

As Introduced

**134th General Assembly
Regular Session
2021-2022**

S. B. No. 162

Senator Reineke

A BILL

To amend sections 4503.10, 4503.12, 5537.04, and 1
5537.16 and to enact sections 5537.041 and 2
5537.29 of the Revised Code to expand the 3
authority of the Ohio Turnpike and 4
Infrastructure Commission regarding evasion of 5
tolls on the Ohio turnpike and disclosure of 6
personal information. 7

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

Section 1. That sections 4503.10, 4503.12, 5537.04, and 8
5537.16 be amended and sections 5537.041 and 5537.29 of the 9
Revised Code be enacted to read as follows: 10

Sec. 4503.10. (A) The owner of every snowmobile, off- 11
highway motorcycle, and all-purpose vehicle required to be 12
registered under section 4519.02 of the Revised Code shall file 13
an application for registration under section 4519.03 of the 14
Revised Code. The owner of a motor vehicle, other than a 15
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 16
is not designed and constructed by the manufacturer for 17
operation on a street or highway may not register it under this 18
chapter except upon certification of inspection pursuant to 19

section 4513.02 of the Revised Code by the sheriff, or the chief 20
of police of the municipal corporation or township, with 21
jurisdiction over the political subdivision in which the owner 22
of the motor vehicle resides. Except as provided in section 23
4503.103 of the Revised Code, every owner of every other motor 24
vehicle not previously described in this section and every 25
person mentioned as owner in the last certificate of title of a 26
motor vehicle that is operated or driven upon the public roads 27
or highways shall cause to be filed each year, by mail or 28
otherwise, in the office of the registrar of motor vehicles or a 29
deputy registrar, a written or electronic application or a 30
preprinted registration renewal notice issued under section 31
4503.102 of the Revised Code, the form of which shall be 32
prescribed by the registrar, for registration for the following 33
registration year, which shall begin on the first day of January 34
of every calendar year and end on the thirty-first day of 35
December in the same year. Applications for registration and 36
registration renewal notices shall be filed at the times 37
established by the registrar pursuant to section 4503.101 of the 38
Revised Code. A motor vehicle owner also may elect to apply for 39
or renew a motor vehicle registration by electronic means using 40
electronic signature in accordance with rules adopted by the 41
registrar. Except as provided in division (J) of this section, 42
applications for registration shall be made on blanks furnished 43
by the registrar for that purpose, containing the following 44
information: 45

(1) A brief description of the motor vehicle to be 46
registered, including the year, make, model, and vehicle 47
identification number, and, in the case of commercial cars, the 48
gross weight of the vehicle fully equipped computed in the 49
manner prescribed in section 4503.08 of the Revised Code; 50

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| (2) The name and residence address of the owner, and the township and municipal corporation in which the owner resides; | 51 52 |
| (3) The district of registration, which shall be determined as follows: | 53 54 |
| (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. | 55 56 57 58 59 60 61 |
| (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. | 62 63 64 |
| (4) Whether the motor vehicle is a new or used motor vehicle; | 65 66 |
| (5) The date of purchase of the motor vehicle; | 67 |
| (6) Whether the fees required to be paid for the registration or transfer of the motor vehicle, during the preceding registration year and during the preceding period of the current registration year, have been paid. Each application for registration shall be signed by the owner, either manually or by electronic signature, or pursuant to obtaining a limited power of attorney authorized by the registrar for registration, or other document authorizing such signature. If the owner elects to apply for or renew the motor vehicle registration with the registrar by electronic means, the owner's manual signature is not required. | 68 69 70 71 72 73 74 75 76 77 78 |
| (7) The owner's social security number, driver's license | 79 |

number, or state identification number, or, where a motor 80
vehicle to be registered is used for hire or principally in 81
connection with any established business, the owner's federal 82
taxpayer identification number. The bureau of motor vehicles 83
shall retain in its records all social security numbers provided 84
under this section, but the bureau shall not place social 85
security numbers on motor vehicle certificates of registration. 86

(B) Except as otherwise provided in this division, each 87
time an applicant first registers a motor vehicle in the 88
applicant's name, the applicant shall present for inspection a 89
physical certificate of title or memorandum certificate showing 90
title to the motor vehicle to be registered in the name of the 91
applicant if a physical certificate of title or memorandum 92
certificate has been issued by a clerk of a court of common 93
pleas. If, under sections 4505.021, 4505.06, and 4505.08 of the 94
Revised Code, a clerk instead has issued an electronic 95
certificate of title for the applicant's motor vehicle, that 96
certificate may be presented for inspection at the time of first 97
registration in a manner prescribed by rules adopted by the 98
registrar. An applicant is not required to present a certificate 99
of title to an electronic motor vehicle dealer acting as a 100
limited authority deputy registrar in accordance with rules 101
adopted by the registrar. When a motor vehicle inspection and 102
maintenance program is in effect under section 3704.14 of the 103
Revised Code and rules adopted under it, each application for 104
registration for a vehicle required to be inspected under that 105
section and those rules shall be accompanied by an inspection 106
certificate for the motor vehicle issued in accordance with that 107
section. The application shall be refused if any of the 108
following applies: 109

(1) The application is not in proper form. 110

(2) The application is prohibited from being accepted by 111
division (D) of section 2935.27, division (A) of section 112
2937.221, division (A) of section 4503.13, division (B) of 113
section 4510.22, ~~or~~ division (B) (1) of section 4521.10, or 114
division (B) of section 5537.041 of the Revised Code. 115

(3) A certificate of title or memorandum certificate of 116
title is required but does not accompany the application or, in 117
the case of an electronic certificate of title, is required but 118
is not presented in a manner prescribed by the registrar's 119
rules. 120

(4) All registration and transfer fees for the motor 121
vehicle, for the preceding year or the preceding period of the 122
current registration year, have not been paid. 123

(5) The owner or lessee does not have an inspection 124
certificate for the motor vehicle as provided in section 3704.14 125
of the Revised Code, and rules adopted under it, if that section 126
is applicable. 127

This section does not require the payment of license or 128
registration taxes on a motor vehicle for any preceding year, or 129
for any preceding period of a year, if the motor vehicle was not 130
taxable for that preceding year or period under sections 131
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 132
of the Revised Code. When a certificate of registration is 133
issued upon the first registration of a motor vehicle by or on 134
behalf of the owner, the official issuing the certificate shall 135
indicate the issuance with a stamp on the certificate of title 136
or memorandum certificate or, in the case of an electronic 137
certificate of title, an electronic stamp or other notation as 138
specified in rules adopted by the registrar, and with a stamp on 139
the inspection certificate for the motor vehicle, if any. The 140

official also shall indicate, by a stamp or by other means the 141
registrar prescribes, on the registration certificate issued 142
upon the first registration of a motor vehicle by or on behalf 143
of the owner the odometer reading of the motor vehicle as shown 144
in the odometer statement included in or attached to the 145
certificate of title. Upon each subsequent registration of the 146
motor vehicle by or on behalf of the same owner, the official 147
also shall so indicate the odometer reading of the motor vehicle 148
as shown on the immediately preceding certificate of 149
registration. 150

The registrar shall include in the permanent registration 151
record of any vehicle required to be inspected under section 152
3704.14 of the Revised Code the inspection certificate number 153
from the inspection certificate that is presented at the time of 154
registration of the vehicle as required under this division. 155

(C) (1) Except as otherwise provided in division (C) (1) of 156
this section, the registrar and each deputy registrar shall 157
collect an additional fee of eleven dollars for each application 158
for registration and registration renewal received. For vehicles 159
specified in divisions (A) (1) to (21) of section 4503.042 of the 160
Revised Code, the registrar and deputy registrar shall collect 161
an additional fee of thirty dollars for each application for 162
registration and registration renewal received. No additional 163
fee shall be charged for vehicles registered under section 164
4503.65 of the Revised Code. The additional fee is for the 165
purpose of defraying the department of public safety's costs 166
associated with the administration and enforcement of the motor 167
vehicle and traffic laws of Ohio. Each deputy registrar shall 168
transmit the fees collected under divisions (C) (1), (3), and (4) 169
of this section in the time and manner provided in this section. 170
The registrar shall deposit all moneys received under division 171

(C) (1) of this section into the public safety - highway purposes 172
fund established in section 4501.06 of the Revised Code. 173

(2) In addition, a charge of twenty-five cents shall be 174
made for each reflectorized safety license plate issued, and a 175
single charge of twenty-five cents shall be made for each county 176
identification sticker or each set of county identification 177
stickers issued, as the case may be, to cover the cost of 178
producing the license plates and stickers, including material, 179
manufacturing, and administrative costs. Those fees shall be in 180
addition to the license tax. If the total cost of producing the 181
plates is less than twenty-five cents per plate, or if the total 182
cost of producing the stickers is less than twenty-five cents 183
per sticker or per set issued, any excess moneys accruing from 184
the fees shall be distributed in the same manner as provided by 185
section 4501.04 of the Revised Code for the distribution of 186
license tax moneys. If the total cost of producing the plates 187
exceeds twenty-five cents per plate, or if the total cost of 188
producing the stickers exceeds twenty-five cents per sticker or 189
per set issued, the difference shall be paid from the license 190
tax moneys collected pursuant to section 4503.02 of the Revised 191
Code. 192

(3) The registrar and each deputy registrar shall collect 193
an additional fee of two hundred dollars for each application 194
for registration or registration renewal received for any plug- 195
in electric motor vehicle. The fee shall be prorated based on 196
the number of months for which the plug-in electric motor 197
vehicle is registered. The registrar shall transmit all money 198
arising from the fee imposed by division (C) (3) of this section 199
to the treasurer of state for distribution in accordance with 200
division (E) of section 5735.051 of the Revised Code, subject to 201
division (D) of section 5735.05 of the Revised Code. 202

(4) The registrar and each deputy registrar shall collect 203
an additional fee of one hundred dollars for each application 204
for registration or registration renewal received for any hybrid 205
motor vehicle. The fee shall be prorated based on the number of 206
months for which the hybrid motor vehicle is registered. The 207
registrar shall transmit all money arising from the fee imposed 208
by division (C) (4) of this section to the treasurer of state for 209
distribution in accordance with division (E) of section 5735.051 210
of the Revised Code, subject to division (D) of section 5735.05 211
of the Revised Code. 212

The fees established under divisions (C) (3) and (4) of 213
this section shall not be imposed until January 1, 2020. 214

(D) Each deputy registrar shall be allowed a fee equal to 215
the amount established under section 4503.038 of the Revised 216
Code for each application for registration and registration 217
renewal notice the deputy registrar receives, which shall be for 218
the purpose of compensating the deputy registrar for the deputy 219
registrar's services, and such office and rental expenses, as 220
may be necessary for the proper discharge of the deputy 221
registrar's duties in the receiving of applications and renewal 222
notices and the issuing of registrations. 223

(E) Upon the certification of the registrar, the county 224
sheriff or local police officials shall recover license plates 225
erroneously or fraudulently issued. 226

(F) Each deputy registrar, upon receipt of any application 227
for registration or registration renewal notice, together with 228
the license fee and any local motor vehicle license tax levied 229
pursuant to Chapter 4504. of the Revised Code, shall transmit 230
that fee and tax, if any, in the manner provided in this 231
section, together with the original and duplicate copy of the 232

application, to the registrar. The registrar, subject to the 233
approval of the director of public safety, may deposit the funds 234
collected by those deputies in a local bank or depository to the 235
credit of the "state of Ohio, bureau of motor vehicles." Where a 236
local bank or depository has been designated by the registrar, 237
each deputy registrar shall deposit all moneys collected by the 238
deputy registrar into that bank or depository not more than one 239
business day after their collection and shall make reports to 240
the registrar of the amounts so deposited, together with any 241
other information, some of which may be prescribed by the 242
treasurer of state, as the registrar may require and as 243
prescribed by the registrar by rule. The registrar, within three 244
days after receipt of notification of the deposit of funds by a 245
deputy registrar in a local bank or depository, shall draw on 246
that account in favor of the treasurer of state. The registrar, 247
subject to the approval of the director and the treasurer of 248
state, may make reasonable rules necessary for the prompt 249
transmittal of fees and for safeguarding the interests of the 250
state and of counties, townships, municipal corporations, and 251
transportation improvement districts levying local motor vehicle 252
license taxes. The registrar may pay service charges usually 253
collected by banks and depositories for such service. If deputy 254
registrars are located in communities where banking facilities 255
are not available, they shall transmit the fees forthwith, by 256
money order or otherwise, as the registrar, by rule approved by 257
the director and the treasurer of state, may prescribe. The 258
registrar may pay the usual and customary fees for such service. 259

(G) This section does not prevent any person from making 260
an application for a motor vehicle license directly to the 261
registrar by mail, by electronic means, or in person at any of 262
the registrar's offices, upon payment of a service fee equal to 263

the amount established under section 4503.038 of the Revised Code for each application. 264
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(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. 266
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(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, 4503.46, 4503.47, and 4503.51 of the Revised Code. 271
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(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. 283
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(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 291
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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 323
conduct electronic transactions by July 1, 2010, or sooner. If 324
the registrar determines that implementing such a program is 325
feasible, the registrar shall adopt new rules under this 326
division or amend existing rules adopted under this division as 327
necessary in order to respond to advances in technology. 328

If international registration plan guidelines and 329
provisions allow member jurisdictions to permit applications for 330
registrations under the international registration plan to be 331
made via the internet, the rules the registrar adopts under this 332
division shall permit such action. 333

Sec. 4503.12. (A) Upon the transfer of ownership of a 334
motor vehicle, the registration of the motor vehicle expires, 335
and the original owner immediately shall remove the license 336
plates from the motor vehicle, except that: 337

(1) If a statutory merger or consolidation results in the 338
transfer of ownership of a motor vehicle from a constituent 339
corporation to the surviving corporation, or if the 340
incorporation of a proprietorship or partnership results in the 341
transfer of ownership of a motor vehicle from the proprietorship 342
or partnership to the corporation, the registration shall be 343
continued upon the filing by the surviving or new corporation, 344
within thirty days of such transfer, of an application for an 345
amended certificate of registration. Upon a proper filing, the 346
registrar of motor vehicles shall issue an amended certificate 347
of registration in the name of the new owner. 348

(2) If the death of the owner of a motor vehicle results 349
in the transfer of ownership of the motor vehicle to the 350
surviving spouse of the owner or if a motor vehicle is owned by 351
two persons under joint ownership with right of survivorship 352

established under section 2131.12 of the Revised Code and one of 353
those persons dies, the registration shall be continued upon the 354
filing by the survivor of an application for an amended 355
certificate of registration. In relation to a motor vehicle that 356
is owned by two persons under joint ownership with right of 357
survivorship established under section 2131.12 of the Revised 358
Code, the application shall be accompanied by a copy of the 359
certificate of title that specifies that the vehicle is owned 360
under joint ownership with right of survivorship. Upon a proper 361
filing, the registrar shall issue an amended certificate of 362
registration in the name of the survivor. 363

(3) If the death of the owner of a motor vehicle results 364
in the transfer of ownership of the motor vehicle to a transfer- 365
on-death beneficiary or beneficiaries designated under section 366
2131.13 of the Revised Code, the registration shall be continued 367
upon the filing by the transfer-on-death beneficiary or 368
beneficiaries of an application for an amended certificate of 369
registration. The application shall be accompanied by a copy of 370
the certificate of title that specifies that the owner of the 371
motor vehicle has designated the motor vehicle in beneficiary 372
form under section 2131.13 of the Revised Code. Upon a proper 373
filing, the registrar shall issue an amended certificate of 374
registration in the name of the transfer-on-death beneficiary or 375
beneficiaries. 376

(4) If the original owner of a motor vehicle that has been 377
transferred makes application for the registration of another 378
motor vehicle at any time during the remainder of the 379
registration period for which the transferred motor vehicle was 380
registered, the owner may file an application for transfer of 381
the registration and, where applicable, the license plates. The 382
transfer of the registration and, where applicable, the license 383

plates from the motor vehicle for which they originally were 384
issued to a succeeding motor vehicle purchased by the same 385
person in whose name the original registration and license 386
plates were issued shall be done within a period not to exceed 387
thirty days. During that thirty-day period, the license plates 388
from the motor vehicle for which they originally were issued may 389
be displayed on the succeeding motor vehicle, and the succeeding 390
motor vehicle may be operated on the public roads and highways 391
in this state. 392

At the time of application for transfer, the registrar 393
shall compute and collect the amount of tax due on the 394
succeeding motor vehicle, based upon the amount that would be 395
due on a new registration as of the date on which the transfer 396
is made less a credit for the unused portion of the original 397
registration beginning on that date. If the credit exceeds the 398
amount of tax due on the new registration, no refund shall be 399
made. In computing the amount of tax due and credits to be 400
allowed under this division, the provisions of division (B) (1) 401
(a) and (b) of section 4503.11 of the Revised Code shall apply. 402
As to passenger cars, noncommercial vehicles, motor homes, and 403
motorcycles, transfers within or between these classes of motor 404
vehicles only shall be allowed. If the succeeding motor vehicle 405
is of a different class than the motor vehicle for which the 406
registration originally was issued, new license plates also 407
shall be issued upon the surrender of the license plates 408
originally issued and payment of the fees provided in divisions 409
(C) and (D) of section 4503.10 of the Revised Code. 410

(5) The owner of a commercial car having a gross vehicle 411
weight or combined gross vehicle weight of more than ten 412
thousand pounds may transfer the registration of that commercial 413
car to another commercial car the owner owns without 414

transferring ownership of the first commercial car. At any time 415
during the remainder of the registration period for which the 416
first commercial car was registered, the owner may file an 417
application for the transfer of the registration and, where 418
applicable, the license plates, accompanied by the certificate 419
of registration of the first commercial car. The amount of any 420
tax due or credit to be allowed for a transfer of registration 421
under this division shall be computed in accordance with 422
division (A) (4) of this section. 423

No commercial car to which a registration is transferred 424
under this division shall be operated on a public road or 425
highway in this state until after the transfer of registration 426
is completed in accordance with this division. 427

(6) Upon application to the registrar or a deputy 428
registrar, a person who owns or leases a motor vehicle may 429
transfer special license plates assigned to that vehicle to any 430
other vehicle that the person owns or leases or that is owned or 431
leased by the person's spouse. As appropriate, the application 432
also shall be accompanied by a power of attorney for the 433
registration of a leased vehicle and a written statement 434
releasing the special plates to the applicant. Upon a proper 435
filing, the registrar or deputy registrar shall assign the 436
special license plates to the motor vehicle owned or leased by 437
the applicant and issue a new certificate of registration for 438
that motor vehicle. 439

(7) If a corporation transfers the ownership of a motor 440
vehicle to an affiliated corporation, the affiliated corporation 441
may apply to the registrar for the transfer of the registration 442
and any license plates. The registrar may require the applicant 443
to submit documentation of the corporate relationship and shall 444

determine whether the application for registration transfer is 445
made in good faith and not for the purposes of circumventing the 446
provisions of this chapter. Upon a proper filing, the registrar 447
shall issue an amended certificate of registration in the name 448
of the new owner. 449

(B) An application under division (A) of this section 450
shall be accompanied by a service fee equal to the amount 451
established under section 4503.038 of the Revised Code, a 452
transfer fee of one dollar, and the original certificate of 453
registration, if applicable. 454

(C) Neither the registrar nor a deputy registrar shall 455
transfer a registration under division (A) of this section if 456
the registration is prohibited by division (D) of section 457
2935.27, division (A) of section 2937.221, division (A) of 458
section 4503.13, division (D) of section 4503.234, division (B) 459
of section 4510.22, ~~or~~ division (B) (1) of section 4521.10, or 460
division (B) of section 5537.041 of the Revised Code. 461

(D) Whoever violates division (A) of this section is 462
guilty of a misdemeanor of the fourth degree. 463

(E) As used in division (A) (6) of this section, "special 464
license plates" means either of the following: 465

(1) Any license plates for which the person to whom the 466
license plates are issued must pay an additional fee in excess 467
of the fees prescribed in section 4503.04 of the Revised Code, 468
Chapter 4504. of the Revised Code, and the service fee 469
prescribed in division (D) or (G) of section 4503.10 of the 470
Revised Code; 471

(2) License plates issued under section 4503.44 of the 472
Revised Code. 473

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| Sec. 5537.04. (A) The Ohio turnpike and infrastructure | 474 |
| commission may do any of the following: | 475 |
| (1) Adopt bylaws for the regulation of its affairs and the | 476 |
| conduct of its business; | 477 |
| (2) Adopt an official seal, which shall not be the great | 478 |
| seal of the state and which need not be in compliance with | 479 |
| section 5.10 of the Revised Code; | 480 |
| (3) Maintain a principal office and suboffices at such | 481 |
| places within the state as it designates; | 482 |
| (4) With respect to the Ohio turnpike system and turnpike | 483 |
| projects, sue and be sued in its own name, plead and be | 484 |
| impleaded, provided any actions against the commission shall be | 485 |
| brought in the court of common pleas of the county in which the | 486 |
| principal office of the commission is located, or in the court | 487 |
| of common pleas of the county in which the cause of action arose | 488 |
| if that county is located within this state, and all summonses, | 489 |
| exceptions, and notices of every kind shall be served on the | 490 |
| commission by leaving a copy thereof at its principal office | 491 |
| with the secretary-treasurer or executive director of the | 492 |
| commission; | 493 |
| (5) With respect to infrastructure projects only, sue and | 494 |
| be sued in its own name, plead and be impleaded, provided any | 495 |
| actions against the commission shall be brought in the court of | 496 |
| common pleas of Franklin county, and all summonses, exceptions, | 497 |
| and notices of every kind shall be served on the commission by | 498 |
| leaving a copy thereof at its principal office with the | 499 |
| secretary-treasurer or executive director of the commission. | 500 |
| (6) Construct, maintain, repair, police, and operate the | 501 |
| turnpike system, and establish rules for the use of any turnpike | 502 |

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| project; | 503 |
| (7) Issue revenue bonds of the state, payable solely from pledged revenues, as provided in this chapter, for the purpose of paying any part of the cost of constructing any one or more turnpike projects or infrastructure projects; | 504 505 506 507 |
| (8) Fix, and revise from time to time, and charge and collect tolls by any method approved by the commission, including, but not limited to, manual methods or through electronic technology accepted within the tolling industry; | 508 509 510 511 |
| (9) Acquire, hold, and dispose of property in the exercise of its powers and the performance of its duties under this chapter; | 512 513 514 |
| (10) Designate the locations and establish, limit, and control such points of ingress to and egress from each turnpike project as are necessary or desirable in the judgment of the commission and of the director of transportation to ensure the proper operation and maintenance of that turnpike project, and prohibit entrance to such a turnpike project from any point not so designated; | 515 516 517 518 519 520 521 |
| (11) Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter, including participation in a multi-jurisdiction electronic toll collection agreement and collection or remittance of tolls, fees, or other charges to or from entities or agencies that participate in such an agreement; the commission also may enter into agreements with retail locations, including deputy registrars, to allow the general public to acquire electronic toll collection devices, commonly known as transponders, from the retail locations for | 522 523 524 525 526 527 528 529 530 531 |

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| such reasonable fees as are established by the commission; | 532 |
| (12) Employ or retain or contract for the services of | 533 |
| consulting engineers, superintendents, managers, and any other | 534 |
| engineers, construction and accounting experts, financial | 535 |
| advisers, trustees, marketing, remarketing, and administrative | 536 |
| agents, attorneys, and other employees, independent contractors, | 537 |
| or agents that are necessary in its judgment and fix their | 538 |
| compensation, provided all such expenses shall be payable solely | 539 |
| from the proceeds of bonds or from revenues of the Ohio turnpike | 540 |
| system; | 541 |
| (13) Receive and accept from any federal agency, subject | 542 |
| to the approval of the governor, and from any other governmental | 543 |
| agency grants for or in aid of the construction, reconstruction, | 544 |
| repair, renovation, maintenance, or operation of any turnpike | 545 |
| project, and receive and accept aid or contributions from any | 546 |
| source or person of money, property, labor, or other things of | 547 |
| value, to be held, used, and applied only for the purposes for | 548 |
| which such grants and contributions are made; | 549 |
| (14) Provide coverage for its employees under Chapters | 550 |
| 4123. and 4141. of the Revised Code; | 551 |
| (15) Fix and revise by rule, from time to time, such | 552 |
| permit fees, processing fees, or administrative charges for the | 553 |
| prepayment, deferred payment, or nonpayment of tolls and use of | 554 |
| electronic tolling equipment or other commission property; | 555 |
| (16) Adopt rules for the <u>all of the following:</u> | 556 |
| (a) <u>The issuance of citations either</u> by a policing | 557 |
| authority or, <u>the issuance of citations</u> through administrative | 558 |
| means, <u>and the issuance of invoices by the commission to</u> | 559 |
| individuals or corporations <u>any person</u> that evade the payment of | 560 |

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| <u>fails to pay the tolls or fees established for the use of any</u> | 561 |
| turnpike project; | 562 |
| <u>(b) The issuance of a second invoice to any person who</u> | 563 |
| <u>fails to remit payment of a toll or fee to the commission for</u> | 564 |
| <u>more than thirty days after issuance of the first invoice and</u> | 565 |
| <u>for the imposition of associated late fees;</u> | 566 |
| <u>(c) The implementation of procedures whereby a person may</u> | 567 |
| <u>dispute an invoice with the commission through an administrative</u> | 568 |
| <u>hearing at the commission's principal office as authorized under</u> | 569 |
| <u>section 5537.041 of the Revised Code;</u> | 570 |
| <u>(d) The implementation of procedures whereby a person may</u> | 571 |
| <u>appeal the decision of an administrative hearing in the manner</u> | 572 |
| <u>described in section 5537.041 of the Revised Code.</u> | 573 |
| (17) Approve funding and authorize agreements with the | 574 |
| department of transportation for the funding of infrastructure | 575 |
| projects recommended by the director of transportation pursuant | 576 |
| to the criteria established by rule under section 5537.18 of the | 577 |
| Revised Code. | 578 |
| (B) The commission may do all acts necessary or proper to | 579 |
| carry out the powers expressly granted in this chapter. | 580 |
| <u>(C) As used in this section and section 5537.041 of the</u> | 581 |
| <u>Revised Code, "person" has the same meaning as in section</u> | 582 |
| <u>1745.05 of the Revised Code.</u> | 583 |
| Sec. 5537.041. <u>(A) (1) A person that receives an invoice</u> | 584 |
| <u>from the Ohio turnpike and infrastructure commission may request</u> | 585 |
| <u>an administrative hearing with the commission at the</u> | 586 |
| <u>commission's principal office to dispute the invoice. The person</u> | 587 |
| <u>may present evidence at the hearing.</u> | 588 |

(2) Notwithstanding sections 1901.18, 1901.20, 1907.02, and 1907.031 of the Revised Code, the commission has exclusive original jurisdiction over a dispute regarding an invoice issued by the commission in accordance with the rules adopted under section 5537.04 of the Revised Code. 589
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(3) The commission shall grant a hearing to any person that requests one under this section. The commission shall send reasonable notice in advance to the requestor of the time, date, and location of the hearing. The commission may appoint a hearing officer to administer any requested hearings. 594
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(4) A person forfeits the right to an administrative hearing or appeal if either of the following occur: 599
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(a) The person does not respond within sixty days after the second invoice is issued in accordance with the rules adopted under section 5537.04 of the Revised Code. 601
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(b) The person fails to appear at the requested hearing. 604

(5) The decision of the commission or its designated hearing officer is presumed final unless it is reversed on appeal. A person may appeal the decision in accordance with Chapter 2506. of the Revised Code. Any such appeal shall be commenced in the Cuyahoga county court of common pleas. The court's decision is final and there is no further right to appeal that decision. 605
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(B) In accordance with the rules adopted under section 5537.04 of the Revised Code, the commission may notify the registrar of motor vehicles if either of the following occur: 612
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(1) A person fails to remit payment of a toll or fee or fails to dispute an invoice with the commission within sixty days after the provision of the second invoice in accordance 615
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with the rules adopted under section 5537.04 of the Revised 618
Code; 619

(2) A person fails to pay any remaining balance due after 620
appeal to the Cuyahoga county court of common pleas. 621

(C) If the registrar receives a notice from the commission 622
under division (B) of this section, neither the registrar nor 623
any deputy registrar shall accept any application for the 624
registration or transfer of registration of any motor vehicle 625
owned or leased by the person named in the notice, until the 626
registrar receives notice from the commission that the remaining 627
balance for the toll or fee has been paid or dismissed. 628

Sec. 5537.16. (A) The Ohio turnpike and infrastructure 629
commission may adopt such bylaws and rules as it considers 630
advisable for the control and regulation of traffic on any 631
turnpike project, for the protection and preservation of 632
property under its jurisdiction and control, for the maintenance 633
and preservation of good order within the property under its 634
control, and for the purpose of establishing owner or operator 635
liability for failure to comply with toll collection rules. The 636
rules may require that both the owner or lessee and the operator 637
of a motor vehicle be held jointly and strictly liable for the 638
payment of tolls, fees, and fines. If the owner or lessee and 639
the operator are jointly and strictly liable, the owner or 640
lessee may not disclaim liability for a toll, fee, or fine by 641
claiming another person was operating the motor vehicle at the 642
time the toll, fee, or fine was incurred. The rules of the 643
commission with respect to the speed, use of special engine 644
brakes, axle loads, vehicle loads, and vehicle dimensions of 645
vehicles on turnpike projects, including the issuance of a 646
special permit by the commission to allow the operation on any 647

turnpike project of a motor vehicle transporting two or fewer 648
steel coils, shall apply notwithstanding sections 4511.21 to 649
~~4511.24~~4511.25, 4513.34, and Chapter 5577. of the Revised Code. 650
Such bylaws and rules shall be published in a newspaper of 651
general circulation in Franklin county, and in such other manner 652
as the commission prescribes. 653

(B) Such rules shall provide that public police officers 654
shall be afforded ready access, while in the performance of 655
their official duty, to all property under the jurisdiction of 656
the commission and without the payment of tolls. 657

(C) No person shall violate any such bylaws or rules of 658
the commission. 659

(D) (1) All fines collected for the violation of applicable 660
laws of the state and the bylaws and rules of the commission or 661
moneys arising from bonds forfeited for such violation shall be 662
disposed of in accordance with section 5503.04 of the Revised 663
Code. 664

(2) All fees or charges assessed by the commission against 665
an owner, lessee, or operator of a vehicle as a civil violation 666
for failure to comply with toll collection or toll evasion rules 667
shall be revenues of the commission. 668

Sec. 5537.29. (A) As used in this section: 669

(1) "Electronic toll account record" means a record kept 670
by the Ohio turnpike and infrastructure commission or any other 671
tolling agency that contains the information required for the 672
commission or other tolling agency to collect the tolls charged 673
to the holder of the electronic toll account or the owner of a 674
motor vehicle that travels on a tolled road. 675

(2) "Person" does not include any governmental agency. 676

(3) "Personal information" means information that 677
identifies an individual, including an individual's photograph 678
or digital image, social security number, driver or driver's 679
license identification number, credit card or financial 680
information, name, telephone number, or an individual's address 681
other than the five-digit zip code number. "Personal 682
information" does not include information pertaining to a 683
vehicular accident, driving or traffic violation, or driver's 684
status. 685

(B) Except as provided in division (C) of this section, 686
the commission, and any employee or contractor of the 687
commission, shall not knowingly disclose or otherwise make 688
available to any person or entity any personal information about 689
an individual that the commission obtained in connection with 690
processing a toll, fine, fee, or an electronic toll account 691
record. 692

(C) The commission, or an employee or contractor of the 693
commission, may disclose personal information as follows: 694

(1) For the use of a governmental agency, including a 695
court or law enforcement agency, in carrying out its functions, 696
or for the use of a private person or entity acting on behalf of 697
an agency of this state, another state, the United States, or a 698
political subdivision of this state or another state in carrying 699
out its functions; 700

(2) For use in connection with a civil, criminal, 701
administrative, or arbitral proceeding in a court or agency of 702
this state, another state, the United States, or a political 703
subdivision of this state or another state or before a self- 704
regulatory body, including use in connection with the service of 705
process, investigation in anticipation of litigation, or the 706

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| <u>execution or enforcement of a judgment or order;</u> | 707 |
| <u>(3) Pursuant to an order of a court of this state, another</u> | 708 |
| <u>state, the United States, or a political subdivision of this</u> | 709 |
| <u>state or another state;</u> | 710 |
| <u>(4) For use by the financial institutions and credit</u> | 711 |
| <u>issuing companies directly involved in a credit transaction</u> | 712 |
| <u>pertaining to the payment of a toll, fine, or fee;</u> | 713 |
| <u>(5) For the collection of an unpaid toll, fine, fee, or</u> | 714 |
| <u>other administrative charge;</u> | 715 |
| <u>(6) For use in exchanging information between other</u> | 716 |
| <u>private and public toll transportation facilities;</u> | 717 |
| <u>(7) For any use not otherwise identified in divisions (C)</u> | 718 |
| <u>(1) to (6) of this section that is in response to a request for</u> | 719 |
| <u>personal information, if the individual whose personal</u> | 720 |
| <u>information is requested completes and submits to the commission</u> | 721 |
| <u>a form prescribed by the commission by rule giving express</u> | 722 |
| <u>consent to such disclosure;</u> | 723 |
| <u>(8) For use by a person, state, or state agency that</u> | 724 |
| <u>requests the personal information, if the person, state, or</u> | 725 |
| <u>state agency demonstrates that it has obtained the written</u> | 726 |
| <u>consent of the individual to whom the information pertains.</u> | 727 |
| <u>(D) The commission shall establish procedures for denying</u> | 728 |
| <u>a request for the disclosure of personal information if the</u> | 729 |
| <u>request does not satisfy the criteria for disclosure under</u> | 730 |
| <u>division (C) of this section.</u> | 731 |
| <u>(E) The commission shall establish any forms and shall</u> | 732 |
| <u>adopt rules in accordance with section 111.15 of the Revised</u> | 733 |
| <u>Code as necessary to administer this section.</u> | 734 |

Section 2. That existing sections 4503.10, 4503.12, 735
5537.04, and 5537.16 of the Revised Code are hereby repealed. 736