

# AN ACT

To amend sections 117.16, 124.152, 303.02, 306.353, 519.02, 723.52, 4503.10, 4503.103, 4503.11, 4503.191, 4503.29, 4503.44, 4506.01, 4506.11, 4507.01, 4507.061, 4507.13, 4507.52, 4511.093, 4513.34, 4981.02, 4981.04, 5503.031, 5517.011, 5525.16, 5531.09, 5531.10, 5540.01, 5540.02, 5540.03, 5540.06, 5543.19, 5575.01, 5577.044, and 5709.50; to enact sections 746.01, 746.02, 746.03, 746.04, 746.05, 746.06, 746.07, 4503.107, 4505.131, 4506.072, 4507.021, 4507.063, 4507.511, 4517.262, 4955.50, 4955.51, 4999.09, 5501.521, and 5501.60; and to repeal section 5501.09 of the Revised Code and to amend Section 265.325 of H.B. 110 of the 134th General Assembly and Sections 223.15 as subsequently amended, 243.10, and 243.20 of H.B. 687 of the 134th General Assembly; and to repeal Section 15149 of the General Code, Section 1 of Am. S.B. 200 of the 98th General Assembly, and Section 3 of H.B. 69 of the 112th General Assembly to make current expense appropriations for fiscal year 2023, to make appropriations for programs related to transportation for the biennium beginning July 1, 2023, and ending June 30, 2025, and to provide authorization and conditions for the operation of those programs.

*Be it enacted by the General Assembly of the State of Ohio:*

Section 101.01. That sections 117.16, 124.152, 303.02, 306.353, 519.02, 723.52, 4503.10, 4503.103, 4503.11, 4503.191, 4503.29, 4503.44, 4506.01, 4506.11, 4507.01, 4507.061, 4507.13, 4507.52, 4511.093, 4513.34, 4981.02, 4981.04, 5503.031, 5517.011, 5525.16, 5531.09, 5531.10, 5540.01, 5540.02, 5540.03, 5540.06, 5543.19, 5575.01, 5577.044, and 5709.50 be amended and sections 746.01, 746.02, 746.03, 746.04, 746.05, 746.06, 746.07, 4503.107, 4505.131, 4506.072, 4507.021, 4507.063, 4507.511, 4517.262, 4955.50, 4955.51, 4999.09, 5501.521, and 5501.60 of the Revised Code be enacted to read as follows:

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

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

(2) Make the form available to public offices by any cost-effective, convenient method accessible to the auditor of state and the public offices;

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

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

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

(a) For a county, the limits shall be ~~ten thousand dollars per mile~~ one-third of that county's force account limits for construction or reconstruction of a road and ~~forty thousand dollars~~ one-third of that county's force account limits for construction, reconstruction, maintenance, or repair of a bridge or culvert;

(b) For a township, the limit shall be ~~fifteen thousand dollars~~ one-third of that township's force account limits for maintenance and repair of a road or ~~five thousand per mile~~ one-third of that township's force account limits for construction or reconstruction of a township road;

(c) For a municipal corporation, the limit shall be ~~ten thousand dollars~~ one-third of that municipal corporation's force account limits for the construction, reconstruction, widening, resurfacing, or repair of a street or other public way.

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

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

If the tax commissioner determines that no funds are due and payable to the violating political subdivision or that insufficient amounts of such funds are available to cover the entire certified amount, the tax commissioner shall withhold and deposit to the credit of the local transportation improvement program fund any amount available and certify the remaining amount to be withheld to the county auditor of the county in which the political subdivision is located. The county auditor shall withhold from that political subdivision any amount, up to that certified by the

tax commissioner, that is available from any funds under the county auditor's control, that is due or payable to that political subdivision, and that can be lawfully withheld. The county auditor shall promptly pay that withheld amount to the tax commissioner for deposit into the local transportation improvement program fund.

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

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

(E) As used in this section, "force account limits" means any of the following, as applicable:

- (1) For a county, the amounts established in section 5543.19 of the Revised Code;
- (2) For a township, the amounts established in section 5575.01 of the Revised Code;
- (3) For a municipal corporation, the amount established in section 723.52 of the Revised Code;

Code;

(4) For the department of transportation, the amount established in section 5517.02 of the Revised Code.

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

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

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

Schedule E-1

	1	2	3	4	5	6	7	8	9	10
A	Pay Ranges and Step Values									
B										
C		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	
D	Range									

	1	2	3	4	5	6	7	8	9	10
A	1	Hourly	12.14	12.69	13.21	13.80				
B		Annually	25251	26395	27476	28704				
C	2	Hourly	14.73	15.36	16.01	16.72				
D		Annually	30638	31948	33300	34777				
E	3	Hourly	15.44	16.13	16.84	17.56				
F		Annually	32115	33550	35027	36524				
G	4	Hourly	16.20	16.93	17.75	18.51				
H		Annually	33696	35214	36920	38500				
I	5	Hourly	17.00	17.78	18.51	19.33				
J		Annually	35360	36982	38500	40206				
K	6	Hourly	17.91	18.66	19.47	20.27				
L		Annually	37252	38812	40497	42161				
M	7	Hourly	19.01	19.72	20.54	21.25	22.07			
N		Annually	39540	41017	42723	44200	45905			
O	8	Hourly	20.11	21.00	21.90	22.89	23.97			
P		Annually	41828	43680	45552	47611	49857			
Q	9	Hourly	21.45	22.56	23.67	24.85	26.11			
R		Annually	44616	46924	49233	51688	54308			
S	10	Hourly	23.13	24.41	25.72	27.20	28.64			
T		Annually	48110	50772	53497	56576	59571			

U	11	Hourly	25.20	26.66	28.20	29.80	31.49			
V		Annually	52416	55452	58656	61984	65499			
W	12	Hourly	27.80	29.36	30.93	32.64	34.46	36.34	37.82	39.60
X		Annually	57824	61068	64334	67891	71676	75587	78665	82368
Y	13	Hourly	30.64	32.32	34.09	35.92	37.95	39.99	41.63	43.59
Z		Annually	63731	67225	70907	74713	78936	83179	86590	90667
AA	14	Hourly	33.69	35.61	37.52	39.56	41.80	44.13	45.95	48.10
AB		Annually	70075	74068	78041	82284	86944	91790	95576	100048
AC	15	Hourly	37.02	39.10	41.30	43.57	45.99	48.51	50.50	52.88
AD		Annually	77001	81328	85904	90625	95659	100900	105040	109990
AE	16	Hourly	40.81	43.08	45.45	48.00	50.63	53.53	55.73	58.34
AF		Annually	84884	89606	94536	99840	105310	111342	115918	121347
AG	17	Hourly	44.96	47.44	50.10	52.86	55.83	58.94		
AH		Annually	93516	98675	104208	109948	116126	122595		
AI	18	Hourly	49.55	52.29	55.24	58.28	61.50	64.94		
AJ		Annually	103064	108763	114899	121222	127920	135075		

Schedule E-2

	1	2	3	4
A	Range		Minimum	Maximum
B	41	Hourly	16.23	48.99

C		Annually	33758	101899
D	42	Hourly	17.89	54.09
E		Annually	37211	112507
F	43	Hourly	19.70	59.56
G		Annually	40976	123884
H	44	Hourly	21.73	65.08
I		Annually	45198	135366
J	45	Hourly	24.01	71.05
K		Annually	49941	147784
L	46	Hourly	26.43	77.65
M		Annually	54974	161512
N	47	Hourly	29.14	84.75
O		Annually	60611	176280
P	48	Hourly	32.14	92.45
Q		Annually	66851	192296
R	49	Hourly	35.44	99.83
S		Annually	73715	207646

(2) Each exempt employee who must be paid in accordance with schedule E-1 or schedule E-2 of this section shall be paid a salary or wage in accordance with the following schedule of rates as of the pay period that includes July 1, 2022:

Schedule E-1

1    2    3    4    5    6    7    8    9    10

A Pay Ranges and Step Values  
 B Step 1 Step 2 Step 3 Step 4 Step 5 Step 6 Step 7 Step 8  
 C Range

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

Q	9	Hourly	22.09	23.24	24.38	25.60	26.89			
R		Annually	45947	48339	50710	53248	55931			
S	10	Hourly	23.82	25.14	26.49	28.02	29.50			
T		Annually	49545	52291	55099	58281	61360			
U	11	Hourly	25.96	27.46	29.05	30.69	32.43			
V		Annually	53996	57116	60424	63835	67454			
W	12	Hourly	28.63	30.24	31.86	33.62	35.49	37.43	38.95	40.79
X		Annually	59550	62889	66268	69929	73819	77854	81016	84843
Y	13	Hourly	31.56	33.29	35.11	37.00	39.09	41.19	42.88	44.90
Z		Annually	65644	69243	73028	76960	81307	85675	89190	93392
AA	14	Hourly	34.70	36.68	38.65	40.75	43.05	45.45	47.33	49.54
AB		Annually	72176	76294	80392	84760	89544	94536	98446	103043
AC	15	Hourly	38.13	40.27	42.54	44.88	47.37	49.97	52.02	54.47
AD		Annually	79310	83761	88483	93350	98529	103937	108201	113297
AE	16	Hourly	42.03	44.37	46.81	49.44	52.15	55.14	57.40	60.09
AF		Annually	87422	92289	97364	102835	108472	114691	119392	124987
AG	17	Hourly	46.31	48.86	51.60	54.45	57.50	60.71		
AH		Annually	96324	101628	107328	113256	119600	126276		
AI	18	Hourly	51.04	53.86	56.90	60.03	63.35	66.89		
AJ		Annually	106163	112028	118352	124862	131768	139131		



	1	2	3	4
A	Range		Minimum	Maximum
B	41	Hourly	16.23	50.46
C		Annually	33758	104956
D	42	Hourly	17.89	55.71
E		Annually	37211	115876
F	43	Hourly	19.70	61.35
G		Annually	40976	127608
H	44	Hourly	21.73	67.03
I		Annually	45198	139422
J	45	Hourly	24.01	73.18
K		Annually	49941	152214
L	46	Hourly	26.43	79.98
M		Annually	54974	166358
N	47	Hourly	29.14	87.29
O		Annually	60611	181563
P	48	Hourly	32.14	95.22
Q		Annually	66851	198057
R	49	Hourly	35.44	102.82
S		Annually	73715	213865

(3) Each exempt employee who must be paid in accordance with schedule E-1 or schedule E-2 of this section shall be paid a salary or wage in accordance with the following schedule of rates as of the pay period that includes July 1, 2023:

Schedule E-1

	1	2	3	4	5	6	7	8	9	10
A	Pay Ranges and Step Values									
B			Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
C	Range									
D	1	Hourly	12.88	13.46	14.02	14.64				
E		Annually	26790	27996	29161	30451				
F	2	Hourly	15.63	16.29	16.98	17.74				
G		Annually	32510	33883	35318	36899				
H	3	Hourly	16.38	17.11	17.87	18.63				
I		Annually	34070	35588	37169	38750				
J	4	Hourly	17.19	17.96	18.83	19.64				
K		Annually	35755	37356	39166	40851				
L	5	Hourly	18.04	18.86	19.64	20.51				
M		Annually	37523	39228	40851	42660				
N	6	Hourly	19.00	19.80	20.65	21.51				
O		Annually	39520	41184	42952	44740				
P	7	Hourly	20.17	20.92	21.79	22.55	23.41			
Q		Annually	41953	43513	45323	46904	48692			
R	8	Hourly	21.33	22.28	23.24	24.29	25.43			

S		Annually	44366	46342	48339	50523	52894			
T	9	Hourly	22.75	23.94	25.11	26.37	27.70			
U		Annually	47320	49795	52228	54849	57616			
V	10	Hourly	24.53	25.89	27.28	28.86	30.39			
W		Annually	51022	53851	56742	60028	63211			
X	11	Hourly	26.74	28.28	29.92	31.61	33.40			
Y		Annually	55619	58822	62233	65748	69472			
Z	12	Hourly	29.49	31.15	32.82	34.63	36.55	38.55	40.12	42.01
AA		Annually	61339	64792	68265	72030	76024	80184	83449	87380
AB	13	Hourly	32.51	34.29	36.16	38.11	40.26	42.43	44.17	46.25
AC		Annually	67620	71323	75212	79268	83740	88254	91873	96200
AD	14	Hourly	35.74	37.78	39.81	41.97	44.34	46.81	48.75	51.03
AE		Annually	74339	78582	82804	87297	92227	97364	101400	106142
AF	15	Hourly	39.27	41.48	43.82	46.23	48.79	51.47	53.58	56.10
AG		Annually	81681	86278	91145	96158	101483	107057	111446	116688
AH	16	Hourly	43.29	45.70	48.21	50.92	53.71	56.79	59.12	61.89
AI		Annually	90043	95056	100276	105913	111716	118123	122969	128731
AJ	17	Hourly	47.70	50.33	53.15	56.08	59.23	62.53	<u>65.97</u>	
AK		Annually	99216	104686	110552	116646	123198	130062	<u>137217</u>	
AL	18	Hourly	52.57	55.48	58.61	61.83	65.25	68.90		
AM		Annually	109345	115398	121908	128606	135720	143312		
AN	<u>19</u>	<u>Hourly</u>	<u>57.83</u>	<u>61.03</u>	<u>64.47</u>	<u>68.01</u>	<u>71.78</u>	<u>75.79</u>		

AO      Annually    120286   126942   134097   141460   149302   157643

Schedule E-2

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

R	49	Hourly	35.44	105.90
S		Annually	73715	220272

(C) As used in this section:

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

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

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

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

~~(b) Establish the step values within range 19 and determine the hourly rates of pay that correspond to the annual salaries assigned to the steps.~~

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

Sec. 303.02. (A) Except as otherwise provided in this section, in the interest of the public health and safety, the board of county commissioners may regulate by resolution, in accordance with a comprehensive plan, the location, height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, and trailer coaches, percentages of lot areas that may be occupied, set back building lines, sizes of yards, courts, and other open spaces, the density of population, the uses of buildings and other structures, including tents, cabins, and trailer coaches, and the uses of land for trade, industry, residence, recreation, or other purposes in the unincorporated territory of the county. Except as otherwise provided in this section, in the interest of the public convenience, comfort, prosperity, or general welfare, the board, by resolution, in accordance with a comprehensive plan, may regulate the location of, set back lines for, and the uses of buildings and other structures, including tents, cabins, and trailer coaches, and the uses of land for trade, industry, residence, recreation, or other purposes in the unincorporated territory of the county, and may establish reasonable landscaping standards and architectural standards excluding exterior building materials in

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

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

(B) A board of county commissioners that pursuant to this chapter regulates adult entertainment establishments, as defined in section 2907.39 of the Revised Code, may modify its administrative zoning procedures with regard to adult entertainment establishments as the board determines necessary to ensure that the procedures comply with all applicable constitutional requirements.

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

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

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

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

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

~~(B) A qualifying regional transit authority to which this section applies may levy a sales and use tax, in accordance with section 5739.023 of the Revised Code, in part for the specific purpose of funding the general construction or maintenance of roads or bridges related to the provision of service by the regional transit authority or financing a qualifying project. If a regional transit authority levies such a tax, the authority shall enter into agreements, which may include an agreement in effect for more than one year, with counties, municipal corporations, and townships, and transportation improvement districts located within the authority's territorial boundaries to fund such or finance qualifying projects. Pursuant to such an agreement, the authority may pledge or assign sales and use tax revenue to pay the debt service on qualifying bonds. Such agreements shall be entered into before the authority may spend any portion of the revenue from such a sales and use tax for general~~

~~construction or maintenance of any roads or bridges~~ a qualifying project. Such agreements are subject to all of the following:

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

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

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

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

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

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

Sec. 519.02. (A) Except as otherwise provided in this section, in the interest of the public health and safety, the board of township trustees may regulate by resolution, in accordance with a comprehensive plan, the location, height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, and trailer coaches, percentages of lot areas that may be occupied, set back building lines, sizes of yards, courts, and other open spaces, the density of population, the uses of buildings and other structures, including tents, cabins, and trailer coaches, and the uses of land for trade, industry, residence, recreation, or other purposes in the unincorporated territory of the township. Except as otherwise provided in this section, in the interest of the public convenience, comfort, prosperity, or general welfare, the board by resolution, in accordance with a comprehensive plan, may regulate the location of, set back lines for, and the uses of buildings and other structures, including tents, cabins, and trailer coaches, and the uses of land for trade, industry, residence, recreation, or other purposes in the unincorporated territory of the township, and may establish reasonable landscaping standards and architectural standards excluding exterior building materials in the unincorporated territory of the township. Except as otherwise provided in this section, in the interest of the public convenience, comfort, prosperity, or general welfare, the board may regulate by resolution, in accordance with a comprehensive plan, for nonresidential property only, the height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, and trailer coaches, percentages of lot areas that may be occupied, sizes of yards, courts, and other open spaces, and the density of population in the unincorporated territory of the township. For all these purposes, the board may divide all or any part of the unincorporated territory of the township into districts or zones of such number, shape, and area as the board determines. All such regulations shall be uniform for each class or kind of building or other structure or use throughout any district or zone, but the

regulations in one district or zone may differ from those in other districts or zones.

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

(B) A board of township trustees that pursuant to this chapter regulates adult entertainment establishments, as defined in section 2907.39 of the Revised Code, may modify its administrative zoning procedures with regard to adult entertainment establishments as the board determines necessary to ensure that the procedures comply with all applicable constitutional requirements.

Sec. 723.52. Before letting or making any contract for the construction, reconstruction, widening, resurfacing, or repair of a street or other public way, the director of public service in a city, or the legislative authority in a village, shall make an estimate of the cost of such work using the force account project assessment form developed by the auditor of state under section 117.16 of the Revised Code. In municipal corporations having an engineer, or an officer having a different title but the duties and functions of an engineer, the estimate shall be made by the engineer or other officer. Where the total estimated cost of any such work is ~~thirty-seventy~~ thousand dollars or less, the proper officers may proceed by force account.

Where the total estimated cost of any such work exceeds ~~thirty-seventy~~ thousand dollars, the proper officers of the municipal corporation shall be required to invite and receive competitive bids for furnishing all the labor, materials, and equipment and doing the work, after newspaper advertisement as provided by law. The officers shall consider and may reject such bids. If the bids are rejected, the officers may order the work done by force account or direct labor. When such bids are received, considered, and rejected, and the work done by force account or direct labor, such work shall be performed in compliance with the plans and specifications upon which the bids were based. It shall be unlawful to divide a street or connecting streets into separate sections for the purpose of defeating this section and section 723.53 of the Revised Code.

On the first day of July of every ~~odd-numbered~~-year beginning in ~~2021~~2024, the threshold amount established in this section shall increase by an amount not to exceed the lesser of ~~three-five~~ per cent, or the percentage amount of any increase in the department of transportation's construction cost index as annualized and totaled for the prior ~~two~~-calendar ~~years~~year. The director of transportation shall notify each appropriate engineer or other officer of the increased amount.

"Street," as used in such sections, includes portions of connecting streets on which the same or similar construction, reconstruction, widening, resurfacing, or repair is planned or projected.

Sec. 746.01. As used in this chapter:

"Ferguson Act of 1869" means the act titled "An act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants" passed May 4, 1869, (66 O. L. p. 80) pursuant to which the city of Cincinnati established the Cincinnati Southern Railway, as well as acts subsequently amending the act passed May 4, 1869, which included sections 15093 to 15150-20 of the General Code, as subsequently amended by Section 2 of S.B. 200 of the 98th general



assembly, Section 1 of H.B. 314 of the 102nd general assembly, Section 1 of S.B. 562 of the 104th general assembly, and Sections 1 and 2 of H.B. 69 of the 112th general assembly.

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

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

Sec. 746.02. (A)(1) A railway board of trustees may solicit or receive offers for, and sell, all or any portion of a railway in accordance with the provisions of this chapter. The board of trustees may approve and enter into a sale agreement by adopting a resolution that shall include the terms of the proposed sale, and the method that will be used to determine the minimum annual amount to be transmitted to the municipal corporation under section 746.05 of the Revised Code, which may only be amended upon consultation with the fiscal officer of the municipal corporation, and which shall result in an annual amount equal to or greater than the minimum approved by the electors under this section, except as provided in section 746.05 of the Revised Code.

(2) After the railway board of trustees has adopted the resolution described in division (A)(1) of this section, the railway board of trustees may adopt a resolution setting the date of the election in which the question of approval of the sale is to be submitted to the electors of the municipal corporation, along with the applicable ballot language as described in division (D) of this section. The date of the election shall be either the date of the primary or the general election in 2023 or 2024.

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

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

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

(C)(1) The legislative authority of the municipal corporation shall cause a notice of an election under this section to be published in a newspaper of general circulation within the municipal corporation for the two consecutive weeks before the election, or as provided in section 7.16 of the Revised Code.

(2) If the board of elections maintains a web site, the board of elections shall post notice of the election on its web site not later than thirty days before the election.

(3) A notice published under this section shall state the time and place of the election and shall include a description of the railway or portion of the railway to be sold, the name of the proposed purchaser, the purchase price to be paid, including the amount and due date of any installments of the purchase price, the purposes for which the proceeds of the sale may be used, and the initial minimum annual amount payable to the municipal corporation, as described in section

746.05 of the Revised Code.

(D) The ballot for an election under this section shall include the following language, as applicable:

"Shall the \_\_\_\_\_ (name of railway board of trustees) be authorized to sell \_\_\_\_\_ (name and description of railway or portion of railway being sold) to an entity, the ultimate parent company of which is \_\_\_\_\_ (name of ultimate parent company) for a purchase price of \_\_\_\_\_ (amount proposed for the sale), to be paid in \_\_\_\_\_ (number of installments) installments during the years \_\_\_\_\_ (years in which an installment will be paid), with the moneys received to be deposited into a trust fund operated by \_\_\_\_\_ (railway board of trustees), with \_\_\_\_\_ (municipal corporation) as the sole beneficiary, the moneys to be annually disbursed to the municipal corporation in an amount no less than \_\_\_\_\_ (dollar amount) per year, for the purpose of the rehabilitation, modernization, or replacement of existing streets, bridges, municipal buildings, parks and green spaces, site improvements, recreation facilities, improvements for parking purposes, and any other public facilities owned by \_\_\_\_\_ (municipal corporation), and to pay for the costs of administering the trust fund?

YES \_\_\_\_\_

NO \_\_\_\_\_"

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

(F) If the question is not approved by a majority of the electors voting on the question, the railway board of trustees shall not move forward with the sale and may not again submit to the electors a proposal to sell a railway or portion of a railway, unless otherwise authorized by the general assembly.

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

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

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

Sec. 746.04. (A) A railway board of trustees that establishes a trust fund under section 746.03 of the Revised Code may invest and reinvest the moneys and assets held in the trust fund, subject to this chapter. The railway board of trustees shall invest and reinvest under the prudent investor

standard of care, as described in section 5809.02 of the Revised Code.

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

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

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

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

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

(E) Except as otherwise provided in this chapter, no member of the railway board of trustees shall have any direct or indirect interest in the gains or profits of any investment made by the railway board of trustees. No member or person connected with the railway board of trustees directly or indirectly, for self or as an agent or partner of others, shall borrow any of the funds or deposits of the railway board of trustees or trust fund, or in any manner use the same except to make such current and necessary payments as are authorized by the railway board of trustees. No member or agent of the railway board of trustees shall become an indorser or surety or become in any manner an obligor for moneys loaned by or borrowed from the railway board of trustees.

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

Sec. 746.05. (A) Not later than the thirtieth day of September of each year, the railway board of trustees shall certify to the municipal corporation the principal amount remaining in the trust fund, and the amount of funds that the railway board of trustees will disburse to the municipal corporation over the course of the municipal corporation's immediately following fiscal year. During the

municipal corporation's immediately following fiscal year, and with such frequency and in such installments as may be determined by the railway board of trustees after consultation with the fiscal officer of the municipal corporation, the railway board of trustees shall transmit to the municipal corporation the certified amount.

(B) The railway board of trustees shall determine the amount transferred pursuant to this section, which, except as provided in division (C) of this section, shall be not less than the amount approved by the electors as provided in section 746.02 of the Revised Code, increased each year in the manner set forth in the methodology approved pursuant to that section. Amounts transferred pursuant to this section shall be paid from investment earnings of the trust fund after payments of expenses incurred under section 746.04 of the Revised Code. If there are not sufficient investment earnings in a year to pay the amount certified pursuant to this section, the railway board of trustees shall remit the remainder of the certified amount to the municipal corporation from the principal amount of the trust fund, except as provided in division (C) of this section.

(C) If the principal amount in the trust fund, as certified by the railway board of trustees under division (A) of this section, is at an amount seventy-five per cent or less than the principal amount in the trust fund certified by the railway board of trustees in the previous fiscal year under division (A) of this section, the railway board of trustees shall cease making disbursements from the trust fund to the municipal corporation. The railway board of trustees shall resume making disbursements under this section when the railway board of trustees has certified to the municipal corporation, under division (A) of this section, that the principal amount in the trust fund is equal to or greater than the principal amount in the trust fund as certified by the railway board of trustees in the fiscal year before the fiscal year in which disbursements ceased.

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

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

"Existing infrastructure improvements" means streets, bridges, municipal buildings, parks and green space, site improvements, recreation facilities, improvements for parking purposes, and any other public facilities that are owned by a municipal corporation with a useful life of five or more years. "Existing infrastructure improvements" does not include the construction of new infrastructure improvements.

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

Sec. 746.07. All net earnings and income from the lease of a railway established under the Ferguson Act of 1869 shall be paid into the treasury of the municipal corporation that established the railway, to the credit of the sinking fund or bond retirement fund.

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~~ sections 4503.103 and 4503.107 of the Revised Code, every owner of every other motor vehicle not previously described in this section and every person mentioned as owner in the last certificate of title of a motor vehicle that is operated or driven upon the public roads or highways shall cause to be filed each year, by mail or otherwise, in the office of the registrar of motor vehicles or a deputy registrar, a written or electronic application or a preprinted registration renewal notice issued under section 4503.102 of the Revised Code, the form of which shall be prescribed by the registrar, for registration for the following registration year, which shall begin on the first day of January of every calendar year and end on the thirty-first day of December in the same year. Applications for registration and registration renewal notices shall be filed at the times established by the registrar pursuant to section 4503.101 of the Revised Code. A motor vehicle owner also may elect to apply for or renew a motor vehicle registration by electronic means using electronic signature in accordance with rules adopted by the registrar. Except as provided in division (J) of this section, applications for registration shall be made on blanks furnished by the registrar for that purpose, containing the following information:

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

(2) The name and residence address of the owner, and the township and municipal corporation in which the owner resides;

(3) The district of registration, which shall be determined as follows:

(a) In case the motor vehicle to be registered is used for hire or principally in connection with any established business or branch business, conducted at a particular place, the district of registration is the municipal corporation in which that place is located or, if not located in any municipal corporation, the county and township in which that place is located.

(b) In case the vehicle is not so used, the district of registration is the municipal corporation or county in which the owner resides at the time of making the application.

(4) Whether the motor vehicle is a new or used motor vehicle;

(5) The date of purchase of the motor vehicle;

(6) Whether the fees required to be paid for the registration or transfer of the motor vehicle, during the preceding registration year and during the preceding period of the current registration year, have been paid. Each application for registration shall be signed by the owner, either manually or by electronic signature, or pursuant to obtaining a limited power of attorney authorized by the registrar for registration, or other document authorizing such signature. If the owner elects to apply for or renew the motor vehicle registration with the registrar by electronic means, the owner's manual signature is not required.

(7) 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.

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

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

(a) The applicant may 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.

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

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

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

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

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

(a) The application is not in proper form.

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

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

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

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

(4) This section does not require the payment of license or registration taxes on a motor vehicle for any preceding year, 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.

(5) 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 or electronic verification of ownership, 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.

(6) 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.

(7) 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), ~~and (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~~ the following additional fee, as applicable, for each application for registration or registration renewal received for any hybrid motor vehicle, plug-in hybrid electric motor vehicle, or battery electric motor vehicle;

(a) One hundred dollars for a hybrid motor vehicle;

(b) One hundred fifty dollars for a plug-in hybrid electric motor vehicle;

(c) Two hundred dollars for a battery electric motor vehicle. The fee shall be prorated based on the number of months for which the plug-in hybrid electric motor vehicle or battery electric motor

vehicle is registered. 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 Each fee imposed under this division shall be prorated based on the number of months for which the hybrid motor vehicle is registered. The registrar shall transmit all money arising from the each 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.~~

(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, 4503.46, 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. 4503.103. (A)(1) The registrar of motor vehicles may adopt rules to permit any person or lessee, other than a person receiving an apportioned license plate under the international registration plan, who owns or leases one or more motor vehicles to file a written application for registration for no more than five succeeding registration years. The rules adopted by the registrar may designate the classes of motor vehicles that are eligible for such registration. At the time of application, all annual taxes and fees shall be paid for each year for which the person is registering.

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

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

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

(ii) The additional fee established under division (C)(1) of section 4503.10 of the Revised Code for each year of registration, provided that not more than eight times the additional fee due shall be paid, regardless of the number of years for which the applicant is registering.

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

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

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

(3) Except as provided in division (A)(4) of this section, the registrar shall adopt rules to permit any person who owns a motor vehicle to file an application for registration for not more than five succeeding registration years. At the time of application, the person shall pay the annual taxes and fees for each registration year, calculated in accordance with division (C) of section 4503.11 of the Revised Code. A person who is registering a vehicle under division (A)(3) of this section shall pay for each year of registration the additional fee established under division (C)(1); or (3); ~~or (4)~~ of

section 4503.10 of the Revised Code, as applicable. The person shall also pay the deputy registrar service fee or the bureau of motor vehicles service fee equal to the amount established under section 4503.038 of the Revised Code.

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

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

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

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

(D) Upon receipt from the director of environmental protection of a notice issued under rules adopted under section 3704.14 of the Revised Code indicating that an owner of a motor vehicle that is required to be inspected under that section who obtained a multi-year registration for the vehicle under division (A) of this section or rules adopted under that division has not obtained a required inspection certificate for the vehicle, the registrar in accordance with Chapter 119. of the Revised Code shall issue an order to the owner impounding the certificate of registration and identification license plates for the vehicle. The order also shall prohibit the owner from obtaining or renewing a multi-year registration for any vehicle that is required to be inspected under that section, the district of registration of which is or is located in the same county as the county named in the order during the number of years after expiration of the current multi-year registration that equals the number of years for which the current multi-year registration was issued.

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

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

(1) Receipt from the director of environmental protection of a subsequent notice under rules adopted under section 3704.14 of the Revised Code that the owner has obtained the inspection certificate for the vehicle as required under those rules;

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

(F) The owner of a motor vehicle for which the certificate of registration and license plates have been impounded pursuant to an order issued under division (D) of this section, upon issuance of

a modified order under division (E) of this section, may apply to the registrar for their return. A fee of two dollars and fifty cents shall be charged for the return of the certificate of registration and license plates for each vehicle named in the application.

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

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

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

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

(c) The equivalent of eight times the deputy registrar service fee or eight times the bureau of motor vehicles service fee, as applicable, equal to the amount established by section 4503.038 of the Revised Code.

(2) In addition to any other prescribed tax or fee, if the noncommercial trailer registered under this section is subject to local motor vehicle taxes under Chapter 4504. of the Revised Code, the applicant shall pay the equivalent of eight times any applicable local motor vehicle license tax levied under that chapter for that noncommercial trailer.

(C) Upon submission of a completed application, payment of all applicable taxes and fees, and compliance with all other applicable laws relating to the registration of motor vehicles, the registrar or deputy registrar shall issue the applicant a permanent license plate and a validation sticker.

(D) The permanent registration of a noncommercial trailer under this section is exclusive to the trailer for which that certificate of registration is issued. The registration is not transferable to any other trailer.

(E) No person applying for a permanent registration under this section is entitled to a refund of any taxes or fees paid.

Sec. 4503.11. (A) Except as provided by sections 4503.103, 4503.107, 4503.173, 4503.41, 4503.43, and 4503.46 of the Revised Code, no person who is the owner or chauffeur of a motor vehicle operated or driven upon the public roads or highways shall fail to file annually the application for registration or to pay the tax therefor.

(B) Except as provided by sections 4503.12 and 4503.16 of the Revised Code, the taxes payable on all applications made under sections 4503.10 and 4503.102 of the Revised Code shall be the sum of the tax due under division (B)(1)(a) or (b) of this section plus the tax due under division (B)(2)(a) or (b) of this section:

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

(b) If the application is made during or after the second month of the current registration period to which the motor vehicle is assigned as provided in section 4503.101 of the Revised Code, and prior to the beginning of the next such registration period, the amount of the tax provided in

section 4503.04 of the Revised Code shall be reduced by one-twelfth of the amount of such tax, rounded upward to the nearest cent, multiplied by the number of full months that have elapsed in the current registration period. The resulting amount shall be rounded upward to the next highest dollar and shall be the amount of tax due.

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

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

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

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

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

(2)(a) The director shall develop a universal validation sticker that may be issued to any owner of five hundred or more passenger vehicles, so that a sticker issued to the owner may be placed on any passenger vehicle in that owner's fleet. Beginning January 1, 2019, the universal validation sticker shall not have an expiration date on it and shall not need replaced at the time of registration, except in the event of the loss, mutilation, or destruction of the validation sticker. The director may establish and charge an additional fee of not more than one dollar per registration to compensate for necessary costs of the universal validation sticker program. The additional fee shall be credited to the public safety - highway purposes fund created in section 4501.06 of the Revised Code. The director shall select the color or shade of the universal validation sticker.

(b) A validation sticker issued for an all-purpose vehicle that is registered under Chapter 4519. of the Revised Code, for a noncommercial trailer that is permanently registered under section 4503.107 of the Revised Code, or for a trailer or semitrailer that is permanently registered under division (A)(2) of section 4503.103 of the Revised Code or is registered for any number of succeeding registration years may indicate the expiration of the registration period, if any, by any

manner determined by the registrar by rule.

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

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

Sec. 4503.29. (A) The director of veterans services in conjunction with the registrar of motor vehicles shall develop and maintain a program to establish and issue specialty license plates recognizing military service and military honors pertaining to valor and service.

(B) The director and the registrar shall jointly adopt rules in accordance with Chapter 119. of the Revised Code for purposes of establishing the program under this section. The director and registrar shall adopt the rules as soon as possible after June 29, 2018, but not later than nine months after June 29, 2018. The rules shall do all of the following:

(1) Establish specialty license plates recognizing military service;

(2) Establish specialty license plates recognizing military honors pertaining to valor and service;

(3) Establish eligibility criteria that apply to each specialty license plate issued under this section;

(4) Establish requirements governing any necessary documentary evidence required to be presented by an applicant for a specialty license plate issued under this section; ~~The rules shall allow an applicant to present a veterans identification card issued in accordance with section 317.241 of the Revised Code in lieu of a copy of the applicant's DD-214 or an equivalent document. An applicant may be required to present additional evidence if the veterans identification card does not show all of the information needed for issuance of the specific nonstandard license plate requested by the applicant.~~

(5) Establish guidelines for the designs, markings, and inscriptions on a specialty license plate established under this section;

(6) Establish procedures for altering the designs, markings, or inscriptions on a specialty license plate established under this section;

(7) Prohibit specialty license plates established under this section from recognizing achievement awards or unit awards;

(8) Establish any other procedures or requirements that are necessary for the implementation and administration of this section.

(C) The rules adopted under division (B) of this section shall provide for the establishment of the military specialty license plates created prior to June 29, 2018, that are no longer codified in the Revised Code.

(D)(1) Any person who meets the applicable qualifications for the issuance of a specialty license plate established by rule adopted under division (B) of this section may apply to the registrar of motor vehicles for the registration of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle the person owns or leases of a class approved by the registrar. The application may be combined with a request for a special reserved license plate under section

4503.40 or 4503.42 of the Revised Code.

(2)(a) Except as provided in division (D)(2)(b) of this section, upon receipt of an application for registration of a motor vehicle under this section and the required taxes and fees, compliance with all applicable laws relating to the registration of a motor vehicle, and, if necessary, upon presentation of the required documentary evidence, the registrar shall issue to the applicant the appropriate motor vehicle registration and a set of license plates and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

(b) Any disabled veteran who qualifies to apply to the registrar for the registration of a motor vehicle under section 4503.41 of the Revised Code without the payment of any registration taxes or fees, may apply instead for registration of the motor vehicle under this section. The disabled veteran applying for registration under this section is not required to pay any registration taxes or fees as required by sections 4503.038, 4503.04, 4503.10, 4503.102, and 4503.103 of the Revised Code, any local motor vehicle tax levied under Chapter 4504. of the Revised Code, or any fee charged under section 4503.19 of the Revised Code for up to two motor vehicles, including any motor vehicle registered under section 4503.41 of the Revised Code. Upon receipt of an application for registration of the motor vehicle and presentation of any documentation the registrar may require by rule, the registrar shall issue to the applicant the appropriate motor vehicle registration and a set of license plates authorized under this section and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

(3) The license plates shall display county identification stickers that identify the county of registration as required under section 4503.19 of the Revised Code.

Sec. 4503.44. (A) As used in this section and in section 4511.69 of the Revised Code:

(1) "Person with a disability that limits or impairs the ability to walk" means any person who, as determined by a health care provider, meets any of the following criteria:

- (a) Cannot walk two hundred feet without stopping to rest;
- (b) Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;
- (c) Is restricted by a lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty millimeters of mercury on room air at rest;
- (d) Uses portable oxygen;
- (e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American heart association;
- (f) Is severely limited in the ability to walk due to an arthritic, neurological, or orthopedic condition;
- (g) Is blind, legally blind, or severely visually impaired.

(2) "Organization" means any private organization or corporation, or any governmental board, agency, department, division, or office, that, as part of its business or program, transports persons with disabilities that limit or impair the ability to walk on a regular basis in a motor vehicle that has not been altered for the purpose of providing it with special 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) 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.

(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-ten~~ 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 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 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. 4505.131. (A) Any person that purchases a motor vehicle that is financed shall choose, at the time that the security interest financing the motor vehicle is fully discharged, to either receive a physical certificate of title to that motor vehicle from the secured party or to have the certificate of title remain electronic.

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

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

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

Sec. 4506.01. As used in this chapter:

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

- (1) One hundred milliliters of whole blood, blood serum, or blood plasma;
- (2) Two hundred ten liters of breath;
- (3) One hundred milliliters of urine.

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

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

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

(D) Except when used in section 4506.25 of the Revised Code, "commercial motor vehicle" means any motor vehicle designed or used to transport persons or property that meets any of the following qualifications:

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

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

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

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

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

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

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

(1) Any substance classified as a controlled substance under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 U.S.C.A. 802(6), as amended;

(2) Any substance included in schedules I through V of 21 C.F.R. part 1308, as amended;

(3) Any drug of abuse.

(F) "Conviction" means an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(G) "Disqualification" means any of the following:

(1) The suspension, revocation, or cancellation of a person's privileges to operate a commercial motor vehicle;

(2) Any withdrawal of a person's privileges to operate a commercial motor vehicle as the result of a violation of state or local law relating to motor vehicle traffic control other than parking, vehicle weight, or vehicle defect violations;

(3) A determination by the federal motor carrier safety administration that a person is not qualified to operate a commercial motor vehicle under 49 C.F.R. 391.

(H) "Domiciled" means having a true, fixed, principal, and permanent residence to which an individual intends to return.

(I) "Downgrade" means any of the following, as applicable:

(1) A change in the commercial driver's license, or commercial driver's license temporary instruction permit, holder's self-certified status as described in division (A)(1) of section 4506.10 of the Revised Code;

(2) A change to a lesser class of vehicle;

(3) Removal of commercial driver's license privileges from the individual's driver's license.

(J) "Drive" means to drive, operate, or be in physical control of a motor vehicle.

(K) "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle or is required to have a commercial driver's license.

(L) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes

an individual to drive.

(M) "Drug of abuse" means any controlled substance, dangerous drug as defined in section 4729.01 of the Revised Code, harmful intoxicant as defined in section 2925.01 of the Revised Code, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes.

(N) "Electronic device" includes a cellular telephone, a personal digital assistant, a pager, a computer, and any other device used to input, write, send, receive, or read text.

(O) "Eligible unit of local government" means a village, township, or county that has a population of not more than three thousand persons according to the most recent federal census.

(P) "Employer" means any person, including the federal government, any state, and a political subdivision of any state, that owns or leases a commercial motor vehicle or assigns a person to drive such a motor vehicle.

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

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

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

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

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

(V) "Gross vehicle weight rating" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination vehicle. The gross vehicle weight rating of a combination vehicle is the gross vehicle weight rating of the power unit plus the gross vehicle weight rating of each towed unit.

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

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

(Y) "Medical variance" means one of the following received by a driver from the federal

motor carrier safety administration that allows the driver to be issued a medical certificate:

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

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

(Z) "Mobile telephone" means a mobile communication device that falls under or uses any commercial mobile radio service as defined in 47 C.F.R. 20, except that mobile telephone does not include two-way or citizens band radio services.

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

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

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

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

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

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

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

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

(II) "Serious traffic violation" means any of the following:

(1) A conviction arising from a single charge of operating a commercial motor vehicle in violation of any provision of section 4506.03 of the Revised Code;

(2)(a) Except as provided in division (II)(2)(b) of this section, a violation while operating a commercial motor vehicle of a law of this state, or any municipal ordinance or county or township resolution, or any other substantially similar law of another state or political subdivision of another state prohibiting either of the following:

(i) Texting while driving;

(ii) Using a handheld mobile telephone.

(b) It is not a serious traffic violation if the person was texting or using a handheld mobile telephone to contact law enforcement or other emergency services.

(3) A conviction arising from the operation of any motor vehicle that involves any of the following:

(a) A single charge of any speed in excess of the posted speed limit by fifteen miles per hour or more;

(b) Violation of section 4511.20 or 4511.201 of the Revised Code or any similar ordinance or



resolution, or of any similar law of another state or political subdivision of another state;

(c) Violation of a law of this state or an ordinance or resolution relating to traffic control, other than a parking violation, or of any similar law of another state or political subdivision of another state, that results in a fatal accident;

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

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

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

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

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

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

(JJ) "State" means a state of the United States and includes the District of Columbia.

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

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

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

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

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

(3) Pressing a single button to initiate or terminate a voice communication using a mobile

telephone; or

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

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

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

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

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

- (1) Using at least one hand to hold a mobile telephone to conduct a voice communication;
- (2) Dialing or answering a mobile telephone by pressing more than a single button; or
- (3) Reaching for a mobile telephone in a manner that requires a driver to maneuver so that the driver is no longer in a seated driving position, or restrained by a seat belt that is installed in accordance with 49 C.F.R. 393.93 and adjusted in accordance with the vehicle manufacturer's instructions.

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

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

- (1) Provide satisfactory proof of the applicant's identity and citizenship;
- (2) Submit a biometric identifier as required by rule;
- (3) Sign a declaration on a form prescribed by the registrar acknowledging the use of the one-to-many biometric match and radio frequency identification or other security features of the license;
- (4) Pay a fee of twenty-five dollars, in addition to any other applicable fees in section 4506.08 of the Revised Code for issuance of a commercial driver's license. The fee shall be paid into the state treasury to the credit of the public safety - highway purposes fund created in section 4501.06 of the Revised Code.
- (5) Comply with all other conditions, qualifications, and requirements for issuance of a commercial driver's license.

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

Sec. 4506.11. (A) Every commercial driver's license shall be marked "commercial driver's

license" or "CDL" and shall be of such material and so designed as to prevent its reproduction or alteration without ready detection. The commercial driver's license for licensees under twenty-one years of age shall have characteristics prescribed by the registrar of motor vehicles distinguishing it from that issued to a licensee who is twenty-one years of age or older. Every commercial driver's license shall display all of the following information:

- (1) The name and residence address of the licensee;
  - (2) A color photograph of the licensee showing the licensee's uncovered face;
  - (3) A physical description of the licensee, including sex, height, weight, and color of eyes and hair;
  - (4) The licensee's date of birth;
  - (5) The licensee's social security number if the person has requested that the number be displayed in accordance with section 4501.31 of the Revised Code or if federal law requires the social security number to be displayed and any number or other identifier the director of public safety considers appropriate and establishes by rules adopted under Chapter 119. of the Revised Code and in compliance with federal law;
  - (6) The licensee's signature;
  - (7) The classes of commercial motor vehicles the licensee is authorized to drive and any endorsements or restrictions relating to the licensee's driving of those vehicles;
  - (8) The name of this state;
  - (9) The dates of issuance and of expiration of the license;
  - (10) If the licensee has certified willingness to make an anatomical gift under section 2108.05 of the Revised Code, any symbol chosen by the registrar of motor vehicles to indicate that the licensee has certified that willingness;
  - (11) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument;
  - (12) On and after October 7, 2009, if the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States;
  - (13) If the licensee is a noncitizen of the United States, a notation designating that the licensee is a noncitizen;
  - (14) Any other information the registrar considers advisable and requires by rule.
- (B) Every enhanced commercial driver's license shall have any additional characteristics established by the rules adopted under section 4507.021 of the Revised Code.
- (C) The registrar may establish and maintain a file of negatives of photographs taken for the purposes of this section.
- ~~(C)~~ (D) Neither the registrar nor any deputy registrar shall issue a commercial driver's license to anyone under twenty-one years of age that does not have the characteristics prescribed by the

registrar distinguishing it from the commercial driver's license issued to persons who are twenty-one years of age or older.

~~(D)~~(E) Whoever violates division ~~(C)~~(D) of this section is guilty of a minor misdemeanor.

Sec. 4507.01. (A) As used in this chapter, "motor vehicle," "motorized bicycle," "state," "owner," "operator," "chauffeur," and "highways" have the same meanings as in section 4501.01 of the Revised Code.

"Driver's license" means a class D license issued to any person to operate a motor vehicle or motor-driven cycle, other than a commercial motor vehicle, and includes "probationary license," "restricted license," and any operator's or chauffeur's license issued before January 1, 1990. Except as otherwise specifically provided, "driver's license" includes an "enhanced driver's license."

"Enhanced driver's license" means a driver's license issued in accordance with sections 4507.021 and 4507.063 of the Revised Code that denotes citizenship and identity and is approved by the United States secretary of homeland security or other designated federal agency for purposes of entering the United States.

"Probationary license" means the license issued to any person between sixteen and eighteen years of age to operate a motor vehicle.

"Restricted license" means the license issued to any person to operate a motor vehicle subject to conditions or restrictions imposed by the registrar of motor vehicles.

"Commercial driver's license" means the license issued to a person under Chapter 4506. of the Revised Code to operate a commercial motor vehicle.

"Commercial motor vehicle" has the same meaning as in section 4506.01 of the Revised Code.

"Motorcycle operator's temporary instruction permit, license, or endorsement" includes a temporary instruction permit, license, or endorsement for a motor-driven cycle or motor scooter unless otherwise specified.

"Motorized bicycle license" means the license issued under section 4511.521 of the Revised Code to any person to operate a motorized bicycle including a "probationary motorized bicycle license."

"Probationary motorized bicycle license" means the license issued under section 4511.521 of the Revised Code to any person between fourteen and sixteen years of age to operate a motorized bicycle.

"Identification card" means a card issued under sections 4507.50 ~~and 4507.51~~ to 4507.52 of the Revised Code. Except as otherwise specifically provided, "identification card" includes an "enhanced identification card."

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

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

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

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

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

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

The registrar shall assign one or more deputy registrars to any driver's license examining station operated under the supervision of the director of public safety, whenever the registrar considers such assignment possible. Space shall be provided in the driver's license examining station for any such deputy registrar so assigned. The deputy registrars shall not exercise the powers conferred by such sections upon the registrar, unless they are specifically authorized to exercise such powers by such sections.

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

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

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

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

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

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

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

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

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

(C) The registrar may adopt any other rules necessary to administer the issuance of an enhanced driver's license, enhanced commercial driver's license, and enhanced identification card.

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

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

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

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

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

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

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

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

(8) The applicant's current driver's license or driving privileges are not suspended, canceled, revoked, or restricted, and the applicant is not otherwise prohibited by law from obtaining a driver's license or identification card.

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

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

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

(1) A temporary instruction permit;

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

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

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

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

(6) An ignition interlock license;

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

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

(D) Except as otherwise provided, an applicant shall comply with all other applicable laws related to the issuance of a driver's license or identification card in order to renew a driver's license or identification card under this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) A color photograph of the licensee;

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

(f) A facsimile of the signature of the licensee as it appears on the application for the license;  
(g) A notation, in a manner prescribed by the registrar, indicating any condition described in division (D)(3) of section 4507.08 of the Revised Code to which the licensee is subject;

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

(i) If the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States;

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

(k) Any additional information that the registrar requires by rule.

(3) No license shall display the licensee's social security number unless the licensee specifically requests that the licensee's social security number be displayed on the license. If federal law requires the licensee's social security number to be displayed on the license, the social security number shall be displayed on the license notwithstanding this section.

(4) The driver's license for licensees under twenty-one years of age shall have characteristics prescribed by the registrar distinguishing it from that issued to a licensee who is twenty-one years of age or older, except that a driver's license issued to a person who applies no more than thirty days before the applicant's twenty-first birthday shall have the characteristics of a license issued to a person who is twenty-one years of age or older.

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

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

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

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

(B) Except in regard to a driver's license issued to a person who applies no more than thirty days before the applicant's twenty-first birthday, neither the registrar nor any deputy registrar shall issue a driver's license to anyone under twenty-one years of age that does not have the characteristics prescribed by the registrar distinguishing it from the driver's license issued to persons who are



twenty-one years of age or older.

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

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

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

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

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

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

(5) Comply with all other requirements for issuance of an identification card.

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

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

“STATE OF OHIO IDENTIFICATION CARD

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

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

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

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

(5) If the cardholder has specified that the cardholder wishes the identification card to

indicate that the cardholder is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the cardholder's DD-214 form or an equivalent document, the card also shall display any symbol chosen by the registrar to indicate that the cardholder is a veteran, active duty, or reservist of the armed forces of the United States.

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

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

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

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

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

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

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

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

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

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

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

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

(2) A cardholder may apply to obtain a reprint of the cardholder's identification card through

electronic means in accordance with section 4507.40 of the Revised Code.

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

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

(5) Except as provided in division (A)(6) or (7) of this section, when a cardholder applies for a duplicate, reprint, or replacement identification card, the cardholder shall pay the following fees:

(a) Two dollars and fifty cents;

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

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

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

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

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

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

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

(D)(1) No agent of the state or its political subdivisions shall condition the granting of any benefit, service, right, or privilege upon the possession by any person of an identification card. Nothing in this section shall preclude any publicly operated or franchised transit system from using an identification card for the purpose of granting benefits or services of the system.

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

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

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

Sec. 4511.093. (A) A local authority may utilize a traffic law photo-monitoring device for the purpose of detecting traffic law violations. If the local authority is a county or township, the board of county commissioners or the board of township trustees may adopt such resolutions as may be necessary to enable the county or township to utilize traffic law photo-monitoring devices.

(B) The use of a traffic law photo-monitoring device is subject to the following conditions:

(1) A local authority shall use a traffic law photo-monitoring device to detect and enforce traffic law violations only if a law enforcement officer is present at the location of the device at all

times during the operation of the device and if the local authority complies with sections 4511.094 and 4511.095 of the Revised Code.

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

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

(4) If the local authority utilizing traffic law photo-monitoring devices is a county or township, a law enforcement officer of the county or township shall use only a handheld traffic law photo-monitoring device held by the law enforcement officer.

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

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

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

(b) Upon any highway under the jurisdiction of the authority granting the permit except those highways with a condition insufficient to bear the weight of the vehicle or combination of vehicles as stated in the application.

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

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

(3) For purposes of this section, the director may designate certain state highways or portions of state highways as special economic development highways. If an application submitted to the director under this section involves travel of a nonconforming vehicle or combination of vehicles upon a special economic development highway, the director, in determining whether good cause has been shown that issuance of a permit is justified, shall consider the effect the travel of the vehicle or

combination of vehicles will have on the economic development in the area in which the designated highway or portion of highway is located.

~~(B)(B)(1)~~ Notwithstanding sections 715.22 and 723.01 of the Revised Code, the holder of a permit issued by the director under this section may move the vehicle or combination of vehicles described in the permit on any highway that is a part of the state highway system when the movement is partly within and partly without the corporate limits of a municipal corporation. No local authority shall require any other permit or license or charge any license fee or other charge against the holder of a permit for the movement of a vehicle or combination of vehicles on any highway that is a part of the state highway system. The director shall not require the holder of a permit issued by a local authority to obtain a special permit for the movement of vehicles or combination of vehicles on highways within the jurisdiction of the local authority. ~~Permits-~~

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

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

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

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

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

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

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

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

(D) The director or a local authority shall issue a special regional heavy hauling permit under division (A)(1) of this section upon application and payment of the applicable fee. ~~However~~Except

when required to issue a special permit under division (B)(3) of this section, the director or local authority may issue or withhold a special permit specified in division (A)(2) of this section. If a permit is to be issued, the director or local authority may limit or prescribe conditions of operation for the vehicle and may require the posting of a bond or other security conditioned upon the sufficiency of the permit fee to compensate for damage caused to the roadway or a street or highway structure. In addition, a local authority, as a condition of issuance of an overweight permit, may require the applicant to develop and enter into a mutual agreement with the local authority to compensate for or to repair excess damage caused to the roadway by travel under the permit.

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

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

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

(1) Abused the process by repeatedly submitting false information or false travel plans or by using another company or individual's name, insurance, or escrow account without proper authorization;

(2) Failed to comply with or substantially perform under a previously issued permit according to its terms, conditions, and specifications within specified time limits;

(3) Failed to cooperate in the application process for the permit or in any other procedures that are related to the issuance of the permit by refusing to provide information or documents required in a permit or by failing to respond to and correct matters related to the permit;

(4) Accumulated repeated justified complaints regarding performance under a permit that was previously issued to the applicant or previously failed to obtain a permit when such a permit was required;

(5) Attempted to influence a public employee to breach ethical conduct standards;

(6) Been convicted of a disqualifying offense as determined under section 9.79 of the Revised Code;

(7) Accumulated repeated convictions under a state or federal safety law governing commercial motor vehicles or a rule or regulation adopted under such a law;

(8) Accumulated repeated convictions under a law, rule, or regulation governing the movement of traffic over the public streets and highways;

(9) Failed to pay any fees associated with any permitted operation or move;

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

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

The director may adopt rules in accordance with Chapter 119. of the Revised Code governing

the debarment of an applicant.

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

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

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

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

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

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

Sec. 4517.262. (A) As used in this section:

(1) "Motor vehicle dealer" includes any owner, partner, shareholder, officer, member, trustee, employee, or agent of the motor vehicle dealership.

(2) "Third-party motor vehicle history report" means any formal or informal report prepared by a person other than a motor vehicle dealer that relates to one or more of the following:

(a) A motor vehicle's current ownership or a motor vehicle's certificate of title transfer history;

(b) A brand on a motor vehicle's certificate of title;

(c) A lien on a motor vehicle;

(d) A motor vehicle's service, maintenance, or repair history;

(e) A motor vehicle's condition;

(f) A motor vehicle's accident or collision history;

(g) A motor vehicle's mileage.

(B) When a motor vehicle dealer provides or otherwise makes available to a motor vehicle purchaser, lessee, or any other person a third-party motor vehicle history report in conjunction with the actual or potential sale or lease of a motor vehicle, the motor vehicle dealer is not liable for the accuracy of information that was provided by another entity.

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

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

(2) "Defects" include hot wheel bearings, hot wheels, defective bearings that are detected through acoustics, dragging equipment, excessive height or weight, shifted loads, low hoses, rail temperature, and wheel condition.

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

(1) The systems are properly installed, maintained, repaired, and operational in accordance with section 4955.51 of the Revised Code and the latest guidelines issued by the United States department of transportation, the federal railroad administration, and the association of American railroads.

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

(3) The distance between wayside detector systems is appropriate when accounting for the requirements of section 4955.51 of the Revised Code, the natural terrain surrounding the railroad track on which the railroad operates, and the safety of the trains, rolling stock, on-track equipment, their operators, their passengers, and the persons and property in the vicinity of such railroad track so that if defects are detected operators have sufficient time to do the following:

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

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

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

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

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

(D)(1) If a railroad company does not appear to be in compliance with the applicable federal



standards based on an investigation conducted under division (C) of this section, not later than sixty days after the conclusion of the investigation, the commission and department shall make a report to the federal railroad administration. The report shall detail the results of the investigation and recommend that the administration take enforcement action in accordance with its authority against the railroad company for the safety violations discovered through that investigation.

(2) The commission and department shall send a copy of the report to the governor, the president of the senate, the speaker of the house of representatives, and the minority leaders of both the senate and the house of representatives.

Sec. 4955.51. (A)(1) Except as otherwise provided in division (A)(2) of this section, any person responsible for the installation of wayside detector systems alongside or on a railroad shall ensure that each system location is not more than ten miles from the adjacent system location.

(2) If the natural terrain does not allow for the placement of the next adjacent system location within ten miles from the prior system location, the next adjacent system location shall be installed not more than fifteen miles from the prior system location.

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

(C) The department of transportation and the public utilities commission, as part of their work with each railroad company under division (B) of section 4955.50 of the Revised Code, shall ensure both of the following:

(1) The manner in which wayside detector systems are installed and placed complies with division (A) of this section;

(2) The manner in which wayside detector system messages are sent and received complies with division (B) of this section.

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

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

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

(3) ~~Two~~ members representing the general public, one of whom shall be appointed by the president of the senate and one of whom shall be appointed by the speaker of the house of representatives. ~~The director of transportation and the director of development, or their designees, shall be ex officio members of the commission. Of the~~;

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

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

member:

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

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

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

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

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

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

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

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

(B) Beginning on October 21, 2025, or at an earlier date if there is a vacancy in the position of chairperson, the director of transportation or the director's designee shall serve as the chairperson of the commission. Upon the director or director's designee assuming the position of chairperson, the governor shall appoint an additional member to the commission to represent the general public.

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

~~(B)-(D)~~ Within sixty days after ~~the effective date of this amendment~~ October 20, 1994, the governor shall make initial appointments to the commission. Of the initial appointments made to the commission, three shall be for a term ending three years after ~~the effective date of this amendment~~ October 20, 1994, and three shall be for a term ending six years after that date. Terms for all other appointments made to the commission shall be for six years. Vacancies shall be filled in the manner provided for original appointments. Any member appointed to fill a vacancy shall have the same qualifications as ~~his~~ the member's predecessor. Each term shall end on the same day of the same month of the year as did the term which it succeeds. Each appointed member shall hold office from the date of ~~his~~ the member's appointment until the end of the term for which ~~he~~ the member was appointed. Any member appointed to fill a vacancy before the expiration of the term for which ~~his~~ the member's predecessor was appointed shall hold office for the remainder of that term. Any appointed member shall continue in office subsequent to the expiration date of ~~his~~ the member's term until ~~his~~ the member's successor takes office, or for a period of sixty days, whichever occurs first. All members shall be eligible for reappointment.

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

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

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

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

~~(G)~~(I) Expenditures by the department of transportation, the Ohio rail development commission, or any other state agency for capital improvements for the development of passenger rail shall be subject to the approval of the controlling board with an affirmative vote of not fewer than five members, including the affirmative vote of a majority of the controlling board members appointed by the president of the senate and a majority of the controlling board members appointed by the speaker of the house of representatives. All public funds acquired by the commission shall be used for developing, implementing, and regulating rail service and not for operating rail service unless the general assembly specifically approves the expenditure of funds for operating rail service.

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

- (1) The route alignment of the proposed system;
- (2) The proposed technology;
- (3) The size, nature, and scope of the proposed system;
- (4) The sources of the public and private revenue needed to finance the system;
- (5) The projected ability of all revenue sources to meet both capital and operating funding requirements of the proposed system;
- (6) The construction, operation, and management plan for the system, including a timetable for construction and the proposed location and number of transit stations considered necessary;
- (7) The likelihood that Ohio-based corporations will be used to manufacture or supply components of the proposed system;
- (8) The likelihood that additional or subsidiary development will be generated;
- (9) The extent to which the proposed system will create an additional or reduced demand for sources of energy;
- (10) Any changes in the law necessary to implement the proposed system;
- (11) The proposed system's impact on the economy of the state and on the economic and other public policies of the state.

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

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

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

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

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

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

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

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

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

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

Sec. 5501.521. (A) The department of transportation shall prepare expense reports related to grants and loans that are issued by the department through its transportation grant and loan programs. The department shall submit each report to the president of the senate and the speaker of the house of representatives at the earliest of the following periods:

(1) The conclusion of the term of loan;

(2) The conclusion of the project funded by the grant;

(3) The end of the fiscal year for each fiscal year that the loan or the project is still pending.

(B) The department shall require the recipient of the loan or grant to assist in preparing the expense reports and itemizing the uses of the loan or grant money issued to that recipient.

(C) The department shall include its administrative expenses in managing the loan or grant program in the expense reports submitted in accordance with this section.

(D) If any content required for inclusion in an expense report under this section is the same content that the department submits to the Ohio state and local government expenditure database established under sections 113.70 to 113.77 of the Revised Code, the department may send copies of that content to the president of the senate and speaker of the house of representatives in lieu of including it in a report under this section.

Sec. 5501.60. (A) When the boundaries of two municipal corporations are adjacent, the

department of transportation shall ensure that limited access exit and entrance interchanges to an interstate highway located in those municipal corporations are constructed at intervals of at least one interchange every four and one-half miles when the following conditions exist:

(1) The adjacent municipal corporations each have a population of more than thirty-five thousand according to the most recent federal decennial census.

(2) The municipal corporations are located in different counties.

(3) At least one of the municipal corporations is located in a county with a population of more than one million according to the most recent federal decennial census.

(B) The department shall use money appropriated to it for highway purposes to comply with this section.

Sec. 5503.031. ~~(A)~~ Beginning July 1, 2023, the following officers of the state highway patrol shall be paid in accordance with the indicated pay ranges from schedule E-1 of division (B) of section 124.152 of the Revised Code:

~~(1)(A)~~ A sergeant or equivalent officer who is an exempt employee under section 124.152 of the Revised Code shall be paid in accordance with pay range 14.

~~(B)~~ A lieutenant or equivalent officer shall be paid in accordance with pay range 15.

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

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

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

~~(5)(F)~~ A lieutenant colonel or equivalent officer shall be paid in accordance with pay range 19 established in rules adopted in accordance with division (D) of section 124.152 of the Revised Code.

Sec. 5517.011. (A) Notwithstanding section 5517.01 of the Revised Code, the director of transportation may establish a program to expedite the sale and construction of special projects by combining the design and construction elements of ~~a highway or bridge project~~ projects for transportation facilities as defined in section 5501.01 of the Revised Code into a single contract. The director shall prepare and distribute a scope of work document upon which the bidders shall base their bids. Except in regard to those requirements relating to providing plans, the director shall award contracts under this section in accordance with Chapter 5525. of the Revised Code.

(B) Notwithstanding any provision of Chapter 5525. of the Revised Code, the director may use a value-based selection process, combining technical qualifications and competitive bidding elements, including consideration for minority or disadvantaged businesses that may include joint ventures, when letting special projects that contain both design and construction elements of a transportation project into a single contract. If award of a contract to the best-value bidder is not in the best interest of the state, the director may do either of the following after requesting and obtaining the approval of the controlling board:

(1) Accept another bid;

(2) Reject all bids and then advertise for other bids.

(C) The total dollar value of contracts made under this section shall not exceed one billion dollars per fiscal year. The director may provide compensation for preparation of a responsive preliminary design concept to not more than two bidders who, after the successful bidder, submitted the next best bids. The director may establish policies or procedures necessary to determine the

amount of compensation to be provided for each project and the method of evaluating the value of the preliminary design concept submitted, but in no instance may the compensation exceed the value of such concept.

(D)(1) Notwithstanding division (C) of this section, the director may award contracts under this section for a bridge project that spans the Ohio river for an amount not to exceed one billion five hundred million dollars. The project may include both of the following:

(a) The replacement, addition, improvement, or rehabilitation of a bridge or a system of bridges over the Ohio river;

(b) The replacement, addition, improvement, or rehabilitation of roadways providing for ingress to and egress from the bridge or system of bridges over the Ohio river within this state and any adjoining state.

(2) If the amount of the contracts entered into under division (D)(1) of this section exceeds one billion five hundred million dollars, the director shall appear before the controlling board to request additional contracting authority beyond the one billion five hundred million dollar threshold. The controlling board may approve the request at its discretion.

(3) The director may provide compensation for preparation of a responsive preliminary design concept under division (D) of this section to not more than three bidders. The director may establish policies or procedures necessary to determine the amount of compensation to be provided for the project and the method of evaluating the value of the preliminary design concept submitted, but in no instance may the compensation exceed the cost to develop such concept.

(4) The authority granted under division (D) of this section is granted for the purposes of any application for available federal funding. Any such federal funding awarded shall be expended only pursuant to appropriations made by the general assembly after ~~the effective date of this amendment~~ August 31, 2022.

Sec. 5525.16. (A) Before entering into a contract, the director of transportation shall require a contract performance bond and a payment bond with sufficient sureties, as follows:

(1) A contract performance bond in an amount equal to one hundred per cent of the contract amount, conditioned, among other things, that the contractor will perform the work upon the terms proposed, within the time prescribed, and in accordance with the plans and specifications, will indemnify the state against any damage that may result from any failure of the contractor to so perform, and, further, in case of a grade separation will indemnify any railroad company involved against any damage that may result by reason of the negligence of the contractor in making the improvement.

(2) A payment bond in an amount equal to one hundred per cent of the contract amount, conditioned for the payment by the contractor and all subcontractors for labor or work performed or materials furnished in connection with the work, improvement, or project involved.

(B) After entering into a contract and the initial issuance of a contract performance bond and payment bond in accordance with division (A) of this section, both of the following apply, as applicable:

(1) If the contract amount increases or decreases by forty thousand dollars or more during the term of the contract, the final bond amount shall be adjusted to account for the change from the original contract value to the actual final contract value. The director shall do all of the following:

(a) Determine the final bond premium amount for the contract performance bond and payment bond based on the actual final contract value;

(b) Finalize any bond premium adjustments after receiving written consent from the affected sureties confirming that the sureties increased or decreased the penal sums, as applicable;

(c) Determine what, if any, additional payments or refunds are necessary under the contract as a result of the adjusted final bond premium amount.

(2) A contractor shall provide the director with new surety bonds, in the form and amount required by this section, within twenty-one days of any of the following occurring to a surety providing a surety bond for the project:

(a) It is adjudged bankrupt or has made a general assignment for the benefit of its creditors;

(b) It has liquidated all assets or has made a general assignment for the benefit of its creditors;

(c) It is placed in receivership;

(d) It petitions a state or federal court for protection from its creditors;

(e) It allows its license to do business in this state to lapse or to be revoked.

(C)(1) In no case is the state liable for damages sustained in the construction of any work, improvement, or project under this chapter and Chapters 5501., 5503., 5511., 5513., 5515., 5516., 5517., 5519., 5521., 5523., 5527., 5528., 5529., 5531., 5533., and 5535. of the Revised Code.

(2) This section does not require the director to take bonds as described in division (A) or (B) of this section in connection with any force account work, but the director may require those bonds in connection with force account work.

(3) If any bonds taken under this section are executed by a surety company, the director may not approve such bonds unless there is attached a certificate of the superintendent of insurance that the company is authorized to transact business in this state, and a copy of the power of attorney of the agent of the company. The superintendent, upon request, shall issue to any licensed agent of such company the certificate without charge.

(4) The bonds required to be taken under this section shall be executed by the same surety, approved by the director as to sufficiency of the sureties, and be in the form prescribed by the attorney general.

~~(C)~~(D) Any person to whom any money is due for labor or work performed or materials furnished in connection with a work, improvement, or project, at any time after performing the labor or furnishing the materials but not later than ninety days after the acceptance of the work, improvement, or project by the director, may furnish to the sureties on the payment bond a statement of the amount due the person. If the indebtedness is not paid in full at the expiration of sixty days after the statement is furnished, the person may commence an action in the person's own name upon the bond as provided in sections 2307.06 and 2307.07 of the Revised Code.

An action shall not be commenced against the sureties on a payment bond until sixty days after the furnishing of the statement described in this section or, notwithstanding section 2305.12 of the Revised Code, later than one year after the date of the acceptance of the work, improvement, or project.

~~(D)~~(E) When the total contract amount is greater than five hundred million dollars, the director may authorize either of the following for purposes of meeting the requirements of division

(A) of this section:

(1) The issuance of multiple contract performance bonds or multiple contract payment bonds to meet the requirement that the bonding amount equals one hundred per cent of the contract amount;

(2) The issuance of contract performance bonds and contract payment bonds in succession to align with the phases of the contract to meet the requirement that the bonding amount equals one hundred per cent of the contract amount.

(F) As used in this section, "improvement,"

(1) "Improvement," "subcontractor," "material supplier," and "materials" have the same meanings as in section 1311.01 of the Revised Code, and "contractor" has the same meaning as "original contractor" as defined in that section.

(2) "Actual final contract value" is the final sum of money, excluding any bond premium adjustments, that is paid by the department to the contractor as a result of the contractor completing the agreed upon work.

Sec. 5531.09. (A) As used in this section and section 5531.10 of the Revised Code:

(1) "Qualified project" means any public or private transportation project as determined by the director of transportation, including, without limitation, planning, environmental impact studies, engineering, construction, reconstruction, resurfacing, restoring, rehabilitation, or replacement of public or private transportation facilities within the state, studying the feasibility thereof, and the acquisition of real or personal property or interests therein; any highway, public transit, aviation, rail, or other transportation project eligible for financing or aid under any federal or state program; and any project involving the maintaining, repairing, improving, or construction of any public or private highway, road, street, parkway, public transit, aviation, or rail project, and any related rights-of-way, bridges, tunnels, railroad-highway crossings, drainage structures, signs, guardrails, or protective structures.

(2) "Small municipal corporation" means a municipal corporation that is determined by the department of transportation to be an eligible small city in accordance with the department's small city program.

(B) The state infrastructure bank shall consist of the highway and transit infrastructure bank fund, the aviation infrastructure bank fund, the rail infrastructure bank fund, and the infrastructure bank obligations fund, which are hereby created as funds of the state treasury, to be administered by the director of transportation and used for the purposes described in division ~~(B)~~~~(C)~~ of this section. The highway and transit infrastructure bank fund, the aviation infrastructure bank fund, and the rail infrastructure bank fund shall consist of federal grants and awards or other assistance received by the state and eligible for deposit therein under applicable federal law, payments received by the department in connection with providing financial assistance for qualifying projects under division ~~(B)~~~~(C)~~ of this section, and such other amounts as may be provided by law. The infrastructure bank obligations fund shall consist of such amounts of the proceeds of obligations issued under section 5531.10 of the Revised Code as the director of transportation determines with the advice of the director of budget and management; and such other amounts as may be provided by law. The director of budget and management, upon the request of the director of transportation, may transfer amounts between the funds created in this division, except the infrastructure bank obligations fund. The investment earnings of each fund created by this division shall be credited to such fund.



~~(B)-(C)~~ The director of transportation shall use the state infrastructure bank to encourage public and private investment in transportation facilities that contribute to the multi-modal and intermodal transportation capabilities of the state, develop a variety of financing techniques designed to expand the availability of funding resources and to reduce direct state costs, maximize private and local participation in financing projects, and improve the efficiency of the state transportation system by using and developing the particular advantages of each transportation mode to the fullest extent. In furtherance of these purposes, the director shall use the state infrastructure bank to provide financial assistance to public or private entities for qualified projects. Such assistance shall be in the form of loans, loan guarantees, letters of credit, leases, lease-purchase agreements, interest rate subsidies, debt service reserves, and such other forms as the director determines to be appropriate. All fees, charges, rates of interest, payment schedules, security for, and other terms and conditions relating to such assistance shall be determined by the director. Any loan made to a small municipal corporation from the state infrastructure bank shall be a zero interest loan.

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

~~(D)~~ As used in this section and in section 5531.10 of the Revised Code, "qualified project" means any public or private transportation project as determined by the director of transportation, including, without limitation, planning, environmental impact studies, engineering, construction, reconstruction, resurfacing, restoring, rehabilitation, or replacement of public or private transportation facilities within the state, studying the feasibility thereof, and the acquisition of real or personal property or interests therein; any highway, public transit, aviation, rail, or other transportation project eligible for financing or aid under any federal or state program; and any project involving the maintaining, repairing, improving, or construction of any public or private highway, road, street, parkway, public transit, aviation, or rail project, and any related rights-of-way, bridges, tunnels, railroad-highway crossings, drainage structures, signs, guardrails, or protective structures.

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

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

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

(2) "Bond service charges" means principal, including mandatory sinking fund requirements for retirement of obligations, and interest, and redemption premium, if any, required to be paid by the state on obligations.

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

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

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

(6) "Pledged receipts" means moneys accruing to the state from the lease, lease-purchase, sale, or other disposition, or use, of qualified projects, and from the repayment, including interest, of loans made from proceeds received from the sale of obligations; accrued interest received from the sale of obligations; income from the investment of the special funds; any gifts, grants, donations, and pledges, and receipts therefrom, available for the payment of bond service charges; and any amounts in the state infrastructure bank pledged to the payment of such charges. If the amounts in the state infrastructure bank are insufficient for the payment of such charges, "pledged receipts" also means moneys that are apportioned by the United States secretary of transportation under United States Code, Title XXIII, as amended, or any successor legislation, or under any other federal law relating to aid for highways, and that are to be received as a grant by the state, to the extent the state is not prohibited by state or federal law from using such moneys and the moneys are pledged to the payment of such bond service charges.

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

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

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

(B) The issuing authority, after giving written notice to the director of budget and management and upon the certification by the director of transportation to the issuing authority of the amount of moneys or additional moneys needed either for state infrastructure projects or to provide financial assistance for any of the purposes for which the state infrastructure bank may be used under section 5531.09 of the Revised Code, or needed for capitalized interest, funding reserves, and paying costs and expenses incurred in connection with the issuance, carrying, securing, paying, redeeming,

or retirement of the obligations or any obligations refunded thereby, including payment of costs and expenses relating to letters of credit, lines of credit, insurance, put agreements, standby purchase agreements, indexing, marketing, remarketing and administrative arrangements, interest swap or hedging agreements, and any other credit enhancement, liquidity, remarketing, renewal, or refunding arrangements, all of which are authorized by this section, shall issue obligations of the state under this section in the required amount. The proceeds of such obligations, except for the portion to be deposited in special funds, including reserve funds, as may be provided in the bond proceedings, shall as provided in the bond proceedings be credited to the infrastructure bank obligations fund of the state infrastructure bank created by section 5531.09 of the Revised Code and disbursed as provided in the bond proceedings for such obligations. The issuing authority may appoint trustees, paying agents, transfer agents, and authenticating agents, and may retain the services of financial advisors, accounting experts, and attorneys, and retain or contract for the services of marketing, remarketing, indexing, and administrative agents, other consultants, and independent contractors, including printing services, as are necessary in the issuing authority's judgment to carry out this section. The costs of such services are payable from funds of the state infrastructure bank or as otherwise provided in the bond proceedings.

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

(D) Obligations shall be authorized by order of the issuing authority and the bond proceedings shall provide for the purpose thereof and the principal amount or amounts, and shall provide for or authorize the manner or agency for determining the principal maturity or maturities, not exceeding twenty-five years from the date of issuance or, with respect to obligations issued to finance a transportation facility pursuant to a public-private agreement, not exceeding forty-five years from the date of issuance, the interest rate or rates or the maximum interest rate, the date of the obligations and the dates of payment of interest thereon, their denomination, and the establishment within or without the state of a place or places of payment of bond service charges. Sections 9.98 to 9.983 of the Revised Code are applicable to obligations issued under this section. The purpose of such obligations may be stated in the bond proceedings in terms describing the general purpose or purposes to be served. The bond proceedings also shall provide, subject to the provisions of any other applicable bond proceedings, for the pledge of all, or such part as the issuing authority may determine, of the pledged receipts and the applicable special fund or funds to the payment of bond service charges, which pledges may be made either prior or subordinate to other expenses, claims, or payments, and may be made to secure the obligations on a parity with obligations theretofore or thereafter issued, if and to the extent provided in the bond proceedings. The pledged receipts and special funds so pledged and thereafter received by the state immediately are subject to the lien of

such pledge without any physical delivery thereof or further act, and the lien of any such pledges is valid and binding against all parties having claims of any kind against the state or any governmental agency of the state, irrespective of whether such parties have notice thereof, and shall create a perfected security interest for all purposes of Chapter 1309. of the Revised Code, without the necessity for separation or delivery of funds or for the filing or recording of the bond proceedings by which such pledge is created or any certificate, statement, or other document with respect thereto; and the pledge of such pledged receipts and special funds is effective and the money therefrom and thereof may be applied to the purposes for which pledged without necessity for any act of appropriation. Every pledge, and every covenant and agreement made with respect thereto, made in the bond proceedings may therein be extended to the benefit of the owners and holders of obligations authorized by this section, and to any trustee therefor, for the further security of the payment of the bond service charges.

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

(E) The bond proceedings may contain additional provisions as to:

(1) The redemption of obligations prior to maturity at the option of the issuing authority at such price or prices and under such terms and conditions as are provided in the bond proceedings;

(2) Other terms of the obligations;

(3) Limitations on the issuance of additional obligations;

(4) The terms of any trust agreement or indenture securing the obligations or under which the same may be issued;

(5) The deposit, investment, and application of special funds, and the safeguarding of moneys on hand or on deposit, without regard to Chapter 131. or 135. of the Revised Code, but subject to any special provisions of this section with respect to particular funds or moneys, provided that any bank or trust company which acts as depository of any moneys in the special funds may furnish such indemnifying bonds or may pledge such securities as required by the issuing authority;

(6) Any or every provision of the bond proceedings being binding upon such officer, board, commission, authority, agency, department, or other person or body as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part of the duty required by such provision;

(7) Any provision that may be made in a trust agreement or indenture;

(8) Any other or additional agreements with the holders of the obligations, or the trustee therefor, relating to the obligations or the security therefor, including the assignment of mortgages or other security relating to financial assistance for qualified projects under section 5531.09 of the Revised Code.

(F) The obligations may have the great seal of the state or a facsimile thereof affixed thereto or printed thereon. The obligations and any coupons pertaining to obligations shall be signed or bear the facsimile signature of the issuing authority. Any obligations or coupons may be executed by the person who, on the date of execution, is the proper issuing authority although on the date of such bonds or coupons such person was not the issuing authority. In case the issuing authority whose signature or a facsimile of whose signature appears on any such obligation or coupon ceases to be the issuing authority before delivery thereof, such signature or facsimile nevertheless is valid and

sufficient for all purposes as if the former issuing authority had remained the issuing authority until such delivery; and in case the seal to be affixed to obligations has been changed after a facsimile of the seal has been imprinted on such obligations, such facsimile seal shall continue to be sufficient as to such obligations and obligations issued in substitution or exchange therefor.

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

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

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

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

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

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

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

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

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

(K) Any holder of obligations or a trustee under the bond proceedings, except to the extent that the holder's or trustee's rights are restricted by the bond proceedings, may by any suitable form of legal proceedings, protect and enforce any rights under the laws of this state or granted by such bond proceedings. Such rights include the right to compel the performance of all duties of the issuing authority and the director of transportation required by the bond proceedings or sections 5531.09 and

5531.10 of the Revised Code; to enjoin unlawful activities; and in the event of default with respect to the payment of any bond service charges on any obligations or in the performance of any covenant or agreement on the part of the issuing authority or the director of transportation in the bond proceedings, to apply to a court having jurisdiction of the cause to appoint a receiver to receive and administer the pledged receipts and special funds, other than those in the custody of the treasurer of state, which are pledged to the payment of the bond service charges on such obligations or which are the subject of the covenant or agreement, with full power to pay, and to provide for payment of bond service charges on, such obligations, and with such powers, subject to the direction of the court, as are accorded receivers in general equity cases, excluding any power to pledge additional revenues or receipts or other income or moneys of the state or local governmental entities, or agencies thereof, to the payment of such principal and interest and excluding the power to take possession of, mortgage, or cause the sale or otherwise dispose of any project facilities.

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

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

(L) The issuing authority may authorize and issue obligations for the refunding, including funding and retirement, and advance refunding with or without payment or redemption prior to maturity, of any obligations previously issued by the issuing authority or district obligations. Such refunding obligations may be issued in amounts sufficient for payment of the principal amount of the prior obligations or district obligations, any redemption premiums thereon, principal maturities of any such obligations or district obligations maturing prior to the redemption of the remaining obligations or district obligations on a parity therewith, interest accrued or to accrue to the maturity dates or dates of redemption of such obligations or district obligations, and any expenses incurred or to be incurred in connection with such issuance and such refunding, funding, and retirement. Subject to the bond proceedings therefor, the portion of proceeds of the sale of refunding obligations issued under this division to be applied to bond service charges on the prior obligations or district obligations shall be credited to an appropriate account held by the trustee for such prior or new obligations or to the appropriate account in the bond service fund for such obligations or district obligations. Obligations authorized under this division shall be deemed to be issued for those purposes for which such prior obligations or district obligations were issued and are subject to the provisions of this section pertaining to other obligations, except as otherwise provided in this section. The last maturity of obligations authorized under this division shall not be later than the latest permitted maturity of the original securities issued for the original purpose.

(M) The authority to issue obligations under this section includes authority to issue

obligations in the form of bond anticipation notes and to renew the same from time to time by the issuance of new notes. The holders of such notes or interest coupons pertaining thereto shall have a right to be paid solely from the pledged receipts and special funds that may be pledged to the payment of the bonds anticipated, or from the proceeds of such bonds or renewal notes, or both, as the issuing authority provides in the order authorizing such notes. Such notes may be additionally secured by covenants of the issuing authority to the effect that the issuing authority and the state will do such or all things necessary for the issuance of such bonds or renewal notes in the appropriate amount, and apply the proceeds thereof to the extent necessary, to make full payment of the principal of and interest on such notes at the time or times contemplated, as provided in such order. For such purpose, the issuing authority may issue bonds or renewal notes in such principal amount and upon such terms as may be necessary to provide funds to pay when required the principal of and interest on such notes, notwithstanding any limitations prescribed by or for purposes of this section. Subject to this division, all provisions for and references to obligations in this section are applicable to notes authorized under this division.

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

(N) Obligations issued under this section are lawful investments for banks, societies for savings, savings and loan associations, deposit guarantee associations, trust companies, trustees, fiduciaries, insurance companies, including domestic for life and domestic not for life, trustees or other officers having charge of sinking and bond retirement or other special funds of political subdivisions and taxing districts of this state, the commissioners of the sinking fund of the state, the administrator of workers' compensation, the state teachers retirement system, the public employees retirement system, the school employees retirement system, and the Ohio police and fire pension fund, notwithstanding any other provisions of the Revised Code or rules adopted pursuant thereto by any agency of the state with respect to investments by them, and are also acceptable as security for the deposit of public moneys.

(O) Unless otherwise provided in any applicable bond proceedings, moneys to the credit of or in the special funds established by or pursuant to this section may be invested by or on behalf of the issuing authority only in notes, bonds, or other obligations of the United States, or of any agency or instrumentality of the United States, obligations guaranteed as to principal and interest by the United States, obligations of this state or any political subdivision of this state, and certificates of deposit of any national bank located in this state and any bank, as defined in section 1101.01 of the Revised Code, subject to inspection by the superintendent of financial institutions. If the law or the instrument creating a trust pursuant to division (J) of this section expressly permits investment in direct obligations of the United States or an agency of the United States, unless expressly prohibited by the instrument, such moneys also may be invested in no-front-end-load money market mutual funds consisting exclusively of obligations of the United States or an agency of the United States and in repurchase agreements, including those issued by the fiduciary itself, secured by obligations of the United States or an agency of the United States; and in collective investment funds as defined in division (A) of section 1111.01 of the Revised Code and consisting exclusively of any such securities. The income from such investments shall be credited to such funds as the issuing authority

determines, and such investments may be sold at such times as the issuing authority determines or authorizes.

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

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

(2) An action taken under division (Q)(2) of this section does not limit the generality of division (Q)(1) of this section, and is subject to division (C) of this section and, if and to the extent otherwise applicable, Section 13 of Article VIII, Ohio Constitution. The bond proceedings may contain a covenant that, in the event the pledged receipts primarily pledged and required to be used for the payment of bond service charges on obligations issued under this section, and for the establishment and maintenance of any reserves, as provided in the bond proceedings, are insufficient to make any such payment in full when due, or to maintain any such reserve, the director of transportation shall so notify the governor, and shall determine to what extent, if any, the payment may be made or moneys may be restored to the reserves from lawfully available moneys previously appropriated for that purpose to the department of transportation. The covenant also may provide that if the payments are not made or the moneys are not immediately and fully restored to the reserves from such moneys, the director shall promptly submit to the governor and to the director of budget and management a written request for either or both of the following:

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

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

The director of transportation shall include with such requests a recommendation that the payment of the bond service charges and the replenishment of the reserves be made in the interest of maximizing the benefits of the state infrastructure bank. Any such covenant shall not obligate or purport to obligate the state to pay the bond service charges on such bonds or notes or to deposit moneys in a reserve established for such payments other than from moneys that may be lawfully



available and appropriated for that purpose during the then-current biennium.

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

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

Sec. 5540.01. As used in this chapter:

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

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

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

(D) "Cost," as applied to the construction of a project, includes the cost of construction, including bridges over or under existing highways and railroads, acquisition of all property acquired by the district for such construction, demolishing or removing any buildings or structures on land so acquired, including the cost of acquiring any lands to which such buildings or structures may be moved, site clearance, improvement, and preparation, diverting streets or highways, interchanges with streets or highways, access roads to private property, including the cost of land or easements therefor, all machinery, furnishings, and equipment, communications facilities, financing and auditing expenses, interest prior to and during construction and for one year after completion of construction, traffic estimates, indemnity and surety bonds and premiums on insurance, and guarantees, engineering, feasibility studies, and legal expenses, plans, specifications, surveys,

estimates of cost and revenues, other expenses necessary or incidental to determining the feasibility or practicability of constructing a project, and such other expense as may be necessary or incident to the construction of the project and the financing of such construction. Any obligation or expense incurred by any governmental agency or person for surveys, borings, preparation of plans and specifications, and other engineering services, or any other cost described above, in connection with the construction of a project may be regarded as part of the cost of the project and reimbursed from revenues, taxes, or the proceeds of bonds as authorized by this chapter.

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

(F) "Revenues" means all moneys received by a district with respect to the lease, sublease, or sale, including installment sale, conditional sale, or sale under a lease-purchase agreement, of a project, all moneys received by a district under an agreement pursuant to Section 515.03 of H.B. 66 of the 126th ~~General Assembly~~ general assembly, Section 555.10 of H.B. 67 of the 127th general assembly, or Section 755.20 of H.B. 153 of the 129th general assembly, any gift or grant received with respect to a project, tolls, special assessments levied by the district, sales and use taxes received from a qualifying regional transit authority for any purpose authorized by section 306.353 of the Revised Code, proceeds of bonds to the extent the use thereof for payment of principal or of premium, if any, or interest on the bonds is authorized by the district, proceeds from any insurance, condemnation, or guaranty pertaining to a project or property mortgaged to secure bonds or pertaining to the financing of a project, and income and profit from the investment of the proceeds of bonds or of any revenues.

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

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

(I) "Bond proceedings" means the resolutions, trust agreements, certifications, notices, sale proceedings, leases, lease-purchase agreements, assignments, credit enhancement facility agreements, and other agreements, instruments, and documents, as amended and supplemented, or any one or more of combination thereof, authorizing, or authorizing or providing for the terms and conditions applicable to, or providing for the security or sale or award or liquidity of, bonds, and includes the provisions set forth or incorporated in those bonds and bond proceedings.

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

bondholder.

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

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

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

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

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

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

(Q) "Refund" means to fund and retire outstanding bonds, including advance refunding with or without payment or redemption prior to stated maturity.

(R) "Property" includes interests in property.

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

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

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

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

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

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

(C)(1) If the board of county commissioners so elects, a transportation improvement district shall be governed by a board of trustees consisting of the following members:

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

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

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

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

(e) The county engineer;

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

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

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

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

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

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

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

(2) As an alternative to the structure prescribed in division (C)(1) of this section, a board of

county commissioners, by resolution, may elect that the transportation improvement district it creates be governed by a board of trustees consisting of the following members:

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

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

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

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

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

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

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

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

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

(2) Adopt an official seal;

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

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

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

(a) Transportation improvement district revenue bonds;

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

(6) Maintain such funds as it considers necessary;

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

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

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

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

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

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

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

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

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

(a) Located partially or wholly within any county that is a party to the agreement;

(b) Partially funded with federal money.

(16) Do all acts necessary and proper to carry out the powers expressly granted in this chapter.

(B)(1) Chapters 123., 124., 125., and 153., and sections 9.331 to 9.335 and 307.86 of the Revised Code do not apply to contracts or projects of a transportation improvement district.

(2) A transportation improvement district is subject to sections 4115.03 to 4115.21 and 4115.99 of the Revised Code, unless the amount of state or local government funds, including, but not limited to, those provided by any agency, entity, or instrumentality of the state or a local government as described in division (A)(10) of this section received for the contract or project, is, in the aggregate, less than the amounts described in or calculated under section 4115.03 of the Revised Code.

Sec. 5540.06. (A) The board of trustees of a transportation improvement district may provide by resolution for the issuance, at one time or from time to time, of bonds of the district for the purpose of paying all or any part of the cost of any one or more projects. The bond service charges shall be payable solely from pledged revenues pledged for such payment pursuant to the applicable bond proceedings. The bonds of each issue shall be dated, shall bear interest at a rate or rates or at variable rates, and shall mature or be payable at such time or times, with a final maturity not to exceed thirty years from their date or dates, all as determined by the board in the bond proceedings. The board shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of bond service charges.

(B) The bonds shall be signed by the chairperson or vice-chairperson of the board or by the facsimile signature of that officer, the official seal of the district or a facsimile thereof may be affixed thereto or printed thereon and attested by the secretary-treasurer of the district, which may be by facsimile signature, and any coupons attached thereto shall bear the facsimile signature of the chairperson or vice-chairperson of the board. In case any officer whose signature, or a facsimile of whose signature, appears on any bonds or coupons ceases to be such officer before delivery of the bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if the officer had remained in office until such delivery.

(C) Subject to the bond proceedings and provisions for registration, the bonds shall have all the qualities and incidents of negotiable instruments under Title XIII of the Revised Code. The bonds may be issued in such form or forms as the board determines, including without limitation coupon, book entry, and fully registered form, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the exchange of bonds between forms. The board may sell such bonds by competitive bid on the best bid after advertisement or request for bids or by private sale in the manner, and for the price, it determines to be for the best interest of the district.

(D) The proceeds of the bonds of each issue shall be used solely for the payment of the costs of the project or projects for which the bonds were issued, and shall be disbursed in such manner and under such restrictions as the board provides in the bond proceedings.

(E) Prior to the preparation of definitive bonds, the board may, under like restrictions, issue interim receipts or temporary bonds or bond anticipation notes, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The board may provide for the replacement of any mutilated, stolen, destroyed, or lost bonds.

(F) Sections 9.98 to 9.983 of the Revised Code apply to the bonds.

(G) The bond proceedings shall provide, subject to the provisions of any other applicable bond proceedings, for the pledge to the payment of bond service charges and of any costs of or relating to credit enhancement facilities of all, or such part as the board may determine, of the pledged revenues and the applicable special fund or funds, which pledges may be made to secure the bonds on a parity with bonds theretofore or thereafter issued if and to the extent provided in the bond proceedings. Every pledge, and every covenant and agreement with respect thereto, made in the bond proceedings may in the bond proceedings be extended to the benefit of the owners and holders of bonds and to any trustee and any person providing a credit enhancement facility for those bonds, for the further security for the payment of the bond service charges and credit enhancement facility costs.

(H) The bond proceedings may contain additional provisions as to:

(1) The redemption of bonds prior to maturity at the option of the board or of the bondholders or upon the occurrence of certain stated conditions, and at such price or prices and under such terms and conditions as are provided in the bond proceedings;

(2) Other terms of the bonds;

(3) Limitations on the issuance of additional bonds;

(4) The terms of any trust agreement securing the bonds or under which the same may be issued;

(5) Any or every provision of the bond proceedings being binding upon the board and state agencies, or other person as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part of the duty required by such provision;

(6) Any provision that may be made in a trust agreement;

(7) Any other or additional agreements with the holders of the bonds, or the trustee therefor, relating to the bonds or the security for the bonds, including agreements for credit enhancement facilities.

(I) Any holder of bonds or a trustee under the bond proceedings, except to the extent that the holder's or trustee's rights are restricted by the bond proceedings, may by any suitable form of legal proceedings, protect and enforce any rights under the laws of this state or granted by the bond proceedings. Those rights include the right to compel the performance of all duties of the board required by this chapter or the bond proceedings; to enjoin unlawful activities; and in the event of default with respect to the payment of any bond service charges on any bonds or in the performance of any covenant or agreement on the part of the board contained in the bond proceedings, to apply to a court having jurisdiction of the cause to appoint a receiver to receive and administer the revenues and the pledged revenues which are pledged to the payment of the bond service charges on such bonds or that are the subject of the covenant or agreement, with full power to pay, and to provide for payment of, bond service charges on such bonds, and with such powers, subject to the direction of the court, as are accorded receivers in general equity cases, excluding any power to pledge additional revenue or receipts or other income, funds, or moneys of the board to the payment of such bond service charges and excluding the power to take possession of, mortgage, or cause the sale or otherwise dispose of any project or other property of the board.

(J) Each duty of the board and the board's officers and employees, undertaken pursuant to the bond proceedings, is hereby established as a duty of the board, and of each such officer, member, or



employee having authority to perform the duty, specifically enjoined by law resulting from an office, trust, or station within the meaning of section 2731.01 of the Revised Code.

(K) The board's officers or employees are not liable in their personal capacities on any bonds issued by the board or any agreements of or with the board relating to those bonds.

(L) The bonds are lawful investments for banks, savings and loan associations, credit union share guaranty corporations, trust companies, trustees, fiduciaries, insurance companies, including domestic for life and domestic not for life, trustees or other officers having charge of sinking and bond retirement or other funds of the state or its political subdivisions and taxing districts, the commissioners of the sinking fund of the state, the administrator of workers' compensation, the state teachers retirement system, the public employees retirement system, the school employees retirement system, and the Ohio police and fire pension fund, notwithstanding any other provisions of the Revised Code or rules adopted pursuant thereto by any state agency with respect to investments by them, and also are acceptable as security for the repayment of the deposit of public moneys.

(M) Provision may be made in the applicable bond proceedings for the establishment of separate accounts in the bond service fund and for the application of such accounts only to the specified bond service charges pertinent to such accounts and bond service fund, and for other accounts therein within the general purposes of such fund.

(N) The board may pledge all, or such portion as it determines, of the pledged revenues to the payment of bond service charges, and for the establishment and maintenance of any reserves and special funds, as provided in the bond proceedings, and make other provisions therein with respect to pledged revenues, revenues, and net revenues as authorized by this chapter, which provisions shall be controlling notwithstanding any other provisions of law pertaining thereto.

(O) The board may pledge all, or such portion as it determines, of the pledged or assigned sales and use taxes received from a qualifying regional transit authority to the payment of debt service charges on any qualifying bonds issued by the transportation improvement district to fund or finance qualifying projects under section 306.353 of the Revised Code.

Sec. 5543.19. (A) The county engineer may, when authorized by the board of county commissioners and not required by this section or other law to use competitive bidding, employ such laborers and vehicles, use such county employees and property, lease such implements and tools, and purchase such materials as are necessary in the construction, reconstruction, improvement, maintenance, or repair of roads by force account.

In determining whether construction or reconstruction, including widening and resurfacing, of roads may be undertaken by force account, the county engineer shall first cause to be made an estimate of the cost of such work using the force account project assessment form developed by the auditor of state under section 117.16 of the Revised Code. When the total estimated cost of the work exceeds ~~thirty-seventy~~ thousand dollars per mile, the county commissioners shall invite and receive competitive bids for furnishing all the labor, materials, and equipment necessary to complete the work in accordance with sections 307.86 to 307.92 of the Revised Code.

(B) The county engineer may, when authorized by the board of county commissioners and not required by this section or other law to use competitive bidding, employ such laborers and vehicles, use such county employees and property, lease such implements and tools, and purchase such materials as are necessary in the construction, reconstruction, improvement, maintenance, or

repair of bridges and culverts by force account.

In determining whether such construction, reconstruction, improvement, maintenance, or repair of bridges or culverts may be undertaken by force account, the county engineer shall first cause to be made an estimate of the cost of such work using the force account project assessment form. When the total estimated cost of the work exceeds ~~one-two hundred~~ thirty-three thousand dollars, the board of county commissioners shall invite and receive competitive bids for furnishing all the labor, materials, and equipment necessary to complete the work, in accordance with sections 307.86 to 307.92 of the Revised Code. The county engineer shall obtain the approval required by section 5543.02 of the Revised Code.

(C) On the first day of July of every ~~odd-numbered~~ year beginning in ~~2021~~2024, the threshold amounts established in this section shall increase by an amount not to exceed the lesser of ~~three-five~~ per cent, or the percentage amount of any increase in the department of transportation's construction cost index as annualized and totaled for the prior ~~two~~ calendar ~~years~~year. The director of transportation shall notify each appropriate county engineer of the increased amount.

(D) "Force account," as used in this section means that the county engineer will act as contractor, using labor employed by the engineer using material and equipment either owned by the county or leased or purchased in compliance with sections 307.86 to 307.92 of the Revised Code and excludes subcontracting any part of such work unless done pursuant to sections 307.86 to 307.92 of the Revised Code.

The term "competitive bids" as used in this section requires competition for the whole contract and in regard to its component parts, including labor and materials. Neither plans nor specifications shall be drawn to favor any manufacturer or bidder unless required by the public interest.

Sec. 5575.01. (A) In the maintenance and repair of roads, the board of township trustees may proceed either by contract or force account, but, unless the exemption specified in division (C) of this section applies, if the board wishes to proceed by force account, it first shall cause the county engineer to complete the force account assessment form developed by the auditor of state under section 117.16 of the Revised Code. Except as otherwise provided in sections 505.08 and 505.101 of the Revised Code, when the board proceeds by contract, the contract shall, if the amount involved exceeds ~~forty-five-one hundred five~~ thirty-five thousand dollars, be let by the board to the lowest responsible bidder after advertisement for bids once, not later than two weeks, prior to the date fixed for the letting of the contract, in a newspaper of general circulation within the township. If the amount involved is ~~forty-five-one hundred five~~ thirty-five thousand dollars or less, a contract may be let without competitive bidding, or the work may be done by force account. Such a contract shall be performed under the supervision of a member of the board or the township road superintendent.

(B) Before undertaking the construction or reconstruction of a township road, the board shall cause to be made by the county engineer an estimate of the cost of the work, which estimate shall include labor, material, freight, fuel, hauling, use of machinery and equipment, and all other items of cost. If the board finds it in the best interest of the public, it may, in lieu of constructing the road by contract, proceed to construct the road by force account. Except as otherwise provided under sections 505.08 and 505.101 of the Revised Code, where the total estimated cost of the work exceeds ~~fifteen~~ thirty-five thousand dollars per mile, the board shall invite and receive competitive bids for

furnishing all the labor, materials, and equipment and doing the work, as provided in section 5575.02 of the Revised Code, and shall consider and reject them before ordering the work done by force account. When such bids are received, considered, and rejected, and the work is done by force account, the work shall be performed in compliance with the plans and specifications upon which the bids were based.

(C) Force account assessment forms are not required under division (A) of this section for road maintenance or repair projects of ~~less than fifteen thousand dollars~~, or under division (B) of this section for road construction or reconstruction projects of less than ~~five thousand dollars per mile~~ one-third of the applicable force account limit.

(D) On the first day of July of every ~~odd-numbered~~ year beginning in ~~2021~~ 2024, the threshold amounts established in divisions (A) and (B) of this section shall increase by an amount not to exceed the lesser of ~~three~~ five per cent, or the percentage amount of any increase in the department of transportation's construction cost index as annualized and totaled for the prior ~~two~~ calendar years year. The director of transportation shall notify each appropriate county engineer of the increased amount.

(E) All force account work under this section shall be done under the direction of a member of the board or the township road superintendent.

Sec. 5577.044. (A) Notwithstanding sections 5577.02 and 5577.04 of the Revised Code, a vehicle fueled solely by compressed natural gas or liquid natural gas or powered primarily by means of an electric battery may exceed by not more than two thousand pounds the gross vehicle weight provisions of sections 5577.01 to 5577.09 of the Revised Code or the axle load limits of those sections.

(B) If a vehicle described in division (A) of this section exceeds the weight provisions of sections 5577.01 to 5577.09 of the Revised Code by more than the allowance provided for in division (A) of this section, both of the following apply:

- (1) The applicable penalty prescribed in section 5577.99 of the Revised Code;
- (2) The civil liability imposed by section 5577.12 of the Revised Code.

(C) Division (A) of this section does not apply to the operation of a vehicle on a highway, road, or bridge that is subject to reduced maximum weights under section 4513.33, 5577.07, 5577.071, 5577.08, 5577.09, or 5591.42 of the Revised Code.

Sec. 5709.50. (A) The governing board of a regional transportation improvement project that grants a tax exemption under section 5709.48 of the Revised Code or enters into one or more voluntary agreements imposing assessments under section 5709.481 of the Revised Code shall establish a regional transportation improvement project fund into which shall be deposited service payments in lieu of taxes distributed under section 5709.49 of the Revised Code and assessments collected pursuant to such agreements. Money in the regional transportation improvement project fund shall be used by the governing board for the purposes described in the resolution creating the transportation financing district. Money in the regional transportation improvement project fund shall be administered by the governing board in accordance with the requirements of section 5595.08 of the Revised Code and may be invested as provided in section 5595.09 of the Revised Code.

(B) The regional transportation improvement project fund is dissolved by operation of law upon the dissolution of the associated regional transportation improvement project under section

5595.13 of the Revised Code. Any incidental surplus remaining in the fund, to the extent unencumbered, shall be divided and distributed by the county treasurer of the most populous county in which the district is located as follows:

(1) To the general funds of the subdivisions and taxing units in which the district is located, an amount equal to the surplus revenue multiplied by a fraction, the numerator of which is the amount of service payment revenue deposited to the fund after the most recent collection of property taxes and payments in lieu of taxes, and the denominator of which is the total amount deposited to the fund after the most recent collection of property taxes and payments in lieu of taxes. This amount shall be divided proportionally based on the property tax levy revenue foregone by each such subdivision and taxing unit due to the exemption of improvements to property within the district at the most recent collection of service payments in lieu of taxes. The division of revenue shall account for amounts returned to subdivisions and taxing units through compensation agreements entered into under division (E) of section 5709.48 of the Revised Code. The amount distributed to each subdivision or taxing unit shall be apportioned among its funds as if that amount had been levied and collected as taxes and distributed in the most recent settlement of taxes.

(2) To the owners of parcels subject to a special assessment under section 5709.481 of the Revised Code, all remaining surplus revenue. This amount shall be divided proportionally based on the amount of the assessment levied against each such parcel at the most recent collection of such assessments. Owners of parcels that are delinquent in paying an assessment imposed by an agreement under section 5709.481 of the Revised Code may not receive surplus revenue under this division. The share of surplus revenue that such owner or owners would have otherwise received shall be divided proportionally among the owners of nondelinquent parcels.

Section 101.02. That existing sections 117.16, 124.152, 303.02, 306.353, 519.02, 723.52, 4503.10, 4503.103, 4503.11, 4503.191, 4503.29, 4503.44, 4506.01, 4506.11, 4507.01, 4507.061, 4507.13, 4507.52, 4511.093, 4513.34, 4981.02, 4981.04, 5503.031, 5517.011, 5525.16, 5531.09, 5531.10, 5540.01, 5540.02, 5540.03, 5540.06, 5543.19, 5575.01, 5577.044, and 5709.50 of the Revised Code are hereby repealed.

Section 105.01. That section 5501.09 of the Revised Code is hereby repealed.

Section 201.10. Except as otherwise provided in this act, all appropriation items in this act are appropriated out of any moneys in the state treasury to the credit of the designated fund that are not otherwise appropriated. For all appropriations made in this act, the amounts in the first column are for fiscal year 2024 and the amounts in the second column are for fiscal year 2025.

Section 203.10.

	1	2	3	4	5
A	DOT DEPARTMENT OF TRANSPORTATION				
B	General Revenue Fund				
C	GRF	775470	Public Transportation - State	\$37,014,636	\$37,014,636
D	TOTAL General Revenue Fund			\$37,014,636	\$37,014,636
E	Highway Operating Fund Group				
F	2120	772426	Highway Infrastructure Bank - Federal	\$5,750,500	\$5,750,500
G	2120	772427	Highway Infrastructure Bank - State	\$15,099,500	\$15,099,500
H	2130	772431	Roadway Infrastructure Bank - State	\$3,750,000	\$3,750,000
I	2130	777477	Aviation Infrastructure Bank - State	\$2,400,000	\$2,400,000
J	5XI0	772504	Ohio Highway Transportation Safety	\$2,736,000	\$1,600,000
K	7002	770003	Transportation Facilities Lease Rental Bond Payments	\$23,000,000	\$23,000,000
L	7002	771411	Planning and Research - State	\$30,128,120	\$29,650,000
M	7002	771412	Planning and Research - Federal	\$57,095,074	\$57,095,074
N	7002	772421	Highway Construction - State	\$902,000,000	\$734,000,000
O	7002	772422	Highway Construction - Federal	\$2,120,000,000	\$1,950,000,000

P	7002	772424	Highway Construction - Other	\$83,500,000	\$83,500,000
Q	7002	772437	Major New State Infrastructure Bond Debt Service - State	\$18,500,000	\$18,500,000
R	7002	772438	Major New State Infrastructure Bond Debt Service - Federal	\$132,500,000	\$132,500,000
S	7002	772603	Brent Spence Bridge Corridor - State	\$182,800,000	\$0
T	7002	772604	Brent Spence Bridge Corridor - Federal	\$1,909,200,000	\$0
U	7002	772605	Brent Spence Bridge Corridor - Other	\$809,000,000	\$0
V	7002	773431	Highway Maintenance - State	\$635,000,000	\$640,427,010
W	7002	775452	Public Transportation - Federal	\$57,445,919	\$63,004,296
X	7002	775454	Public Transportation - Other	\$1,570,000	\$1,570,000
Y	7002	776462	Grade Crossings - Federal	\$14,068,961	\$14,068,961
Z	7002	777472	Airport Improvements - Federal	\$405,000	\$405,000
AA	7002	777475	Aviation Administration	\$6,635,945	\$6,699,938
AB	7002	779491	Administration - State	\$115,424,899	\$115,593,642
AC	TOTAL HOF Highway Operating Fund Group			\$7,128,009,918	\$3,898,613,921

## AD Dedicated Purpose Fund Group

AE	4N40	776664	Rail Transportation - Other	\$2,911,491	\$2,911,491
AF	5CV3	776672	Strategic Transportation and Development Analysis	\$10,000,000	\$0
AG	5W90	777615	County Airport Maintenance	\$620,000	\$620,000
AH	TOTAL DPF Dedicated Purpose Fund Group			\$13,531,491	\$3,531,491
AI Capital Projects Fund Group					
AJ	7042	772723	Highway Construction - Bonds	\$94,450,000	\$94,450,000
AK	7045	772428	Highway Infrastructure Bank - Bonds	\$83,950,000	\$83,950,000
AL	TOTAL CPF Capital Projects Fund Group			\$178,400,000	\$178,400,000
AM	TOTAL ALL BUDGET FUND GROUPS			\$7,356,956,045	\$4,117,560,048

## Section 203.20. TRANSPORTATION FACILITIES LEASE RENTAL BOND PAYMENTS

The foregoing appropriation item 770003, Transportation Facilities Lease Rental Bond Payments, shall be used to meet all payments during the period from July 1, 2023, through June 30, 2025, pursuant to the leases and agreements for facilities made under Chapter 154. of the Revised Code. These appropriations are the source of funds pledged for bond service charges on related obligations issued under Chapter 154. of the Revised Code.

Should the appropriation in appropriation item 770003, Transportation Facilities Lease Rental Bond Payments, exceed the associated debt service payments in either fiscal year of the biennium ending June 30, 2025, the balance may be transferred to appropriation item 772421, Highway Construction – State, 773431, Highway Maintenance – State, or 779491, Administration – State, upon the written request of the Director of Transportation and with the approval of the Director of Budget and Management. The transfers are hereby appropriated and shall be reported to the Controlling Board.

Section 203.25. PLANNING AND RESEARCH - STATE

Of the foregoing appropriation item 771411, Planning and Research - State, up to \$50,000 in fiscal year 2024 shall be used to contract with a third-party through a request for proposal process and in coordination with the Department of Administrative Services to conduct a wrong way driving study across Ohio. The study shall collect data at specific locations, as determined by the Director of Transportation, to understand incorrect driving patterns and other factors that lead to wrong way driving. The data may be used to propose safety interventions that mitigate the hazards of wrong way driving or prevent its occurrence.

Section 203.30. ROADS FOR DNR, METROPOLITAN PARKS, CONSERVANCY DISTRICTS, EXPOSITIONS COMMISSION, AND HISTORY CONNECTION

(A) Notwithstanding section 5511.06 of the Revised Code, in each fiscal year of the biennium ending June 30, 2025, the Director of Transportation shall determine portions of the foregoing appropriation item 772421, Highway Construction – State, which shall be used for the construction, reconstruction, or maintenance of public access roads, including support features, to and within state facilities owned or operated by the Department of Natural Resources.

(B) Notwithstanding section 5511.06 of the Revised Code, of the foregoing appropriation item 772421, Highway Construction – State, \$2,562,000 in each fiscal year shall be used for the construction, reconstruction, or maintenance of park drives or park roads within the boundaries of metropolitan parks.

(C) Notwithstanding section 5511.06 of the Revised Code, of the foregoing appropriation item 772421, Highway Construction - State, \$500,000 in each fiscal year shall be used for the construction, reconstruction, or maintenance of park drives or park roads within the boundaries of state parks and wildlife areas greater than 10,000 contiguous acres that were purchased in a single, or series, of transactions, and \$500,000 in each fiscal year shall be used for construction, reconstruction, or maintenance of drives and roads leading to such state parks and wildlife areas.

(D) Of the foregoing appropriation item 772421, Highway Construction - State, \$500,000 in each fiscal year shall be used to assist conservancy districts with the construction, reconstruction, improvement, repair, or maintenance of roads in accordance with section 5511.04 of the Revised Code.

(E) The Department of Transportation may use the foregoing appropriation item 772421, Highway Construction – State, to perform:

(1) Related road work on behalf of the Ohio Expositions Commission at the state fairgrounds, including reconstruction or maintenance of public access roads and support features to and within fairgrounds facilities, as requested by the Commission and approved by the Director of Transportation; and

(2) Related road work on behalf of the Ohio History Connection, including reconstruction or maintenance of public access roads and support features to and within Ohio History Connection facilities, as requested by the Ohio History Connection and approved by the Director of Transportation.



## Section 203.40. TRANSPORTATION IMPROVEMENT DISTRICTS

(A) Of the foregoing appropriation item 772421, Highway Construction – State, \$4,500,000 in each fiscal year shall be made available for distribution by the Director of Transportation to Transportation Improvement Districts that have facilitated funding for the cost of a project or projects in conjunction with and through other governmental agencies.

(B) A Transportation Improvement District shall submit requests for project funding to the Director of Transportation by a day determined by the Director. The Department shall notify the Transportation Improvement District whether the Department has approved or disapproved the project funding request within ninety days after the day the request was submitted by the Transportation Improvement District.

(C) Any funding provided to a Transportation Improvement District specified in this section shall not be used for the purposes of administrative costs or administrative staffing and must be used to fund a specific project or projects within that District's area. The total amount of a specific project's cost shall not be fully funded by the amount of funds provided under this section. The total amount of funding provided for each project is limited to \$500,000 per fiscal year. Transportation Improvement Districts that are co-sponsoring a specific project may individually apply for up to \$500,000 for that project per fiscal year.

(D) Funding provided under this section may be used for preliminary engineering, detailed design, right-of-way acquisition, and construction of the specific project and such other project costs that are defined in section 5540.01 of the Revised Code and approved by the Director of Transportation. Upon receipt of a copy of an invoice for work performed on the specific project, the Director shall reimburse a Transportation Improvement District for the expenditures described above, subject to the requirements of this section.

(E) A Transportation Improvement District that is requesting funds under this section shall register with the Director of Transportation. The Director shall register a Transportation Improvement District only if the district has a specific, eligible project and may cancel the registration of a Transportation Improvement District that is not eligible to receive funds under this section. The Director shall not provide funds to any Transportation Improvement District under this section if the district is not registered. The Director shall not register a Transportation Improvement District and may cancel the registration of a currently registered Transportation Improvement District unless at least one of the following applies:

(1) The Transportation Improvement District, by a resolution or resolutions, designated a project or program of projects and facilitated, including in conjunction with and through other governmental agencies, funding for costs of a project or program of projects in an aggregate amount of not less than \$15,000,000 from the commencement date of the project or program of projects.

(2) The Transportation Improvement District has designated, by a resolution or resolutions, a project or program of projects that has estimated aggregate costs in excess of \$10,000,000 and the County Engineer of the county in which the Transportation Improvement District is located has attested by a sworn affidavit that the costs of the project or program of projects exceeds \$10,000,000 and that the Transportation Improvement District is facilitating a portion of funding for that project or program of projects.

(F) For the purposes of this section:

(1) "Project" has the same meaning as in division (C) of section 5540.01 of the Revised Code.

(2) "Governmental agency" has the same meaning as in division (B) of section 5540.01 of the Revised Code.

(3) "Cost" has the same meaning as in division (D) of section 5540.01 of the Revised Code.

#### Section 203.43. HIGHWAY CONSTRUCTION - FEDERAL

Of the foregoing appropriation item 772422, Highway Construction - Federal, \$33,000,000 in each fiscal year shall be used to support public transportation statewide through the Federal Highway Administration (FHWA) flexible funding program.

#### Section 203.45. REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS

Of the foregoing appropriation item 772422 Highway Construction - Federal, \$5,000,000 in each fiscal year shall be used by Regional Transportation Planning Organizations to conduct a rural transportation planning grant program.

#### OHIO WORKFORCE MOBILITY PARTNERSHIP PROGRAM

Of the foregoing appropriation item 772422 Highway Construction - Federal, \$15,000,000 in each fiscal year shall be used by the Ohio Department of Transportation to administer the Ohio Workforce Mobility Partnership Program established in Section 755.20 of this act.

#### Section 203.47. STRATEGIC TRANSPORTATION AND DEVELOPMENT ANALYSIS

The foregoing appropriation item 776672, Strategic Transportation and Development Analysis, shall be used for a statewide study of the Ohio transportation system, in collaboration with the Department of Development and the Governor's Office of Workforce Transformation. The study shall analyze statewide and regional demographics, investigate economic development growth opportunities, examine current transportation systems and capacities, forecast passenger and freight travel needs over a ten, twenty, and thirty year timeframe, identify current and future transportation links, evaluate and rank current and potential risks of future system congestion, and make actionable recommendations for transportation system projects to support statewide economic growth, including improving links between Toledo and Columbus and between Sandusky and Columbus. At any time, individual hotspot locations may receive advanced analysis of conceptual remedies with planning-level costs. The Department of Transportation may contract with third parties as necessary to execute this study. The study shall be completed by December 31, 2024.

#### BRENT SPENCE BRIDGE CORRIDOR PROJECT

All spending related to the Brent Spence Bridge Corridor Project shall be documented in the Ohio Administrative Knowledge System (OAKS) and made visible in the Ohio State and Local Government Expenditure Database pursuant to section 113.71 of the Revised Code.

#### Section 203.50. BOND ISSUANCE AUTHORIZATION

The Treasurer of State, upon the request of the Director of Transportation, is authorized to

issue and sell, in accordance with Section 2m of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.06 of the Revised Code, obligations, including bonds and notes, in the aggregate amount of \$251,000,000 in addition to the original issuance of obligations authorized by prior acts of the General Assembly.

The obligations shall be issued and sold from time to time in amounts necessary to provide sufficient moneys to the credit of the Highway Capital Improvement Fund (Fund 7042) created by section 5528.53 of the Revised Code to pay costs charged to the fund when due as estimated by the Director of Transportation, provided, however, that not more than \$220,000,000 original principal amount of obligations, plus the principal amount of obligations that in prior fiscal years could have been, but were not, issued within the \$220,000,000 limit, may be issued in any fiscal year, and not more than \$1,200,000,000 original principal amount of such obligations are outstanding at any one time.

#### Section 203.60. APPROPRIATION TRANSFERS, APPROPRIATION INCREASES, AND CASH TRANSFERS

##### (A) TRANSFERS OF HIGHWAY OPERATING FUND APPROPRIATIONS: EMERGENCIES, INCLEMENT WEATHER, AND FEDERAL FUNDING CHANGES

The Director of Transportation may request the Controlling Board to approve transfers between Highway Operating Fund (Fund 7002) appropriations for planning and research (appropriation items 771411 and 771412), highway construction and debt service (appropriation items 772421, 772422, 772424, 772425, 772437, 772438, and 770003), highway maintenance (appropriation item 773431), public transportation - federal (appropriation item 775452), rail grade crossings (appropriation item 776462), aviation (appropriation item 777475), airport improvement (appropriation item 777472), and administration (appropriation item 779491). The Director of Transportation may not seek requests of appropriation transfers out of debt service appropriation items unless the Director determines that the appropriated amounts exceed the actual and projected debt service requirements.

This transfer request authorization is intended to provide for emergency situations or for the purchase of goods and services relating to dangerous inclement weather that arise during the biennium ending June 30, 2025. It also is intended to allow the Department to adjust to circumstances affecting the obligation and expenditure of federal funds.

##### (B) TRANSFERS OF FEDERAL AND LOCAL FUNDED APPROPRIATIONS: HIGHWAY, PLANNING, TRANSIT, RAIL, AND AVIATION

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations between appropriation items 772422, Highway Construction - Federal, 771412, Planning and Research - Federal, 775452, Public Transportation - Federal, 775454, Public Transportation - Other, 776475, Federal Rail Administration, 776462, Grade Crossing - Federal, and 777472, Airport Improvements - Federal.

##### (C) TRANSFERS OF APPROPRIATIONS AND CASH: STATE INFRASTRUCTURE BANK

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations and cash of the Infrastructure Bank funds created in section 5531.09 of the Revised

Code, including transfers between fiscal years 2024 and 2025.

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations and cash from the Highway Operating Fund (Fund 7002) to the Infrastructure Bank funds created in section 5531.09 of the Revised Code. The Director of Budget and Management may transfer from the Infrastructure Bank funds to Fund 7002 up to the amounts originally transferred to the Infrastructure Bank funds under this section. However, the Director may not make transfers between modes or transfers between different funding sources.

**(D) TRANSFERS OF APPROPRIATIONS AND CASH: TOLLING FUNDS**

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations and cash of the Ohio Toll Fund and any subaccounts created in section 5531.14 of the Revised Code, including transfers between fiscal years 2024 and 2025.

**(E) INCREASING APPROPRIATIONS: STATE FUNDS**

In the event that receipts or unexpended balances credited to the Highway Operating Fund (Fund 7002) exceed the estimates upon which the appropriations have been made in this act, upon the request of the Director of Transportation, the Controlling Board may approve expenditures, in excess of the amounts appropriated, from the Highway Operating Fund in the manner prescribed in section 131.35 of the Revised Code. The amounts approved by the Controlling Board under this division are hereby appropriated.

**(F) INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS**

In the event that receipts or unexpended balances credited to the Highway Operating Fund (Fund 7002) or apportionments or allocations made available from the federal and local governments exceed the estimates upon which the appropriations have been made in this act, upon the request of the Director of Transportation, the Controlling Board may approve expenditures, in excess of the amounts appropriated, from the Highway Operating Fund in the manner prescribed in section 131.35 of the Revised Code. The amounts approved by the Controlling Board under this division are hereby appropriated.

**(G) TRANSFERS OF CASH BETWEEN THE HIGHWAY OPERATING FUND AND THE HIGHWAY CAPITAL IMPROVEMENT FUND**

Upon the request of the Director of Transportation, the Director of Budget and Management may transfer cash from the Highway Operating Fund (Fund 7002) to the Highway Capital Improvement Fund (Fund 7042) created in section 5528.53 of the Revised Code. The Director of Budget and Management may transfer cash from Fund 7042 to Fund 7002 up to the amount of cash previously transferred to Fund 7042 under this section.

**(H) DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING**

On July 1 and January 1 of each year in the biennium ending June 30, 2025, or as soon as possible thereafter, respectively, the Director of Budget and Management shall transfer \$200,000 cash, for each semiannual period, from the Highway Operating Fund (Fund 7002) to the Deputy Inspector General for ODOT Fund (Fund 5FA0).

The Inspector General, with the consent of the Director of Budget and Management, may request the Controlling Board to approve additional transfers of cash and expenditures in excess of the amount appropriated under appropriation item 965603, Deputy Inspector General for ODOT, if additional amounts are necessary. The amounts approved by the Controlling Board are hereby

appropriated.

(I) LIQUIDATION OF UNFORESEEN LIABILITIES

Any appropriation made from the Highway Operating Fund (Fund 7002) not otherwise restricted by law is available to liquidate unforeseen liabilities arising from contractual agreements of prior years when the prior year encumbrance is insufficient.

(J) ELECTRIC VEHICLE EXPENDITURES

The Director of Transportation shall request Controlling Board approval for any expenditure of funds received under the federal "Infrastructure Investment and Jobs Act," Pub. L. No. 117-58, that are to be used for the construction or maintenance of electric vehicle charging stations. Any such expenditures approved by the Controlling Board are hereby appropriated.

Section 203.65. REAPPROPRIATIONS

In each year of the biennium ending June 30, 2025, the Director of Budget and Management may request the Controlling Board to approve the expenditure of any remaining unencumbered balances of prior years' appropriations to the Ohio Highway Transportation Safety Fund (Fund 5XI0), the Highway Operating Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 7042), and the Infrastructure Bank funds created in section 5531.09 of the Revised Code for the same purpose in the following fiscal year. The amounts approved by the Controlling Board are hereby reappropriated.

Prior to the Director of Budget and Management's seeking approval of the Controlling Board, the Director of Transportation shall develop a reappropriation request plan that identifies the appropriate fund and appropriation item of the reappropriation, and the reappropriation request amount and submit the plan to the Director of Budget and Management for evaluation. The Director of Budget and Management may request additional information necessary for evaluating the reappropriation request plan, and the Director of Transportation shall provide the requested information to the Director of Budget and Management. Based on the information provided by the Director of Transportation, the Director of Budget and Management shall determine amounts to be reappropriated by fund and appropriation item to submit to the Controlling Board for its approval.

Any balances of prior years' unencumbered appropriations to the Highway Operating Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 7042), the Ohio Highway Transportation Safety Fund (Fund 5XI0), and the Infrastructure Bank funds created in section 5531.09 of the Revised Code for which reappropriations are requested and approved are subject to the availability of revenue in the funds.

Section 203.70. MAINTENANCE OF INTERSTATE HIGHWAYS

The Department of Transportation has the responsibility to maintain all interstate highways in the state. The Director of Transportation may enter into an agreement with a political subdivision to allow the political subdivision to remove snow and ice and maintain, repair, improve, or provide lighting upon interstate highways that are located within the boundaries of the political subdivision, in a manner adequate to meet the requirements of federal law.

When agreed in writing by the Director of Transportation and the legislative authority of a

political subdivision and notwithstanding sections 125.01 and 125.11 of the Revised Code, the Department of Transportation may reimburse a political subdivision for all or any part of the costs, as provided by such agreement, incurred by the political subdivision in maintaining, repairing, lighting, and removing snow and ice from the interstate system.

#### Section 203.80. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS

The Director of Transportation may use revenues from the state motor vehicle fuel tax to match approved federal grants awarded to the Department of Transportation, regional transit authorities, or eligible public transportation systems, for public transportation highway purposes, or to support local or state-funded projects for public transportation highway purposes.

Public transportation highway purposes include (1) the construction or repair of high-occupancy vehicle traffic lanes, (2) the acquisition or construction of park-and-ride facilities, (3) the acquisition or construction of public transportation vehicle loops, (4) the construction or repair of bridges used by public transportation vehicles or that are the responsibility of a regional transit authority or other public transportation system, or (5) other similar construction that is designated as an eligible public transportation highway purpose. Motor vehicle fuel tax revenues may not be used for operating assistance or for the purchase of vehicles, equipment, or maintenance facilities.

#### Section 203.90. AGREEMENTS WITH FEDERAL AGENCIES FOR ENVIRONMENTAL REVIEW PURPOSES

The Director of Transportation may enter into agreements as provided in this section with the United States or any department or agency of the United States, including, but not limited to, the United States Army Corps of Engineers, the United States Forest Service, the United States Environmental Protection Agency, and the United States Fish and Wildlife Service. An agreement entered into pursuant to this section shall be solely for the purpose of dedicating staff to the expeditious and timely review of environmentally related documents submitted by the Director of Transportation, as necessary for the approval of federal permits.

The agreements may include provisions for advance payment by the Director of Transportation for labor and all other identifiable costs of the United States or any department or agency of the United States providing the services, as may be estimated by the United States, or the department or agency of the United States.

The Director shall submit a request to the Controlling Board indicating the amount of the agreement, the services to be performed by the United States or the department or agency of the United States, and the circumstances giving rise to the agreement.

#### Section 203.100. INDEFINITE DELIVERY INDEFINITE QUANTITY CONTRACTS

(A) As used in this section, "indefinite delivery indefinite quantity contract" means a contract for an indefinite quantity, within stated limits, of supplies or services that will be delivered by the awarded bidder over a defined contract period.

(B) The Director of Transportation shall advertise and seek bids for, and shall award, indefinite delivery indefinite quantity contracts for not more than two projects in fiscal year 2024 and

for not more than two projects in fiscal year 2025. For purposes of entering into indefinite delivery indefinite quantity contracts, the Director shall do all of the following:

- (1) Prepare bidding documents;
  - (2) Establish contract forms;
  - (3) Determine contract terms and conditions, including the following:
    - (a) The maximum overall value of the contract, which may include an allowable increase of one hundred thousand dollars or five per cent of the advertised contract value, whichever is less;
    - (b) The duration of the contract, including a time extension of up to one year if determined appropriate by the Director;
    - (c) The defined geographical area to which the contract applies, which shall be not greater than the size of one district of the Department of Transportation.
  - (4) Develop and implement a work order process in order to provide the awarded bidder adequate notice of requested supplies or services, the anticipated quantities of supplies, and work location information for each work order;
  - (5) Take any other action necessary to fulfill the duties and obligations of the Director under this section.
- (C) Section 5525.01 of the Revised Code applies to indefinite delivery indefinite quantity contracts.

Section 207.10.

	1	2	3	4	5
A	DEV DEPARTMENT OF DEVELOPMENT				
B	Dedicated Purpose Fund Group				
C	4W00	195629	Roadwork Development	\$15,200,000	\$15,200,000
D	TOTAL DPF Dedicated Purpose Fund Group			\$15,200,000	\$15,200,000
E	TOTAL ALL BUDGET FUND GROUPS			\$15,200,000	\$15,200,000

Section 207.20. ROADWORK DEVELOPMENT

The foregoing appropriation item 195629, Roadwork Development, shall be used for road improvements associated with economic development opportunities that will retain or attract businesses for Ohio, including the construction, reconstruction, maintenance, or repair of public roads that provide access to a public airport or are located within a public airport. "Road

improvements" are improvements to public roadway facilities located on, or serving or capable of serving, a project site, and include the construction, reconstruction, maintenance or repair of public roads that provide access to a public airport or are located within a public airport. The appropriation item may be used in conjunction with any other state funds appropriated for infrastructure improvements.

The Director of Budget and Management, pursuant to a plan submitted by the Director of Development or as otherwise determined by the Director of Budget and Management, shall set a cash transfer schedule to meet the cash needs of the Roadwork Development Fund (Fund 4W00) used by the Department of Development, less any other available cash. The Director of Budget and Management shall transfer such cash amounts from the Highway Operating Fund (Fund 7002) to Fund 4W00 at such times as determined by the transfer schedule.

The Director of Transportation, under the direction of the Director of Development, shall provide these funds in accordance with all guidelines and requirements established for other Department of Development programs, including Controlling Board review and approval, as well as the requirements for usage of motor vehicle fuel tax revenue prescribed in Section 5a of Article XII, Ohio Constitution. Should the Department of Development require the assistance of the Department of Transportation to bring a project to completion, the Department of Transportation shall use its authority under Title 55 of the Revised Code to provide such assistance and may enter into contracts on behalf of the Department of Development.

Section 209.10.

	1	2	3	4	5
A	PWC PUBLIC WORKS COMMISSION				
B	Dedicated Purpose Fund Group				
C	7052	150402	Local Transportation Improvement Program - Operating	\$328,705	\$323,792
D	7052	150701	Local Transportation Improvement Program	\$60,000,000	\$64,000,000
E	TOTAL DPF Dedicated Purpose Fund Group			\$60,328,705	\$64,323,792
F	TOTAL ALL BUDGET FUND GROUPS			\$60,328,705	\$64,323,792



Section 209.20. REAPPROPRIATIONS

All capital appropriations from the Local Transportation Improvement Program Fund (Fund 7052) in H.B. 74 of the 134th General Assembly remaining unencumbered as of June 30, 2023, may be reappropriated for use during the period July 1, 2023, through June 30, 2024, for the same purpose.

Notwithstanding division (B) of section 127.14 of the Revised Code, all capital appropriations and reappropriations from the Local Transportation Improvement Program Fund (Fund 7052) in this act remaining unencumbered as of June 30, 2024, are reappropriated for use during the period July 1, 2024, through June 30, 2025, for the same purposes, subject to the availability of revenue as determined by the Director of the Public Works Commission.

TEMPORARY TRANSFERS

Notwithstanding section 127.14 of the Revised Code, the Director of Budget and Management may transfer cash from the Local Transportation Improvement Fund (Fund 7052) to the State Capital Improvement Fund (Fund 7038) and the Clean Ohio Conservation Fund (Fund 7056). The Director of Budget and Management may approve temporary cash transfers if such transfers are needed for capital outlays for which notes or bonds will be issued. When there is a sufficient cash balance in the fund that receives a cash transfer under this section, the Director of Budget and Management shall transfer cash from that fund to Fund 7052 in order to repay Fund 7052 for the amount of the temporary cash transfers made under this section. Any transfers executed under this section shall be reported to the Controlling Board by June 30 of the fiscal year in which the transfer occurred.

Section 221.10.

	1	2	3	4	5
A	RDF STATE REVENUE DISTRIBUTIONS				
B	Revenue Distribution Fund Group				
C	7060	110652	Gasoline Excise Tax Fund - Municipal	\$390,522,523	\$394,427,748
D	7060	110653	Gasoline Excise Tax Fund - Township	\$202,000,662	\$204,020,669
E	7060	110654	Gasoline Excise Tax Fund - County	\$336,676,815	\$340,043,583

F	TOTAL Revenue Distribution Fund Group	\$929,200,000	\$938,492,000
G	TOTAL ALL BUDGET FUND GROUPS	\$929,200,000	\$938,492,000

The foregoing appropriation item, 110652 Gasoline Excise Tax Fund - Municipal, shall be used to make payments to municipalities under sections 5735.051 and 5735.27 of the Revised Code. The foregoing appropriation item, 110653 Gasoline Excise Tax Fund - Township, shall be used to make payments to townships under those sections. The foregoing appropriation item, 110654 Gasoline Excise Tax Fund – County, shall be used to make payments to counties under those sections. The foregoing appropriation item, 110654 Gasoline Excise Tax Fund - County, shall also be used to make payments to the Ohio Turnpike and Infrastructure Commission under section 5735.051 of the Revised Code.

Appropriation items in Section 221.10 of this act shall be used for the purpose of administering and distributing the designated revenue distribution fund according to the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

Section 301.10. All items in sections of this act prefixed with numbers in the 300s are hereby appropriated as designated out of any moneys in the state treasury to the credit of the designated fund. For all operating appropriations made in these sections, those in the first column are for fiscal year 2022 and those in the second column are for fiscal year 2023. The operating appropriations made in sections of this act prefixed in the 300s are in addition to any other operating appropriations made for these fiscal years.

Section 305.10.

	1	2	3	4	5
A	CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD				
B	General Revenue Fund				
C	GRF	874320	Maintenance and Equipment	\$0	\$100,000
D	TOTAL GRF General Revenue Fund			\$0	\$100,000
E	TOTAL ALL BUDGET FUND GROUPS			\$0	\$100,000

Section 350.10. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in sections of this act prefixed with numbers in the 300s, and shall determine the manner in which appropriation accounts shall be maintained. Expenditures from operating appropriations contained in sections of this act prefixed with numbers in the 300s shall be accounted for as though made in, and are subject to, all applicable provisions of H.B. 110 of the 134th General Assembly.

#### Section 501.10. LIMITATION ON USE OF CAPITAL APPROPRIATIONS

The capital appropriations made in this act for buildings or structures, including remodeling and renovations, are limited to:

- (A) Acquisition of real property or interests in real property;
- (B) Buildings and structures, which includes construction, demolition, complete heating and cooling, lighting and lighting fixtures, and all necessary utilities, ventilating, plumbing, sprinkling, water, and sewer systems, when such systems are authorized or necessary;
- (C) Architectural, engineering, and professional services expenses directly related to the projects;
- (D) Machinery that is a part of structures at the time of initial acquisition or construction;
- (E) Acquisition, development, and deployment of new computer systems, including the redevelopment or integration of existing and new computer systems, but excluding regular or ongoing maintenance or support agreements;
- (F) Furniture, fixtures, or equipment that meets all the following criteria:
  - (1) Is essential in bringing the facility up to its intended use or is necessary for the functioning of the particular facility or project;
  - (2) Has a unit cost, and not the individual parts of a unit, of about \$100 or more; and
  - (3) Has a useful life of five years or more.

Furniture, fixtures, or equipment that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated shall not be paid from these appropriations.

#### Section 503.10. STATE ARBITRAGE REBATE AUTHORIZATION

If it is determined that a payment is necessary in the amount computed at the time to represent the portion of investment income to be rebated or amounts in lieu of or in addition to any rebate amount to be paid to the federal government in order to maintain the exclusion from gross income for federal income tax purposes of interest on those state obligations under section 148(f) of the Internal Revenue Code, such amount is hereby appropriated from those funds designated by or pursuant to the applicable proceedings authorizing the issuance of state obligations.

Payments for this purpose shall be approved and vouchered by the Office of Budget and Management.

#### Section 509.10. AUTHORIZATION FOR TREASURER OF STATE AND OBM TO

**EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS**

The Office of Budget and Management shall process payments from lease rental payment appropriation items during the period from July 1, 2023, to June 30, 2025, pursuant to the lease and other agreements relating to bonds or notes issued under Section 2i of Article VIII of the Ohio Constitution and Chapters 152. and 154. of the Revised Code, and acts of the General Assembly. Payments shall be made upon certification by the Treasurer of State of the dates and amounts due on those dates.

**Section 509.20. LEASE AND DEBT SERVICE PAYMENTS**

Certain appropriations are in this act for the purpose of paying debt service and financing costs on general obligation bonds or notes of the state and for the purpose of making lease rental and other payments under leases and agreements relating to bonds or notes issued under the Ohio Constitution, Revised Code, and acts of the General Assembly. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

Section 610.10. That Section 265.325 of H.B. 110 of the 134th General Assembly be amended to read as follows:

**Sec. 265.325. SCHOOL BUS PURCHASE**

The foregoing appropriation item 200663, School Bus Purchase, shall be used to distribute bus purchasing grants to city, local, and exempted village school districts pursuant to section 3317.071 of the Revised Code.

An amount equal to the unexpended, unencumbered balance of the foregoing appropriation item 200663, School Bus Purchase, at the end of fiscal year 2022 is hereby reappropriated for the same purpose in fiscal year 2023.

Notwithstanding any provision of law to the contrary, awards under this section may be used by recipients through fiscal year 2024 according to guidelines established by the Department of Education.

Section 610.11. That existing Section 265.325 of H.B. 110 of the 134th General Assembly is hereby repealed.

Section 610.16. That Sections 223.15 (as amended by H.B. 45 of the 134th General Assembly), 243.10, and 243.20 of H.B. 687 of the 134th General Assembly be amended to read as follows:

Sec. 223.15. The foregoing appropriation item C725E2, Local Parks, Recreation, and Conservation Projects, shall be used to support the projects listed in this section. An amount equal to two per cent of the projects listed may be used by the Department of Natural Resources for the administration of local projects.

	1	2
A	Project List	
B	Mentor Erosion Mitigation	\$3,000,000
C	Heritage Trail Extension	\$2,500,000
D	Lima Community Pool	\$2,400,000
E	Cleveland Zoo Primate Rainforest	\$1,700,000
F	Columbus Zoo	\$1,400,000
G	Cincinnati Findlay Community and Recreation Center	\$1,200,000
H	Gateway to Freedom Park	\$1,200,000
I	Akron Area YMCA Camp Y-Noah Capital Improvement	\$1,000,000
J	Euclid Waterfront Improvement Plan - Phase III	\$1,000,000
K	Franklin Park Conservatory Renovation of the Wolfe Palm House and the Davis Showhouse	\$1,000,000
L	Cincinnati Zoo and Botanical Garden Pedestrian Bridge	\$900,000
M	The Wilds RV Park and Campground	\$900,000
N	Irishtown Bend and Canal Basin Park	\$850,000
O	Cincinnati Playhouse in the Park	\$800,000
P	Lima Rotary Community Stage and Park	\$800,000
Q	Copley Ridgewood Trail	\$750,000

R	Delhi Towne Square	\$750,000
S	Environmental Education Pavilion at Forest Lawn Stormwater Park	\$750,000
T	Glen Helen Nature Preserve Accessibility Improvements	\$750,000
U	Lebanon Scenic Railway Bridge	\$750,000
V	Strongsville Town Center Enhancement and Walkability Initiative	\$725,000
W	Salem City Village Green Park	\$700,000
X	Green Township Veterans Park Enhancement	\$650,000
Y	Ohio Bird Sanctuary	\$600,000
Z	Stark Parks Magnolia Flouring Mill Public Access	\$571,000
AA	ArtsinStark Park	\$500,000
AB	Indian Lake Maintenance	\$500,000
AC	North Ridgeville Mills Creek	\$500,000
AD	Sidney Feeder Canal Bike Trail	\$500,000
AE	Sylvania YMCA	\$500,000
AF	The Foundry	\$500,000
AG	Vienna Air Heritage Park	\$500,000
AH	Litzenberg Memorial Woods Improvement Project	\$498,000
AI	Geneva Township Park - Old Lake Road Shoreline Restoration	\$450,000

AJ	Hamilton-Clover Groff Trail Project	\$450,000
AK	Lake Erie Shoreline Erosion Mitigation	\$450,000
AL	McCord Park Renovations	\$450,000
AM	Mentor Marsh Observation Tower	\$450,000
AN	Replacement of Discovery Frontier Playground at Fryer Park	\$450,000
AO	Mosquito Creek Lake Park Improvements	\$404,000
AP	Avon Traxler Preserve	\$400,000
AQ	Chagrin Meadows Preserve	\$400,000
AR	Fort Colerain Phase III	\$400,000
AS	Kelleys Island East Lakeshore Shoreline Protection	\$400,000
AT	Lake Metroparks Lake Erie Shoreline Trail and Revetment Wall	\$400,000
AU	Mason Makino Park	\$400,000
AV	McDonald Commons Renovation and Construction	\$400,000
AW	Ripley Freedom Landing Riverfront Development	\$400,000
AX	Solon to Chagrin Falls Multi-Purpose Trail	\$400,000
AY	Hamilton Beltline Recreational Trail	\$380,000
AZ	Holbrook Hollows Park Expansion	\$375,000
BA	Alum Creek Pedestrian/Bike Bridge - Bexley	\$350,000

BB	Boeckling Building Pier	\$350,000
BC	CROWN Wasson Way Crossing Improvements	\$350,000
BD	Fairport Harbor Marina Boat Launch	\$350,000
BE	Hiking Trails and Playground Refurbishment - Cincinnati	\$350,000
BF	Elyria Intergenerational Community Center	\$350,000
BG	Medina Recreation Center	\$350,000
BH	Project Playground Galena	\$350,000
BI	Wauseon Community Social and Recreational Center	\$350,000
BJ	Twinsburg Glen Chamberlin Park	\$338,000
BK	Botkins Community Park	\$300,000
BL	Camp Joy	\$300,000
BM	Canal Fulton Community Park	\$300,000
BN	Canton Township Faircrest Park	\$300,000
BO	Chagrin River Trail	\$300,000
BP	Creston Community Park Renovations	\$300,000
BQ	Edge Adventure Park	\$300,000
BR	Harbin Park ADA-Accessible Play Area and Splash Pad	\$300,000
BS	Kalida St. Michael Holy Name Ballpark	\$300,000
BT	Legacy Park Shelter House and Restrooms Project - Cridersville	\$300,000



BU	Liberty Landing Phase II	\$300,000
BV	Lincoln Heights Memorial Athletic Field Renovations	\$300,000
BW	Marysville Heritage Park	\$300,000
BX	Massillon Park Splash Pad	\$300,000
BY	Mayerson JCC Expansion	\$300,000
BZ	Meredith Park	\$300,000
CA	Niles Bike Path Bridge Improvements	\$300,000
CB	North Canton Dogwood Pool House	\$300,000
CC	Olmsted Township Nature Trail and Bark Park	\$300,000
CD	Plain Township Diamond Park Historic Barn	\$300,000
CE	Town Square Redevelopment - Blue Ash	\$300,000
CF	Willadale Trail-Boettler/Southgate Connector	\$275,000
CG	<del>Fallen Timbers Family Recreation Center</del> <del>Pool Replacement</del> <u>Capital Improvements</u>	\$275,000
CH	Grailville Park Improvements	\$260,000
CI	Streetsboro Industrial Park	\$250,000
CJ	Brunswick Recreation Center	\$250,000
CK	Chudzinski Johansen Conservancy Park	\$250,000
CL	Clearcreek Park Trail	\$250,000
CM	Coke Oven Community Civic Center Park	\$250,000

CN	Covington - Schoolhouse Park	\$250,000
CO	Girl Scouts of Western Ohio - EMPOWER HER	\$250,000
CP	Girl Scouts of Western Ohio Camp Libbey	\$250,000
CQ	Johnstown Splash Pad	\$250,000
CR	Lockington Trail Bridge	\$250,000
CS	Lodi Community Park	\$250,000
CT	Louisville Metzger Park	\$250,000
CU	Noble County Heritage Park	\$250,000
CV	Rotary Lodge at River Cliff Park Renovation	\$250,000
CW	Schoonover Observatory Improvements	\$250,000
CX	SPIRE Institute and Academy	\$250,000
CY	Timken Gatehouse Renovation	\$250,000
CZ	West Carrollton Whitewater Park	\$250,000
DA	Wooster Barnes Preserve	\$250,000
DB	Valleyview Park	\$240,000
DC	Cave Lake Dam	\$225,000
DD	Moonville Rail Trail	\$225,000
DE	Dan Beard Scout Camp Flooding and Erosion Mitigation	\$223,000
DF	Chillicothe Paint Creek Recreational Trail	\$215,000
DG	Ashtabula Township Park - Restoration	\$200,000

DH	Augusta Community Park	\$200,000
DI	Bryan Lincoln Park	\$200,000
DJ	Camp Oty'Okwa Capital Improvements	\$200,000
DK	Center Gateway Improvement Project - Rocky River	\$200,000
DL	Centerville Benham's Grove	\$200,000
DM	City of Monroe Lookout Point	\$200,000
DN	Coshocton County Connector	\$200,000
DO	Franklin Furnace Park	\$200,000
DP	Great Miami River Trail – Middletown to Monroe Segment Construction Project	\$200,000
DQ	Memorial Park All-Purpose Trail - North Royalton	\$200,000
DR	Mount Aloysius Community Rec Center	\$200,000
DS	Portage Bike and Hike Trail - Mill Race Segment	\$200,000
DT	Seven Gables Park Playground Replacement	\$200,000
DU	Sylvania Plummer Pool	\$200,000
DV	Tuscarawas Memorial Park Improvements	\$200,000
DW	Wellness at the Generational Recreation Complex- Construction	\$200,000
DX	West Farmington Park Improvements	\$200,000
DY	Shawnee West Buckeye Trail	\$195,000

DZ	Jim Terrell Park Canoe/Kayak Launch	\$190,000
EA	Racine Star Mill Park	\$190,000
EB	Darke County Art Trail	\$180,000
EC	Bryn Du Barn	\$175,000
ED	Erie MetroParks Nature Center	\$175,000
EE	Norton Bicentennial Park	\$175,000
EF	Ohio and Erie Canal Restoration	\$175,000
EG	Concord Township Park Renovation	\$172,000
EH	Ward Park Swimming Pool Filtration System Replacement	\$171,000
EI	Ashland County Corner Park	\$150,000
EJ	Brown County Board of Developmental Disabilities Resource and Community Center	\$150,000
EK	Buckeye Lake Boat Ramps and Pier Enabling Project	\$150,000
EL	Deer Park Chamberlin Park	\$150,000
EM	Elyria Holly Hall	\$150,000
EN	Forest Park Central Park Improvements	\$150,000
EO	Fostoria Splash Pad	\$150,000
EP	Geneva Township Park Commission - Handicap Accessible Ramp	\$150,000
EQ	Gibsonburg Logyard Park	\$150,000
ER	Greenville Downtown Park	\$150,000

ES	Hammertown Lake Improvements Project	\$150,000
ET	Kingsbury Riverfront Park Rehabilitation Project	\$150,000
EU	Lock Nine Riverfront Park	\$150,000
EV	MAGNET's Manufacturing Innovation, Technology and Job Center Park	\$150,000
EW	Mansfield B&O Trail Connector	\$150,000
EX	Mansfield Central Park	\$150,000
EY	Middle Point Recreation Center	\$150,000
EZ	Mount Gilead Park Site Preparations	\$150,000
FA	Navarre Park	\$150,000
FB	North Kingsville Village - Community Park	\$150,000
FC	North Olmsted Community Park Improvements	\$150,000
FD	Olmsted Falls East River Road Park	\$150,000
FE	Portsmouth Market Square Park	\$150,000
FF	Powhatan Point Municipal Park District	\$150,000
FG	Restore Rockefeller	\$150,000
FH	Richwood Splash Pad	\$150,000
FI	Rio Grande Reservoir and Park Improvements	\$150,000
FJ	Seven Hills Calvin Park Drainage Improvements	\$150,000
FK	Unger Park Multi-Use Loop Trail	\$150,000

FL	Urban Meadow Park Connector Trail	\$150,000
FM	Wellsville Marina Dredging	\$150,000
FN	Austintown Township Park Bandshell Replacement	\$140,000
FO	West Union SR 41 Shared Use Path Phase II	\$140,000
FP	Bellefontaine Blue Jacket Park	\$135,000
FQ	Alliance Memorial Park	\$250,000
FR	Antwerp Holly Kobee Memorial Splash Pad	\$125,000
FS	Carey Splash Pad	\$125,000
FT	Flight Line: East Dayton Rails-to-Trails	\$125,000
FU	Friedt Park	\$125,000
FV	Kirtland Community Center	\$125,000
FW	Miami Valley Research Park Bike Path and Pedestrian Bridge	\$125,000
FX	Old Murray City School Building Demolition	\$125,000
FY	Vermillion Main Street Beach and Harbor Access Project	\$125,000
FZ	Clepper Park Pickleball Courts	\$122,000
GA	Village of Fort Loramie Community Park Improvements	\$122,000
GB	North Fork Preserve of Bath	\$120,000
GC	Rootstown Community Park and Gracie Field Paving	\$120,000

GD	New Knoxville Splash Pad and Shelter House	\$110,000
GE	Sally Buffalo Park Stage	\$110,000
GF	South Lebanon Veteran's Park Playground	\$110,000
GG	Middleburg Heights Memorial Hall Courtyard	\$104,000
GH	Akron Zoo Additional Animal Housing Phase II	\$100,000
GI	Bay Village Green Improvements	\$100,000
GJ	Brecksville Field House	\$100,000
GK	Cobblestone Park - Medina	\$100,000
GL	Fairfield Township Veterans Memorial Project	\$100,000
GM	Gahanna Exploration Center	\$100,000
GN	Harmony Park	\$100,000
GO	Highland Heights Park Connector	\$100,000
GP	Holden Arboretum All-Season Trails	\$100,000
GQ	Kenton Saulisberry Park at France Lake	\$100,000
GR	Mansfield Sterkel Park	\$100,000
GS	Marion Lincoln Park	\$100,000
GT	Mecca Township Recreation Center	\$100,000
GU	Montgomery Cultural Arts and Performance Fountain	\$100,000
GV	Ottawa Memorial Pool Splash Pad	\$100,000

GW	Outdoor Theater and Performing Arts Community Park - Hillsboro	\$100,000
GX	Painesville Kiwanis Recreation Park	\$100,000
GY	Pickleball Courts at Patricia Allyn Park	\$100,000
GZ	Plain City Heritage Trail	\$100,000
HA	Plan4Health Perry Township Park Trail Improvement Plan	\$100,000
HB	Police and Fire Dedication Playground - Lyndhurst	\$100,000
HC	Sheffield Village James Day Park	\$100,000
HD	Syracuse Skatepark	\$100,000
HE	The Pony Wagon Trail	\$100,000
HF	The Wilds Shade and Shelter Improvements	\$100,000
HG	Veterans Memorial at Rose Run Park	\$100,000
HH	Village of Bellville Historic Bandstand Renovations	\$100,000
HI	Village of Bentleyville Riverview Community Park	\$100,000
HJ	Village of Middlefield Parks Upgrades	\$100,000
HK	Weatherstone Park - Wadsworth	\$100,000
HL	West Alexandria Smith Street Park	\$100,000
HM	Wintersville Recreation Complex	\$100,000
HN	Acres of Adventure Learning Center	\$90,000
HO	Byesville Patriot Park	\$90,000



HP	Malta Park Improvements	\$90,000
HQ	Parma Park Improvements	\$90,000
HR	Perrysville Weltmer Park - Playground	\$85,000
HS	4-H Camp Piedmont Upgrades	\$75,000
HT	Brook Park Central Park	\$75,000
HU	Cuyahoga Heights Willowbrook Connector Trail	\$75,000
HV	Fairborn Memorial Park	\$75,000
HW	Fairview Park Bain Park	\$75,000
HX	Havener Park Improvements	\$75,000
HY	Independence Pool Facility Improvements	\$75,000
HZ	Lancaster Nature Trail at AHA!	\$75,000
IA	Leipsic Buckeye Park	\$75,000
IB	Little Miami River Access and Park Development	\$75,000
IC	Loveland Heights Playground Improvements	\$75,000
ID	Middleport-Pomeroy Walking Path Project Phase IV	\$75,000
IE	Monroe Township Park Playground	\$75,000
IF	Mt. Sterling Mason Park	\$75,000
IG	New Concord Swimming Pool	\$75,000
IH	Outdoor Sports Court Revitalization - Springdale	\$75,000

II	Sharon Nature Preserve Trails Phase I	\$75,000
IJ	Wadsworth Safety Town Park	\$75,000
IK	Voice of America MetroPark Tylersville Road Entrance	\$70,000
IL	Wilhelmina Park Trail and Shelter Project	\$70,000
IM	Ellsworth Hills Learning Lab	\$65,000
IN	Roscoe Village Infrastructure Project	\$60,000
IO	Buckeye Trail East Fork Wildlife Area	\$57,000
IP	Caldwell Walking Track Expansion	\$55,000
IQ	Reservoir Park Pathway Pedestrian Bridge - Deshler	\$52,000
IR	McCulloughs Run - Newton	\$50,000
IS	Bellaire Walking Trail	\$50,000
IT	Big Walnut Trail Extension and Park	\$50,000
IU	Big Walnut Trail SE Columbus - Eastland Area	\$50,000
IV	Brunswick Lake ADA Canoe/Kayak Launch	\$50,000
IW	Bryan George Bible Park	\$50,000
IX	Buckeye Lake Crystal Lagoon and Public Park	\$50,000
IY	Center Ice Foundation	\$50,000
IZ	Cleveland Botanical Garden Public Accessible Garden Path	\$50,000

JA	Concord Township Park Restroom Facility Project	\$50,000
JB	Doylestown Memorial Park	\$50,000
JC	Drews Track Memorial Pump Track Expansion	\$50,000
JD	Glass City Enrichment Center	\$50,000
JE	Greenwich Reservoir Park	\$50,000
JF	Leila McGuire Jeffrey Park Playground	\$50,000
JG	Levitt Pavilion Dayton	\$50,000
JH	Madison Village Dana's Park	\$50,000
JI	Madison Village Wetland Trail	\$50,000
JJ	Martins Ferry Recreation Center- Water Splash Park/Ice Rink	\$50,000
JK	Millersport Lions Park	\$50,000
JL	Moscow Ohio River Stabilization, Phase II	\$50,000
JM	Ohio FFA Camp Muskingum	\$50,000
JN	P&G MLB Cincinnati Reds Youth Academy	\$50,000
JO	Penney Nature Center Improvement Project	\$50,000
JP	Prairie Trail/Stitt Park Improvements	\$50,000
JQ	Caldwell Race Track Upgrades	\$50,000
JR	Richmond Heights Community Park Gazebo	\$50,000
JS	Richwood Park Lynn St. Shelterhouse and	\$50,000

Parking		
JT	Salt Fork State Park	\$50,000
JU	Shade Community Center Upgrades	\$50,000
JV	Tinker's Creek Trail	\$50,000
JW	Village of Bloomdale Reservoir Project	\$50,000
JX	Wapakoneta Waterpark	\$50,000
JY	Walton Hills Thomas Young Park	\$48,000
JZ	Byrd Township Community Center	\$45,000
KA	Selby Building Revitalization	\$45,000
KB	Village of Dunkirk Splash Pad and Storage Building	\$45,000
KC	Burr Oak State Park	\$44,000
KD	Veterans Memorial Park Accessibility Improvements - Liberty Center	\$42,000
KE	Chippewa Falls Rail Trail Parking Lot	\$40,000
KF	Chippewa Park Shelter House	\$40,000
KG	Gates Mills Community House Improvements	\$40,000
KH	Hartinger Park/Diles Park Playground Improvements	\$40,000
KI	Fifth Street Park Play Structure and Splash Pad	\$30,000
KJ	Keener Park Sledding Hill	\$30,000
KK	Alger Park Upgrades	\$25,000

KL	Blue Heron Park Trail Phase II	\$25,000
KM	Charlement Reservation Stable	\$25,000
KN	Gloria Glens Southwest Park Grading	\$25,000
KO	Pickerington Promenade	\$25,000
KP	Plymouth Mary Fate Park	\$25,000
KQ	Blue Heron Park Flood Mitigation	\$20,000
KR	Hardin County Veterans Memorial Park	\$20,000
KS	Malinta Community Park	\$20,000
KT	Zuck Riparian Preserve Trail	\$18,000
KU	Perrysville Weltmer Park - Electrical	\$15,000
KV	Sardinia Veteran's Community Park Revitalization	\$15,000
KW	Kokosing Gap Trail	\$14,000
KX	Paulding County Park District Floating Pier Addition	\$10,000
KY	Buckeye Trail Boesel Easement Bridge	\$2,800
KZ	Paulding County Park District Boat Launch Improvement	\$2,500
LA	Paulding County Park District	\$1,000
LB	Paulding County Park District Pier Sec. 243.10.	\$1,000

A	PWC PUBLIC WORKS COMMISSION		
B	State Capital Improvements Fund (Fund 7038)		
C	C15000	Local Public Infrastructure/State CIP	<del>\$400,000,000</del>
			<u>\$410,000,000</u>
D	TOTAL State Capital Improvements Fund		<del>\$400,000,000</del>
			<u>\$410,000,000</u>
E	State Capital Improvements Revolving Loan Fund (Fund 7040)		
F	C15030	Revolving Loan	\$82,000,000
G	TOTAL State Capital Improvements Revolving Loan Fund		\$82,000,000
H	Clean Ohio Conservation Fund (Fund 7056)		
I	C15060	Clean Ohio Conservation Program	\$75,000,000
J	TOTAL Clean Ohio Conservation Fund		\$75,000,000
K	TOTAL ALL FUNDS		<del>\$557,000,000</del>
			<u>\$567,000,000</u>

#### LOCAL PUBLIC INFRASTRUCTURE

Capital appropriations in this act made from the State Capital Improvements Fund (Fund 7038) shall be used in accordance with sections 164.01 to 164.12 of the Revised Code. The Director of the Public Works Commission may certify to the Director of Budget and Management that a need exists to appropriate investment earnings to be used in accordance with sections 164.01 to 164.12 of the Revised Code. If the Director of Budget and Management determines pursuant to division (D) of section 164.08 and section 164.12 of the Revised Code that investment earnings are available to support additional appropriations, such amounts are hereby appropriated.

If the Public Works Commission receives refunds due to project overpayments that are discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing

appropriations. If the project refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15000, Local Public Infrastructure/State CIP.

Of the foregoing appropriation item C15000, Local Public Infrastructure/State CIP, \$10,000,000 shall be used under the Emergency Program to provide grants to communities to assist with road-slip emergency projects on nonstate roads or locally maintained routes and portions of interstates.

#### REVOLVING LOAN

Capital appropriations in this act made from the State Capital Improvements Revolving Loan Fund (Fund 7040) shall be used in accordance with sections 164.01 to 164.12 of the Revised Code.

If the Public Works Commission receives refunds due to project overpayments that are discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing appropriations. If the project refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15030, Revolving Loan.

#### CLEAN OHIO CONSERVATION GRANT REPAYMENTS

Capital appropriations in this act made from the Clean Ohio Conservation Fund (Fund 7056) shall be used in accordance with sections 164.20 to 164.27 of the Revised Code.

Any amount in grant repayments received by the Public Works Commission and deposited into the Clean Ohio Conservation Fund pursuant to section 164.261 of the Revised Code is hereby appropriated through the foregoing appropriation item C15060, Clean Ohio Conservation.

Sec. 243.20. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Sections 2p and 2s of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.08 of the Revised Code, original obligations, in an aggregate principal amount not to exceed ~~\$300,000,000~~ \$310,000,000 in addition to the original obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the State Capital Improvements Fund (Fund 7038) to pay costs of capital improvement projects of local subdivisions.

Section 610.17. That existing Sections 223.15 (as amended by H.B. 45 of the 134th General Assembly), 243.10, and 243.20 of H.B. 687 of the 134th General Assembly are hereby repealed.

Section 610.50. That Section 15149 of the General Code, Section 1 of Am. S.B. 200 of the 98th General Assembly, and Section 3 of H.B. 69 of the 112th General Assembly are hereby repealed.

Section 610.51. Any proceedings pending or in progress on the effective date of sections 746.01, 746.02, 746.03, 746.04, 746.05, 746.06, and 746.07 of the Revised Code as enacted by this act are deemed to have been taken in conformity with those sections.

Section 749.10. (A) The Public Utilities Commission, in collaboration with the Ohio Environmental Protection Agency, shall examine current federal and state laws regarding both of the following:

(1) The regulations and protocols pertaining to the transportation of hazardous materials and hazardous waste;

(2) Any requirements pertaining to when, how, and to whom the transportation of hazardous materials and hazardous waste must be disclosed.

(B) The Commission and Agency shall compile the information obtained under division (A) of this section into a written report. The report shall include recommendations related to all of the following:

(1) Methods to strengthen Ohio's safety requirements for the transportation of hazardous materials and hazardous waste;

(2) Appropriate enhancements to current civil and criminal penalties related to the transportation of hazardous materials and hazardous waste, including penalties related to:

(a) The mishandling of hazardous materials and hazardous waste;

(b) Failing to disclose or failing to meet all disclosure requirements related to the transportation of hazardous materials and hazardous waste.

(C) Not later than ninety days after the effective date of this section, the Commission and the Agency shall submit the report required under division (B) of this section to the General Assembly in accordance with section 101.68 of the Revised Code.

Section 749.20. (A) The Public Utilities Commission shall examine both the current use of and the best practices for use of the following railroad technology:

(1) Hot boxes and hot bearing detectors;

(2) Acoustic bearing detectors;

(3) Cameras installed on or alongside railroad tracks or wayside detector systems.

(B) In examining the technology specified under division (A) of this section, the Commission may consult with technical experts on the subject, including railroad companies that do business in Ohio, the Federal Railroad Administration, other professional railroad associations, and companies that manufacture and install such technology.

(C) The Commission shall compile the information obtained under division (A) of this section into a written report. Not later than ninety days after the effective date of this section, the Commission shall submit the report, in accordance with section 101.68 of the Revised Code, to the chairperson and the ranking member of the following legislative committees:

(1) The Senate Transportation Committee;

(2) The Senate Finance Committee;

(3) The House Transportation Committee;



- (4) The House Homeland Security Committee;
- (5) The House Finance Committee.

Section 755.20. (A) As used in this section:

(1) "Economically significant employment center" means a single site, multiple adjoining sites, or a business park where the employers located at the site or park employ not less than two hundred fifty full-time employees who work onsite.

(2) "Rural or urban transit authorities" means regional transit authorities that are established pursuant to sections 306.30 to 306.53 of the Revised Code and that serve either a rural population, an urban population, or both populations.

(B) There is hereby established the Ohio Workforce Mobility Partnership Program. The Department of Transportation shall administer the Program. Under the Program, one or more boards of trustees of rural or urban transit authorities may either singularly or jointly apply for competitive grant funding for individual or collaborative projects. All grant funding shall be spent in accordance with division (C) of this section.

(C) Any boards of trustees awarded grants under this section shall use the grant funding for purposes of transporting resident workforce members between the service territories of the joint rural or urban transit authorities. The boards shall also use the grant money to focus on transportation that supports the employment needs of economically significant employment centers located within or near the service territories of the rural or urban transit authorities. Such support shall include efforts to easily, efficiently, and economically transport a resident workforce that either lives within a service territory that has little or no public transit service to an employment center or lives within one service territory but is employed full-time within another service territory.

(D) The Director of Transportation shall establish any procedures and requirements necessary to administer this section, including grant application, evaluation of applications, and award processes, and any conditions for the expenditure of grant funding awarded under the Program.

(E) This section expires two years after its effective date.

Section 755.40. Beginning July 1, 2023, until June 30, 2025, the Department of Transportation may close a rest area that is under the Department's control and jurisdiction as established under section 5515.07 of the Revised Code only if the rest area's parking lot remains available for commercial motor vehicles as defined in section 4506.01 of the Revised Code.

#### Section 757.10. MOTOR FUEL TAX DISTRIBUTIONS TO HIGHWAY OPERATING FUND

On the last day of each month in the biennium ending June 30, 2025, before making any of the distributions specified in section 5735.051 of the Revised Code but after any transfers to the tax refund fund as required by that section and section 5703.052 of the Revised Code, the Treasurer of State shall deposit the first two per cent of the amount of motor fuel tax received for the preceding calendar month to the credit of the Highway Operating Fund (Fund 7002).

**Section 757.20. MOTOR FUEL DEALER REFUNDS**

Notwithstanding Chapter 5735. of the Revised Code, the following apply for the period of July 1, 2023, to June 30, 2025:

(A) For the discount under section 5735.06 of the Revised Code, if the monthly report is timely filed and the tax is timely paid, one per cent of the total number of gallons of motor fuel received by the motor fuel dealer within the state during the preceding calendar month, less the total number of gallons deducted under divisions (B)(1)(a) and (b) of section 5735.06 of the Revised Code, less one-half of one per cent of the total number of gallons of motor fuel that were sold to a retail dealer during the preceding calendar month.

(B) For the semiannual periods ending December 31, 2023, June 30, 2024, December 31, 2024, and June 30, 2025, the refund provided to retail dealers under section 5735.141 of the Revised Code shall be one-half of one per cent of the Ohio motor fuel taxes paid on fuel purchased during those semiannual periods.

**Section 757.30. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND**

The Director of Budget and Management shall transfer cash in equal monthly increments totaling \$166,055,868 in fiscal year 2024 and in equal monthly increments totaling \$168,885,288 in fiscal year 2025 from the Highway Operating Fund (Fund 7002) to the Gasoline Excise Tax Fund (Fund 7060). The monthly amounts transferred under this section shall be distributed as follows:

(A) 42.86 per cent shall be distributed among the municipal corporations within the state under division (A)(2)(b)(i) of section 5735.051 of the Revised Code;

(B) 37.14 per cent shall be distributed among the counties within the state under division (A)(2)(b)(ii) of section 5735.051 of the Revised Code; and

(C) 20 per cent shall be distributed among the townships within the state under division (A)(2)(b)(iii) of section 5735.051 of the Revised Code.

**Section 801.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO APPROPRIATIONS**

Law contained in the main operating appropriations act of the 135th General Assembly that is generally applicable to the appropriations made in the main operating appropriations act also is generally applicable to the appropriations made in this act.

Section 803.10. The amendments made by this act to divisions (C)(1), (3), and (4) of section 4503.10 and division (A)(3) of section 4503.103 of the Revised Code apply beginning on January 1, 2024.

**Section 806.10. SEVERABILITY**

The items of law contained in this act, and their applications, are severable. If any item of law contained in this act, or if any application of any item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be

given effect without the invalid item or application.

Section 809.10. An item of law, other than an amending, enacting, or repealing clause, that composes the whole or part of an uncodified section contained in this act has no effect after June 30, 2025, unless its context clearly indicates otherwise.

#### Section 812.10. LAWS AND REFERENDUM

Except as otherwise provided in this act, the amendment, enactment, or repeal by this act of a section of law is subject to the referendum under Ohio Constitution, Article II, Section 1c and therefore takes effect on the ninety-first day after this act is filed with the Secretary of State or, if a later effective date is specified below, on that date.

Section 812.15. The Director of the Department of Administrative Services shall take no action with respect to the amendments to section 124.152 of the Revised Code contained in H.B. 462 of the 134th General Assembly. The amendments to sections 124.152 and 5503.031 of the Revised Code as made in this act shall become effective on July 1, 2023.

#### Section 812.20. APPROPRIATIONS AND REFERENDUM

In this section, an "appropriation" includes another provision of law in this act that relates to the subject of the appropriation.

An appropriation of money made in this act is not subject to the referendum insofar as a contemplated expenditure authorized thereby is wholly to meet a current expense within the meaning of Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code. To that extent, the appropriation takes effect immediately when this act becomes law. Conversely, the appropriation is subject to the referendum insofar as a contemplated expenditure authorized thereby is wholly or partly not to meet a current expense within the meaning of Ohio Constitution, Article II, Section 1d. To that extent, the appropriation takes effect on the ninety-first day after this act is filed with the Secretary of State.

Section 812.25. Sections of this act prefixed with numbers in the 300s are exempt from the referendum under Ohio Constitution, Article II, Section 1d, and therefore take immediate effect when this act becomes law.

Section 820.10. Section 4503.10 of the Revised Code is presented in this act as a composite of the section as amended by H.B. 21, H.B. 74, and S.B. 162, all of the 134th 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.

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*Speaker* \_\_\_\_\_ *of the House of Representatives.*

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*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the \_\_\_\_ day of \_\_\_\_\_, A. D. 20 \_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_