other vehicles or wheeled machinery, but has no provisions for carrying loads independently of such other vehicles, and that is used principally for agricultural purposes.
- (D) "Commercial tractor," except as defined in division

 (C) of this section, means any motor vehicle that has motive power and either is designed or used for drawing other motor vehicles, or is designed or used for drawing another motor vehicle while carrying a portion of the other motor vehicle or its load, or both.
- (E) "Passenger car" means any motor vehicle that is

 designed and used for carrying not more than nine persons and

 includes any motor vehicle that is designed and used for

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- (I) "Bus" means any motor vehicle that has motor power and is designed and used for carrying more than nine passengers, except any motor vehicle that is designed and used for carrying not more than fifteen passengers in a ridesharing arrangement.
- (J) "Commercial car" or "truck" means any motor vehicle that has motor power and is designed and used for carrying merchandise or freight, or that is used as a commercial tractor.
- (K) "Bicycle" means every device, other than a device that is designed solely for use as a play vehicle by a child, that is propelled solely by human power upon which a person may ride, and that has two or more wheels, any of which is more than fourteen inches in diameter.
- (L) "Motorized bicycle" or "moped" means any vehicle that either has two tandem wheels or one wheel in the front and two wheels in the rear, that may be pedaled, and that is equipped with a helper motor of not more than fifty cubic centimeters piston displacement that produces no more than one brake horsepower and is capable of propelling the vehicle at a speed of no greater than twenty miles per hour on a level surface.
- (M) "Trailer" means any vehicle without motive power that is designed or used for carrying property or persons wholly on its own structure and for being drawn by a motor vehicle, and includes any such vehicle that is formed by or operated as a combination of a semitrailer and a vehicle of the dolly type such as that commonly known as a trailer dolly, a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed greater than twenty-five miles per hour, and a vehicle that is designed and used exclusively to transport a boat between a

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place of storage and a marina, or in and around a marina, when drawn or towed on a public road or highway for a distance of more than ten miles or at a speed of more than twenty-five miles per hour. "Trailer" does not include a manufactured home or travel trailer.

- (N) "Noncommercial trailer" means any trailer, except a 113 travel trailer or trailer that is used to transport a boat as 114 described in division (B) of this section, but, where 115 applicable, includes a vehicle that is used to transport a boat 116 as described in division (M) of this section, that has a gross 117 weight of no more than ten thousand pounds, and that is used 118 exclusively for purposes other than engaging in business for a 119 profit, such as the transportation of personal items for 120 personal or recreational purposes. 121
- (O) "Mobile home" means a building unit or assembly of 122 closed construction that is fabricated in an off-site facility, 123 is more than thirty-five body feet in length or, when erected on 124 site, is three hundred twenty or more square feet, is built on a 125 permanent chassis, is transportable in one or more sections, and 126 does not qualify as a manufactured home as defined in division 127 (C)(4) of section 3781.06 of the Revised Code or as an 128 industrialized unit as defined in division (C)(3) of section 129 3781.06 of the Revised Code. 130
- (P) "Semitrailer" means any vehicle of the trailer type

 that does not have motive power and is so designed or used with

 another and separate motor vehicle that in operation a part of

 its own weight or that of its load, or both, rests upon and is

 carried by the other vehicle furnishing the motive power for

 propelling itself and the vehicle referred to in this division,

 and includes, for the purpose only of registration and taxation

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under those chapters, any vehicle of the dolly type, such as a	138
trailer dolly, that is designed or used for the conversion of a	139
semitrailer into a trailer.	140
(Q) "Recreational vehicle" means a vehicular portable	141
structure that meets all of the following conditions:	142
(1) It is designed for the sole purpose of recreational	143
travel.	144
(2) It is not used for the purpose of engaging in business	145
for profit.	146
(3) It is not used for the purpose of engaging in	147
intrastate commerce.	148
(4) It is not used for the purpose of commerce as defined	149
in 49 C.F.R. 383.5, as amended.	150
(5) It is not regulated by the public utilities commission	151
pursuant to Chapter 4905., 4921., or 4923. of the Revised Code.	152
(6) It is classed as one of the following:	153
(a) "Travel trailer" or "house vehicle" means a nonself-	154
propelled recreational vehicle that does not exceed an overall	155
length of forty feet, exclusive of bumper and tongue or	156
coupling. "Travel trailer" includes a tent-type fold-out camping	157
trailer as defined in section 4517.01 of the Revised Code.	158
(b) "Motor home" means a self-propelled recreational	159
vehicle that has no fifth wheel and is constructed with	160
permanently installed facilities for cold storage, cooking and	161
consuming of food, and for sleeping.	162
(c) "Truck camper" means a nonself-propelled recreational	163
vehicle that does not have wheels for road use and is designed	164

to be placed upon and attached to a motor vehicle. "Truck	165
camper" does not include truck covers that consist of walls and	166
a roof, but do not have floors and facilities enabling them to	167
be used as a dwelling.	168
(d) "Fifth wheel trailer" means a vehicle that is of such	169

- (d) "Fifth wheel trailer" means a vehicle that is of such size and weight as to be movable without a special highway permit, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck.
- (e) "Park trailer" means a vehicle that is commonly known as a park model recreational vehicle, meets the American national standard institute standard Al19.5 (1988) for park trailers, is built on a single chassis, has a gross trailer area of four hundred square feet or less when set up, is designed for seasonal or temporary living quarters, and may be connected to utilities necessary for the operation of installed features and appliances.
- (R) "Pneumatic tires" means tires of rubber and fabric or tires of similar material, that are inflated with air.
- (S) "Solid tires" means tires of rubber or similar elastic material that are not dependent upon confined air for support of the load.
- (T) "Solid tire vehicle" means any vehicle that is equipped with two or more solid tires.
- (U) "Farm machinery" means all machines and tools that are used in the production, harvesting, and care of farm products, and includes trailers that are used to transport agricultural produce or agricultural production materials between a local 193

place of storage or supply and the farm, agricultural tractors,

threshing machinery, hay-baling machinery, corn shellers,

hammermills, and machinery used in the production of

horticultural, agricultural, and vegetable products.

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- (V) "Owner" includes any person or firm, other than a 198 manufacturer or dealer, that has title to a motor vehicle, 199 except that, in sections 4505.01 to 4505.19 of the Revised Code, 200 "owner" includes in addition manufacturers and dealers. 201
- (W) "Manufacturer" and "dealer" include all persons and 202 firms that are regularly engaged in the business of 203 manufacturing, selling, displaying, offering for sale, or 204 dealing in motor vehicles, at an established place of business 205 that is used exclusively for the purpose of manufacturing, 206 selling, displaying, offering for sale, or dealing in motor 207 vehicles. A place of business that is used for manufacturing, 208 selling, displaying, offering for sale, or dealing in motor 209 vehicles shall be deemed to be used exclusively for those 210 purposes even though snowmobiles or all-purpose vehicles are 211 sold or displayed for sale thereat, even though farm machinery 212 is sold or displayed for sale thereat, or even though repair, 213 accessory, gasoline and oil, storage, parts, service, or paint 214 departments are maintained thereat, or, in any county having a 215 population of less than seventy-five thousand at the last 216 federal census, even though a department in a place of business 217 is used to dismantle, salvage, or rebuild motor vehicles by 218 means of used parts, if such departments are operated for the 219 purpose of furthering and assisting in the business of 220 manufacturing, selling, displaying, offering for sale, or 221 dealing in motor vehicles. Places of business or departments in 222 a place of business used to dismantle, salvage, or rebuild motor 223 vehicles by means of using used parts are not considered as 224

accordance with the carrier's tariff, lawfully on file with the	283
United States department of transportation, for the purpose of	284
group travel to a specified destination or for a particular	285
itinerary, either agreed upon in advance or modified by the	286
chartered group after having left the place of origin.	287

- (HH) "International registration plan" means a reciprocal agreement of member jurisdictions that is endorsed by the American association of motor vehicle administrators, and that promotes and encourages the fullest possible use of the highway system by authorizing apportioned registration of fleets of vehicles and recognizing registration of vehicles apportioned in member jurisdictions.
- (II) "Restricted plate" means a license plate that has a restriction of time, geographic area, mileage, or commodity, and includes license plates issued to farm trucks under division (J) of section 4503.04 of the Revised Code.
- (JJ) "Gross vehicle weight," with regard to any commercial car, trailer, semitrailer, or bus that is taxed at the rates established under section 4503.042 or 4503.65 of the Revised Code, means the unladen weight of the vehicle fully equipped plus the maximum weight of the load to be carried on the vehicle.
- (KK) "Combined gross vehicle weight" with regard to any combination of a commercial car, trailer, and semitrailer, that is taxed at the rates established under section 4503.042 or 4503.65 of the Revised Code, means the total unladen weight of the combination of vehicles fully equipped plus the maximum weight of the load to be carried on that combination of vehicles.

electronic record.

(LL) "Chauffeured limousine" means a motor vehicle that is	312
designed to carry nine or fewer passengers and is operated for	313
hire pursuant to a prearranged contract for the transportation	314
of passengers on public roads and highways along a route under	315
the control of the person hiring the vehicle and not over a	316
defined and regular route. "Prearranged contract" means an	317
agreement, made in advance of boarding, to provide	318
transportation from a specific location in a chauffeured	319
limousine. "Chauffeured limousine" does not include any vehicle	320
that is used exclusively in the business of funeral directing.	321
(MM) "Manufactured home" has the same meaning as in	322
division (C)(4) of section 3781.06 of the Revised Code.	323
(NN) "Acquired situs," with respect to a manufactured home	324
or a mobile home, means to become located in this state by the	325
placement of the home on real property, but does not include the	326
placement of a manufactured home or a mobile home in the	327
inventory of a new motor vehicle dealer or the inventory of a	328
manufacturer, remanufacturer, or distributor of manufactured or	329
mobile homes.	330
(00) "Electronic" includes electrical, digital, magnetic,	331
optical, electromagnetic, or any other form of technology that	332
entails capabilities similar to these technologies.	333
(PP) "Electronic record" means a record generated,	334
communicated, received, or stored by electronic means for use in	335
an information system or for transmission from one information	336
system to another.	337
(QQ) "Electronic signature" means a signature in	338
electronic form attached to or logically associated with an	339

(RR) "Financial transaction device" has the same meaning	341
as in division (A) of section 113.40 of the Revised Code.	342
(SS) "Electronic motor vehicle dealer" means a motor	343
vehicle dealer licensed under Chapter 4517. of the Revised Code	344
whom the registrar of motor vehicles determines meets the	345
criteria designated in section 4503.035 of the Revised Code for	346
electronic motor vehicle dealers and designates as an electronic	347
motor vehicle dealer under that section.	348
(TT) "Electric personal assistive mobility device" means a	349
self-balancing two non-tandem wheeled device that is designed to	350
transport only one person, has an electric propulsion system of	351
an average of seven hundred fifty watts, and when ridden on a	352
paved level surface by an operator who weighs one hundred	353
seventy pounds has a maximum speed of less than twenty miles per	354
hour.	355
(UU) "Limited driving privileges" means the privilege to	356
operate a motor vehicle that a court grants under section	357
4510.021 of the Revised Code to a person whose driver's or	358
commercial driver's license or permit or nonresident operating	359
privilege has been suspended.	360
(VV) "Utility vehicle" means a self-propelled vehicle	361
designed with a bed, principally for the purpose of transporting	362
material or cargo in connection with construction, agricultural,	363
forestry, grounds maintenance, lawn and garden, materials	364
handling, or similar activities.	365
(WW) "Low-speed vehicle" means a three- or four-wheeled	366
motor vehicle with an attainable speed in one mile on a paved	367
level surface of more than twenty miles per hour but not more	368
than twenty-five miles per hour and with a gross vehicle weight	369

rating less than three thousand pounds. 370 (XX) "Under-speed vehicle" means a three- or four-wheeled 371 vehicle, including a vehicle commonly known as a golf cart, with 372 an attainable speed on a paved level surface of not more than 373 twenty miles per hour and with a gross vehicle weight rating 374 less than three thousand pounds. 375 (YY) "Motor-driven cycle or motor scooter" means any 376 vehicle designed to travel on not more than three wheels in 377 contact with the ground, with a seat for the driver and floor 378 pad for the driver's feet, and is equipped with a motor with a 379 piston displacement between fifty and one hundred cubic 380 centimeters piston displacement that produces not more than five 381 brake horsepower and is capable of propelling the vehicle at a 382 speed greater than twenty miles per hour on a level surface. 383 (ZZ) "Motorcycle" means a motor vehicle with motive power 384 having a seat or saddle for the use of the operator, designed to 385 travel on not more than three wheels in contact with the ground, 386 and having no occupant compartment top or occupant compartment 387 top that can be installed or removed by the user. 388 (AAA) "Cab-enclosed motorcycle" means a motor vehicle with 389 motive power having a seat or saddle for the use of the 390 391 operator, designed to travel on not more than three wheels in contact with the ground, and having an occupant compartment top 392 or an occupant compartment top that is installed. 393 (BBB) "Mini-truck" means a vehicle that has four wheels, 394 is propelled by an electric motor with a rated power of seven 395 thousand five hundred watts or less or an internal combustion 396 engine with a piston displacement capacity of six hundred sixty 397

cubic centimeters or less, has a total dry weight of nine

requested is owned and operated solely for the purposes	428
enumerated in division (A) of this section. The affidavit also	429
shall set forth that the vehicle has been inspected and found	430
safe to operate on the public roads and highways in the state. A	431
person who owns a historical motor vehicle and desires to	432
display a model year license plate on the vehicle as permitted	433
by this section shall execute at the time of registration an	434
affidavit setting forth that the model year license plate the	435
person desires to display on the person's historical motor	436
vehicle is a legible and serviceable license plate that	437
originally was issued by this state. No registration issued	438
pursuant to this section need specify the weight of the vehicle.	439

(D) A vehicle registered under this section may display 440 either a historical vehicle license plate issued by the 441 registrar of motor vehicles or a model year license plate 442 procured by the applicant. A historical vehicle license plate 443 shall not bear a date, but shall bear the inscription 444 "Historical Vehicle--Ohio" and the registration number, which 445 shall be shown thereon. A model year license plate shall be a 446 legible and serviceable license plate issued by this state and 447 inscribed with the date of the year corresponding to the model 448 year when the vehicle was manufactured. Two model year license 449 plates, duplicates of each other, may be displayed on the 450 historical motor vehicle at any time, one plate on the front and 451 one plate on the rear of the vehicle. The registration 452 certificate and the historical vehicle license plate issued by 453 the registrar shall be kept in the vehicle at all times the 454 vehicle is operated on the public roads and highways in this 455 state. 456

Notwithstanding section 4503.21 of the Revised Code, the 457 owner of a historical motor vehicle that was manufactured for 458

military purposes and that is registered under this section may 459 display the assigned registration number of the vehicle by 460 painting the number on the front and rear of the vehicle. The 461 number shall be painted, in accordance with the size and style 462 specifications established for numerals and letters shown on 463 license plates in section 4503.22 of the Revised Code, in a 464 color that contrasts clearly with the color of the vehicle, and 465 shall be legible and visible at all times. Upon application for 466 registration under this section and payment of the license fee 467 prescribed in division (B) of this section, the owner of such a 468 historical motor vehicle shall be issued a historical vehicle 469 license plate. The registration certificate and the license 470 plate shall be kept in the vehicle at all times the vehicle is 471 operated on the public roads and highways in this state. If 472 ownership of such a vehicle is transferred, the transferor shall 473 surrender the historical vehicle license plate or transfer it to 474 another historical motor vehicle the transferor owns, and remove 475 or obliterate the registration numbers painted on the vehicle. 476

(E) Historical vehicle and model year license plates are 477 valid without renewal as long as the vehicle for which they were 478 issued or procured is in existence. A historical vehicle plate 479 is issued for the owner's use only for such vehicle unless later 480 transferred to another historical motor vehicle owned by that 481 person. In order to effect such a transfer, the owner of the 482 historical motor vehicle that originally displayed the 483 historical vehicle plate shall comply with division (C) of this 484 section. In the event of a transfer of title, the transferor 485 shall surrender the historical vehicle license plate or transfer 486 it to another historical motor vehicle owned by the transferor, 487 but a model year license plate or plates may be retained by the 488 transferor. The registrar may revoke license plates issued under 489

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this section, for cause shown and after hearing, for failure of the applicant to comply with this section. Upon revocation, a historical vehicle license plate shall be surrendered; a model year license plate or plates may be retained, but the plate or plates are no longer valid for display on the vehicle.

(F) The owner of a historical motor vehicle bearing a 495 historical vehicle license plate may replace it with a model 496 year license plate by surrendering the historical vehicle 497 license plate and motor vehicle certificate of registration to 498 the registrar. The owner, at the time of registration, shall 499 execute an affidavit setting forth that the model year plate is 500 a legible and serviceable license plate that originally was 501 issued by this state. Such an owner is required to pay the 502 license fee prescribed by division (B) of this section, but the 503 owner is not required to have the historical motor vehicle 504 reinspected under division (C) of this section. 505

A person who owns a historical motor vehicle bearing a 506 model year license plate may replace it with a historical 507 vehicle license plate by surrendering the motor vehicle 508 certificate of registration and applying for issuance of a 509 historical vehicle license plate. Such a person is required to 510 pay the license fee prescribed by division (B) of this section, 511 but the person is not required to have the historical motor 512 vehicle reinspected under division (C) of this section. 513

Section 2. That existing sections 4501.01 and 4503.181 of 514 the Revised Code are hereby repealed. 515