

As Introduced

**135th General Assembly
Regular Session
2023-2024**

H. B. No. 536

Representatives Cross, Miller, K.

A BILL

To amend sections 307.515, 733.40, 2152.21, 1
4501.11, 4507.05, 4507.071, 4511.043, 4511.81, 2
4513.263, 4513.35, and 5503.04 and to enact 3
sections 4510.312 and 4513.264 of the Revised 4
Code to make failure to wear a seat belt and 5
failure to properly secure a child in the 6
appropriate booster seat or seat belt a primary 7
offense, rather than a secondary offense, and to 8
make other specified changes regarding those 9
offenses. 10

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

Section 1. That sections 307.515, 733.40, 2152.21, 11
4501.11, 4507.05, 4507.071, 4511.043, 4511.81, 4513.263, 12
4513.35, and 5503.04 be amended and sections 4510.312 and 13
4513.264 of the Revised Code be enacted to read as follows: 14

Sec. 307.515. (A) All fines and penalties collected by, 15
and moneys arising from forfeited bail in, a municipal court for 16
offenses and misdemeanors brought for prosecution in the name of 17
a municipal corporation under one of its penal ordinances, where 18
there is in force a state statute under which the offense might 19

be prosecuted, or brought for prosecution in the name of the 20
state, except a portion of those fines, penalties, and moneys 21
that, plus all costs collected monthly in those state cases, 22
equal the compensation allowed by the board of county 23
commissioners to the judges of the municipal court, its clerk, 24
and the prosecuting attorney of that court in state cases, shall 25
be retained by the clerk of that municipal court and shall be 26
deposited by the clerk each month in the county law library 27
resources fund that is created under section 307.514 of the 28
Revised Code in the county in which that municipal corporation 29
is located. The sum that the clerk of the municipal court 30
deposits in the county law library resources fund shall in no 31
month be less than twenty-five per cent of the amount of such 32
fines, penalties, and moneys received in that month, without 33
deducting the amount of the allowance of the board of county 34
commissioners to the judges, clerk, and prosecuting attorney. 35

The total amount paid under this section in any one 36
calendar year by the clerks of all municipal courts in any one 37
county to the county law library resources fund shall in no 38
event exceed the following amounts: 39

(1) In counties having a population of fifty thousand or 40
less, seventy-five hundred dollars and the maximum amount paid 41
by any of such courts shall not exceed four thousand dollars in 42
any calendar year. 43

(2) In counties having a population in excess of fifty 44
thousand but not in excess of one hundred thousand, eight 45
thousand dollars and the maximum amount paid by any of such 46
courts shall not exceed five thousand five hundred dollars in 47
any calendar year. 48

(3) In counties having a population in excess of one 49

hundred thousand but not in excess of one hundred fifty 50
thousand, ten thousand dollars and the maximum amount paid by 51
any of such courts shall not exceed seven thousand dollars in 52
any calendar year. 53

(4) In counties having a population of in excess of one 54
hundred fifty thousand, fifteen thousand dollars in any calendar 55
year. The maximum amount to be paid by each clerk shall be 56
determined by the county auditor in December of each year for 57
the next succeeding calendar year and shall bear the same ratio 58
to the total amount payable under this section from the clerks 59
of all municipal courts in such county as the total fines, 60
costs, and forfeitures received by the corresponding municipal 61
court, bear to the total fines, costs, and forfeitures received 62
by all the municipal courts in the county, as shown for the last 63
complete year of actual receipts, on the latest available 64
budgets of such municipal courts. Payments in the full amounts 65
provided in this section shall be made monthly by each clerk in 66
each calendar year until the maximum amount for such year has 67
been paid. When that amount, so determined by the auditor, has 68
been paid to the county law library resources fund, then no 69
further payments shall be required in that calendar year from 70
the clerk of that court. 71

(5) This section does not apply to fines collected by a 72
municipal court for violations of division (B) of section 73
4513.263 of the Revised Code, or for violations of any municipal 74
ordinance that is substantively comparable to that division, all 75
of which shall be forwarded to the treasurer of state as 76
provided in ~~division (E) of~~ section 4513.263 of the Revised 77
Code. 78

(B) The county treasurer, upon the voucher of the county 79

auditor, shall deposit fifty per cent of all moneys collected by 80
a county court accruing from fines, penalties, and forfeited 81
bail, unless otherwise distributed by law, in the county law 82
library resources fund in that county that is created under 83
section 307.514 of the Revised Code. The county treasurer shall 84
deposit those moneys into that fund within thirty days after 85
those moneys have been paid into the county treasury by the 86
clerk of the county court. 87

This section does not apply to fines collected by a county 88
court for violations of division (B) of section 4513.263 of the 89
Revised Code, or for violations of any municipal ordinance that 90
is substantively comparable to that division, all of which shall 91
be forwarded to the treasurer of state as provided in ~~division~~ 92
~~(E)~~ of section 4513.263 of the Revised Code. 93

(C) In each county of the state, the clerk of the court of 94
common pleas and the clerk of the probate court shall retain all 95
fines and penalties collected by, and moneys arising from 96
forfeited bail in, the court of common pleas and the probate 97
court of that county for offenses and misdemeanors brought for 98
prosecution in those courts in the name of the state and monthly 99
shall deposit those moneys in the county law library resources 100
fund in that county that is created under section 307.514 of the 101
Revised Code. The total sums so deposited shall not exceed 102
twelve hundred fifty dollars per annum, and when that amount has 103
been deposited in the fund in accordance with this section then 104
no further payments shall be required under this section in that 105
calendar year from the clerks of those respective courts. 106

This section does not apply to fines collected by a court 107
of common pleas for violations of division (B) of section 108
4513.263 of the Revised Code, all of which shall be forwarded to 109

the treasurer of state as provided in ~~division (E) of that~~ 110
section. 111

This section does not apply to fines imposed under 112
division (B) (9) of section 2929.18 of the Revised Code and 113
collected by a court of common pleas, all of which shall be 114
forwarded by the court to the treasurer of state not later than 115
the twentieth day of the month after the month in which they are 116
collected for deposit into the state treasury to the credit of 117
the rape crisis program trust fund created by section 109.921 of 118
the Revised Code. 119

(D) In each county, the treasurer of the county or the 120
treasurer of the municipal corporation shall deposit monthly 121
fifty per cent of all fines and penalties collected by, and 122
fifty per cent of moneys arising from forfeited bail in, any 123
court in that county for offenses brought for prosecution under 124
Chapters 4301. and 4303. of the Revised Code and the state 125
traffic laws in the county legal resources fund in that county 126
that is created under section 307.514 of the Revised Code. The 127
sum so deposited in that fund by each treasurer shall not exceed 128
twelve hundred dollars per annum under Chapters 4301. and 4303. 129
of the Revised Code, and when that amount has been deposited in 130
that fund in accordance with this section, then no further 131
deposits shall be required under this section in that calendar 132
year from those treasurers. 133

As used in this section, "state traffic laws" does not 134
include division (B) of section 4513.263 of the Revised Code. 135

Sec. 733.40. Except as otherwise provided in section 136
4511.193 of the Revised Code, all fines, forfeitures, and costs 137
in ordinance cases and all fees that are collected by the mayor, 138
that in any manner come into the mayor's hands, or that are due 139

the mayor or a marshal, chief of police, or other officer of the 140
municipal corporation, any other fees and expenses that have 141
been advanced out of the treasury of the municipal corporation, 142
and all money received by the mayor for the use of the municipal 143
corporation shall be paid by the mayor into the treasury of the 144
municipal corporation on the first Monday of each month. At the 145
first regular meeting of the legislative authority each month, 146
the mayor shall submit a full statement of all money received, 147
from whom and for what purposes received, and when paid into the 148
treasury. Except as otherwise provided by section 307.515 or 149
4511.19 of the Revised Code, all fines, and forfeitures 150
collected by the mayor in state cases, together with all fees 151
and expenses collected that have been advanced out of the county 152
treasury, shall be paid by the mayor to the county treasury on 153
the first business day of each month. Except as otherwise 154
provided by section 307.515 or 4511.19 of the Revised Code, the 155
mayor shall pay all court costs and fees collected by the mayor 156
in state cases into the municipal treasury on the first business 157
day of each month. 158

This section does not apply to fines collected by a 159
mayor's court for violations of division (B) of section 4513.263 160
of the Revised Code, or for violations of any municipal 161
ordinance that is substantively comparable to that division, all 162
of which shall be forwarded to the treasurer of state as 163
provided in ~~division (E) of~~ section 4513.263 of the Revised 164
Code. 165

Sec. 2152.21. (A) Unless division (C) of this section 166
applies, if a child is adjudicated a juvenile traffic offender, 167
the court may make any of the following orders of disposition: 168

(1) Impose costs and one or more financial sanctions in 169

accordance with section 2152.20 of the Revised Code;	170
(2) Suspend the child's driver's license, probationary driver's license, or temporary instruction permit for a definite period not exceeding two years or suspend the registration of all motor vehicles registered in the name of the child for a definite period not exceeding two years. A child whose license or permit is so suspended is ineligible for issuance of a license or permit during the period of suspension. At the end of the period of suspension, the child shall not be reissued a license or permit until the child has paid any applicable reinstatement fee and complied with all requirements governing license reinstatement.	171 172 173 174 175 176 177 178 179 180 181
(3) Place the child on community control;	182
(4) If the child is adjudicated a juvenile traffic offender for an act other than an act that would be a minor misdemeanor if committed by an adult and other than an act that could be disposed of by the juvenile traffic violations bureau serving the court under Traffic Rule 13.1 if the court has established a juvenile traffic violations bureau, require the child to make restitution pursuant to division (A)(3) of section 2152.20 of the Revised Code;	183 184 185 186 187 188 189 190
(5) (a) If the child is adjudicated a juvenile traffic offender for committing a violation of division (A) of section 4511.19 of the Revised Code or of a municipal ordinance that is substantially equivalent to that division, commit the child, for not longer than five days, to either of the following:	191 192 193 194 195
(i) The temporary custody of a detention facility or district detention facility established under section 2152.41 of the Revised Code;	196 197 198

(ii) The temporary custody of any school, camp, 199
institution, or other facility for children operated in whole or 200
in part for the care of juvenile traffic offenders of that 201
nature by the county, by a district organized under section 202
2151.65 or 2152.41 of the Revised Code, or by a private agency 203
or organization within the state that is authorized and 204
qualified to provide the care, treatment, or placement required. 205

(b) If an order of disposition committing a child to the 206
temporary custody of a home, school, camp, institution, or other 207
facility of that nature is made under division (A) (5) (a) of this 208
section, the length of the commitment shall not be reduced or 209
diminished as a credit for any time that the child was held in a 210
place of detention or shelter care, or otherwise was detained, 211
prior to entry of the order of disposition. 212

(6) If, after making a disposition under divisions (A) (1) 213
to (5) of this section, the court finds upon further hearing 214
that the child has failed to comply with the orders of the court 215
and the child's operation of a motor vehicle constitutes the 216
child a danger to the child and to others, the court may make 217
any disposition authorized by divisions (A) (1), (4), (5), and 218
(8) of section 2152.19 of the Revised Code, except that the 219
child may not be committed to or placed in a secure correctional 220
facility unless authorized by division (A) (5) of this section, 221
and commitment to or placement in a detention facility may not 222
exceed twenty-four hours. 223

(B) If a child is adjudicated a juvenile traffic offender 224
for violating division (A) or (B) of section 4511.19 of the 225
Revised Code, in addition to any order of disposition made under 226
division (A) of this section, the court shall impose a class six 227
suspension of the temporary instruction permit, probationary 228

driver's license, or driver's license issued to the child from 229
the range specified in division (A) (6) of section 4510.02 of the 230
Revised Code. The court, in its discretion, may terminate the 231
suspension if the child attends and satisfactorily completes a 232
drug abuse or alcohol abuse education, intervention, or 233
treatment program specified by the court. During the time the 234
child is attending a program as described in this division, the 235
court shall retain the child's temporary instruction permit, 236
probationary driver's license, or driver's license issued, and 237
the court shall return the permit or license if it terminates 238
the suspension as described in this division. 239

(C) If a child is adjudicated a juvenile traffic offender 240
for violating division (B) (1) of section 4513.263 of the Revised 241
Code, the court shall impose the appropriate fine set forth in 242
division ~~(G)~~ (F) (1) of that section. If a child is adjudicated a 243
juvenile traffic offender for violating division (B) (3) of 244
section 4513.263 of the Revised Code and if the child is sixteen 245
years of age or older, the court shall impose the fine set forth 246
in division ~~(G) (2)~~ (F) (2) of that section. If a child is 247
adjudicated a juvenile traffic offender for violating division 248
(B) (3) of section 4513.263 of the Revised Code and if the child 249
is under sixteen years of age, the court shall not impose a fine 250
but may place the child on probation or community control. 251

(D) A juvenile traffic offender is subject to sections 252
4509.01 to 4509.78 of the Revised Code. 253

Sec. 4501.11. (A) There is hereby created in the state 254
treasury the security, investigations, and policing fund. 255
Notwithstanding section 5503.04 of the Revised Code, no fines 256
collected from or money arising from bonds or bail forfeited by 257
persons apprehended or arrested by state highway patrol troopers 258

shall be credited to the general revenue fund until sufficient 259
revenue to fund appropriations for the activities described 260
under division (B) of this section are credited to the security, 261
investigations, and policing fund. All investment earnings of 262
the security, investigations, and policing fund shall be 263
credited to that fund. 264

This division does not apply to fines for violations of 265
division (B) of section 4513.263 of the Revised Code, or to 266
fines for violations of any municipal ordinance that is 267
substantively comparable to that division, which fines shall be 268
delivered to the treasurer of state as provided in ~~division (E)~~ 269
~~of~~ section 4513.263 of the Revised Code. 270

(B) The money credited to the security, investigations, 271
and policing fund shall be used to pay the costs of: 272

(1) Providing security for the governor, other officials 273
and dignitaries, the capitol square, and other state property 274
pursuant to division (E) of section 5503.02 of the Revised Code; 275

(2) Undertaking major criminal investigations that involve 276
state property interests; 277

(3) Providing traffic control and security for the Ohio 278
expositions commission on a full-time, year-round basis; 279

(4) Performing nonhighway-related duties of the state 280
highway patrol at the Ohio state fair. 281

Sec. 4507.05. (A) The registrar of motor vehicles, or a 282
deputy registrar, upon receiving an application for a temporary 283
instruction permit and a temporary instruction permit 284
identification card for a driver's license from any person who 285
is at least fifteen years six months of age, may issue such a 286
permit and identification card entitling the applicant to drive 287

a motor vehicle, other than a commercial motor vehicle, upon the	288
highways under the following conditions:	289
(1) If the permit is issued to a person who is at least	290
fifteen years six months of age, but less than sixteen years of	291
age:	292
(a) The permit and identification card are in the holder's	293
immediate possession;	294
(b) The holder is accompanied by an eligible adult who	295
actually occupies the seat beside the permit holder and does not	296
have a prohibited concentration of alcohol in the whole blood,	297
blood serum or plasma, breath, or urine as provided in division	298
(A) of section 4511.19 of the Revised Code;	299
(c) The total number of occupants of the vehicle does not	300
exceed the total number of occupant restraining devices	301
originally installed in the motor vehicle by its manufacturer,	302
and each occupant of the vehicle is wearing all of the available	303
elements of a properly adjusted occupant restraining device.	304
(2) If the permit is issued to a person who is at least	305
sixteen years of age:	306
(a) The permit and identification card are in the holder's	307
immediate possession;	308
(b) The holder is accompanied by a licensed operator who	309
is at least twenty-one years of age, is actually occupying a	310
seat beside the driver, and does not have a prohibited	311
concentration of alcohol in the whole blood, blood serum or	312
plasma, breath, or urine as provided in division (A) of section	313
4511.19 of the Revised Code;	314
(c) The total number of occupants of the vehicle does not	315

exceed the total number of occupant restraining devices 316
originally installed in the motor vehicle by its manufacturer, 317
and each occupant of the vehicle is wearing all of the available 318
elements of a properly adjusted occupant restraining device. 319

(B) The registrar or a deputy registrar, upon receiving 320
from any person an application for a temporary instruction 321
permit and temporary instruction permit identification card to 322
operate a motorcycle, motor-driven cycle or motor scooter, or 323
motorized bicycle, may issue such a permit and identification 324
card entitling the applicant, while having the permit and 325
identification card in the applicant's immediate possession, to 326
drive a motorcycle or motor-driven cycle or motor scooter, under 327
the restrictions prescribed in section 4511.53 of the Revised 328
Code, or to drive a motorized bicycle under restrictions 329
determined by the registrar. A temporary instruction permit and 330
temporary instruction permit identification card to operate a 331
motorized bicycle may be issued to a person fourteen or fifteen 332
years old. 333

(C) Any permit and identification card issued under this 334
section shall be issued in the same manner as a driver's 335
license, upon a form to be furnished by the registrar. A 336
temporary instruction permit to drive a motor vehicle other than 337
a commercial motor vehicle shall be valid for a period of one 338
year. 339

(D) Any person having in the person's possession a valid 340
and current driver's license or motorcycle operator's license or 341
endorsement issued to the person by another jurisdiction 342
recognized by this state is exempt from obtaining a temporary 343
instruction permit for a driver's license and from submitting to 344
the examination for a temporary instruction permit and the 345

regular examination for obtaining a driver's license or 346
motorcycle operator's endorsement in this state if the person 347
does all of the following: 348

(1) Submits to and passes vision screening as provided in 349
section 4507.12 of the Revised Code; 350

(2) Surrenders to the registrar or deputy registrar the 351
person's driver's license issued by the other jurisdiction; and 352

(3) Complies with all other applicable requirements for 353
issuance by this state of a driver's license, driver's license 354
with a motorcycle operator's endorsement, or restricted license 355
to operate a motorcycle. 356

If the person does not comply with all the requirements of 357
this division, the person shall submit to the regular 358
examination for obtaining a driver's license or motorcycle 359
operator's endorsement in this state in order to obtain such a 360
license or endorsement. 361

(E) The registrar may adopt rules governing the use of 362
temporary instruction permits and temporary instruction permit 363
identification cards. 364

(F) (1) No holder of a permit issued under division (A) of 365
this section shall operate a motor vehicle upon a highway or any 366
public or private property used by the public for purposes of 367
vehicular travel or parking in violation of the conditions 368
established under division (A) of this section. 369

(2) Except as provided in division (F) (2) of this section, 370
no holder of a permit that is issued under division (A) of this 371
section and that is issued on or after July 1, 1998, and who has 372
not attained the age of eighteen years, shall operate a motor 373
vehicle upon a highway or any public or private property used by 374

the public for purposes of vehicular travel or parking between 375
the hours of midnight and six a.m. 376

The holder of a permit issued under division (A) of this 377
section on or after July 1, 1998, who has not attained the age 378
of eighteen years, may operate a motor vehicle upon a highway or 379
any public or private property used by the public for purposes 380
of vehicular travel or parking between the hours of midnight and 381
six a.m. if, at the time of such operation, the holder is 382
accompanied by the holder's parent, guardian, or custodian, and 383
the parent, guardian, or custodian holds a current valid 384
driver's or commercial driver's license issued by this state, is 385
actually occupying a seat beside the permit holder, and does not 386
have a prohibited concentration of alcohol in the whole blood, 387
blood serum or plasma, breath, or urine as provided in division 388
(A) of section 4511.19 of the Revised Code. 389

~~(G)(1) Notwithstanding any other provision of law to the 390
contrary, no law enforcement officer shall cause the operator of 391
a motor vehicle being operated on any street or highway to stop 392
the motor vehicle for the sole purpose of determining whether 393
each occupant of the motor vehicle is wearing all of the 394
available elements of a properly adjusted occupant restraining 395
device as required by division (A) of this section, or for the 396
sole purpose of issuing a ticket, citation, or summons if the 397
requirement in that division has been or is being violated, or 398
for causing the arrest of or commencing a prosecution of a 399
person for a violation of that requirement. 400~~

~~(2)-(G) Notwithstanding any other provision of law to the 401
contrary, no law enforcement officer shall cause the operator of 402
a motor vehicle being operated on any street or highway to stop 403
the motor vehicle for the sole purpose of determining whether a 404~~

violation of division (F) (2) of this section has been or is 405
being committed or for the sole purpose of issuing a ticket, 406
citation, or summons for such a violation or for causing the 407
arrest of or commencing a prosecution of a person for such 408
violation. 409

(H) As used in this section: 410

(1) "Eligible adult" means any of the following: 411

(a) An instructor of a driver training course approved by 412
the department of public safety; 413

(b) Any of the following persons who holds a current valid 414
driver's or commercial driver's license issued by this state: 415

(i) A parent, guardian, or custodian of the permit holder; 416

(ii) A person twenty-one years of age or older who acts in 417
loco parentis of the permit holder. 418

(2) "Occupant restraining device" has the same meaning as 419
in section 4513.263 of the Revised Code. 420

(I) Whoever violates division (F) (1) or (2) of this 421
section is guilty of a minor misdemeanor. 422

Sec. 4507.071. (A) The registrar of motor vehicles or any 423
deputy registrar shall not issue a driver's license to any 424
person under eighteen years of age, except that the registrar or 425
a deputy registrar may issue a probationary license to a person 426
who is at least sixteen years of age and has held a temporary 427
instruction permit for a period of at least six months. 428

(B) (1) (a) No holder of a probationary driver's license who 429
has held the license for less than twelve months shall operate a 430
motor vehicle upon a highway or any public or private property 431

used by the public for purposes of vehicular travel or parking 432
between the hours of midnight and six a.m. unless the holder is 433
accompanied by the holder's parent or guardian. 434

(b) No holder of a probationary driver's license who has 435
held the license for twelve months or longer shall operate a 436
motor vehicle upon a highway or any public or private property 437
used by the public for purposes of vehicular travel or parking 438
between the hours of one a.m. and five a.m. unless the holder is 439
accompanied by the holder's parent or guardian. 440

(2) (a) Subject to division (D) (1) of this section, 441
division (B) (1) (a) of this section does not apply to the holder 442
of a probationary driver's license who is doing ~~either~~ any of 443
the following: 444

(i) Traveling to or from work between the hours of 445
midnight and six a.m., provided that the holder has in the 446
holder's immediate possession written documentation from the 447
holder's employer; 448

(ii) Traveling to or from an official function sponsored 449
by the school the holder attends between the hours of midnight 450
and six a.m., provided that the holder has in the holder's 451
immediate possession written documentation from an appropriate 452
official of the school; 453

(iii) Traveling to or from an official religious event 454
between the hours of midnight and six a.m., provided that the 455
holder has in the holder's immediate possession written 456
documentation from an appropriate official affiliated with the 457
event. 458

(b) Division (B) (1) (b) of this section does not apply to 459
the holder of a probationary driver's license who is doing 460

~~either~~ any of the following: 461

(i) Traveling to or from work between the hours of one 462
a.m. and five a.m., provided that the holder has in the holder's 463
immediate possession written documentation from the holder's 464
employer.; 465

(ii) Traveling to or from an official function sponsored 466
by the school the holder attends between the hours of one a.m. 467
and five a.m., provided that the holder has in the holder's 468
immediate possession written documentation from an appropriate 469
official of the school; 470

(iii) Traveling to or from an official religious event 471
between the hours of one a.m. and five a.m., provided that the 472
holder has in the holder's immediate possession written 473
documentation from an appropriate official affiliated with the 474
event. 475

(3) An employer, school official, or official affiliated 476
with a religious event is not liable in damages in a civil 477
action for any injury, death, or loss to person or property that 478
allegedly arises from, or is related to, the fact that the 479
employer, school official, or official affiliated with a 480
religious event provided the holder of a probationary driver's 481
license with the written documentation described in division (B) 482
(2) of this section. 483

The registrar of motor vehicles shall make available at no 484
cost a form to serve as the written documentation described in 485
division (B)(2) of this section, and employers, school 486
officials, officials affiliated with religious events, and 487
holders of probationary driver's licenses may utilize that form 488
or may choose to utilize any other written documentation to meet 489

the requirements of that division. 490

(4) No holder of a probationary driver's license who has 491
held the license for less than twelve months shall operate a 492
motor vehicle upon a highway or any public or private property 493
used by the public for purposes of vehicular travel or parking 494
with more than one person who is not a family member occupying 495
the vehicle unless the probationary license holder is 496
accompanied by the probationary license holder's parent, 497
guardian, or custodian. 498

(C) It is an affirmative defense to a violation of 499
division (B) (1) (a) or (b) of this section if, at the time of the 500
violation, an emergency existed that required the holder of the 501
probationary driver's license to operate a motor vehicle in 502
violation of division (B) (1) (a) or (b) of this section or the 503
holder was an emancipated minor. 504

(D) (1) If a person is issued a probationary driver's 505
license prior to attaining the age of seventeen years and the 506
person pleads guilty to, is convicted of, or is adjudicated in 507
juvenile court of having committed a moving violation during the 508
six-month period commencing on the date on which the person is 509
issued the probationary driver's license, the court with 510
jurisdiction over the violation may order that the holder must 511
be accompanied by the holder's parent or guardian whenever the 512
holder is operating a motor vehicle upon a highway or any public 513
or private property used by the public for purposes of vehicular 514
travel or parking for a period not to exceed six months or the 515
date the holder attains the age of seventeen years, whichever 516
occurs first. 517

(2) Any person who is subject to the operating 518
restrictions established under division (D) (1) of this section 519

as a result of a first moving violation may petition the court 520
for driving privileges without being accompanied by the holder's 521
parent or guardian during the period of time determined by the 522
court under that division. In granting the driving privileges, 523
the court shall specify the purposes of the privileges and shall 524
issue the person appropriate forms setting forth the privileges 525
granted. If a person is convicted of, pleads guilty to, or is 526
adjudicated in juvenile court of having committed a second or 527
subsequent moving violation, the court with jurisdiction over 528
the violation may terminate any driving privileges previously 529
granted under this division. 530

(3) No person shall violate any operating restriction 531
imposed under division (D) (1) or (2) of this section. 532

(E) No holder of a probationary license shall operate a 533
motor vehicle upon a highway or any public or private property 534
used by the public for purposes of vehicular travel or parking 535
unless the total number of occupants of the vehicle does not 536
exceed the total number of occupant restraining devices 537
originally installed in the motor vehicle by its manufacturer, 538
and each occupant of the vehicle is wearing all of the available 539
elements of a properly adjusted occupant restraining device. 540

(F) A restricted license may be issued to a person who is 541
fourteen or fifteen years of age upon proof of hardship 542
satisfactory to the registrar of motor vehicles. 543

(G) ~~Notwithstanding any other provision of law to the~~ 544
~~contrary, no law enforcement officer shall cause the operator of~~ 545
~~a motor vehicle being operated on any street or highway to stop~~ 546
~~the motor vehicle for the sole purpose of determining whether~~ 547
~~each occupant of the motor vehicle is wearing all of the~~ 548
~~available elements of a properly adjusted occupant restraining~~ 549

~~device as required by division (E) of this section, or for the~~ 550
~~sole purpose of issuing a ticket, citation, or summons if the~~ 551
~~requirement in that division has been or is being violated, or~~ 552
~~for causing the arrest of or commencing a prosecution of a~~ 553
~~person for a violation of that requirement.~~ 554

~~(H)~~ Notwithstanding any other provision of law to the 555
contrary, no law enforcement officer shall cause the operator of 556
a motor vehicle being operated on any street or highway to stop 557
the motor vehicle for the sole purpose of determining whether a 558
violation of division (B) (1) (a) or (b) of this section has been 559
or is being committed or for the sole purpose of issuing a 560
ticket, citation, or summons for such a violation or for causing 561
the arrest of or commencing a prosecution of a person for such 562
violation. 563

~~(I)~~ (H) As used in this section: 564

(1) "Occupant restraining device" has the same meaning as 565
in section 4513.263 of the Revised Code. 566

(2) "Family member" of a probationary license holder 567
includes any of the following: 568

(a) A spouse; 569

(b) A child or stepchild; 570

(c) A parent, stepparent, grandparent, or parent-in-law; 571

(d) An aunt or uncle; 572

(e) A sibling, whether of the whole or half blood or by 573
adoption, a brother-in-law, or a sister-in-law; 574

(f) A son or daughter of the probationary license holder's 575
stepparent if the stepparent has not adopted the probationary 576

license holder; 577

(g) An eligible adult, as defined in section 4507.05 of 578
the Revised Code. 579

(3) "Moving violation" means any violation of any statute 580
or ordinance that regulates the operation of vehicles, 581
streetcars, or trackless trolleys on the highways or streets. 582
"Moving violation" does not include a violation of section 583
4513.263 of the Revised Code or a substantially equivalent 584
municipal ordinance, or a violation of any statute or ordinance 585
regulating pedestrians or the parking of vehicles, vehicle size 586
or load limitations, vehicle fitness requirements, or vehicle 587
registration. 588

~~(J)~~ (I) Whoever violates division (B) (1) or (4), (D) (3), 589
or (E) of this section is guilty of a minor misdemeanor. 590

Sec. 4510.312. (A) As used in this section, "offender" 591
means a person to which both of the following apply: 592

(1) The person has been issued a ticket, citation, or 593
summons for a violation of section 4511.81 or 4513.263 of the 594
Revised Code; 595

(2) The person has not previously been issued a ticket, 596
citation, or summons and paid a fine under section 4511.81 or 597
4513.263 of the Revised Code or equivalent municipal ordinances. 598

(B) The director of public safety shall establish an 599
occupant restraint safety course. The director shall require the 600
course to consist of thirty minutes of online instruction 601
regarding the following: 602

(1) Laws governing and the importance of wearing a 603
properly adjusted occupant restraining device; 604

(2) Laws governing and the importance of properly securing children in appropriate child restraint systems, booster seats, and occupant restraining devices. 605
606
607

(C) The director shall not charge a fee to an offender who participates in the course. 608
609

(D) The director shall issue to an offender who successfully completes the course written evidence of such completion. 610
611
612

Sec. 4511.043. (A) (1) No law enforcement officer who stops the operator of a motor vehicle in the course of an authorized sobriety or other motor vehicle checkpoint operation or a motor vehicle safety inspection shall issue a ticket, citation, or summons for a secondary traffic offense unless in the course of the checkpoint operation or safety inspection the officer first determines that an offense other than a secondary traffic offense has occurred and either places the operator or a vehicle occupant under arrest or issues a ticket, citation, or summons to the operator or a vehicle occupant for an offense other than a secondary offense. 613
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(2) A law enforcement agency that operates a motor vehicle checkpoint for an express purpose related to a secondary traffic offense shall not issue a ticket, citation, or summons for any secondary traffic offense at such a checkpoint, but may use such a checkpoint operation to conduct a public awareness campaign and distribute information. 624
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(B) As used in this section, "secondary traffic offense" means a violation of division ~~(A) or~~ (F) (2) of section 4507.05, division (B) (1) (a) or (b) ~~or (E)~~ of section 4507.071, ~~division (C) or (D) of section 4511.81, or~~ division (A) (3) of section 630
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632
633

~~4513.03, or division (B) of section 4513.263~~ of the Revised Code. 634
635

Sec. 4511.81. (A) When any child who is in either or both 636
of the following categories is being transported in a motor 637
vehicle, other than a taxicab or public safety vehicle as 638
defined in section 4511.01 of the Revised Code, that is required 639
by the United States department of transportation to be equipped 640
with seat belts at the time of manufacture or assembly, the 641
operator of the motor vehicle shall have the child properly 642
secured in accordance with the manufacturer's instructions in a 643
child restraint system that meets federal motor vehicle safety 644
standards: 645

(1) A child who is less than four years of age; 646

(2) A child who weighs less than forty pounds. 647

(B) When any child who is in either or both of the 648
following categories is being transported in a motor vehicle, 649
other than a taxicab, that is owned, leased, or otherwise under 650
the control of a nursery school or child care center, the 651
operator of the motor vehicle shall have the child properly 652
secured in accordance with the manufacturer's instructions in a 653
child restraint system that meets federal motor vehicle safety 654
standards: 655

(1) A child who is less than four years of age; 656

(2) A child who weighs less than forty pounds. 657

(C) When any child who is less than eight years of age and 658
less than four feet nine inches in height, who is not required 659
by division (A) or (B) of this section to be secured in a child 660
restraint system, is being transported in a motor vehicle, other 661
than a taxicab or public safety vehicle as defined in section 662

4511.01 of the Revised Code or a vehicle that is regulated under 663
section 5104.015 of the Revised Code, that is required by the 664
United States department of transportation to be equipped with 665
seat belts at the time of manufacture or assembly, the operator 666
of the motor vehicle shall have the child properly secured in 667
accordance with the manufacturer's instructions on a booster 668
seat that meets federal motor vehicle safety standards. 669

(D) When any child who is at least eight years of age but 670
not older than fifteen years of age, and who is not otherwise 671
required by division (A), (B), or (C) of this section to be 672
secured in a child restraint system or booster seat, is being 673
transported in a motor vehicle, other than a taxicab or public 674
safety vehicle as defined in section 4511.01 of the Revised 675
Code, that is required by the United States department of 676
transportation to be equipped with seat belts at the time of 677
manufacture or assembly, the operator of the motor vehicle shall 678
have the child properly restrained either in accordance with the 679
manufacturer's instructions in a child restraint system that 680
meets federal motor vehicle safety standards or in an occupant 681
restraining device as defined in section 4513.263 of the Revised 682
Code. 683

~~(E) Notwithstanding any provision of law to the contrary,~~ 684
~~no law enforcement officer shall cause an operator of a motor~~ 685
~~vehicle being operated on any street or highway to stop the~~ 686
~~motor vehicle for the sole purpose of determining whether a~~ 687
~~violation of division (C) or (D) of this section has been or is~~ 688
~~being committed or for the sole purpose of issuing a ticket,~~ 689
~~citation, or summons for a violation of division (C) or (D) of~~ 690
~~this section or causing the arrest of or commencing a~~ 691
~~prosecution of a person for a violation of division (C) or (D)~~ 692
~~of this section, and absent another violation of law, a law~~ 693

~~enforcement officer's view of the interior or visual inspection~~ 694
~~of a motor vehicle being operated on any street or highway may~~ 695
~~not be used for the purpose of determining whether a violation~~ 696
~~of division (C) or (D) of this section has been or is being~~ 697
~~committed.~~ 698

~~(F)~~The director of public safety shall adopt such rules 699
as are necessary to carry out this section. 700

~~(G)~~(F)The failure of an operator of a motor vehicle to 701
secure a child in a child restraint system, a booster seat, or 702
an occupant restraining device as required by this section is 703
not negligence imputable to the child, is not admissible as 704
evidence in any civil action involving the rights of the child 705
against any other person allegedly liable for injuries to the 706
child, is not to be used as a basis for a criminal prosecution 707
of the operator of the motor vehicle other than a prosecution 708
for a violation of this section, and is not admissible as 709
evidence in any criminal action involving the operator of the 710
motor vehicle other than a prosecution for a violation of this 711
section. 712

~~(H)~~(G)This section does not apply when an emergency 713
exists that threatens the life of any person operating or 714
occupying a motor vehicle that is being used to transport a 715
child who otherwise would be required to be restrained under 716
this section. This section does not apply to a person operating 717
a motor vehicle who has an affidavit signed by a physician 718
licensed to practice in this state under Chapter 4731. of the 719
Revised Code or a chiropractor licensed to practice in this 720
state under Chapter 4734. of the Revised Code that states that 721
the child who otherwise would be required to be restrained under 722
this section has a physical impairment that makes use of a child 723

restraint system, booster seat, or an occupant restraining 724
device impossible or impractical, provided that the person 725
operating the vehicle has safely and appropriately restrained 726
the child in accordance with any recommendations of the 727
physician or chiropractor as noted on the affidavit. 728

~~(I)~~ (H) There is hereby created in the state treasury the 729
child highway safety fund, consisting of fines imposed pursuant 730
to division (L) (1) of this section for violations of divisions 731
(A), (B), (C), and (D) of this section. The money in the fund 732
shall be used by the department of health only to defray the 733
cost of designating hospitals as pediatric trauma centers under 734
section 3727.081 of the Revised Code and to establish and 735
administer a child highway safety program. The purpose of the 736
program shall be to educate the public about child restraint 737
systems and booster seats and the importance of their proper 738
use. The program also shall include a process for providing 739
child restraint systems and booster seats to persons who meet 740
the eligibility criteria established by the department, and a 741
toll-free telephone number the public may utilize to obtain 742
information about child restraint systems and booster seats, and 743
their proper use. 744

~~(J)~~ (I) The director of health, in accordance with Chapter 745
119. of the Revised Code, shall adopt any rules necessary to 746
carry out this section, including rules establishing the 747
criteria a person must meet in order to receive a child 748
restraint system or booster seat under the department's child 749
highway safety program; provided that rules relating to the 750
verification of pediatric trauma centers shall not be adopted 751
under this section. 752

~~(K)~~ (J) Nothing in this section shall be construed to 753

require any person to carry with the person the birth 754
certificate of a child to prove the age of the child, but the 755
production of a valid birth certificate for a child showing that 756
the child was not of an age to which this section applies is a 757
defense against any ticket, citation, or summons issued for 758
violating this section. 759

~~(I) (1)~~ (K) (1) Whoever violates division (A), (B), (C), or 760
(D) of this section shall be punished as follows, provided that 761
the failure of an operator of a motor vehicle to secure more 762
than one child in a child restraint system, booster seat, or 763
occupant restraining device as required by this section that 764
occurred at the same time, on the same day, and at the same 765
location is deemed to be a single violation of this section: 766

(a) Except as otherwise provided in division ~~(I) (1) (b)~~ (K) 767
(1) (b) of this section, the offender is guilty of a minor 768
misdemeanor and shall be fined not less than twenty-five dollars 769
nor more than seventy-five dollars. 770

(b) If the offender previously has been convicted of or 771
pleaded guilty to a violation of division (A), (B), (C), or (D) 772
of this section or of a municipal ordinance that is 773
substantially similar to any of those divisions, the offender is 774
guilty of a misdemeanor of the fourth degree. 775

(2) All fines imposed pursuant to division ~~(I) (1)~~ (K) (1) 776
of this section shall be forwarded to the treasurer of state for 777
deposit in the child highway safety fund created by division ~~(I)~~ 778
(H) of this section. 779

(3) In lieu of payment of the fine under division (K) (1) 780
(a) of this section, an offender who has not previously been 781
issued a ticket, citation, or summons and paid a fine under this 782

section, section 4513.263 of the Revised Code, or equivalent 783
municipal ordinances may elect to complete the occupant 784
restraint safety course established under section 4510.312 of 785
the Revised Code. If the offender successfully completes the 786
course, the offender shall submit to the court, in lieu of the 787
fine, the written evidence required to be issued to the offender 788
under that section. The offender shall submit the written 789
evidence within ninety days of the offense. 790

Sec. 4513.263. (A) As used in this section ~~and in section~~ 791
~~4513.99 of the Revised Code:~~ 792

(1) "Automobile" means any commercial tractor, passenger 793
car, commercial car, or truck that is required to be factory- 794
equipped with an occupant restraining device for the operator or 795
any passenger by regulations adopted by the United States 796
secretary of transportation ~~pursuant to the "National Traffic-~~ 797
~~and Motor Vehicle Safety Act of 1966," 80 Stat. 719, 15 U.S.C.A.~~ 798
~~1392~~ and the national highway traffic safety administration. 799

(2) "Occupant restraining device" means a seat safety 800
belt, shoulder belt, harness, or other safety device for 801
restraining a person who is an operator of or passenger in an 802
automobile and that satisfies the minimum federal vehicle safety 803
standards established by the United States department of 804
transportation. 805

(3) "Passenger" means any person in an automobile, other 806
than its operator, who is occupying a seating position for which 807
an occupant restraining device is provided. 808

(4) "Commercial tractor," "passenger car," and "commercial 809
car" have the same meanings as in section 4501.01 of the Revised 810
Code. 811

(5) "Vehicle" and "motor vehicle," as used in the definitions of the terms set forth in division (A)(4) of this section, have the same meanings as in section 4511.01 of the Revised Code.

(6) "Tort action" means a civil action for damages for injury, death, or loss to person or property. "Tort action" includes a product liability claim, as defined in section 2307.71 of the Revised Code, and an asbestos claim, as defined in section 2307.91 of the Revised Code, but does not include a civil action for damages for breach of contract or another agreement between persons.

(B) No person shall do any of the following:

(1) Operate an automobile on any street or highway unless that person is wearing all of the available elements of a properly adjusted occupant restraining device, or operate a school bus that has an occupant restraining device installed for use in its operator's seat unless that person is wearing all of the available elements of the device, as properly adjusted;

(2) Operate an automobile on any street or highway unless each passenger in the automobile who is subject to the requirement set forth in division (B)(3) of this section is wearing all of the available elements of a properly adjusted occupant restraining device;

(3) Occupy, as a passenger, a seating position on the front seat of an automobile being operated on any street or highway unless that person is wearing all of the available elements of a properly adjusted occupant restraining device;

(4) Operate a taxicab on any street or highway unless all factory-equipped occupant restraining devices in the taxicab are

maintained in usable form. 841

(C) (1) Division (B) (3) of this section does not apply to a 842
person who is required by section 4511.81 of the Revised Code to 843
be secured in a child restraint device or booster seat. 844

(2) Division (B) (1) of this section does not apply to a 845
person who is an employee of the United States postal service or 846
of a newspaper home delivery service, during any period in which 847
the person is engaged in the operation of an automobile to 848
deliver mail or newspapers to addressees. 849

(3) Divisions (B) (1) and (3) of this section do not apply 850
to a person who has an affidavit signed by a physician licensed 851
to practice in this state under Chapter 4731. of the Revised 852
Code or a chiropractor licensed to practice in this state under 853
Chapter 4734. of the Revised Code that states the following: 854

(a) That the person has a physical impairment that makes 855
use of an occupant restraining device impossible or impractical; 856

(b) Whether the physical impairment is temporary, 857
permanent, or reasonably expected to be permanent; 858

(c) If the physical impairment is temporary, how long the 859
physical impairment is expected to make the use of an occupant 860
restraining device impossible or impractical. 861

(4) Divisions (B) (1) and (3) of this section do not apply 862
to a person who has registered with the registrar of motor 863
vehicles in accordance with division (C) (5) of this section. 864

(5) A person who has received an affidavit under division 865
(C) (3) of this section stating that the person has a permanent 866
or reasonably expected to be permanent physical impairment that 867
makes use of an occupant restraining device impossible or 868

impracticable may register with the registrar attesting to that 869
fact. Upon such registration, the registrar shall make that 870
information available in the law enforcement automated data 871
system. A person included in the database under division (C) (5) 872
of this section is not required to have the affidavit obtained 873
in accordance with division (C) (3) of this section in their 874
possession while operating or occupying an automobile. 875

(6) A physician or chiropractor who issues an affidavit 876
for the purposes of division (C) (3) or (4) of this section is 877
immune from civil liability arising from any injury or death 878
sustained by the person who was issued the affidavit due to the 879
failure of the person to wear an occupant restraining device 880
unless the physician or chiropractor, in issuing the affidavit, 881
acted in a manner that constituted willful, wanton, or reckless 882
misconduct. 883

(7) The registrar shall adopt rules in accordance with 884
Chapter 119. of the Revised Code establishing a process for a 885
person to be included in the database under division (C) (5) of 886
this section. The information provided and included in the 887
database under division (C) (5) of this section is not a public 888
record subject to inspection or copying under section 149.43 of 889
the Revised Code. 890

~~(D) Notwithstanding any provision of law to the contrary, 891
no law enforcement officer shall cause an operator of an 892
automobile being operated on any street or highway to stop the 893
automobile for the sole purpose of determining whether a 894
violation of division (B) of this section has been or is being 895
committed or for the sole purpose of issuing a ticket, citation, 896
or summons for a violation of that nature or causing the arrest 897
of or commencing a prosecution of a person for a violation of 898~~

~~that nature, and no law enforcement officer shall view the interior or visually inspect any automobile being operated on any street or highway for the sole purpose of determining whether a violation of that nature has been or is being committed.~~

~~(E) (1) All fines collected for violations of division (B) of this section, or for violations of any ordinance or resolution of a political subdivision that is substantively comparable to that division, shall be forwarded to the treasurer of state for deposit into the state treasury to the credit of the trauma and emergency medical services fund, which is hereby created. In addition, the~~

(2) The trauma and emergency medical services fund shall also consist of all of the following which shall be deposited into the fund:

(a) The portion of the driver's license reinstatement fee described in division (F) (2) (g) of section 4511.191 of the Revised Code, plus all;

(b) All fees collected under section 4765.11 of the Revised Code, plus all;

(c) All fines imposed under section 4765.55 of the Revised Code, plus the;

(d) The fees and other moneys specified in section 4766.05 of the Revised Code, and plus five;

(e) Five per cent of fines and moneys arising from bail forfeitures as directed by section 5503.04 of the Revised Code, also shall be deposited into the trauma and emergency medical services fund. All

(3) All money deposited into the trauma and emergency 927
medical services fund shall be used by the department of public 928
safety for the administration and operation of the division of 929
emergency medical services and the state board of emergency 930
medical, fire, and transportation services, and by the state 931
board of emergency medical, fire, and transportation services to 932
make grants, in accordance with section 4765.07 of the Revised 933
Code and rules the board adopts under section 4765.11 of the 934
Revised Code. ~~The~~ 935

(4) The director of budget and management may transfer 936
excess money from the trauma and emergency medical services fund 937
to the public safety - highway purposes fund established in 938
section 4501.06 of the Revised Code if the director of public 939
safety determines that the amount of money in the trauma and 940
emergency medical services fund exceeds the amount required to 941
cover such costs incurred by the emergency medical services 942
agency and the grants made by the state board of emergency 943
medical, fire, and transportation services and requests the 944
director of budget and management to make the transfer. 945

~~(F) (1)~~ (E) (1) Subject to division ~~(F) (2)~~ (E) (2) of this 946
section, the failure of a person to wear all of the available 947
elements of a properly adjusted occupant restraining device in 948
violation of division (B) (1) or (3) of this section or the 949
failure of a person to ensure that each minor who is a passenger 950
of an automobile being operated by that person is wearing all of 951
the available elements of a properly adjusted occupant 952
restraining device in violation of division (B) (2) of this 953
section shall not be considered or used by the trier of fact in 954
a tort action as evidence of negligence or contributory 955
negligence. But, the trier of fact may determine based on 956
evidence admitted consistent with the Ohio Rules of Evidence 957

that the failure contributed to the harm alleged in the tort 958
action and may diminish a recovery of compensatory damages that 959
represents noneconomic loss, as defined in section 2307.011 of 960
the Revised Code, in a tort action that could have been 961
recovered but for the plaintiff's failure to wear all of the 962
available elements of a properly adjusted occupant restraining 963
device. Evidence of that failure shall not be used as a basis 964
for a criminal prosecution of the person other than a 965
prosecution for a violation of this section; and shall not be 966
admissible as evidence in a criminal action involving the person 967
other than a prosecution for a violation of this section. 968

(2) If, at the time of an accident involving a passenger 969
car equipped with occupant restraining devices, any occupant of 970
the passenger car who sustained injury or death was not wearing 971
an available occupant restraining device, was not wearing all of 972
the available elements of such a device, or was not wearing such 973
a device as properly adjusted, then, consistent with the Rules 974
of Evidence, the fact that the occupant was not wearing the 975
available occupant restraining device, was not wearing all of 976
the available elements of such a device, or was not wearing such 977
a device as properly adjusted is admissible in evidence in 978
relation to any claim for relief in a tort action to the extent 979
that the claim for relief satisfies all of the following: 980

(a) It seeks to recover damages for injury or death to the 981
occupant. 982

(b) The defendant in question is the manufacturer, 983
designer, distributor, or seller of the passenger car. 984

(c) The claim for relief against the defendant in question 985
is that the injury or death sustained by the occupant was 986
enhanced or aggravated by some design defect in the passenger 987

car or that the passenger car was not crashworthy. 988

~~(G) (1)~~ (F) (1) Whoever violates division (B) (1) of this 989
section shall be fined thirty dollars. 990

(2) Whoever violates division (B) (3) of this section shall 991
be fined twenty dollars. 992

(3) Except as otherwise provided in this division, whoever 993
violates division (B) (4) of this section is guilty of a minor 994
misdemeanor. If the offender previously has been convicted of or 995
pleaded guilty to a violation of division (B) (4) of this 996
section, whoever violates division (B) (4) of this section is 997
guilty of a misdemeanor of the third degree. 998

(4) In lieu of payment of the fine under divisions (F) (1) 999
to (3) of this section, an offender who has not previously been 1000
issued a ticket, citation, or summons and paid a fine under this 1001
section, section 4511.81 of the Revised Code, or equivalent 1002
municipal ordinances may elect to complete the occupant 1003
restraint safety course established under section 4510.312 of 1004
the Revised Code. If the offender successfully completes the 1005
course, the offender shall submit to the court, in lieu of the 1006
fine, the written evidence required to be issued to the offender 1007
under that section. The offender shall submit the written 1008
evidence within ninety days of the offense. 1009

Sec. 4513.264. (A) If a law enforcement officer issues an 1010
offender a ticket, citation, or summons for a violation of 1011
section 4511.81 or 4513.263 of the Revised Code, the officer 1012
shall report the issuance of the ticket, citation, or summons to 1013
the officer's law enforcement agency. 1014

(B) A law enforcement agency shall compile the information 1015
from reports submitted in accordance with division (A) of this 1016

section. Every other month, the agency shall prepare a report 1017
that describes the number of offenders who received a ticket, 1018
citation, or summons under sections 4511.81 and 4513.263 of the 1019
Revised Code during the prior two months. Upon completion of the 1020
report, the agency shall send the report to the attorney 1021
general. 1022

(C) The attorney general shall complete an annual report 1023
that is based on the reports submitted by law enforcement 1024
agencies under this section during the prior one-year period. 1025
The report shall describe both of the following: 1026

(1) The total number of offenders who received a ticket, 1027
citation, or summons for a violation of section 4511.81 or 1028
4513.263 of the Revised Code; 1029

(2) The information specified under division (B)(1) of 1030
this section listed by law enforcement agency. 1031

(D) Upon completion of the annual report, the attorney 1032
general shall submit it to the governor, the speaker of the 1033
house of representatives, and the president of the senate. 1034

Sec. 4513.35. (A) All fines collected under sections 1035
4511.01 to 4511.78, 4511.99, and 4513.01 to 4513.37 of the 1036
Revised Code shall be paid into the county treasury and, with 1037
the exception of that portion distributed under section 307.515 1038
of the Revised Code, shall be placed to the credit of the fund 1039
for the maintenance and repair of the highways within that 1040
county, except that: 1041

(1) All fines for violations of division (B) of section 1042
4513.263 shall be delivered to the treasurer of state as 1043
provided in ~~division (E) of~~ section 4513.263 of the Revised 1044
Code. 1045

(2) All fines collected from, or moneys arising from bonds 1046
forfeited by, persons apprehended or arrested by state highway 1047
patrol troopers shall be distributed as provided in section 1048
5503.04 of the Revised Code. 1049

(3) (a) Subject to division (E) of section 4513.263 of the 1050
Revised Code and except as otherwise provided in division (A) (3) 1051
(b) of this section, one-half of all fines collected from, and 1052
one-half of all moneys arising from bonds forfeited by, persons 1053
apprehended or arrested by a township constable or other 1054
township police officer shall be paid to the township treasury 1055
to be placed to the credit of the general fund. 1056

(b) All fines collected from, and all moneys arising from 1057
bonds forfeited by, persons apprehended or arrested by a 1058
township constable or other township police officer pursuant to 1059
division (B) (2) or (C) of section 4513.39 of the Revised Code 1060
for a violation of section 4511.21 of the Revised Code or any 1061
other law, ordinance, or regulation pertaining to speed that 1062
occurred on a highway that is part of the interstate system or 1063
otherwise part of the national highway system, shall be paid 1064
into the county treasury and be credited as provided in the 1065
first paragraph of this section. 1066

(B) Notwithstanding any other provision of this section or 1067
of any other section of the Revised Code: 1068

(1) All fines collected from, and all moneys arising from 1069
bonds forfeited by, persons arrested under division (E) (1) or 1070
(2) of section 2935.03 of the Revised Code are deemed to be 1071
collected, and to arise, from arrests made within the 1072
jurisdiction in which the arresting officer is appointed, 1073
elected, or employed, for violations of one of the sections or 1074
chapters of the Revised Code listed in division (E) (1) of that 1075

section and shall be distributed accordingly. 1076

(2) All fines collected from, and all moneys arising from 1077
bonds forfeited by, persons arrested under division (E) (3) of 1078
section 2935.03 of the Revised Code are deemed to be collected, 1079
and to arise, from arrests made within the jurisdiction in which 1080
the arresting officer is appointed, elected, or employed, for 1081
violations of municipal ordinances that are substantially 1082
equivalent to one of the sections or one of the provisions of 1083
one of the chapters of the Revised Code listed in division (E) 1084
(1) of that section and for violations of one of the sections or 1085
one of the provisions of one of the chapters of the Revised Code 1086
listed in division (E) (1) of that section, and shall be 1087
distributed accordingly. 1088

Sec. 5503.04. Forty-five per cent of the fines collected 1089
from or moneys arising from bail forfeited by persons 1090
apprehended or arrested by state highway patrol troopers shall 1091
be paid into the state treasury to be credited to the general 1092
revenue fund, five per cent shall be paid into the state 1093
treasury to be credited to the trauma and emergency medical 1094
services fund created by section 4513.263 of the Revised Code, 1095
and fifty per cent shall be paid into the treasury of the 1096
municipal corporation where the case is prosecuted, if in a 1097
mayor's court. If the prosecution is in a trial court outside a 1098
municipal corporation, or outside the territorial jurisdiction 1099
of a municipal court, the fifty per cent of the fines and moneys 1100
that is not paid into the state treasury shall be paid into the 1101
treasury of the county where the case is prosecuted. The fines 1102
and moneys paid into a county treasury and the fines and moneys 1103
paid into the treasury of a municipal corporation shall be 1104
deposited one-half to the same fund and expended in the same 1105
manner as is the revenue received from the registration of motor 1106

vehicles, and one-half to the general fund of such county or 1107
municipal corporation. 1108

If the prosecution is in a municipal court, forty-five per 1109
cent of the fines and moneys shall be paid into the state 1110
treasury to be credited to the general revenue fund, five per 1111
cent shall be paid into the state treasury to be credited to the 1112
trauma and emergency medical services fund created by ~~division-~~ 1113
~~(E) of~~ section 4513.263 of the Revised Code, ten per cent shall 1114
be paid into the county treasury to be credited to the general 1115
fund of the county, and forty per cent shall be paid into the 1116
municipal treasury to be credited to the general fund of the 1117
municipal corporation. In the Auglaize county, Clermont county, 1118
Crawford county, Hocking county, Jackson county, Lawrence 1119
county, Madison county, Miami county, Ottawa county, Portage 1120
county, and Wayne county municipal courts, that portion of money 1121
otherwise paid into the municipal treasury shall be paid into 1122
the county treasury. 1123

The trial court shall make remittance of the fines and 1124
moneys as prescribed in this section, and at the same time as 1125
the remittance is made of the state's portion to the state 1126
treasury, the trial court shall notify the superintendent of the 1127
state highway patrol of the case and the amount covered by the 1128
remittance. 1129

This section does not apply to fines for violations of 1130
division (B) of section 4513.263 of the Revised Code, or for 1131
violations of any municipal ordinance that is substantively 1132
comparable to that division, all of which shall be delivered to 1133
the treasurer of state as provided in ~~division (E) of~~ section 1134
4513.263 of the Revised Code. 1135

Section 2. That existing sections 307.515, 733.40, 1136

2152.21, 4501.11, 4507.05, 4507.071, 4511.043, 4511.81, 1137
4513.263, 4513.35, and 5503.04 of the Revised Code are hereby 1138
repealed. 1139

Section 3. The amendment of sections 307.515, 733.40, 1140
2152.21, 4501.11, 4507.05, 4507.071, 4511.043, 4511.81, 1141
4513.263, 4513.35, and 5503.04 of the Revised Code by this act 1142
and the enactment of sections 4510.312 and 4513.264 of the 1143
Revised Code by this act take effect ninety days after the 1144
effective date of this section. 1145