As Introduced

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H. B. No. 787

Representative Wiggam
Cosponsors: Representatives Kick, Romanchuk, Fraizer, Perales

A B I L L

To amend sections 311.30, 505.541, 509.04, 3501.29, 3781.111, 4503.10, 4503.12, 4503.44, 4511.69, 4517.01, 4517.12, 4521.01, 4521.02, 4731.481, and 4734.161 and to enact sections 4503.441, 4503.442, 4503.443, 4503.444, 4503.445, 4503.446, 4503.447, 4503.448, 4511.691, 4511.692, 4511.693, 4511.694, 4511.695, 4511.696, 4511.697, 4511.698, and 4511.699 of the Revised Code to make changes to the laws governing accessible parking.

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

Section 1. That sections 4503.44, 4511.69, 4521.01, 4521.02, 4731.481, and 4734.161 be amended and sections 4503.441, 4503.442, 4503.443, 4503.444, 4503.445, 4503.446, 4503.447, 4503.448, 4511.691, 4511.692, 4511.693, 4511.694, 4511.695, 4511.696, 4511.697, 4511.698, and 4511.699 of the Revised Code be enacted to read as follows:

Sec. 4503.44. (A) As used in this section and in section 4511.69 sections 4503.44 to 4503.448 of the Revised Code:
(1) (A) "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:

(1) Cannot walk two hundred feet without stopping to rest;

(2) Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;

(3) 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;

(4) Uses portable oxygen;

(5) 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;

(6) Is severely limited in the ability to walk due to an arthritic, neurological, or orthopedic condition;

(7) Is blind, legally blind, or severely visually impaired.

(2) (B) "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...
equipment for use by persons with disabilities. This definition does not apply to division (I) of this section.

(3) "Health care provider" means a physician, physician assistant, advanced practice registered nurse, optometrist, or chiropractor as defined in this section except that an optometrist shall only make determinations as to division (A)(1)(g) (A)(7) of this section.

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

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

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

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

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

(I) "Accessible license plate" means a license plate issued to a person or organization under sections 4503.41 and 4503.441 of the Revised Code.

(J) "Removable windshield placard" means a removable windshield placard issued to a person or organization under
section 4503.442 of the Revised Code and includes a temporary removable windshield placard, unless otherwise specified.

(B)(1) An organization, or a person with a disability that limits or impairs the ability to walk, may apply for the registration of any motor vehicle the organization or person owns or leases. When a motor vehicle has been altered for the purpose of providing it with special equipment for a person with a disability that limits or impairs the ability to walk, but is owned or leased by someone other than such a person, the owner or lessee may apply to the registrar or a deputy registrar for registration under this section. The application for registration of a motor vehicle owned or leased by a person with a disability that limits or impairs the ability to walk shall be accompanied by a signed statement from the applicant's health care provider certifying 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 more than six consecutive months. The application for registration of a motor vehicle that has been altered for the purpose of providing it with special equipment for a person with a disability that limits or impairs the ability to walk but is owned by someone other than such a person shall be accompanied by such documentary evidence of vehicle alterations as the registrar may require by rule.

(2) When an organization, a person with a disability that limits or impairs the ability to walk, or a person who does not have a disability that limits or impairs the ability to walk but owns a motor vehicle that has been altered for the purpose of providing it with special equipment for a person with a disability that limits or impairs the ability to walk first submits an application for registration of a motor vehicle under
this section and every fifth year thereafter, the organization
or person shall submit a signed statement from the applicant's
health care provider, a completed application, and any required
documentary evidence of vehicle alterations as provided in
division (B)(1) of this section, and also a power of attorney
from the owner of the motor vehicle if the applicant leases the
vehicle. Upon submission of these items, the registrar or deputy
registrar shall issue to the applicant appropriate vehicle
registration and a set of license plates and validation
stickers, or validation stickers alone when required by section
4503.191 of the Revised Code. In addition to the letters and
numbers ordinarily inscribed thereon, the license plates shall
be imprinted with the international symbol of access. The
license plates and validation stickers shall be issued upon
payment of the regular license fee as prescribed under section
4503.04 of the Revised Code and any motor vehicle tax levied
under Chapter 4504. of the Revised Code, and the payment of a
service fee equal to the amount specified in division (D) or (G)
of section 4503.10 of the Revised Code.

(C)(1) A person with a disability that limits or impairs
the ability to walk may apply to the registrar of motor vehicles
for a removable windshield placard by completing and signing an
application provided by the registrar. The person shall include
with the application a prescription from the person's health
care provider prescribing such a placard for the person based
upon a determination that the person meets at least one of the
criteria contained in division (A)(1) of this section. 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 person's ability to
walk.
In addition to one placard or one or more sets of license plates, a person with a disability that limits or impairs the ability to walk is entitled to one additional placard, but only if the person applies separately for the additional placard, states the reasons why the additional placard is needed, and the registrar, in the registrar's discretion determines that good and justifiable cause exists to approve the request for the additional placard.

(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-
a manner that allows the expiration date of the placard to be-
indicated on it through the punching, drilling, boring, or-
creation by any other means of holes in the placard.-

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

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

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

(2) The temporary removable windshield placard shall be of the same size and form as the removable windshield placard, shall be printed in white on a red-colored background, and shall bear the word "temporary" in letters of such size as the registrar shall prescribe. A temporary removable windshield placard also shall bear the date of expiration on the front and...
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back of the placard, and shall be valid until expired, surrendered, or revoked, but in no case shall such a placard be valid for a period of less than sixty days. The registrar shall provide the application form and shall determine the information to be included on it, provided that the registrar shall not require a health care provider's prescription or certification for a person applying under division (D)(1)(b) of this section. The registrar also shall determine the material of which the temporary removable windshield placard is to be made and any other information to be included on the placard and shall adopt rules relating to the issuance, expiration, surrender, revocation, and proper display of those placards. Any temporary removable windshield placard issued after October 14, 1999, shall be manufactured in a manner that allows for the expiration date of the placard to be indicated on it through the punching, drilling, boring, or creation by any other means of holes in the placard.

(E) If an applicant for a removable windshield placard is a veteran of the armed forces of the United States whose disability, as defined in division (A)(1) of this section, is service-connected, the registrar or deputy registrar, upon receipt of the application, presentation of a signed statement from the applicant's health care provider certifying the applicant's disability, and presentation of such documentary evidence from the department of veterans affairs that the disability of the applicant meets at least one of the criteria identified in division (A)(1) of this section and is service-connected as the registrar may require by rule, but without the payment of any service fee, shall issue the applicant a removable windshield placard that is valid until expired, surrendered, or revoked.
(F) Upon a conviction of a violation of division (H) or-(I) of this section, the court shall report the conviction, and send the placard, if available, to the registrar, who thereupon shall revoke the privilege of using the placard and send notice in writing to the placardholder at that holder's last known address as shown in the records of the bureau, and the placardholder shall return the placard if not previously surrendered to the court, to the registrar within ten days following mailing of the notice.

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

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

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

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

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

(1) Display or permit the display of the placard on any
motor vehicle when having reasonable cause to believe the motor
vehicle is being used in connection with an activity that does
not include providing transportation for persons with
disabilities that limit or impair the ability to walk;

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

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

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

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

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

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

(2) In addition to the fees collected under this section, the registrar or deputy registrar shall ask each person applying for a removable windshield placard or temporary removable windshield placard or duplicate removable windshield placard or license plate issued under this section, whether the person wishes to make a two-dollar voluntary contribution to support rehabilitation employment services. The registrar shall transmit the contributions received under this division to the treasurer of state for deposit into the rehabilitation employment fund, which is hereby created in the state treasury. A deputy registrar shall transmit the contributions received under this division to the registrar in the time and manner prescribed by the registrar. The contributions in the fund shall be used by the opportunities for Ohioans with disabilities agency to purchase services related to vocational evaluation, work adjustment, personal adjustment, job placement, job coaching, and community-based assessment from accredited community rehabilitation program facilities.

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

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

(M) All applications for registration of motor vehicles, removable windshield placards, and temporary removable windshield placards issued under this section, all renewal notices for such items, and all other publications issued by the bureau that relate to this section shall set forth the criminal penalties that may be imposed upon a person who violates any provision relating to special license plates issued under this section, the parking of vehicles displaying such license plates, and the issuance, procurement, use, and display of removable windshield placards and temporary removable windshield placards issued under this section.

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

Sec. 4503.441. (A) Any of the following owners or lessors of a motor vehicle may apply to register that motor vehicle for purposes of obtaining an accessible license plate under this section:

(1) An organization;

(2) A person with a disability that limits or impairs the ability to walk;

(3) A person who owns or leases a motor vehicle that has been altered for the purpose of providing it with special equipment for a person with a disability that limits or impairs
the ability to walk.

(B)(1) The application for registration of a motor vehicle owned or leased by an organization shall be accompanied by documentary evidence showing that the organization regularly transports persons with disabilities that limit or impair the ability to walk.

(2) The application for registration of a motor vehicle owned or leased by a person with a disability that limits or impairs the ability to walk shall be accompanied by an accessible parking certification form from the applicant's health care provider certifying that the applicant meets at least one of the criteria contained in division (A) of section 4503.44 of the Revised Code and that the disability is expected to continue for more than six consecutive months.

(3) The application for registration of a motor vehicle that has been altered for the purpose of providing it with special equipment for a person with a disability that limits or impairs the ability to walk shall be accompanied by such documentary evidence of vehicle alterations as the registrar may require by rule.

(4) The application for registration of a leased motor vehicle under this section shall be accompanied by a power of attorney from the owner of the motor vehicle.

(5) The supporting documents required by divisions (B)(1) to (4) of this section, as applicable, shall be submitted with the initial application for registration of the motor vehicle and every fifth year thereafter.

(C) Upon submission of a completed application and any supporting documents required under division (B) of this
section, the registrar or deputy registrar shall issue to the applicant the appropriate vehicle registration and an accessible license plate and validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code. In addition to the letters and numbers ordinarily inscribed on the license plate, the license plate shall be imprinted with the international symbol of access. The license plate and validation sticker shall be issued upon payment of the regular license fee as prescribed under section 4503.04 of the Revised Code, any motor vehicle tax levied under Chapter 4504. of the Revised Code, and a service fee equal to the amount specified in section 4503.038 of the Revised Code, and compliance with all other applicable laws relating to the registration of motor vehicles.

(D) No person or organization that is not eligible for the issuance of an accessible license plate shall willfully and falsely represent that the person or organization is so eligible.

Sec. 4503.442. (A)(1) A person with a disability that limits or impairs the ability to walk may apply to the registrar of motor vehicles for a removable windshield placard or a temporary removable windshield placard by completing and signing an application provided by the registrar.

(2) The person shall include with the application an accessible parking certification form from the person's health care provider authorizing such a placard for the person. The health care provider shall base the authorization on a determination that the person meets at least one of the criteria contained in division (A) of section 4503.44 of the Revised Code. The health care provider shall state on the form the length of time the health care provider expects the applicant to
have the disability that limits or impairs the person's ability to walk. If the length of time the applicant is expected to have the disability is six consecutive months or less, the applicant shall submit an application for a temporary removable windshield placard.

(3) A person with a disability that limits or impairs the ability to walk is entitled to one additional placard, but only if the person applies separately for the additional placard and states the reasons why the additional placard is needed. The registrar shall determine whether good and justifiable cause exists to approve the request for the additional placard.

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

(C) Upon receipt of a completed and signed application for a removable windshield placard, the accompanying documents required under either division (A) or (B) of this section, and payment of a service fee equal to the amount specified in section 4503.038 of the Revised Code, the registrar or deputy registrar shall issue to the applicant a removable windshield placard or a temporary removable windshield placard to a person or organization.

(D) (1) A removable windshield placard shall display the date of expiration on both sides of the placard and is valid until expired, revoked, canceled, or surrendered. A removable windshield placard expires on the earliest of the following two
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dates:

(a) The date that the person issued the placard is expected to no longer have the disability that limits or impairs the ability to walk, as indicated on the accessible parking certification form;

(b) Five years after the date of issuance of the placard.

In no case shall a removable windshield placard be valid for a period of less than sixty days.

(2) A person or organization shall renew a removable windshield placard upon application as provided in division (A) or (B) of this section and upon payment of a service fee equal to the amount specified in section 4503.038 of the Revised Code.

(3) Not less than thirty days prior to the expiration date of a removable windshield placard, the bureau of motor vehicles shall send a renewal notice to the person or organization that has been issued the placard. The bureau shall send the notice to the person's or organization's last known address, as shown in the records of the bureau. The notice shall state that the placard is expiring and instructions on how to renew the placard.

(4) If a person or organization fails to renew the removable windshield placard issued to that person or organization prior to the expiration date, the placard issued to that person or organization expires.

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

(F)(1) The removable windshield placard shall be printed in white on a blue-colored background and shall display the international symbol of access, the name of the state, and the great seal of the state. The placard also shall display a distinguishing number assigned to the placard and the printed expiration date of the placard by month, day, and year.

(2) The temporary removable windshield placard shall be the same size and form and shall have the same contents as the removable windshield placard, except that it shall be printed in white on a red-colored background and also shall display the word "temporary."

(G)(1) Any active-duty member of the armed forces of the United States, including the reserve components of the armed forces and the national guard, who has an illness or injury that limits or impairs the ability to walk may apply to the registrar or a deputy registrar for a temporary removable windshield placard.

(2) With the application, the applicant shall present evidence of the person's active-duty status and the illness or injury. Evidence of the illness or injury may include any of the following:

(a) A current department of defense convalescent leave
(b) Any department of defense document indicating that the applicant currently has an ill or injured casualty status or has limited duties;

(c) An accessible parking certification form from any health care provider authorizing the placard for the applicant.

(3) Upon receipt of the application and the necessary documentary evidence, the registrar or deputy registrar shall issue the applicant the temporary removable windshield placard without requiring the payment of any service fee.

(H)(1) An applicant for a removable windshield placard may obtain the placard without payment of a service fee if both of the following apply:

(a) The applicant is a veteran of the armed forces of the United States with a service-connected disability.

(b) The applicant submits the accessible parking certification form required under division (A) of this section and documentary evidence from the department of veterans affairs that the disability identified on the form is service-connected.

(2) Upon receipt of the application and the necessary documentary evidence, the registrar or deputy registrar shall issue the applicant the removable windshield placard without requiring the payment of a service fee.

(I) If a removable windshield placard is lost, destroyed, or mutilated, the person or organization issued the placard may obtain a duplicate by doing both of the following:

(1) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar;
(2) Paying a service fee equal to the amount specified in section 4503.038 of the Revised Code.

Any person or organization who loses a placard and, after obtaining a duplicate, finds the original, immediately shall surrender the original placard to the registrar.

(J) No person or organization that is not eligible for the issuance of a removable windshield placard shall willfully and falsely represent that the person or organization is so eligible.

(K) Nothing in this section shall be construed to require a person or organization to apply for a removable windshield placard if the placard issued to the person or organization under prior law has not expired or been surrendered, revoked, or canceled.

(L) The registrar shall pay all fees received under this section for the issuance of removable windshield placards into the state treasury to the credit of the public safety - highway purposes fund created in section 4501.06 of the Revised Code.

(M) The registrar shall adopt any rules necessary to administer this section, including any necessary procedures or required documentary evidence. The rules shall include the creation of a model accessible parking certification form. The registrar shall make the form available on the bureau of motor vehicle's web site.

Sec. 4503.443. In addition to the fees collected under sections 4503.441 and 4503.442 of the Revised Code, the registrar of motor vehicles or deputy registrar shall ask each person applying for a removable windshield placard, duplicate removable windshield placard, or an accessible license plate,
whether the person wishes to make a two-dollar voluntary
collection to support rehabilitation employment services. The
registrar shall transmit the contributions received under this
section to the treasurer of state for deposit into the
rehabilitation employment fund, which is hereby created in the
state treasury. A deputy registrar shall transmit the
contributions received under this section to the registrar in
the time and manner prescribed by the registrar.

The opportunities for Ohioans with disabilities agency
shall use the contributions deposited in the fund to purchase
from accredited community rehabilitation program facilities
services related to vocational evaluation, work adjustment,
personal adjustment, job placement, job coaching, and community-
based assessment.

Sec. 4503.444. (A) The following documents shall include
the information listed in division (B) of this section:

1. An application for registration of a motor vehicle
under section 4503.441 of the Revised Code;

2. An application for a removable windshield placard
under section 4503.442 of the Revised Code;

3. A renewal notice for the items listed in divisions (A)
(1) and (2) of this section;

4. All other publications issued by the bureau of motor
vehicles that relate to sections 4503.44 to 4503.447 of the
Revised Code.

(B) The documents listed in division (A) of this section
shall set forth the penalties that may be imposed upon a person
who violates any of the following provisions:
(1) The laws relating to the issuance, procurement, use, and display of accessible license plates issued under section 4503.441 of the Revised Code;

(2) The laws relating to the issuance, procurement, use, and display of removable windshield placards issued under section 4503.442 of the Revised Code;

(3) The laws relating to the parking of a motor vehicle displaying an accessible license plate or removable windshield placard in an accessible parking space.

Sec. 4503.445. (A) Any person or organization that possesses an accessible license plate or a removable windshield placard shall return the plate or placard to the bureau of motor vehicles if any of the following occur:

(1) The plate expires and is not renewed or the placard expires.

(2) The plate or placard was issued to a person who is now deceased.

(3) The plate or placard was issued to a person who no longer qualifies for the plate or placard.

(4) The placard was issued to a person who no longer lives in the state or to an organization that changed its place of operation to another state.

(B) No person or organization shall refuse to return or surrender the placard, when required.

(C) No person shall operate a motor vehicle that displays an accessible license plate or a removable windshield placard if the plate or placard is expired, canceled, or revoked, was issued to a person who is deceased, or was issued to a person or
organization that no longer qualifies for the plate or placard.

(D)(1) A violation of division (B) or (C) of this section, division (D) of section 4503.441, or division (J) of section 4503.442 of the Revised Code is a fourth degree misdemeanor.

(2) The offenses established under this section are strict liability offenses and section 2901.20 of the Revised Code does not apply. The designation of these offenses as strict liability offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(E) Any fine collected under division (D) of this section shall be paid into the accessible parking violations fund established by section 4511.693 of the Revised Code.

Sec. 4503.446. (A) Subject to section 4511.692 of the Revised Code, the operator of a motor vehicle displaying an accessible license plate or removable windshield placard is entitled to park the motor vehicle in any special parking location reserved for persons with disabilities that limit or impair the ability to walk, also known as accessible parking spaces or disability parking spaces.

(B) No person or organization shall display an accessible license plate unless the license plate was issued for the motor vehicle on which it is displayed and is valid.

(C) No person or organization issued a removable windshield placard shall do either of the following:

(1) Display or allow the display of the placard on a motor vehicle when the motor vehicle is being used for an activity that does not include providing transportation for a person with a disability that limits or impairs the ability to walk;
(2) Transfer the placard to any other person or entity.

(D)(1) A violation of division (B) or (C) of this section is a fourth degree misdemeanor.

(2) The offenses established under this section are strict liability offenses and section 2901.20 of the Revised Code does not apply. The designation of these offenses as strict liability offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(E) Upon a conviction of a violation of division (B) or (C) of this section, the court shall report the conviction, and send the placard, if available, to the registrar of motor vehicles. The registrar shall revoke the privilege of using the placard and send a written notice to the placardholder at that holder's last known address, as shown in the records of the bureau of motor vehicles. The placardholder shall return the placard, if not previously surrendered to the court, to the registrar within ten days following the mailing of the notice.

(F) Any fine collected under division (D) of this section shall be paid into the accessible parking violations fund established by section 4511.693 of the Revised Code.

Sec. 4503.447. For purposes of enforcing sections 4503.44 to 4503.447 of the Revised Code, every peace officer is deemed to be an agent of the registrar of motor vehicles. Any peace officer or any authorized employee of the bureau of motor vehicles who, in the performance of duties authorized by law, becomes aware of a person whose removable windshield placard has been revoked, may confiscate that placard and return it to the registrar. The registrar shall prescribe any forms used by law.
enforcement agencies in administering this section.

No peace officer, law enforcement agency employing a peace officer, or political subdivision or governmental agency employing a peace officer, and no employee of the bureau is liable in a civil action for damages or loss to persons arising out of the performance of any duty required or authorized by this section.

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

Sec. 4503.448. No health care provider shall do any of the following:

(A) Complete the accessible parking certification form to enable a person to be issued an accessible license plate, a removable windshield placard, or a temporary removable windshield placard under either section 4503.441 or 4503.442 of the Revised Code, knowing that the person does not meet any of the criteria contained in division (A) of section 4503.44 of the Revised Code;

(B) Complete the accessible parking certification form described in division (A) of this section and knowingly misstate on the form the length of time the health care provider expects the person to have the disability that limits or impairs the person's ability to walk in order to enable the person to retain a removable windshield placard issued under section 4503.442 of the Revised Code for a period of time longer than that which would be estimated by a similar health care provider under the same or similar circumstances;

(C) Fail to retain information sufficient to substantiate
that the person is eligible for accessible parking privileges.

(D) Whoever violates this section is guilty of a misdemeanor of the first degree.

(E) A physician who violates this section and section 4731.481 of the Revised Code may be charged under this section or section 4731.481 of the Revised Code, but not both. A chiropractor who violates this section and section 4734.161 of the Revised Code may be charged under this section or section 4734.161 of the Revised Code, but not both.

Sec. 4511.69. (A) Every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be stopped or parked with the right-hand wheels of the vehicle parallel with and not more than twelve inches from the right-hand curb, unless it is impossible to approach so close to the curb; in such case the stop shall be made as close to the curb as possible and only for the time necessary to discharge and receive passengers or to load or unload merchandise. Local authorities by ordinance may permit angle parking on any roadway under their jurisdiction, except that angle parking shall not be permitted on a state route within a municipal corporation unless an unoccupied roadway width of not less than twenty-five feet is available for free-moving traffic.

(B) Local authorities by ordinance may permit parking of vehicles with the left-hand wheels adjacent to and within twelve inches of the left-hand curb of a one-way roadway.

(C)(1)(a) Except as provided in division (C)(1)(b) of this section, no vehicle or trackless trolley shall be stopped or parked on a road or highway with the vehicle or trackless trolley facing in a direction other than the direction of travel.
on that side of the road or highway.

(b) The operator of a motorcycle may back the motorcycle into an angled parking space so that when the motorcycle is parked it is facing in a direction other than the direction of travel on the side of the road or highway.

(2) The operator of a motorcycle may back the motorcycle into a parking space that is located on the side of, and parallel to, a road or highway. The motorcycle may face any direction when so parked. Not more than two motorcycles at a time shall be parked in a parking space as described in division (C)(2) of this section irrespective of whether or not the space is metered.

(D) Notwithstanding any statute or any rule, resolution, or ordinance adopted by any local authority, air compressors, tractors, trucks, and other equipment, while being used in the construction, reconstruction, installation, repair, or removal of facilities near, on, over, or under a street or highway, may stop, stand, or park where necessary in order to perform such work, provided a flagperson is on duty or warning signs or lights are displayed as may be prescribed by the director of transportation.

(E) Special parking locations and privileges for persons with disabilities that limit or impair the ability to walk, also known as handicapped parking spaces or disability parking spaces, shall be provided and designated by all political subdivisions and by the state and all agencies and instrumentalities thereof at all offices and facilities, where parking is provided, whether owned, rented, or leased, and at all publicly owned parking garages. The locations shall be designated through the posting of an elevated sign, whether...
permanently affixed or movable, imprinted with the international symbol of access and shall be reasonably close to exits, entrances, elevators, and ramps. All elevated signs posted in accordance with this division and division (C) of section 3781.111 of the Revised Code shall be mounted on a fixed or movable post, and the distance from the ground to the bottom edge of the sign shall measure not less than five feet. If a new sign or a replacement sign designating a special parking location is posted on or after October 14, 1999, there also shall be affixed upon the surface of that sign or affixed next to the designating sign a notice that states the fine applicable for the offense of parking a motor vehicle in the special designated parking location if the motor vehicle is not legally entitled to be parked in that location.

(F)(1)(a) No person shall stop, stand, or park any motor vehicle at special parking locations provided under division (E) of this section or at special clearly marked parking locations provided in or on privately owned parking lots, parking garages, or other parking areas and designated in accordance with that division, unless one of the following applies:

(i) The motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a valid removable windshield placard or special license plates;

(ii) The motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates.

(b) Any motor vehicle that is parked in a special marked parking location in violation of division (F)(1)(a)(i) or (ii) of this section may be towed or otherwise removed from the
parking location by the law enforcement agency of the political subdivision in which the parking location is located. A motor vehicle that is so towed or removed shall not be released to its owner until the owner presents proof of ownership of the motor vehicle and pays all towing and storage fees normally imposed by that political subdivision for towing and storing motor vehicles. If the motor vehicle is a leased vehicle, it shall not be released to the lessee until the lessee presents proof that that person is the lessee of the motor vehicle and pays all towing and storage fees normally imposed by that political subdivision for towing and storing motor vehicles.

(c) If a person is charged with a violation of division (F)(1)(a)(i) or (ii) of this section, it is an affirmative defense to the charge that the person suffered an injury not more than seventy-two hours prior to the time the person was issued the ticket or citation and that, because of the injury, the person meets at least one of the criteria contained in division (A)(1) of section 4503.44 of the Revised Code.

(2) No person shall stop, stand, or park any motor vehicle in an area that is commonly known as an access aisle, which area is marked by diagonal stripes and is located immediately adjacent to a special parking location provided under division (E) of this section or at a special clearly marked parking location provided in or on a privately owned parking lot, parking garage, or other parking area and designated in accordance with that division.

(G) When a motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a removable windshield placard or a temporary removable windshield placard or special
license plates, or when a motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates, the motor vehicle is permitted to park for a period of two hours in excess of the legal parking period permitted by local authorities, except where local ordinances or police rules provide otherwise or where the vehicle is parked in such a manner as to be clearly a traffic hazard.

(H) No owner of an office, facility, or parking garage where special parking locations are required to be designated in accordance with division (E) of this section shall fail to properly mark the special parking locations in accordance with that division or fail to maintain the markings of the special locations, including the erection and maintenance of the fixed or movable signs.

(I) 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 parking card or special license plates issued to the person or organization under prior law have not expired or been surrendered or revoked.

(J)(1) Whoever violates division (A) or (C) of this section is guilty of a minor misdemeanor.

(2)(a) Whoever violates division (F)(1)(a)(i) or (ii) of this section is guilty of a misdemeanor and shall be punished as provided in division (J)(2)(a) and (b) of this section. Except as otherwise provided in division (J)(2)(a) of this section, an offender who violates division (F)(1)(a)(i) or (ii) of this section shall be fined not less than two hundred fifty nor more than five hundred dollars. An offender who violates division (F) (1)(a)(i) or (ii) of this section shall be fined not more than
one hundred dollars if the offender, prior to sentencing, proves
either of the following to the satisfaction of the court:

(i) At the time of the violation of division (F)(1)(a)(i)
of this section, the offender or the person for whose transport
the motor vehicle was being operated had been issued a removable
windshield placard that then was valid or special license plates
that then were valid but the offender or the person neglected to
display the placard or license plates as described in division
(F)(1)(a)(i) of this section.

(ii) At the time of the violation of division (F)(1)(a)(ii)
of this section, the offender or the person for whose
transport the motor vehicle was being operated had been issued a
parking card that then was valid or special handicapped license
plates that then were valid but the offender or the person
neglected to display the card or license plates as described in
division (F)(1)(a)(ii) of this section.

(b) In no case shall an offender who violates division (F)
(a)(i) or (ii) of this section be sentenced to any term of
imprisonment.

An arrest or conviction for a violation of division (F)(1)
(a)(i) or (ii) of this section does not constitute a criminal
record and need not be reported by the person so arrested or
convicted in response to any inquiries contained in any
application for employment, license, or other right or
privilege, or made in connection with the person's appearance as
a witness.

The clerk of the court shall pay every fine collected
under divisions (J)(2) and (3) of this section to the political
subdivision in which the violation occurred. Except as provided,
in division (J)(2) of this section, the political subdivision shall use the fine moneys it receives under divisions (J)(2) and (3) of this section to pay the expenses it incurs in complying with the signage and notice requirements contained in division (E) of this section. The political subdivision may use up to fifty per cent of each fine it receives under divisions (J)(2) and (3) of this section to pay the costs of educational, advocacy, support, and assistive technology programs for persons with disabilities, and for public improvements within the political subdivision that benefit or assist persons with disabilities, if governmental agencies or nonprofit organizations offer the programs.

(3) Whoever violates division (F)(2) of this section shall be fined not less than two hundred fifty nor more than five hundred dollars.

In no case shall an offender who violates division (F)(2) of this section be sentenced to any term of imprisonment. An arrest or conviction for a violation of division (F)(2) of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness.

(4) Whoever violates division (H) of this section shall be punished as follows:

(a) Except as otherwise provided in division (J)(4) of this section, the offender shall be issued a warning.

(b) If the offender previously has been convicted of or pleaded guilty to a violation of division (H) of this section or...
of a municipal ordinance that is substantially similar to that division, the offender shall not be issued a warning but shall be fined not more than twenty-five dollars for each parking location that is not properly marked or whose markings are not properly maintained.

(K) As used in this section:

(1) "Handicapped person" means any person who has lost the use of one or both legs or one or both arms, who is blind, deaf, or so severely handicapped as to be unable to move without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary, or other handicapping condition.

(2) "Person with a disability that limits or impairs the ability to walk" has the same meaning as in section 4503.44 of the Revised Code.

(3) "Special license plates" and "removable windshield placard" mean any license plates or removable windshield placard or temporary removable windshield placard issued under section 4503.41 or 4503.44 of the Revised Code, and also mean any substantially similar license plates or removable windshield placard or temporary removable windshield placard issued by a state, district, country, or sovereignty.

Sec. 4511.691. (A) As used in sections 4511.691 to 4511.699 of the Revised Code:

(1) "Access aisle" means the area marked by diagonal stripes located immediately adjacent to an accessible parking space that is provided under section 4511.691 of the Revised Code or at a clearly marked accessible parking space provided in a privately owned parking area.
(2) "Accessible license plate" means any license plate issued under sections 4503.41 and 4503.441 of the Revised Code, and includes any substantially similar license plate issued by another state, district, country, or sovereignty.

(3) "Person with a disability that limits or impairs the ability to walk" and "organization" have the same meanings as in section 4503.44 of the Revised Code.

(4) "Public accommodation" has the same meaning as in 42 U.S.C. 12181.

(5) "Removable windshield placard" means any removable windshield placard issued under section 4503.442 of the Revised Code, and includes any substantially similar removable windshield placard issued by another state, district, country, or sovereignty.

(6) "Required entity" means all of the following:

(a) A political subdivision;

(b) The state and all agencies and instrumentalities thereof;

(c) The owner of a place of public accommodation.

(B)(1) A required entity shall provide and designate special parking locations and privileges for persons with disabilities that limit or impair the ability to walk, also known as accessible parking spaces or disability parking spaces.

(2) The required entity shall make accessible parking spaces available at all offices, facilities, and places, where parking is provided, whether owned, rented, or leased by the entity.
(3) The required entity shall ensure that the accessible parking spaces are reasonably close to exits, entrances, elevators, and ramps and are in compliance with the "Americans with Disabilities Act of 1990," 104 Stat. 327, 42 U.S.C. 12101, as amended.

(C)(1) A required entity shall designate the accessible parking spaces by posting an elevated sign, whether permanently affixed or movable, imprinted with the international symbol of access.

(2) The required entity shall post or mount the elevated sign on a fixed or movable post so that the distance from the ground to the bottom edge of the sign is not less than five feet.

(3) The required entity shall affix upon the surface of the sign or next to the sign a notice that states the fine applicable for the offense of parking a motor vehicle in the accessible parking space if the motor vehicle is not legally entitled to be parked in that location.

(D) No required entity shall fail to do any of the following:

(1) Properly designate the accessible parking locations in accordance with division (C) of this section;

(2) Maintain the markings of the accessible parking locations, including the erection and maintenance of the fixed or movable signs;

(3) Maintain access to the accessible parking spaces, access aisle, curb cuts, or other features designed to provide accessibility for a person with a disability that limits or impairs the ability to walk.
(E) In order to maintain access as required under division (D)(3) of this section, a required entity may do either of the following:

(1) Remove any unreasonable obstruction of an accessible parking space, access aisle, or curb cut. If the obstruction is the result of an adverse weather event, the required entity shall remove the obstruction not later than twenty-four hours after the conclusion of that event;

(2) Provide suitable alternative parking spots, access aisle space, or access points similar to a curb cut if the obstruction cannot be removed.

(F)(1) Whoever violates this section shall be issued a warning for a first violation. If the offender previously has been convicted of or pleaded guilty to a violation of this section, or of a substantially similar municipal ordinance, the offender shall be fined not more than twenty-five dollars for each parking location that is not properly marked or properly maintained.

(2) Fines collected under this section shall be deposited into the accessible parking violations fund created in section 4511.693 of the Revised Code.

Sec. 4511.692. (A) No person shall stop, stand, or park any motor vehicle at an accessible parking space designated by a required entity under section 4511.691 of the Revised Code or at a clearly marked accessible parking space provided in a privately owned parking area, unless both of the following apply:

(1) The motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs
the ability to walk.

(2) The motor vehicle is displaying a valid accessible
license plate or removable windshield placard issued to either
the person or organization operating the motor vehicle or the
person being transported by the motor vehicle.

(B)(1) Any motor vehicle that is parked in an accessible
parking space in violation of division (A) of this section may
be towed or otherwise removed from the parking space by either
of the following:

(a) The law enforcement agency of the political
subdivision in which the parking space is located;

(b) The owner of the parking area in which the parking
space is located.

(2) A motor vehicle that is so towed or removed shall not
be released to its owner until the owner presents proof of
ownership of the motor vehicle and pays all towing and storage
fees normally imposed for towing and storing motor vehicles. If
the motor vehicle is a leased vehicle, it shall not be released
to the lessee until the lessee presents proof that that person
is the lessee of the motor vehicle and pays all towing and
storage fees normally imposed for towing and storing motor
vehicles.

(3) If a person is charged with a violation of division
(A) of this section, it is not a defense to the charge that the
sign posted does not comply with the technical requirements of
section 4511.691 of the Revised Code, if a reasonable person
would know that the parking space is reserved for a person with
a disability that limits or impairs the ability to walk.

(C) No person shall park in an accessible parking space
when the person with a disability that limits or impairs the ability to walk will either:

(1) Be dropped off and picked up at the entrance to the place of public accommodation;

(2) Will not be entering or exiting the motor vehicle while it is parked.

(D) No person shall stop, stand, or park any motor vehicle in any part of an access aisle, including a person that has been issued an accessible license plate or a removable windshield placard.

(E) No person shall stop, stand, or park any motor vehicle in front of a ramp, curb cut, access entrance, or accessible route, including a person that has been issued an accessible license plate or a removable windshield placard.

(F)(1) When a motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying either an accessible license plate or a removable windshield placard, the operator is permitted to park that motor vehicle for a period of two hours in excess of the legal parking period permitted by local authorities.

(2) Division (F)(1) of this section does not apply when local ordinances or police rules provide otherwise or when the motor vehicle is parked in such a manner as to be clearly a traffic hazard.

(G)(1) Except as provided in division (G)(2) of this section, whoever violates division (A), (C), (D), or (E) of this section is subject to the following civil penalties:
(a) For a first offense, two hundred fifty dollars;

(b) For a second offense, not less than two hundred fifty dollars nor more than five hundred dollars;

(c) For a third or subsequent offense, not less than five hundred nor more than seven hundred fifty dollars.

(2) Whoever violates division (A) of this section shall not be fined under division (G)(1) of this section if the offender, within thirty days of receiving the ticket in the mail, proves that either the offender or the person being transported by the offender, at the time of the violation, had a valid accessible license plate or removable windshield placard but the offender neglected to display the valid or the correct license plate or placard.

(H)(1) Tickets issued for a civil violation of division (A), (C), (D), or (E) of this section shall be issued in accordance with sections 4511.695 to 4511.699 of the Revised Code.

(2) The clerk of court or violations clerk of the parking violations bureau shall report all convictions for a violation of division (A), (C), (D), or (E) of this section to the registrar of motor vehicles.

(I)(1) The clerk of court or violations clerk of the parking violations bureau shall pay fifty per cent of every fine collected under division (G) of this section to the political subdivision in which the violation occurred.

(2) The remaining fifty per cent of every fine collected under division (G) of this section shall be paid into the accessible parking violations fund established by section 4511.693 of the Revised Code.
(J) Whoever knowingly violates division (D) of this section when that violation prevents a person with a disability that limits or impairs the ability to walk from being able to enter or exit the motor vehicle transporting that person is guilty of unlawful restraint of a person with a disability that limits or impairs the ability to walk, a misdemeanor of the third degree.

Sec. 4511.693. (A) There is hereby created in the state treasury the accessible parking violations fund. The fund shall consist of the fines required to be deposited in the fund under sections 4503.445, 4503.446, 4511.691, and 4511.692 of the Revised Code. The fund shall be administered by the director of public safety and the superintendent of public instruction.

(B) The money in the fund shall be divided as follows:

(1) Twenty-five per cent shall be used by the director of public safety to administer the volunteer accessible parking enforcement training program created in section 4511.694 of the Revised Code, to collect data related to accessible parking violations, and to assist local law enforcement in enforcing the accessible parking laws.

(2) Seventy-five per cent shall be used by the superintendent of public instruction to provide grants to a nonprofit corporation that creates, expands, and oversees interscholastic adaptive sports specifically for youth with physical disabilities. The superintendent shall approve the nonprofit corporation that receives such a grant and the amounts paid through the grants.

(C) The superintendent of public instruction shall provide a report to the general assembly by the thirty-first day of
December of each year, which shall include the following information:

(1) A description of the entity that received a grant from the fund that year and how much money the entity received;

(2) A description of activities carried out using the grant provided to the entity under this section;

(3) Information regarding the goals and objectives achieved by the entity through the activities carried out using the grant provided to the entity under this section.

(D) All investment earnings of the fund shall be credited to the fund.

Sec. 4511.694. (A) The director of public safety shall establish a volunteer accessible parking enforcement training program. The purpose of the program is to train a volunteer accessible parking enforcement force, which shall assist local law enforcement in enforcing the accessible parking laws. Volunteers trained under the program may issue civil parking tickets for violations of the accessible parking laws that are enforced under sections 4511.695 to 4511.699 of the Revised Code, or a substantially equivalent municipal ordinance, but will have no other enforcement authority.

(B) To serve as a member of the volunteer accessible parking enforcement force, a person must meet all of the following qualifications:

(1) Be at least twenty-one years of age;

(2) Have no prior felony convictions;

(3) Successfully complete the volunteer accessible parking enforcement training program.
(C) The volunteer accessible parking enforcement training program shall include instruction in general administrative rules and procedures governing the volunteer accessible parking enforcement force, the role of the judicial system as it relates to parking regulation and enforcement, proper techniques and methods relating to the enforcement of parking laws, human interaction skills, personal safety and ethics relating to the enforcement of parking laws, and first aid.

(D)(1) A law enforcement agency may deputize a member of the volunteer accessible parking enforcement force to assist the agency in enforcing civil accessible parking violations under sections 4511.695 to 4511.699 of the Revised Code, or a substantially equivalent municipal ordinance.

(2) The agency shall provide the member with all of the following:

(a) Some form of identification that demonstrates the member is authorized to issue accessible parking tickets;

(b) Tickets that meet the requirements of section 4511.697 of the Revised Code;

(c) Any additional training necessary for the circumstances and conditions of that local jurisdiction.

(E) A member of the volunteer accessible parking enforcement force shall only issue civil accessible parking tickets in accordance with sections 4511.695 to 4511.699 of the Revised Code, or a substantially equivalent municipal ordinance. All tickets issued by the member are enforceable in the same manner as if the tickets had been issued by a law enforcement officer.

(F) Any member of the volunteer accessible parking
enforcement force assumes all liability for participation in the training program and volunteer work with the law enforcement agency. The member shall hold harmless the state, the department of public safety, any political subdivision, and the law enforcement agency for any claims resulting from the volunteer work performed by the member. The director shall provide hold harmless forms necessary for the implementation of division (F) of this section, which shall be signed by the member and submitted to the department and the applicable law enforcement agency.

(G)(1) The director shall track the number of persons trained through the volunteer accessible parking enforcement training program and the expenses incurred by the department in administering the program.

(2) The director shall adopt any rules necessary for establishing and administering the volunteer accessible parking enforcement training program.

Sec. 4511.695. As used in sections 4511.695 to 4511.699 of the Revised Code:

(A) "Designated party" means the person whom the registered owner of a motor vehicle, upon receipt of a ticket for an accessible parking law violation, identifies as the person who parked the vehicle of the registered owner at the time of the violation.

(B) "Law enforcement officer" means a state highway patrol trooper, sheriff, deputy sheriff, marshal, deputy marshal, police officer of a police department of any municipal corporation, police constable of any township, or police officer of a township or joint police district, who is employed on a
permanent, full-time basis by a law enforcement agency.

(C) "Member of the volunteer accessible parking enforcement force" means a person trained by the department of public safety under the program established by section 4511.694 of the Revised Code and deputized by a law enforcement agency to assist the agency in enforcing civil accessible parking law violations.

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

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

(F) "Registered owner" means any of the following:

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

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

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

(G) "Ticket" means any parking ticket, citation, summons, or other ticket issued in response to an alleged accessible parking law violation that represents a civil violation.

(H) "Accessible parking law violation" means a violation of division (A), (C), (D), or (E) of section 4511.692 of the Revised Code, or a substantially equivalent municipal ordinance.

Sec. 4511.696. (A) When a law enforcement officer or a member of the volunteer accessible parking enforcement force
witnesses an accessible parking law violation, the officer or member may issue a ticket for the violation. The ticket shall comply with the requirements of this section and section 4511.697 of the Revised Code. The officer or member shall take at least one photo of the violation that captures the motor vehicle, the license plate, and that demonstrates an accessible parking law violation occurred.

(B)(1) If the operator of the motor vehicle is present, the officer shall record on the ticket the name of the operator in the space provided for identification of the offender. The officer shall personally serve a copy of the ticket on the operator. No member of the volunteer accessible parking enforcement force shall issue tickets under division (B)(1) of this section.

(2) If the operator of the motor vehicle is not present or cannot be identified, the officer or member shall insert the word "owner" in the space provided for identification of the offender. The officer or member shall constructively serve a copy of the parking ticket on the owner of the motor vehicle by affixing the ticket to the motor vehicle in a conspicuous place.

(C) The original of any ticket issued in accordance with divisions (A) and (B) of this section and any photos of the violation shall be submitted to the law enforcement agency that employs the law enforcement officer or that deputized the member of the volunteer accessible parking enforcement force that issued the ticket. The law enforcement agency may use any lawful means to identify the registered owner of the motor vehicle if a copy of the ticket was left on the motor vehicle in accordance with division (B)(2) of this section.

(D) After the identification of the registered owner under
division (C) of this section, if applicable, and within thirty
days of the accessible parking law violation, the law
enforcement agency shall send by regular mail the ticket
charging either the operator of the motor vehicle, if known, or
the registered owner with the violation. The ticket shall
include copies of the photos taken by the law enforcement
officer or member of the volunteer accessible parking
enforcement force.

(E) A law enforcement agency that mails a ticket charging
the operator or registered owner with the accessible parking law
violation shall, without unnecessary delay, file a certified
copy of the ticket with the municipal court, county court, or
parking violations bureau with jurisdiction over the civil
action.

(F) A certified copy of the ticket alleging an accessible
parking law violation is prima facie evidence of the facts
contained therein and is admissible in a civil action or
proceeding concerning the ticket issued under this section.

Sec. 4511.697. A law enforcement agency shall ensure that
a ticket for an accessible parking law violation issued under
section 4511.696 of the Revised Code contains all of the
following:

(A) The name and address of the registered owner or the
current operator of the motor vehicle, if known;

(B) The letters and numerals appearing on the license
plate issued to the motor vehicle;

(C) The make and model of the motor vehicle;

(D) The date, time, and place of the violation;
(E) The accessible parking law violation charged;

(F) The amount of the civil penalty imposed, the date by which the civil penalty is required to be paid, and the address of the municipal court, county court, or parking violations bureau with jurisdiction over the civil action to which the payment is to be sent;

(G) A statement signed by a law enforcement officer or the member of the volunteer accessible parking enforcement force indicating that the motor vehicle was involved in an accessible parking law violation and the ticket is prima facie evidence of that accessible parking law violation;

(H) Information advising the person or entity alleged to be liable for the violation of the options prescribed in section 4511.698 of the Revised Code. The law enforcement agency shall include with the information the time, place, and manner in which the person or entity may appear in court or at the parking violations bureau to contest the violation and ticket and the procedure for disclaiming liability by submitting an affidavit to the municipal court, county court, or parking violations bureau as prescribed in section 4511.698 of the Revised Code.

(I) A warning that failure to exercise one of the options prescribed in section 4511.698 of the Revised Code is deemed to be an admission of liability and waiver of the opportunity to contest the violation.

Sec. 4511.698. A person or entity who receives a ticket for a civil violation under section 4511.696 of the Revised Code shall elect to do one of the following:

(A) In accordance with instructions on the ticket, pay the civil penalty, thereby admitting liability and waiving the
opportunity to contest the violation.

(B)(1) Within thirty days after receipt of the ticket by
mail, provide the municipal court, county court, or parking
violations bureau with jurisdiction over the civil action with
any of the following affidavits:

(a) If the accessible parking law violation charged is a
violation of division (A) of section 4511.692 of the Revised
Code, an affidavit executed by the operator of the motor vehicle
or registered owner stating that either the owner, the operator,
or the person being transported in the motor vehicle, at the
time of the violation, had a valid accessible license plate or
removable windshield placard but the owner or operator neglected
to display the valid or the correct license plate or placard.

(b) An affidavit executed by the registered owner stating
that another person was operating and parked the motor vehicle
of the registered owner at the time of the violation,
identifying that person as a designated party who may be held
liable for the violation, and containing at a minimum the name
and address of the designated party.

(c) An affidavit executed by the registered owner stating
that at the time of the violation, the motor vehicle or the
license plate issued to the motor vehicle was stolen and
therefore was in the care, custody, or control of some person or
entity to whom the registered owner did not grant permission to
use the motor vehicle. To demonstrate that the motor vehicle or
the license plate was stolen prior to the accessible parking law
violation and therefore was not under the control or possession
of the registered owner at the time of the violation, the
registered owner shall submit proof that a report about the
stolen motor vehicle or license plate was filed with the
appropriate law enforcement agency prior to the violation or
within forty-eight hours after the violation occurred.

(2) The operator of the motor vehicle or the registered
owner is not responsible for an accessible parking law violation
if, within thirty days after receipt of the ticket by mail, the
operator or registered owner furnishes an affidavit specified in
division (B)(1)(a), (b), or (c) of this section, as applicable,
to the court or parking violations bureau with jurisdiction in a
form established by the court or bureau and the following
conditions are met:

(a) If the operator of the motor vehicle or the registered
owner submits an affidavit as specified in division (B)(1)(a) of
this section, the affidavit is supported by evidence of the
valid or correct accessible license plate or removable
windshield placard.

(b) If the registered owner submits an affidavit as
specified in division (B)(1)(b) of this section, the designated
party either accepts liability for the violation by paying the
civil penalty or by failing to request a court or parking
violations bureau hearing within thirty days or is determined
liable in a hearing.

(c) If the registered owner submits an affidavit as
specified in division (B)(1)(c) of this section, the affidavit
is supported by a stolen vehicle or stolen license plate report
as required in that division.

(C) If the registered owner is a motor vehicle leasing
dealer or a motor vehicle renting dealer, notify the court or
parking violations bureau with jurisdiction of the name and
address of the lessee or renter of the motor vehicle at the time
of the accessible parking law violation. The court or bureau shall establish the form of the notice. A motor vehicle leasing dealer or motor vehicle renting dealer who receives a ticket for an alleged accessible parking law violation is not liable for a ticket issued for a motor vehicle that was in the care, custody, or control of a lessee or renter at the time of the alleged violation. The dealer shall not pay such a ticket and subsequently attempt to collect a fee or assess the lessee or renter a charge for any payment of such a ticket made on behalf of the lessee or renter.

(D) If the motor vehicle involved in the accessible parking law violation is a commercial motor vehicle and the ticket is issued to a corporate entity, provide to the court or parking violations bureau with jurisdiction an affidavit in a form established by the court or bureau, sworn to or affirmed by an agent of the corporate entity, that provides the name and address of the employee who was operating and parked the motor vehicle at the time of the alleged violation and who is the designated party.

(E) Contest the ticket by filing a written request for a court or parking violations bureau hearing to review the ticket in a form established by the court or bureau. The person shall file the written request not later than thirty days after receipt of the ticket by mail. The failure to request a hearing within this time period constitutes a waiver of the right to contest the violation and ticket, and is deemed to constitute an admission of liability.

Sec. 4511.699. (A)(1) A court or a parking violations bureau with jurisdiction that receives an affidavit described in division (B)(1)(b) or (D) of section 4511.698 of the Revised
Code or a notification under division (C) of that section from a
registered owner may proceed to notify the law enforcement
agency to send a ticket that conforms with this section and
section 4511.697 of the Revised Code to the designated party.

(2) The law enforcement agency shall send the conforming
ticket to the designated party by ordinary mail not later than
twenty-one days after receipt of the notification from the court
or parking violations bureau.

(B)(1) If a hearing is requested under division (E) of
section 4511.698 of the Revised Code, the court or bureau shall
issue a written decision imposing liability for the violation
upon an individual if the court or bureau finds by a
preponderance of the evidence that:

(a) The alleged accessible parking law violation did in
fact occur;

(b) The person named in the original or any subsequent
ticket is the person who was operating and parked the motor
vehicle at the time of the violation.

The court or bureau shall submit the decision to the law
enforcement agency and the person named in the ticket.

(2) If the court or bureau finds by a preponderance of the
evidence that the alleged accessible parking law violation did
not occur or did in fact occur but the person named in the
original or any subsequent ticket is not the person who was
operating and parked the motor vehicle at the time of the
violation, the court or bureau shall issue a written decision
finding that the individual is not liable for the violation and
submit it to the law enforcement agency and the person named in
the ticket.
(3) If the person who requested the court hearing fails to appear, the court or bureau shall determine that the person is liable for the violation. In such a case, the court or bureau shall issue a written decision imposing liability for the violation upon the individual and submit it to the law enforcement agency and the person named in the ticket.

(4) The court or bureau shall render a decision on the day a hearing takes place.

(C) The court or bureau shall charge the applicable costs and fees for the civil action to the party that does not prevail in the action.

Sec. 4521.01. As used in this chapter:

(A) "Parking infraction" means a violation of any ordinance, resolution, or regulation enacted by a local authority that regulates the standing or parking of vehicles and that is authorized pursuant to section 505.17 or 4511.07 of the Revised Code, or a violation of any ordinance, resolution, or regulation enacted by a local authority as authorized by this chapter, if the local authority in either of these cases also has enacted an ordinance, resolution, or regulation of the type described in division (A) of section 4521.02 of the Revised Code in relation to the particular regulatory ordinance, resolution, or regulation.

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

(C) "Court" means a municipal court, county court, juvenile court, or mayor's court, unless specifically identified as one of these courts, in which case it means the specifically identified court.
(D) "Local authority" means every county, municipal corporation, township, or other local board or body having authority to adopt police regulations pursuant to the constitution and laws of this state.

(E) "Disability Accessible parking space" means a motor vehicle parking location that is reserved for the exclusive standing or parking of a vehicle that is operated by or on behalf of a person with a disability that limits or impairs the ability to walk and displays a placard or an accessible license plate issued under section 4503.44 or 4503.441 of the Revised Code or a removable windshield placard issued under section 4503.442 of the Revised Code.

(F) "Person with a disability that limits or impairs the ability to walk" has the same meaning as in section 4503.44 of the Revised Code.

Sec. 4521.02. (A) A local authority that enacts any ordinance, resolution, or regulation that regulates the standing or parking of vehicles and that is authorized pursuant to section 505.17 or 4511.07 of the Revised Code also by ordinance, resolution, or regulation may specify that a violation of the regulatory ordinance, resolution, or regulation shall not be considered a criminal offense for any purpose, that a person who commits the violation shall not be arrested as a result of the commission of the violation, and that the violation shall be handled pursuant to this chapter. If such a specification is made, the local authority also by ordinance, resolution, or regulation shall adopt a fine for a violation of the regulatory ordinance, resolution, or regulation and prescribe an additional penalty or penalties for failure to answer any charges of the violation in a timely manner. In no case shall any fine adopted
or additional penalty prescribed pursuant to this division exceed the fine established by the municipal or county court having territorial jurisdiction over the entire or a majority of the political subdivision of the local authority, in its schedule of fines established pursuant to Traffic Rule 13(C), for a substantively comparable violation. Except as provided in this division, in no case shall any fine adopted or additional penalty prescribed pursuant to this division exceed one hundred dollars, plus costs and other administrative charges, per violation.

If a local authority chooses to adopt a specific fine for a violation of an ordinance, resolution, or regulation that regulates the standing or parking of a vehicle in a disability parking space, the fine the local authority establishes for such offense shall be an amount not less than two hundred fifty dollars but not more than five thousand dollars.

(B) A local authority that enacts an ordinance, resolution, or regulation pursuant to division (A) of this section also may enact an ordinance, resolution, or regulation that provides for the impoundment or immobilization of vehicles found standing or parked in violation of the regulatory ordinance, resolution, or regulation and the release of the vehicles to their owners. In no case shall an ordinance, resolution, or regulation require the owner of the vehicle to post bond or deposit cash in excess of one thousand dollars in order to obtain release of the vehicle.

(C) A local authority that enacts any ordinance, resolution, or regulation pursuant to division (A) of this section also shall enact an ordinance, resolution, or regulation
that specifies the time within which a person who is issued a parking ticket must answer in relation to the parking infraction charged in the ticket.

Sec. 4731.481. No physician shall do either any of the following:

(A) Furnish a person with a prescription in order to enable the person to be issued an accessible license plate, a removable windshield placard, or a temporary removable windshield placard, or license plates under either section 4503.44, 4503.441 or 4503.442 of the Revised Code, knowing that the person does not meet any of the criteria contained in division (A)(1) of that section 4503.44 of the Revised Code;

(B) Furnish a person with a prescription described in division (A) of this section and knowingly misstate on the prescription form the length of time the physician expects the person to have the disability that limits or impairs the person's ability to walk in order to enable the person to retain a removable windshield placard issued under section 4503.44, 4503.441 or 4503.442 of the Revised Code for a period of time longer than that which would be estimated by a similar practitioner under the same or similar circumstances;

(C) Fail to retain information sufficient to substantiate that the person is eligible for accessible parking privileges.

Sec. 4734.161. No chiropractor shall do either any of the following:

(A) Furnish a person with a prescription in order to enable the person to be issued an accessible license plate, a removable windshield placard, or a temporary removable windshield placard, or license plates under either section 4503.44, 4503.441 or 4503.442 of the Revised Code, knowing that the person does not meet any of the criteria contained in division (A)(1) of that section 4503.44 of the Revised Code;
person to be issued an accessible license plate, a removable windshield placard, or a temporary removable windshield placard, or license plates under either section 4503.44 or 4503.442 of the Revised Code, knowing that the person does not meet any of the criteria contained in division (A)(1) of that section 4503.44 of the Revised Code;

(B) Furnish a person with a prescription—Complete the accessible parking certification form described in division (A) of this section and knowingly misstate on the prescription form the length of time the chiropractor expects the person to have the disability that limits or impairs the person's ability to walk in order to enable the person to retain a removable windshield placard issued under section 4503.44 or 4503.442 of the Revised Code for a period of time longer than that which would be estimated by a similar practitioner under the same or similar circumstances;

(C) Fail to retain information sufficient to substantiate that the person is eligible for accessible parking privileges.

Section 2. That existing sections 4503.44, 4511.69, 4521.01, 4521.02, 4731.481, and 4734.161 of the Revised Code are hereby repealed.

Section 3. That sections 311.30, 505.541, 509.04, 3501.29, 3781.111, 4503.10, 4503.12, 4517.01, and 4517.12 of the Revised Code be amended to read as follows:

Sec. 311.30. (A) The board of county commissioners may establish, by resolution, a parking enforcement unit within the office of the sheriff to operate in the unincorporated areas of the county, and may provide for the regulation of parking enforcement officers. The sheriff shall be the executive head of
the parking enforcement unit, shall make all appointments and
removals of parking enforcement officers, subject to any general
rules prescribed by the board of county commissioners by
resolution, and shall prescribe rules for the organization,
training, administration, control, and conduct of the parking
enforcement unit. The sheriff may appoint parking enforcement
officers who agree to serve for nominal compensation, and
persons with physical disabilities may receive appointments as
parking enforcement officers.

(B) The authority of the parking enforcement officers
shall be limited to the enforcement of sections 4511.69
to 4511.699 of the Revised Code and any other parking laws
specified in the resolution creating the parking enforcement
unit. Parking enforcement officers shall have no other powers.

(C) The training the parking enforcement officers shall
receive shall include instruction in general administrative
rules and procedures governing the parking enforcement unit, the
role of the judicial system as it relates to parking regulation
and enforcement, proper techniques and methods relating to the
enforcement of parking laws, human interaction skills, and first
aid.

Sec. 505.541. (A) The board of township trustees or a
joint police district board, respectively, may establish, by
resolution, a parking enforcement unit within a township police
district or within a joint police district, and provide for the
regulation of parking enforcement officers. The chief of police
of the district shall be the executive head of the parking
enforcement unit, shall make all appointments and removals of
parking enforcement officers, subject to any general rules
prescribed by the board of township trustees by resolution or
joint police district board, as appropriate, and shall prescribe rules for the organization, training, administration, control, and conduct of the parking enforcement unit. The chief of police may appoint parking enforcement officers who agree to serve for nominal compensation, and persons with physical disabilities may receive appointments as parking enforcement officers.

(B) The authority of the parking enforcement officers shall be limited to the enforcement of sections 4511.69 to 4511.699 of the Revised Code and any other parking laws specified in the resolution creating the parking enforcement unit. Parking enforcement officers shall have no other powers.

(C) The training the parking enforcement officers shall receive shall include instruction in general administrative rules and procedures governing the parking enforcement unit, the role of the judicial system as it relates to parking regulation and enforcement, proper techniques and methods relating to the enforcement of parking laws, human interaction skills, and first aid.

Sec. 509.04. (A) The board of township trustees may establish, by resolution, a parking enforcement unit within the office of a township constable, and provide for the regulation of parking enforcement officers. The board of township trustees shall appoint a police constable as executive head of the parking enforcement unit, who shall make all appointments and removals of parking enforcement officers, subject to any general rules prescribed by the board of township trustees by resolution, and shall prescribe rules for the organization, training, administration, control, and conduct of the parking enforcement unit. The executive head of the parking enforcement unit may appoint parking enforcement officers who agree to serve...
for nominal compensation, and persons with physical disabilities
may receive appointments as parking enforcement officers.

(B) The authority of the parking enforcement officers
shall be limited to the enforcement of sections 4511.69
to 4511.699 of the Revised Code and any other parking laws
specified in the resolution creating the parking enforcement
unit. Parking enforcement officers shall have no other powers.

(C) The training the parking enforcement officers shall
receive shall include instruction in general administrative
rules and procedures governing the parking enforcement unit, the
role of the judicial system as it relates to parking regulation
and enforcement, proper techniques and methods relating
to the enforcement of parking laws, human interaction skills,
and first aid.

Sec. 3501.29. (A) The board of elections shall provide for
each precinct a polling place and provide adequate facilities at
each polling place for conducting the election. The board shall
provide a sufficient number of screened or curtained voting
compartments to which electors may retire and conveniently mark
their ballots, protected from the observation of others. Each
voting compartment shall be provided at all times with writing
implements, instructions how to vote, and other necessary
conveniences for marking the ballot. The voting location manager
shall ensure that the voting compartments at all times are
adequately lighted and contain the necessary supplies. The board
shall utilize, in so far as practicable, rooms in public schools
and other public buildings for polling places. Upon application
of the board of elections, the authority which has the control
of any building or grounds supported by taxation under the laws
of this state, shall make available the necessary space therein
for the purpose of holding elections and adequate space for the
storage of voting machines, without charge for the use thereof.
A reasonable sum may be paid for necessary janitorial service.
When polling places are established in private buildings, the
board may pay a reasonable rental therefor, and also the cost of
liability insurance covering the premises when used for election
purposes, or the board may purchase a single liability policy
covering the board and the owners of the premises when used for
election purposes. When removable buildings are supplied by the
board, they shall be constructed under the contract let to the
lowest and best bidder, and the board shall observe all
ordinances and regulations then in force as to safety. The board
shall remove all such buildings from streets and other public
places within thirty days after an election, unless another
election is to be held within ninety days.

(B)(1) Except as otherwise provided in this section, the
board shall ensure all of the following:

(a) That polling places are free of barriers that would
impede ingress and egress of handicapped persons;

(b) That the minimum number of special parking locations,
also known as **handicapped accessible parking spaces** or
**disability parking spaces**, for **handicapped persons with a**
**disability that limits or impairs the ability to walk** are
designated at each polling place in accordance with 28 C.F.R.
Part 36, Appendix A, and in compliance with **division (E)** of
section 4511.69 **4511.691** of the Revised Code;

(c) That the entrances of polling places are level or are
provided with a nonskid ramp that meets the requirements of the
U.S.C. 12101;
(d) That doors are a minimum of thirty-two inches wide.

(2) Notwithstanding division (B)(1)(a), (c), or (d) of this section, certain polling places may be specifically exempted by the secretary of state upon certification by a board of elections that a good faith, but unsuccessful, effort has been made to modify, or change the location of, such polling places.

(C) At any polling place that is exempted from compliance by the secretary of state, the board of elections shall permit any handicapped elector who travels to that elector's polling place, but who is unable to enter the polling place, to vote, with the assistance of two polling place officials of major political parties, in the vehicle that conveyed that elector to the polling place, or to receive and cast that elector's ballot at the door of the polling place.

(D) The secretary of state shall:

(1) Work with other state agencies to facilitate the distribution of information and technical assistance to boards of elections to meet the requirements of division (B) of this section;

(2) Work with organizations that represent or provide services to handicapped, disabled, or elderly citizens to effect a wide dissemination of information about the availability of absentee voting, voting in the voter's vehicle or at the door of the polling place, or other election services to handicapped, disabled, or elderly citizens.

(E) Before the day of an election, the director of the board of elections of each county shall sign a statement verifying that each polling place that will be used in that
county at that election meets the requirements of division (B) (1)(b) of this section. The signed statement shall be sent to the secretary of state by certified mail or electronically.

(F) As used in this section, "handicapped" means having lost the use of one or both legs, one or both arms, or any combination thereof, or being blind or so severely disabled as to be unable to move about without the aid of crutches or a wheelchair.

Sec. 3781.111. (A) In addition to the powers conferred by any other section of the Revised Code, the board of building standards shall adopt standards and rules to facilitate the reasonable access and use by all persons with a disability of all buildings and the facilities of buildings for which plans are submitted for approval under section 3791.04 of the Revised Code. No standard or rule shall be applied to any building the plans or drawings, specifications, and date of which have been approved prior to the time that the standard or rule takes effect.


(2) For purposes of enforcement by the Ohio civil rights commission only, approval of a plan as required under section 3791.04 of the Revised Code creates a rebuttable presumption that the plans, drawings, specifications, or data submitted are in compliance with the rules adopted by the board pursuant to this section as they relate to accessibility.
(C) All signs posted to designate special parking locations for persons with a disability and persons with disabilities that limit or impair the ability to walk in accordance with division (E) of section 4511.69-4511.691 of the Revised Code and the standards and rules adopted pursuant to this section shall be mounted on a fixed or movable post or otherwise affixed in a vertical position so that the distance from the ground to the bottom edge of the sign measures not less than five feet. If a new sign or a replacement sign designating a special parking location is posted on or after October 14, 1999, there also shall be affixed upon the surface of that sign or affixed next to the designating sign a notice that states the fine applicable for the offense of parking a motor vehicle in the special designated parking location if the motor vehicle is not legally entitled to be parked in that location.

(D) As used in this section, "disability" has the same meaning as in section 4112.01 of the Revised Code. As used in division (C) of this section, "persons with disabilities that limit or impair the ability to walk" has the same meaning as in division (A)(1)(A) of section 4503.44 of the Revised Code.

(E) No owner of a building or facility where special parking locations for persons with a disability must be designated in accordance with the standards and rules adopted pursuant to this section shall fail to properly mark the special parking locations as required by those standards and rules or fail to maintain the markings of the special parking locations, including the erection and maintenance of the fixed or movable signs.

(F) The board annually shall provide statewide training on the rules adopted by the board pursuant to this section as they
relate to accessibility for nonresidential building department personnel certified by the board who approve, review plans, and inspect nonresidential construction.

Sec. 4503.10. (A) The owner of every snowmobile, off-highway motorcycle, and all-purpose vehicle required to be registered under section 4519.02 of the Revised Code shall file 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 4503.103 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.
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;
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
elects to apply for or renew the motor vehicle registration with
the registrar by electronic means, the owner's manual signature
is not required.

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

Except as otherwise provided in this division, each
time an applicant first registers a motor vehicle in the
applicant's name, the applicant shall present for inspection a
physical certificate of title or memorandum certificate showing
title to the motor vehicle to be registered in the name of the
applicant if a physical certificate of title or memorandum
certificate has been issued by a clerk of a court of common
pleas. If, under sections 4505.021, 4505.06, and 4505.08 of the
Revised Code, a clerk instead has issued an electronic
certificate of title for the applicant's motor vehicle, that
certificate may be presented for inspection at the time of first
registration in a manner prescribed by rules adopted by the
As Introduced

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. 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. The application shall be refused if any of the following applies:

1. The application is not in proper form.
2. 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, or division (B)(1) of section 4521.10 of the Revised Code.
3. A certificate of title or memorandum certificate of title is required but does not accompany the application or, in the case of an electronic certificate of title, is required but is not presented in a manner prescribed by the registrar's rules.
4. 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.
5. 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.
This section does not require the payment of license or registration taxes on a motor vehicle for any preceding year, or for any preceding period of a year, if the motor vehicle was not taxable for that preceding year or period under sections 4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504 of the Revised Code. When a certificate of registration is issued upon the first registration of a motor vehicle by or on behalf of the owner, the official issuing the certificate shall indicate the issuance with a stamp on the certificate of title or memorandum certificate or, in the case of an electronic certificate of title, an electronic stamp or other notation as specified in rules adopted by the registrar, and with a stamp on the inspection certificate for the motor vehicle, if any. The official also shall indicate, by a stamp or by other means the registrar prescribes, on the registration certificate issued upon the first registration of a motor vehicle by or on behalf of the owner the odometer reading of the motor vehicle as shown in the odometer statement included in or attached to the certificate of title. Upon each subsequent registration of the motor vehicle by or on behalf of the same owner, the official also shall so indicate the odometer reading of the motor vehicle as shown on the immediately preceding certificate of registration.

The registrar shall include in the permanent registration record of any vehicle required to be inspected under section 3704.14 of the Revised Code the inspection certificate number from the inspection certificate that is presented at the time of registration of the vehicle as required under this division.

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

(2) In addition, a charge of twenty-five cents shall be made for each reflectorized safety license plate issued, and a single charge of twenty-five cents shall be made for each county identification sticker or each set of county identification stickers issued, as the case may be, to cover the cost of producing the license plates and stickers, including material, manufacturing, and administrative costs. Those fees shall be in addition to the license tax. If the total cost of producing the plates is less than twenty-five cents per plate, or if the total cost of producing the stickers is less than twenty-five cents per sticker or per set issued, any excess moneys accruing from the fees shall be distributed in the same manner as provided by section 4501.04 of the Revised Code for the distribution of license tax moneys. If the total cost of producing the plates exceeds twenty-five cents per plate, or if the total cost of producing the stickers exceeds twenty-five cents per sticker or
per set issued, the difference shall be paid from the license  
tax moneys collected pursuant to section 4503.02 of the Revised  
Code.

(3) The registrar and each deputy registrar shall collect  
an additional fee of two hundred dollars for each application  
for registration or registration renewal received for any plug-  
in electric motor vehicle. The registrar shall transmit all  
money arising from the fee imposed by division (C)(3) of this  
section to the treasurer of state for distribution in accordance  
with division (E) of section 5735.051 of the Revised Code,  
subject to division (D) of section 5735.05 of the Revised Code.

(4) The registrar and each deputy registrar shall collect  
an additional fee of one hundred dollars for each application  
for registration or registration renewal received for any hybrid  
motor vehicle. The registrar shall transmit all money arising  
from the fee imposed by division (C)(4) of this section to the  
treasurer of state for distribution in accordance with division  
(E) of section 5735.051 of the Revised Code, subject to division  
(D) of section 5735.05 of the Revised Code.

The fees established under divisions (C)(3) and (4) of  
this section shall not be imposed until January 1, 2020.

(D) Each deputy registrar shall be allowed a fee equal to  
the amount established under section 4503.038 of the Revised  
Code for each application for registration and registration  
renewal notice the deputy registrar receives, which shall be for  
the purpose of compensating the deputy registrar for the deputy  
registrar's services, and such office and rental expenses, as  
may be necessary for the proper discharge of the deputy  
registrar's duties in the receiving of applications and renewal  
notices and the issuing of registrations.
(E) Upon the certification of the registrar, the county
sheriff or local police officials shall recover license plates
erroneously or fraudulently issued.

(F) Each deputy registrar, upon receipt of any application
for registration or registration renewal notice, together with
the license fee and any local motor vehicle license tax levied
pursuant to Chapter 4504. of the Revised Code, shall transmit
that fee and tax, if any, in the manner provided in this
section, together with the original and duplicate copy of the
application, to the registrar. The registrar, subject to the
approval of the director of public safety, may deposit the funds
collected by those deputies in a local bank or depository to the
credit of the "state of Ohio, bureau of motor vehicles." Where a
local bank or depository has been designated by the registrar,
each deputy registrar shall deposit all moneys collected by the
deputy registrar into that bank or depository not more than one
business day after their collection and shall make reports to
the registrar of the amounts so deposited, together with any
other information, some of which may be prescribed by the
treasurer of state, as the registrar may require and as
prescribed by the registrar by rule. The registrar, within three
days after receipt of notification of the deposit of funds by a
deputy registrar in a local bank or depository, shall draw on
that account in favor of the treasurer of state. The registrar,
subject to the approval of the director and the treasurer of
state, may make reasonable rules necessary for the prompt
transmittal of fees and for safeguarding the interests of the
state and of counties, townships, municipal corporations, and
transportation improvement districts levying local motor vehicle
license taxes. The registrar may pay service charges usually
collected by banks and depositories for such service. If deputy
registrars are located in communities where banking facilities
are not available, they shall transmit the fees forthwith, by
money order or otherwise, as the registrar, by rule approved by
the director and the treasurer of state, may prescribe. The
registrar may pay the usual and customary fees for such service.

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

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

(I)(1) Where applicable, the requirements of division (B)
of this section relating to the presentation of an inspection
certificate issued under section 3704.14 of the Revised Code and
rules adopted under it for a motor vehicle, the refusal of a
license for failure to present an inspection certificate, and
the stamping of the inspection certificate by the official
issuing the certificate of registration apply to the
registration of and issuance of license plates for a motor
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15,
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42,
4503.43, 4503.44, 4503.441, 4503.46, 4503.47, and 4503.51 of the
Revised Code.

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

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

(J) Subject to division (K) of this section, application for registration under the international registration plan, as set forth in sections 4503.60 to 4503.66 of the Revised Code, shall be made to the registrar on forms furnished by the registrar. In accordance with international registration plan guidelines and pursuant to rules adopted by the registrar, the forms shall include the following:
(1) A uniform mileage schedule;

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

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

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

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

Sec. 4503.12. (A) Upon the transfer of ownership of a motor vehicle, the registration of the motor vehicle expires, and the original owner immediately shall remove the license plates from the motor vehicle, except that:

(1) If a statutory merger or consolidation results in the transfer of ownership of a motor vehicle from a constituent corporation to the surviving corporation, or if the incorporation of a proprietorship or partnership results in the transfer of ownership of a motor vehicle from the proprietorship or partnership to the corporation, the registration shall be
continued upon the filing by the surviving or new corporation, within thirty days of such transfer, of an application for an amended certificate of registration. Upon a proper filing, the registrar of motor vehicles shall issue an amended certificate of registration in the name of the new owner.

(2) If the death of the owner of a motor vehicle results in the transfer of ownership of the motor vehicle to the surviving spouse of the owner or if a motor vehicle is owned by two persons under joint ownership with right of survivorship established under section 2131.12 of the Revised Code and one of those persons dies, the registration shall be continued upon the filing by the survivor of an application for an amended certificate of registration. In relation to a motor vehicle that is owned by two persons under joint ownership with right of survivorship established under section 2131.12 of the Revised Code, the application shall be accompanied by a copy of the certificate of title that specifies that the vehicle is owned under joint ownership with right of survivorship. Upon a proper filing, the registrar shall issue an amended certificate of registration in the name of the survivor.

(3) If the death of the owner of a motor vehicle results in the transfer of ownership of the motor vehicle to a transfer-on-death beneficiary or beneficiaries designated under section 2131.13 of the Revised Code, the registration shall be continued upon the filing by the transfer-on-death beneficiary or beneficiaries of an application for an amended certificate of registration. The application shall be accompanied by a copy of the certificate of title that specifies that the owner of the motor vehicle has designated the motor vehicle in beneficiary form under section 2131.13 of the Revised Code. Upon a proper filing, the registrar shall issue an amended certificate of
registration in the name of the transfer-on-death beneficiary or beneficiaries.

(4) If the original owner of a motor vehicle that has been transferred makes application for the registration of another motor vehicle at any time during the remainder of the registration period for which the transferred motor vehicle was registered, the owner may file an application for transfer of the registration and, where applicable, the license plates. The transfer of the registration and, where applicable, the license plates from the motor vehicle for which they originally were issued to a succeeding motor vehicle purchased by the same person in whose name the original registration and license plates were issued shall be done within a period not to exceed thirty days. During that thirty-day period, the license plates from the motor vehicle for which they originally were issued may be displayed on the succeeding motor vehicle, and the succeeding motor vehicle may be operated on the public roads and highways in this state.

At the time of application for transfer, the registrar shall compute and collect the amount of tax due on the succeeding motor vehicle, based upon the amount that would be due on a new registration as of the date on which the transfer is made less a credit for the unused portion of the original registration beginning on that date. If the credit exceeds the amount of tax due on the new registration, no refund shall be made. In computing the amount of tax due and credits to be allowed under this division, the provisions of division (B)(1)(a) and (b) of section 4503.11 of the Revised Code shall apply. As to passenger cars, noncommercial vehicles, motor homes, and motorcycles, transfers within or between these classes of motor vehicles only shall be allowed. If the succeeding motor vehicle
is of a different class than the motor vehicle for which the registration originally was issued, new license plates also shall be issued upon the surrender of the license plates originally issued and payment of the fees provided in divisions (C) and (D) of section 4503.10 of the Revised Code.

(5) The owner of a commercial car having a gross vehicle weight or combined gross vehicle weight of more than ten thousand pounds may transfer the registration of that commercial car to another commercial car the owner owns without transferring ownership of the first commercial car. At any time during the remainder of the registration period for which the first commercial car was registered, the owner may file an application for the transfer of the registration and, where applicable, the license plates, accompanied by the certificate of registration of the first commercial car. The amount of any tax due or credit to be allowed for a transfer of registration under this division shall be computed in accordance with division (A)(4) of this section.

No commercial car to which a registration is transferred under this division shall be operated on a public road or highway in this state until after the transfer of registration is completed in accordance with this division.

(6) Upon application to the registrar or a deputy registrar, a person who owns or leases a motor vehicle may transfer special license plates assigned to that vehicle to any other vehicle that the person owns or leases or that is owned or leased by the person’s spouse. As appropriate, the application also shall be accompanied by a power of attorney for the registration of a leased vehicle and a written statement releasing the special plates to the applicant. Upon a proper
filing, the registrar or deputy registrar shall assign the special license plates to the motor vehicle owned or leased by the applicant and issue a new certificate of registration for that motor vehicle.

(7) If a corporation transfers the ownership of a motor vehicle to an affiliated corporation, the affiliated corporation may apply to the registrar for the transfer of the registration and any license plates. The registrar may require the applicant to submit documentation of the corporate relationship and shall determine whether the application for registration transfer is made in good faith and not for the purposes of circumventing the provisions of this chapter. Upon a proper filing, the registrar shall issue an amended certificate of registration in the name of the new owner.

(B) An application under division (A) of this section shall be accompanied by a service fee equal to the amount established under section 4503.038 of the Revised Code, a transfer fee of one dollar, and the original certificate of registration, if applicable.

(C) Neither the registrar nor a deputy registrar shall transfer a registration under division (A) of this section if the registration is prohibited by division (D) of section 2935.27, division (A) of section 2937.221, division (A) of section 4503.13, division (D) of section 4503.234, division (B) of section 4510.22, or division (B)(1) of section 4521.10 of the Revised Code.

(D) Whoever violates division (A) of this section is guilty of a misdemeanor of the fourth degree.

(E) As used in division (A)(6) of this section, "special
license plates" means either of the following:

(1) Any license plates for which the person to whom the license plates are issued must pay an additional fee in excess of the fees prescribed in section 4503.04 of the Revised Code, Chapter 4504. of the Revised Code, and the service fee prescribed in division (D) or (G) of section 4503.10 of the Revised Code;

(2) License plates issued under section 4503.44 of the Revised Code.

Sec. 4517.01. As used in sections 4517.01 to 4517.65 of the Revised Code:

(A) "Persons" includes individuals, firms, partnerships, associations, joint stock companies, corporations, and any combinations of individuals.

(B) "Motor vehicle" means motor vehicle as defined in section 4501.01 of the Revised Code and also includes "all-purpose vehicle" and "off-highway motorcycle" as those terms are defined in section 4519.01 of the Revised Code. "Motor vehicle" does not include a snowmobile as defined in section 4519.01 of the Revised Code or manufactured and mobile homes.

(C) "New motor vehicle" means a motor vehicle, the legal title to which has never been transferred by a manufacturer, remanufacturer, distributor, or dealer to an ultimate purchaser.

(D) "Ultimate purchaser" means, with respect to any new motor vehicle, the first person, other than a dealer purchasing in the capacity of a dealer, who in good faith purchases such new motor vehicle for purposes other than resale.

(E) "Business" includes any activities engaged in by any
person for the object of gain, benefit, or advantage either
direct or indirect.

(F) "Engaging in business" means commencing, conducting,
or continuing in business, or liquidating a business when the
liquidator thereof holds self out to be conducting such
business; making a casual sale or otherwise making transfers in
the ordinary course of business when the transfers are made in
connection with the disposition of all or substantially all of
the transferor's assets is not engaging in business.

(G) "Retail sale" or "sale at retail" means the act or
attempted act of selling, bartering, exchanging, or otherwise
disposing of a motor vehicle to an ultimate purchaser for use as
a consumer.

(H) "Retail installment contract" includes any contract in
the form of a note, chattel mortgage, conditional sales
contract, lease, agreement, or other instrument payable in one
or more installments over a period of time and arising out of
the retail sale of a motor vehicle.

(I) "Farm machinery" means all machines and tools used in
the production, harvesting, and care of farm products.

(J) "Dealer" or "motor vehicle dealer" means any new motor
vehicle dealer, any motor vehicle leasing dealer, and any used
motor vehicle dealer.

(K) "New motor vehicle dealer" means any person engaged in
the business of selling at retail, displaying, offering for
sale, or dealing in new motor vehicles pursuant to a contract or
agreement entered into with the manufacturer, remanufacturer, or
distributor of the motor vehicles.

(L) "Used motor vehicle dealer" means any person engaged
in the business of selling, displaying, offering for sale, or dealing in used motor vehicles, at retail or wholesale, but does not mean any new motor vehicle dealer selling, displaying, offering for sale, or dealing in used motor vehicles incidentally to engaging in the business of selling, displaying, offering for sale, or dealing in new motor vehicles, any person engaged in the business of dismantling, salvaging, or rebuilding motor vehicles by means of using used parts, or any public officer performing official duties.

(M) "Motor vehicle leasing dealer" means any person engaged in the business of regularly making available, offering to make available, or arranging for another person to use a motor vehicle pursuant to a bailment, lease, sublease, or other contractual arrangement under which a charge is made for its use at a periodic rate for a term of thirty days or more, and title to the motor vehicle is in and remains in the motor vehicle leasing dealer who originally leases it, irrespective of whether or not the motor vehicle is the subject of a later sublease, and not in the user, but does not mean a manufacturer or its affiliate leasing to its employees or to dealers.

(N) "Salesperson" means any person employed by a dealer to sell, display, and offer for sale, or deal in motor vehicles for a commission, compensation, or other valuable consideration, but does not mean any public officer performing official duties.

(O) "Casual sale" means any transfer of a motor vehicle by a person other than a new motor vehicle dealer, used motor vehicle dealer, motor vehicle salvage dealer, as defined in division (A) of section 4738.01 of the Revised Code, salesperson, motor vehicle auction owner, manufacturer, or distributor acting in the capacity of a dealer, salesperson,
auction owner, manufacturer, or distributor, to a person who purchases the motor vehicle for use as a consumer.

(P) "Motor vehicle auction owner" means any person who is engaged wholly or in part in the business of auctioning motor vehicles, but does not mean a construction equipment auctioneer or a construction equipment auction licensee.

(Q) "Manufacturer" means a person who manufactures, assembles, or imports motor vehicles, including motor homes, but does not mean a person who only assembles or installs a body, special equipment unit, finishing trim, or accessories on a motor vehicle chassis supplied by a manufacturer or distributor.

(R) "Tent-type fold-out camping trailer" means any vehicle intended to be used, when stationary, as a temporary shelter with living and sleeping facilities, and that is subject to the following properties and limitations:

(1) A minimum of twenty-five per cent of the fold-out portion of the top and sidewalls combined must be constructed of canvas, vinyl, or other fabric, and form an integral part of the shelter.

(2) When folded, the unit must not exceed:

(a) Fifteen feet in length, exclusive of bumper and tongue;

(b) Sixty inches in height from the point of contact with the ground;

(c) Eight feet in width;

(d) One ton gross weight at time of sale.

(S) "Distributor" means any person authorized by a motor
vehicle manufacturer to distribute new motor vehicles to licensed new motor vehicle dealers, but does not mean a person who only assembles or installs a body, special equipment unit, finishing trim, or accessories on a motor vehicle chassis supplied by a manufacturer or distributor.

(T) "Flea market" means a market place, other than a dealer's location licensed under this chapter, where a space or location is provided for a fee or compensation to a seller to exhibit and offer for sale or trade, motor vehicles to the general public.

(U) "Franchise" means any written agreement, contract, or understanding between any motor vehicle manufacturer or remanufacturer engaged in commerce and any motor vehicle dealer that purports to fix the legal rights and liabilities of the parties to such agreement, contract, or understanding.

(V) "Franchisee" means a person who receives new motor vehicles from the franchisor under a franchise agreement and who offers, sells, and provides service for such new motor vehicles to the general public.

(W) "Franchisor" means a new motor vehicle manufacturer, remanufacturer, or distributor who supplies new motor vehicles under a franchise agreement to a franchisee.

(X) "Dealer organization" means a state or local trade association the membership of which is comprised predominantly of new motor vehicle dealers.

(Y) "Factory representative" means a representative employed by a manufacturer, remanufacturer, or by a factory branch primarily for the purpose of promoting the sale of its motor vehicles, parts, or accessories to dealers or for
supervising or contacting its dealers or prospective dealers.

(Z) "Administrative or executive management" means those individuals who are not subject to federal wage and hour laws.

(AA) "Good faith" means honesty in the conduct or transaction concerned and the observance of reasonable commercial standards of fair dealing in the trade as is defined in section 1301.201 of the Revised Code, including, but not limited to, the duty to act in a fair and equitable manner so as to guarantee freedom from coercion, intimidation, or threats of coercion or intimidation; provided however, that recommendation, endorsement, exposition, persuasion, urging, or argument shall not be considered to constitute a lack of good faith.

(BB) "Coerce" means to compel or attempt to compel by failing to act in good faith or by threat of economic harm, breach of contract, or other adverse consequences. Coerce does not mean to argue, urge, recommend, or persuade.

(CC) "Relevant market area" means any area within a radius of ten miles from the site of a potential new dealership, except that for manufactured home or recreational vehicle dealerships the radius shall be twenty-five miles. The ten-mile radius shall be measured from the dealer's established place of business that is used exclusively for the purpose of selling, displaying, offering for sale, or dealing in motor vehicles.

(DD) "Wholesale" or "at wholesale" means the act or attempted act of selling, bartering, exchanging, or otherwise disposing of a motor vehicle to a transferee for the purpose of resale and not for ultimate consumption by that transferee.

(EE) "Motor vehicle wholesaler" means any person licensed as a dealer under the laws of another state and engaged in the
business of selling, displaying, or offering for sale used motor vehicles, at wholesale, but does not mean any motor vehicle dealer as defined in this section.

(FF)(1) "Remanufacturer" means a person who assembles or installs passenger seating, walls, a roof elevation, or a body extension on a conversion van with the motor vehicle chassis supplied by a manufacturer or distributor, a person who modifies a truck chassis supplied by a manufacturer or distributor for use as a public safety or public service vehicle, a person who modifies a motor vehicle chassis supplied by a manufacturer or distributor for use as a limousine or hearse, or a person who modifies an incomplete motor vehicle cab and chassis supplied by a new motor vehicle dealer or distributor for use as a tow truck, but does not mean either of the following:

(a) A person who assembles or installs passenger seating, a roof elevation, or a body extension on a recreational vehicle as defined in division (Q) and referred to in division (B) of section 4501.01 of the Revised Code;

(b) A person who assembles or installs special equipment or accessories for a person with a disability that limits or impairs the ability to walk, as defined in section 4503.44 of the Revised Code, upon a motor vehicle chassis supplied by a manufacturer or distributor.

(2) For the purposes of division (FF)(1) of this section, "public safety vehicle or public service vehicle" means a fire truck, ambulance, school bus, street sweeper, garbage packing truck, or cement mixer, or a mobile self-contained facility vehicle.

(3) For the purposes of division (FF)(1) of this section,
"limousine" means a motor vehicle, designed only for the purpose of carrying nine or fewer passengers, that a person modifies by cutting the original chassis, lengthening the wheelbase by forty inches or more, and reinforcing the chassis in such a way that all modifications comply with all applicable federal motor vehicle safety standards. No person shall qualify as or be deemed to be a remanufacturer who produces limousines unless the person has a written agreement with the manufacturer of the chassis the person utilizes to produce the limousines to complete properly the remanufacture of the chassis into limousines.

(4) For the purposes of division (FF)(1) of this section, "hearse" means a motor vehicle, designed only for the purpose of transporting a single casket, that is equipped with a compartment designed specifically to carry a single casket that a person modifies by cutting the original chassis, lengthening the wheelbase by ten inches or more, and reinforcing the chassis in such a way that all modifications comply with all applicable federal motor vehicle safety standards. No person shall qualify as or be deemed to be a remanufacturer who produces hearses unless the person has a written agreement with the manufacturer of the chassis the person utilizes to produce the hearses to complete properly the remanufacture of the chassis into hearses.

(5) For the purposes of division (FF)(1) of this section, "mobile self-contained facility vehicle" means a mobile classroom vehicle, mobile laboratory vehicle, bookmobile, bloodmobile, testing laboratory, and mobile display vehicle, each of which is designed for purposes other than for passenger transportation and other than the transportation or displacement of cargo, freight, materials, or merchandise. A vehicle is remanufactured into a mobile self-contained facility vehicle in
part by the addition of insulation to the body shell, and
installation of all of the following: a generator, electrical
wiring, plumbing, holding tanks, doors, windows, cabinets,
selving, and heating, ventilating, and air conditioning
systems.

(6) For the purposes of division (FF)(1) of this section,
"tow truck" means both of the following:

(a) An incomplete cab and chassis that are purchased by a
remanufacturer from a new motor vehicle dealer or distributor of
the cab and chassis and on which the remanufacturer then
installs in a permanent manner a wrecker body it purchases from
a manufacturer or distributor of wrecker bodies, installs an
emergency flashing light pylon and emergency lights upon the
mast of the wrecker body or rooftop, and installs such other
related accessories and equipment, including push bumpers, front
griile guards with pads and other custom-ordered items such as
painting, special lettering, and safety striping so as to create
a complete motor vehicle capable of lifting and towing another
motor vehicle.

(b) An incomplete cab and chassis that are purchased by a
remanufacturer from a new motor vehicle dealer or distributor of
the cab and chassis and on which the remanufacturer then
installs in a permanent manner a car carrier body it purchases
from a manufacturer or distributor of car carrier bodies,
installs an emergency flashing light pylon and emergency lights
upon the rooftop, and installs such other related accessories
and equipment, including push bumpers, front grille guards with
pads and other custom-ordered items such as painting, special
lettering, and safety striping.

As used in division (FF)(6)(b) of this section, "car
carrier body" means a mechanical or hydraulic apparatus capable of lifting and holding a motor vehicle on a flat level surface so that one or more motor vehicles can be transported, once the car carrier is permanently installed upon an incomplete cab and chassis.

(GG) "Operating as a new motor vehicle dealership" means engaging in activities such as displaying, offering for sale, and selling new motor vehicles at retail, operating a service facility to perform repairs and maintenance on motor vehicles, offering for sale and selling motor vehicle parts at retail, and conducting all other acts that are usual and customary to the operation of a new motor vehicle dealership. For the purposes of this chapter only, possession of either a valid new motor vehicle dealer franchise agreement or a new motor vehicle dealers license, or both of these items, is not evidence that a person is operating as a new motor vehicle dealership.

(HH) "Outdoor power equipment" means garden and small utility tractors, walk-behind and riding mowers, chainsaws, and tillers.

(II) "Remote service facility" means premises that are separate from a licensed new motor vehicle dealer's sales facility by not more than one mile and that are used by the dealer to perform repairs, warranty work, recall work, and maintenance on motor vehicles pursuant to a franchise agreement entered into with a manufacturer of motor vehicles. A remote service facility shall be deemed to be part of the franchise agreement and is subject to all the rights, duties, obligations, and requirements of Chapter 4517. of the Revised Code that relate to the performance of motor vehicle repairs, warranty work, recall work, and maintenance work by new motor vehicle dealers.
dealers.

(JJ) "Recreational vehicle" has the same meaning as in section 4501.01 of the Revised Code.

(KK) "Construction equipment auctioneer" means a person who holds both a valid auction firm license issued under Chapter 4707. of the Revised Code and a valid construction equipment auction license issued under this chapter.

(LL) "Large construction or transportation equipment" means vehicles having a gross vehicle weight rating of more than ten thousand pounds and includes road rollers, traction engines, power shovels, power cranes, commercial cars and trucks, or farm trucks, and other similar vehicles obtained primarily from the construction, mining, transportation or farming industries.

(MM) "Local market conditions" includes, but is not limited to:

(1) Demographics in the franchisee's area;

(2) Geographical and market characteristics in the franchisee's area;

(3) Local economic circumstances;

(4) The proximity of other motor vehicle dealers of the same line-make;

(5) The proximity of motor vehicle manufacturing facilities;

(6) The buying patterns of motor vehicle purchasers;

(7) Customer drive time and drive distance.

**Sec. 4517.12.** (A) The registrar of motor vehicles shall deny the application of any person for a license as a motor
vehicle dealer, motor vehicle leasing dealer, or motor vehicle auction owner and refuse to issue the license if the registrar finds that the applicant:

(1) Has made any false statement of a material fact in the application;

(2) Has not complied with sections 4517.01 to 4517.45 of the Revised Code;

(3) Is of bad business repute or has habitually defaulted on financial obligations;

(4) Is engaged or will engage in the business of selling at retail any new motor vehicles without having written authority from the manufacturer or distributor thereof to sell new motor vehicles and to perform repairs under the terms of the manufacturer's or distributor's new motor vehicle warranty, except as provided in division (C) of this section and except that a person who assembles or installs special equipment or accessories for handicapped persons, a person with a disability that limits or impairs the ability to walk, as defined in section 4503.44 of the Revised Code, upon a motor vehicle chassis supplied by a manufacturer or distributor shall not be denied a license pursuant to division (A)(4) of this section;

(5) Has been guilty of a fraudulent act in connection with selling or otherwise dealing in, or leasing, motor vehicles, or in connection with brokering manufactured homes;

(6) Has entered into or is about to enter into a contract or agreement with a manufacturer or distributor of motor vehicles that is contrary to sections 4517.01 to 4517.45 of the Revised Code;

(7) Is insolvent;
(8) Is of insufficient responsibility to ensure the prompt payment of any final judgments that might reasonably be entered against the applicant because of the transaction of business as a motor vehicle dealer, motor vehicle leasing dealer, or motor vehicle auction owner during the period of the license applied for, or has failed to satisfy any such judgment;

(9) Has no established place of business that, where applicable, is used or will be used for the purpose of selling, displaying, offering for sale, dealing in, or leasing motor vehicles at the location for which application is made;

(10) Has, less than twelve months prior to making application, been denied a motor vehicle dealer's, motor vehicle leasing dealer's, or motor vehicle auction owner's license, or has any such license revoked;

(11) Is a manufacturer, or a parent company, subsidiary, or affiliated entity of a manufacturer, applying for a license to sell or lease new or used motor vehicles at retail. Division (A)(11) of this section shall not serve as a basis for the termination, revocation, or nonrenewal of a license granted prior to the effective date of this amendment—September 4, 2014. Nothing in division (A)(11) of this section shall prohibit a manufacturer from doing either of the following:

(a) Owning, operating, or controlling not more than three licensed motor vehicle dealerships if, as of January 1, 2014, the manufacturer was selling or otherwise distributing its motor vehicles at an established place of business in this state. Such ownership, operation, or control may continue unless the manufacturer's motor vehicle operations are sold or acquired or the manufacturer produces any motor vehicles other than all-electric motor vehicles.
(b) Disposing of motor vehicles at wholesale at the termination of a consumer lease through a motor vehicle auction.

(B) If the applicant is a corporation or partnership, the registrar may refuse to issue a license if any officer, director, or partner of the applicant has been guilty of any act or omission that would be cause for refusing or revoking a license issued to such officer, director, or partner as an individual. The registrar's finding may be based upon facts contained in the application or upon any other information the registrar may have. Immediately upon denying an application for any of the reasons in this section, the registrar shall enter a final order together with the registrar's findings and certify the same to the motor vehicle dealers' and salespersons' licensing board.

(C) Notwithstanding division (A)(4) of this section, the registrar shall not deny the application of any person and refuse to issue a license if the registrar finds that the applicant is engaged or will engage in the business of selling at retail any new motor vehicles and demonstrates all of the following in the form prescribed by the registrar:

(1) That the applicant has posted a bond, surety, or certificate of deposit with the registrar in an amount not less than one hundred thousand dollars for the protection and benefit of the applicant's customers except that a new motor vehicle dealer who is not exclusively engaged in the business of selling remanufactured vehicles shall not be required to post the bond, surety, or certificate of deposit otherwise required by division (C)(1) of this section;

(2) That, at the time of the sale of the vehicle, each customer of the applicant will be furnished with a warranty
(3) That the applicant provides and maintains at the applicant's location and place of business a permanent facility with all of the following:

(a) A showroom with space, under roof, for the display of at least one new motor vehicle;

(b) A service and parts facility for remanufactured vehicles;

(c) Full-time service and parts personnel with the proper training and technical expertise to service the remanufactured vehicles sold by the applicant.

Section 4. That existing sections 311.30, 505.541, 509.04, 3501.29, 3781.111, 4503.10, 4503.12, 4517.01, and 4517.12 of the Revised Code are hereby repealed.

Section 5. Section 3501.29 of the Revised Code is presented in this act as a composite of the section as amended by both S.B. 10 and S.B. 109 of the 130th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.