

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 640**

**Representatives Demetriou, Roemer**

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**A BILL**

To amend sections 107.42, 3704.14, 4503.10, 1  
4503.102, and 4503.103 and to repeal section 2  
3704.032 of the Revised Code to create an 3  
alternative method to certify compliance with 4  
the E-Check program, to eliminate the authority 5  
to declare an air pollution emergency, and to 6  
name this act the E-Check Ease Act. 7

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

**Section 1.** That sections 107.42, 3704.14, 4503.10, 8  
4503.102, and 4503.103 of the Revised Code be amended to read as 9  
follows: 10

**Sec. 107.42.** (A) As used in this section: 11

"Declaration of a state of emergency" means any order, 12  
proclamation, or other action of the governor that creates a 13  
state of emergency. 14

"State of emergency" means the period of time between when 15  
the governor declares any emergency and the expiration of that 16  
emergency, including ~~an air pollution emergency under section~~ 17  
~~3704.032 of the Revised Code,~~ an energy shortage emergency under 18  
section 4935.03 of the Revised Code, and an adulterated consumer 19

product emergency under section 3715.74 of the Revised Code. 20

(B) A state of emergency declared by the governor shall 21  
exist for not more than ninety calendar days unless extended by 22  
the general assembly as provided in division (C) of this 23  
section. An amendment to a declaration of a state of emergency, 24  
declaration of a substantially similar state of emergency, or 25  
reissuance of any part of an initial declaration of a state of 26  
emergency shall not be considered a new declaration of a state 27  
of emergency. 28

(C) The general assembly may extend a state of emergency 29  
for up to an additional sixty calendar days by adopting a 30  
concurrent resolution. The general assembly continuously may 31  
extend a state of emergency by adopting subsequent concurrent 32  
resolutions, but no extension may last longer than sixty 33  
calendar days. If the general assembly does not extend a state 34  
of emergency, the governor shall not issue a declaration of an 35  
identical or substantially similar state of emergency, or issue 36  
a declaration of a state of emergency with any part of the 37  
initial declaration of a state of emergency, for at least sixty 38  
calendar days following the expiration of the state of 39  
emergency, except as provided in division (E) of this section. 40

(D) (1) After a state of emergency declared by the governor 41  
has been in effect for thirty calendar days, the general 42  
assembly may terminate the state of emergency by adopting a 43  
concurrent resolution. A state of emergency terminated under 44  
this division is invalid and has no legal effect. 45

(2) If the general assembly terminates a state of 46  
emergency under this section, the governor shall not issue a 47  
declaration of an identical or substantially similar state of 48  
emergency, or issue a declaration of a state of emergency with 49

any part of the initial declaration of the state of emergency, 50  
for at least sixty calendar days after the general assembly 51  
adopts the concurrent resolution, except as provided in division 52  
(E) of this section. 53

(E) Within sixty calendar days of a state of emergency 54  
terminating by operation of law under division (B) of this 55  
section, or by action of the general assembly under division (D) 56  
(1) of this section, the governor may submit a request to the 57  
general assembly to authorize the governor to issue a 58  
declaration of an identical or substantially similar state of 59  
emergency, or issue a declaration of a state of emergency with 60  
any part of the initial declaration of the state of emergency. 61  
Upon review, the general assembly may adopt a concurrent 62  
resolution authorizing the request. 63

(F) A declaration of a state of emergency in violation of 64  
this section is invalid and has no legal effect. 65

**Sec. 3704.14.** (A) (1) If the director of environmental 66  
protection determines that implementation of a motor vehicle 67  
inspection and maintenance program is necessary for the state to 68  
effectively comply with the federal Clean Air Act after June 30, 69  
2023, the director may provide for the implementation of the 70  
program in those counties in this state in which such a program 71  
is federally mandated. Upon making such a determination, the 72  
director of environmental protection may request the director of 73  
administrative services to extend the terms of the contract that 74  
was entered into under the authority of Am. Sub. H.B. 64 of the 75  
131st general assembly. Upon receiving the request, the director 76  
of administrative services shall extend the contract, beginning 77  
on July 1, 2023, in accordance with this section. The contract 78  
shall be extended for a period of up to twenty-four months with 79

the contractor who conducted the motor vehicle inspection and 80  
maintenance program under that contract. 81

(2) Prior to the expiration of the contract extension that 82  
is authorized by division (A)(1) of this section, the director 83  
of environmental protection shall request the director of 84  
administrative services to enter into a contract with a vendor 85  
to operate a decentralized motor vehicle inspection and 86  
maintenance program in each county in this state in which such a 87  
program is federally mandated through June 30, 2027, with an 88  
option for the state to renew the contract for a period of up to 89  
twenty-four months through June 30, 2029. The contract shall 90  
ensure that the decentralized motor vehicle inspection and 91  
maintenance program achieves at least the same emission 92  
reductions as achieved by the program operated under the 93  
authority of the contract that was extended under division (A) 94  
(1) of this section. The director of administrative services 95  
shall select a vendor through a competitive selection process in 96  
compliance with Chapter 125. of the Revised Code. 97

(3) Notwithstanding any law to the contrary, the director 98  
of administrative services shall ensure that a competitive 99  
selection process regarding a contract to operate a 100  
decentralized motor vehicle inspection and maintenance program 101  
in this state incorporates the following, which shall be 102  
included in the contract: 103

(a) For purposes of expanding the number of testing 104  
locations for consumer convenience, a requirement that the 105  
vendor utilize established local businesses, auto repair 106  
facilities, or leased properties to operate state-approved 107  
inspection and maintenance testing facilities; 108

(b) A requirement that the vendor selected to operate the 109

program provide notification of the program's requirements to 110  
each owner of a motor vehicle that is required to be inspected 111  
under the program. The contract shall require the notification 112  
to be provided not later than sixty days prior to the date by 113  
which the owner of the motor vehicle is required to have the 114  
motor vehicle inspected. The director of environmental 115  
protection and the vendor shall jointly agree on the content of 116  
the notice. However, the notice shall include at a minimum the 117  
locations of all inspection facilities within a specified 118  
distance of the address that is listed on the owner's motor 119  
vehicle registration; 120

(c) A requirement that the vendor comply with testing 121  
methodology and supply the required equipment approved by the 122  
director of environmental protection as specified in the 123  
competitive selection process in compliance with Chapter 125. of 124  
the Revised Code. 125

(4) A decentralized motor vehicle inspection and 126  
maintenance program operated under this section shall comply 127  
with division (B) of this section. The director of environmental 128  
protection shall administer the decentralized motor vehicle 129  
inspection and maintenance program operated under this section. 130

(B) The director shall establish a decentralized motor 131  
vehicle inspection and maintenance program as authorized by this 132  
section and, at a minimum, the director shall ~~do~~ ensure that the 133  
program does all of the following: 134

(1) ~~Comply~~ Complies with the federal Clean Air Act; 135

(2) ~~Provide~~ Provides for the issuance of inspection 136  
certificates and alternative emissions certificates as specified 137  
in rules adopted under division (C) (2) of this section; 138

(3) ~~Provide~~ Provides for a new car exemption for motor vehicles ~~four-six~~ years old or newer and ~~provide~~ provides that a new motor vehicle is exempt for ~~four-six~~ years regardless of whether legal title to the motor vehicle is transferred during that period;

(4) ~~Provide~~ Provides for an exemption for battery electric motor vehicles;

(5) Provides for an exemption for hybrid motor vehicles seven years old or newer and provides that a hybrid motor vehicle is exempt for seven years regardless of whether legal title to the motor vehicle is transferred during that period.

(C) (1) The director of environmental protection shall adopt rules in accordance with Chapter 119. of the Revised Code that the director determines are necessary to implement this section. The director may continue to implement and enforce rules pertaining to the motor vehicle inspection and maintenance program previously implemented under former section 3704.14 of the Revised Code as that section existed prior to its repeal and reenactment by Am. Sub. H.B. 66 of the 126th general assembly, provided that the rules do not conflict with this section.

~~(2) The director of environmental protection shall issue an inspection certificate provided for under division (B) (2) of this section in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:~~

~~(a) The individual holds a certificate or license in another state.~~

~~(b) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a vehicle inspector in a state that~~

~~does not issue that certificate.~~ 168

The rules adopted under division (C) (1) of this section 169  
shall provide for the issuance of inspections certificates and 170  
alternative emissions certificates. Under the rules, an 171  
inspection certificate shall be issued to the owner or lessee of 172  
a motor vehicle when the motor vehicle passes an emissions 173  
inspection conducted in accordance with the motor vehicle 174  
inspection and maintenance program established under this 175  
section. In lieu of obtaining an inspection certificate, the 176  
rules shall establish a system by which the owner or lessee of a 177  
motor vehicle may request an alternative emissions certificate 178  
from the director. 179

(a) The rules providing for the issuance of alternative 180  
emissions certificates shall require an owner or lessee of a 181  
motor vehicle to do the following in order to receive the 182  
certificate: 183

(i) Complete and submit an attestation form created by the 184  
director that includes a statement that reads substantially as 185  
follows: 186

"I, \_\_\_\_\_, attest that, to the best of my knowledge, the 187  
motor vehicle concerning which I am the owner or lessee complies 188  
with all laws of Ohio and the United States governing motor 189  
vehicle emissions. I, \_\_\_\_\_, am aware that a false statement on 190  
this form is not permitted." 191

(ii) Sign and date the form either manually or 192  
electronically; 193

(iii) Submit the form to the director either by regular 194  
mail, certified mail, or electronically. 195

(b) The rules shall require the director to include both 196

of the following additional information on the attestation form: 197

(i) A provision that allows the owner or lessee of a motor 198  
vehicle to specify one of the following methods by which the 199  
owner or lessee may request delivery of the alternative 200  
emissions certificate: certified mail, noncertified mail, or 201  
electronically; 202

(ii) A provision that allows the owner or lessee of a 203  
motor vehicle to specify the vehicle identification number, 204  
make, model, and year of the relevant motor vehicle and the date 205  
the attestation form is submitted to the director. 206

(c) Subject to division (C) (2) (d) of this section, the 207  
rules shall require the director to deliver an alternative 208  
emission certificate to the owner or lessee of a motor vehicle 209  
who complies with rules adopted under division (C) (2) (a) of this 210  
section. The director shall deliver the certificate within 211  
thirty business days after the director's receipt of the 212  
attestation form or, if the owner or lessee submits the form 213  
electronically, within five business days after receipt of the 214  
form. The director shall confirm the receipt of the attestation 215  
form if the director receives it by electronic means. 216

(d) The rules shall require the director to reject an 217  
attestation form for any of the following reasons: 218

(i) The motor vehicle that is the subject of the 219  
attestation form was in an accident or collision within the two 220  
years prior to the date of submission of the form, and the 221  
accident or collision caused substantial damage to the internal 222  
structure of the motor vehicle. 223

(ii) The owner or lessee of the motor vehicle that is the 224  
subject of the attestation form has received a ticket, citation, 225



or summons with regard to that motor vehicle within the two 226  
years prior to the date of submission of the form for a 227  
violation of section 4513.22 of the Revised Code or 228  
substantially equivalent municipal ordinance. 229

(iii) The information in the attestation form is 230  
determined by the director to be false. 231

If the director rejects an attestation form under division 232  
(C) (2) (d) (iii) of this section, the director shall provide 233  
notice to the owner or lessee that the attestation form was 234  
determined to be false. The notice shall inform the owner or 235  
lessee that the owner or lessee may submit a corrected form to 236  
the director within thirty days of the receipt of the notice. If 237  
the owner or lessee submits a corrected attestation form that 238  
complies with rules adopted under division (C) (2) of this 239  
section within that thirty-day period, the director shall issue 240  
an alternative emissions certificate to the owner or lessee. If 241  
the owner or lessee fails to correct the attestation form, the 242  
director shall require the owner or lessee to complete an 243  
emissions inspection and obtain an inspection certificate in 244  
accordance with rules adopted under this section. 245

If the director rejects an attestation form under division 246  
(C) (2) (d) (i) or (ii) of this section, the director shall require 247  
the owner or lessee to complete an emissions inspection and 248  
obtain an inspection certificate in accordance with rules 249  
adopted under this section. 250

(e) In adopting rules under division (C) (2) of this 251  
section, the director shall ensure that the owner or lessee of a 252  
motor vehicle who falsifies an attestation form receives a 253  
notice that includes a statement that reads substantially as 254  
follows: "You have falsified an attestation form for your 255

vehicle under the E-Check/motor vehicle emissions testing 256  
program. Your vehicle is registered in one of [insert the number 257  
of counties] counties in this state that has federal emission 258  
mandates imposed on it that the State of Ohio is required, under 259  
threat of penalty, to enforce. This letter serves as Ohio's only 260  
penalty for falsification of an attestation form. You have 261  
thirty days from the date of this notice to amend your 262  
attestation form and submit the amended form to the 263  
Environmental Protection Agency. However, if you choose not to 264  
submit an amended attestation form, you must have a motor 265  
vehicle emissions inspection conducted for your vehicle in 266  
accordance with section 3704.14 of the Revised Code and rules 267  
adopted under it." 268

(D) There is hereby created in the state treasury the auto 269  
emissions test fund, which shall consist of money received by 270  
the director from any cash transfers, state and local grants, 271  
and other contributions that are received for the purpose of 272  
funding the program established under this section. The director 273  
of environmental protection shall use money in the fund solely 274  
for the implementation, supervision, administration, operation, 275  
and enforcement of the motor vehicle inspection and maintenance 276  
program established under this section. Money in the fund shall 277  
not be used for either of the following: 278

(1) To pay for the inspection costs incurred by a motor 279  
vehicle dealer so that the dealer may provide inspection 280  
certificates to an individual purchasing a motor vehicle from 281  
the dealer when that individual resides in a county that is 282  
subject to the motor vehicle inspection and maintenance program; 283

(2) To provide payment for more than one free passing 284  
emissions inspection or a total of three emissions inspections 285

for a motor vehicle in any three-hundred-sixty-five-day period. 286  
The owner or lessee of a motor vehicle is responsible for 287  
inspection fees that are related to emissions inspections beyond 288  
one free passing emissions inspection or three total emissions 289  
inspections in any three-hundred-sixty-five-day period. 290  
Inspection fees that are charged by a contractor conducting 291  
emissions inspections under a motor vehicle inspection and 292  
maintenance program shall be approved by the director of 293  
environmental protection. 294

(E) The motor vehicle inspection and maintenance program 295  
established under this section expires upon the termination of 296  
all contracts entered into under this section and shall not be 297  
implemented beyond the final date on which termination occurs. 298

(F) As used in this section "battery electric motor 299  
vehicle" ~~has and "hybrid motor vehicle" have the same meaning-~~ 300  
meanings as in section 4501.01 of the Revised Code. 301

**Sec. 4503.10.** (A) The owner of every snowmobile, off- 302  
highway motorcycle, and all-purpose vehicle required to be 303  
registered under section 4519.02 of the Revised Code shall file 304  
an application for registration under section 4519.03 of the 305  
Revised Code. The owner of a motor vehicle, other than a 306  
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 307  
is not designed and constructed by the manufacturer for 308  
operation on a street or highway may not register it under this 309  
chapter except upon certification of inspection pursuant to 310  
section 4513.02 of the Revised Code by the sheriff, or the chief 311  
of police of the municipal corporation or township, with 312  
jurisdiction over the political subdivision in which the owner 313  
of the motor vehicle resides. Except as provided in sections 314  
4503.103 and 4503.107 of the Revised Code, every owner of every 315

other motor vehicle not previously described in this section and 316  
every person mentioned as owner in the last certificate of title 317  
of a motor vehicle that is operated or driven upon the public 318  
roads or highways shall cause to be filed each year, by mail or 319  
otherwise, in the office of the registrar of motor vehicles or a 320  
deputy registrar, a written or electronic application or a 321  
preprinted registration renewal notice issued under section 322  
4503.102 of the Revised Code, the form of which shall be 323  
prescribed by the registrar, for registration for the following 324  
registration year, which shall begin on the first day of January 325  
of every calendar year and end on the thirty-first day of 326  
December in the same year. Applications for registration and 327  
registration renewal notices shall be filed at the times 328  
established by the registrar pursuant to section 4503.101 of the 329  
Revised Code. A motor vehicle owner also may elect to apply for 330  
or renew a motor vehicle registration by electronic means using 331  
electronic signature in accordance with rules adopted by the 332  
registrar. Except as provided in division (J) of this section, 333  
applications for registration shall be made on blanks furnished 334  
by the registrar for that purpose, containing the following 335  
information: 336

(1) A brief description of the motor vehicle to be 337  
registered, including the year, make, model, and vehicle 338  
identification number, and, in the case of commercial cars, the 339  
gross weight of the vehicle fully equipped computed in the 340  
manner prescribed in section 4503.08 of the Revised Code; 341

(2) The name and residence address of the owner, and the 342  
township and municipal corporation in which the owner resides; 343

(3) The district of registration, which shall be 344  
determined as follows: 345

(a) In case the motor vehicle to be registered is used for 346  
hire or principally in connection with any established business 347  
or branch business, conducted at a particular place, the 348  
district of registration is the municipal corporation in which 349  
that place is located or, if not located in any municipal 350  
corporation, the county and township in which that place is 351  
located. 352

(b) In case the vehicle is not so used, the district of 353  
registration is the municipal corporation or county in which the 354  
owner resides at the time of making the application. 355

(4) Whether the motor vehicle is a new or used motor 356  
vehicle; 357

(5) The date of purchase of the motor vehicle; 358

(6) Whether the fees required to be paid for the 359  
registration or transfer of the motor vehicle, during the 360  
preceding registration year and during the preceding period of 361  
the current registration year, have been paid. Each application 362  
for registration shall be signed by the owner, either manually 363  
or by electronic signature, or pursuant to obtaining a limited 364  
power of attorney authorized by the registrar for registration, 365  
or other document authorizing such signature. If the owner 366  
elects to apply for or renew the motor vehicle registration with 367  
the registrar by electronic means, the owner's manual signature 368  
is not required. 369

(7) The owner's social security number, driver's license 370  
number, or state identification number, or, where a motor 371  
vehicle to be registered is used for hire or principally in 372  
connection with any established business, the owner's federal 373  
taxpayer identification number. The bureau of motor vehicles 374

shall retain in its records all social security numbers provided 375  
under this section, but the bureau shall not place social 376  
security numbers on motor vehicle certificates of registration. 377

(8) Whether the applicant wishes to certify willingness to 378  
make an anatomical gift if an applicant has not so certified 379  
under section 2108.05 of the Revised Code. The applicant's 380  
response shall not be considered in the decision of whether to 381  
approve the application for registration. 382

(B)(1) When an applicant first registers a motor vehicle 383  
in the applicant's name, the applicant shall provide proof of 384  
ownership of that motor vehicle. Proof of ownership may include 385  
any of the following: 386

(a) The applicant may present for inspection a physical 387  
certificate of title or memorandum certificate showing title to 388  
the motor vehicle to be registered in the name of the applicant. 389

(b) The applicant may present for inspection an electronic 390  
certificate of title for the applicant's motor vehicle in a 391  
manner prescribed by rules adopted by the registrar. 392

(c) The registrar or deputy registrar may electronically 393  
confirm the applicant's ownership of the motor vehicle. 394

An applicant is not required to present a certificate of 395  
title to an electronic motor vehicle dealer acting as a limited 396  
authority deputy registrar in accordance with rules adopted by 397  
the registrar. 398

(2) When a motor vehicle inspection and maintenance 399  
program is in effect under section 3704.14 of the Revised Code 400  
and rules adopted under it, each application for registration 401  
for a vehicle required to be inspected under that section and 402  
those rules shall be accompanied by an inspection certificate or 403

alternative emissions certificate for the motor vehicle issued 404  
in accordance with that section. 405

(3) An application for registration shall be refused if 406  
any of the following applies: 407

(a) The application is not in proper form. 408

(b) The application is prohibited from being accepted by 409  
division (D) of section 2935.27, division (A) of section 410  
2937.221, division (A) of section 4503.13, division (B) of 411  
section 4510.22, division (B) (1) of section 4521.10, or division 412  
(B) of section 5537.041 of the Revised Code. 413

(c) Proof of ownership is required but is not presented or 414  
confirmed in accordance with division (B) (1) of this section. 415

(d) All registration and transfer fees for the motor 416  
vehicle, for the preceding year or the preceding period of the 417  
current registration year, have not been paid. 418

(e) The owner or lessee does not have an inspection 419  
certificate or alternative emissions certificate for the motor 420  
vehicle as provided in section 3704.14 of the Revised Code, and 421  
rules adopted under it, if that section is applicable. 422

(4) This section does not require the payment of license 423  
or registration taxes on a motor vehicle for any preceding year, 424  
or for any preceding period of a year, if the motor vehicle was 425  
not taxable for that preceding year or period under sections 426  
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 427  
of the Revised Code. 428

(5) When a certificate of registration is issued upon the 429  
first registration of a motor vehicle by or on behalf of the 430  
owner, the official issuing the certificate shall indicate the 431

issuance with a stamp on the certificate of title or memorandum 432  
certificate or, in the case of an electronic certificate of 433  
title or electronic verification of ownership, an electronic 434  
stamp or other notation as specified in rules adopted by the 435  
registrar, and with a stamp on the inspection certificate for 436  
the motor vehicle, if any. 437

(6) The official also shall indicate, by a stamp or by 438  
other means the registrar prescribes, on the registration 439  
certificate issued upon the first registration of a motor 440  
vehicle by or on behalf of the owner the odometer reading of the 441  
motor vehicle as shown in the odometer statement included in or 442  
attached to the certificate of title. Upon each subsequent 443  
registration of the motor vehicle by or on behalf of the same 444  
owner, the official also shall so indicate the odometer reading 445  
of the motor vehicle as shown on the immediately preceding 446  
certificate of registration. 447

(7) The registrar shall include in the permanent 448  
registration record of any vehicle required to be inspected 449  
under section 3704.14 of the Revised Code the inspection 450  
certificate number from the inspection certificate or the 451  
alternative emissions certificate number from the alternative 452  
emissions certificate that is presented at the time of 453  
registration of the vehicle as required under this division. 454

(C) (1) Except as otherwise provided in division (C) (1) of 455  
this section, the registrar and each deputy registrar shall 456  
collect an additional fee of eleven dollars for each application 457  
for registration and registration renewal received. For vehicles 458  
specified in divisions (A) (1) to (21) of section 4503.042 of the 459  
Revised Code, the registrar and deputy registrar shall collect 460  
an additional fee of thirty dollars for each application for 461



registration and registration renewal received. No additional 462  
fee shall be charged for vehicles registered under section 463  
4503.65 of the Revised Code. The additional fee is for the 464  
purpose of defraying the department of public safety's costs 465  
associated with the administration and enforcement of the motor 466  
vehicle and traffic laws of Ohio. Each deputy registrar shall 467  
transmit the fees collected under divisions (C)(1) and (3) of 468  
this section in the time and manner provided in this section. 469  
The registrar shall deposit all moneys received under division 470  
(C)(1) of this section into the public safety - highway purposes 471  
fund established in section 4501.06 of the Revised Code. 472

(2) In addition, a charge of twenty-five cents shall be 473  
made for each reflectorized safety license plate issued, and a 474  
single charge of twenty-five cents shall be made for each county 475  
identification sticker or each set of county identification 476  
stickers issued, as the case may be, to cover the cost of 477  
producing the license plates and stickers, including material, 478  
manufacturing, and administrative costs. Those fees shall be in 479  
addition to the license tax. If the total cost of producing the 480  
plates is less than twenty-five cents per plate, or if the total 481  
cost of producing the stickers is less than twenty-five cents 482  
per sticker or per set issued, any excess moneys accruing from 483  
the fees shall be distributed in the same manner as provided by 484  
section 4501.04 of the Revised Code for the distribution of 485  
license tax moneys. If the total cost of producing the plates 486  
exceeds twenty-five cents per plate, or if the total cost of 487  
producing the stickers exceeds twenty-five cents per sticker or 488  
per set issued, the difference shall be paid from the license 489  
tax moneys collected pursuant to section 4503.02 of the Revised 490  
Code. 491

(3) The registrar and each deputy registrar shall collect 492

the following additional fee, as applicable, for each 493  
application for registration or registration renewal received 494  
for any hybrid motor vehicle, plug-in hybrid electric motor 495  
vehicle, or battery electric motor vehicle: 496

(a) One hundred dollars for a hybrid motor vehicle; 497

(b) One hundred fifty dollars for a plug-in hybrid 498  
electric motor vehicle; 499

(c) Two hundred dollars for a battery electric motor 500  
vehicle. 501

Each fee imposed under this division shall be prorated 502  
based on the number of months for which the vehicle is 503  
registered. The registrar shall transmit all money arising from 504  
each fee to the treasurer of state for distribution in 505  
accordance with division (E) of section 5735.051 of the Revised 506  
Code, subject to division (D) of section 5735.05 of the Revised 507  
Code. 508

(D) Each deputy registrar shall be allowed a fee equal to 509  
the amount established under section 4503.038 of the Revised 510  
Code for each application for registration and registration 511  
renewal notice the deputy registrar receives, which shall be for 512  
the purpose of compensating the deputy registrar for the deputy 513  
registrar's services, and such office and rental expenses, as 514  
may be necessary for the proper discharge of the deputy 515  
registrar's duties in the receiving of applications and renewal 516  
notices and the issuing of registrations. 517

(E) Upon the certification of the registrar, the county 518  
sheriff or local police officials shall recover license plates 519  
erroneously or fraudulently issued. 520

(F) Each deputy registrar, upon receipt of any application 521

for registration or registration renewal notice, together with 522  
the license fee and any local motor vehicle license tax levied 523  
pursuant to Chapter 4504. of the Revised Code, shall transmit 524  
that fee and tax, if any, in the manner provided in this 525  
section, together with the original and duplicate copy of the 526  
application, to the registrar. The registrar, subject to the 527  
approval of the director of public safety, may deposit the funds 528  
collected by those deputies in a local bank or depository to the 529  
credit of the "state of Ohio, bureau of motor vehicles." Where a 530  
local bank or depository has been designated by the registrar, 531  
each deputy registrar shall deposit all moneys collected by the 532  
deputy registrar into that bank or depository not more than one 533  
business day after their collection and shall make reports to 534  
the registrar of the amounts so deposited, together with any 535  
other information, some of which may be prescribed by the 536  
treasurer of state, as the registrar may require and as 537  
prescribed by the registrar by rule. The registrar, within three 538  
days after receipt of notification of the deposit of funds by a 539  
deputy registrar in a local bank or depository, shall draw on 540  
that account in favor of the treasurer of state. The registrar, 541  
subject to the approval of the director and the treasurer of 542  
state, may make reasonable rules necessary for the prompt 543  
transmittal of fees and for safeguarding the interests of the 544  
state and of counties, townships, municipal corporations, and 545  
transportation improvement districts levying local motor vehicle 546  
license taxes. The registrar may pay service charges usually 547  
collected by banks and depositories for such service. If deputy 548  
registrars are located in communities where banking facilities 549  
are not available, they shall transmit the fees forthwith, by 550  
money order or otherwise, as the registrar, by rule approved by 551  
the director and the treasurer of state, may prescribe. The 552  
registrar may pay the usual and customary fees for such service. 553

(G) This section does not prevent any person from making 554  
an application for a motor vehicle license directly to the 555  
registrar by mail, by electronic means, or in person at any of 556  
the registrar's offices, upon payment of a service fee equal to 557  
the amount established under section 4503.038 of the Revised 558  
Code for each application. 559

(H) No person shall make a false statement as to the 560  
district of registration in an application required by division 561  
(A) of this section. Violation of this division is falsification 562  
under section 2921.13 of the Revised Code and punishable as 563  
specified in that section. 564

(I) (1) Where applicable, the requirements of division (B) 565  
of this section relating to the presentation of an inspection 566  
certificate issued under section 3704.14 of the Revised Code and 567  
rules adopted under it for a motor vehicle, the refusal of a 568  
license for failure to present an inspection certificate or 569  
alternative emissions certificate, and the stamping of the 570  
inspection certificate or alternative emissions certificate by 571  
the official issuing the certificate of registration apply to 572  
the registration of and issuance of license plates for a motor 573  
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 574  
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 575  
4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 576  
Code. 577

(2) (a) The registrar shall adopt rules ensuring that each 578  
owner registering a motor vehicle in a county where a motor 579  
vehicle inspection and maintenance program is in effect under 580  
section 3704.14 of the Revised Code and rules adopted under it 581  
receives information about the requirements established in that 582  
section and those rules and about the need in those counties to 583

present an inspection certificate or an alternative emissions 584  
certificate with an application for registration or 585  
preregistration. 586

(b) Upon request, the registrar shall provide the director 587  
of environmental protection, or any person that has been awarded 588  
a contract under section 3704.14 of the Revised Code, an on-line 589  
computer data link to registration information for all passenger 590  
cars, noncommercial motor vehicles, and commercial cars that are 591  
subject to that section. The registrar also shall provide to the 592  
director of environmental protection a magnetic data tape 593  
containing registration information regarding passenger cars, 594  
noncommercial motor vehicles, and commercial cars for which a 595  
multi-year registration is in effect under section 4503.103 of 596  
the Revised Code or rules adopted under it, including, without 597  
limitation, the date of issuance of the multi-year registration, 598  
the registration deadline established under rules adopted under 599  
section 4503.101 of the Revised Code that was applicable in the 600  
year in which the multi-year registration was issued, and the 601  
registration deadline for renewal of the multi-year 602  
registration. 603

(J) Subject to division (K) of this section, application 604  
for registration under the international registration plan, as 605  
set forth in sections 4503.60 to 4503.66 of the Revised Code, 606  
shall be made to the registrar on forms furnished by the 607  
registrar. In accordance with international registration plan 608  
guidelines and pursuant to rules adopted by the registrar, the 609  
forms shall include the following: 610

(1) A uniform mileage schedule; 611

(2) The gross vehicle weight of the vehicle or combined 612  
gross vehicle weight of the combination vehicle as declared by 613

the registrant; 614

(3) Any other information the registrar requires by rule. 615

(K) The registrar shall determine the feasibility of 616  
implementing an electronic commercial fleet licensing and 617  
management program that will enable the owners of commercial 618  
tractors, commercial trailers, and commercial semitrailers to 619  
conduct electronic transactions by July 1, 2010, or sooner. If 620  
the registrar determines that implementing such a program is 621  
feasible, the registrar shall adopt new rules under this 622  
division or amend existing rules adopted under this division as 623  
necessary in order to respond to advances in technology. 624

If international registration plan guidelines and 625  
provisions allow member jurisdictions to permit applications for 626  
registrations under the international registration plan to be 627  
made via the internet, the rules the registrar adopts under this 628  
division shall permit such action. 629

**Sec. 4503.102.** (A) The registrar of motor vehicles shall 630  
adopt rules to establish a centralized system of motor vehicle 631  
registration renewal by mail or by electronic means. Any person 632  
owning a motor vehicle that was registered in the person's name 633  
during the preceding registration year shall renew the 634  
registration of the motor vehicle not more than ninety days 635  
prior to the expiration date of the registration either by mail 636  
or by electronic means through the centralized system of 637  
registration established under this section, or in person at any 638  
office of the registrar or at a deputy registrar's office. 639

(B) (1) Except as provided in division (B) (2) of this 640  
section, no less than forty-five days prior to the expiration 641  
date of any motor vehicle registration, the registrar shall mail 642

a renewal notice to the person in whose name the motor vehicle is registered. The renewal notice shall clearly state that the registration of the motor vehicle may be renewed by mail or electronic means through the centralized system of registration or in person at any office of the registrar or at a deputy registrar's office and shall be preprinted with information including, but not limited to, the owner's name and residence address as shown in the records of the bureau of motor vehicles, a brief description of the motor vehicle to be registered, notice of the license taxes and fees due on the motor vehicle, the toll-free telephone number of the registrar as required under division (D) (1) of section 4503.031 of the Revised Code, a statement that payment for a renewal may be made by financial transaction device using the toll-free telephone number, and any additional information the registrar may require by rule. The renewal notice shall not include the social security number of either the owner of the motor vehicle or the person in whose name the motor vehicle is registered. The renewal notice shall be sent by regular mail to the owner's last known address as shown in the records of the bureau of motor vehicles.

(2) The registrar is not required to mail a renewal notice if either of the following applies:

(a) The owner of the vehicle has consented to receiving the renewal notice by electronic means only.

(b) The application for renewal of the registration of a motor vehicle is prohibited from being accepted by the registrar or a deputy registrar by division (D) of section 2935.27, division (A) of section 2937.221, division (A) of section 4503.13, division (B) of section 4510.22, or division (B) (1) of section 4521.10 of the Revised Code.

(3) If the owner of a motor vehicle has consented to receiving a renewal notice by electronic means only, the registrar shall send an electronic renewal notice to the owner that contains the information specified in division (B) (1) of this section at the time specified under that division.

(C) The owner of the motor vehicle shall verify the information contained in the notice, sign it either manually or by electronic means, and return it, either by mail or electronic means, or the owner may take it in person to any office of the registrar or of a deputy registrar. The owner shall include with the notice a financial transaction device number when renewing in person or by electronic means but not by mail, check, or money order in the amount of the registration taxes and fees payable on the motor vehicle and a service fee equal to the amount established under section 4503.038 of the Revised Code, plus postage as indicated on the notice if the registration is renewed or fulfilled by mail, and an inspection certificate or alternative emissions certificate for the motor vehicle as provided in section 3704.14 of the Revised Code. For purposes of the centralized system of motor vehicle registration, the registrar shall accept payments via the toll-free telephone number established under division (D) (1) of section 4503.031 of the Revised Code for renewals made by mail. If the motor vehicle owner chooses to renew the motor vehicle registration by electronic means, the owner shall proceed in accordance with the rules the registrar adopts.

(D) If 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, if division (D) of section 2935.27, division (A) of section 2937.221, division (A) of section 4503.13, division (B) of section 4510.22, or division



(B) (1) of section 4521.10 of the Revised Code prohibits 704  
acceptance of the renewal notice, or if the owner or lessee does 705  
not have an inspection certificate or alternative emissions 706  
certificate for the motor vehicle as provided in section 3704.14 707  
of the Revised Code, if that section is applicable, the license 708  
shall be refused, and the registrar or deputy registrar shall so 709  
notify the owner. This section does not require the payment of 710  
license or registration taxes on a motor vehicle for any 711  
preceding year, or for any preceding period of a year, if the 712  
motor vehicle was not taxable for that preceding year or period 713  
under section 4503.02, 4503.04, 4503.11, 4503.12, or 4503.16 or 714  
Chapter 4504. of the Revised Code. 715

(E) (1) Failure to receive a renewal notice does not 716  
relieve a motor vehicle owner from the responsibility to renew 717  
the registration for the motor vehicle. Any person who has a 718  
motor vehicle registered in this state and who does not receive 719  
a renewal notice as provided in division (B) of this section 720  
prior to the expiration date of the registration shall request 721  
an application for registration from the registrar or a deputy 722  
registrar and sign the application manually or by electronic 723  
means and submit the application and pay any applicable license 724  
taxes and fees to the registrar or deputy registrar. 725

(2) If the owner of a motor vehicle submits an application 726  
for registration and the registrar is prohibited by division (D) 727  
of section 2935.27, division (A) of section 2937.221, division 728  
(A) of section 4503.13, division (B) of section 4510.22, or 729  
division (B) (1) of section 4521.10 of the Revised Code from 730  
accepting the application, the registrar shall return the 731  
application and the payment to the owner. If the owner of a 732  
motor vehicle submits a registration renewal application to the 733  
registrar by electronic means and the registrar is prohibited 734

from accepting the application as provided in this division, the 735  
registrar shall notify the owner of this fact and deny the 736  
application and return the payment or give a credit on the 737  
financial transaction device account of the owner in the manner 738  
the registrar prescribes by rule adopted pursuant to division 739  
(A) of this section. 740

(F) Every deputy registrar shall post in a prominent place 741  
at the deputy's office a notice informing the public of the mail 742  
registration system required by this section and also shall post 743  
a notice that every owner of a motor vehicle and every chauffeur 744  
holding a certificate of registration is required to notify the 745  
registrar in writing of any change of residence within ten days 746  
after the change occurs. The notice shall be in such form as the 747  
registrar prescribes by rule. 748

(G) The service fee equal to the amount established under 749  
section 4503.038 of the Revised Code that is collected from a 750  
person who renews a motor vehicle registration by electronic 751  
means or by mail, plus postage collected by the registrar and 752  
any financial transaction device surcharge collected by the 753  
registrar, shall be paid to the credit of the public safety - 754  
highway purposes fund established by section 4501.06 of the 755  
Revised Code. 756

(H) (1) Pursuant to section 113.40 of the Revised Code, the 757  
registrar shall implement a program permitting payment of motor 758  
vehicle registration taxes and fees, driver's license and 759  
commercial driver's license fees, and any other taxes, fees, 760  
penalties, or charges imposed or levied by the state by means of 761  
a financial transaction device for transactions occurring 762  
online, at any office of the registrar, and at all deputy 763  
registrar locations. The program shall take effect not later 764

than July 1, 2016. The registrar shall adopt rules as necessary 765  
for this purpose, but all such rules are subject to any action, 766  
policy, or procedure of the board of deposit or treasurer of 767  
state taken or adopted under section 113.40 of the Revised Code. 768

(2) The rules adopted under division (H) (1) of this 769  
section shall require a deputy registrar to accept payments by 770  
means of a financial transaction device beginning on the 771  
effective date of the rules unless the deputy registrar contract 772  
entered into by the deputy registrar prohibits the acceptance of 773  
such payments by financial transaction device. However, 774  
commencing with deputy registrar contract awards that have a 775  
start date of July 1, 2016, and for all contract awards 776  
thereafter, the registrar shall require that the proposer accept 777  
payment by means of a financial transaction device, including 778  
credit cards and debit cards, for all department of public 779  
safety transactions conducted at that deputy registrar location. 780

The bureau and deputy registrars are not required to pay 781  
any costs that result from accepting payment by means of a 782  
financial transaction device. A deputy registrar may charge a 783  
person who tenders payment for a department transaction by means 784  
of a financial transaction device any cost the deputy registrar 785  
incurs from accepting payment by the financial transaction 786  
device, but the deputy registrar shall not require the person to 787  
pay any additional fee of any kind in connection with the use by 788  
the person of the financial transaction device. 789

(3) In accordance with division (H) (1) of this section and 790  
rules adopted by the registrar under that division, a county 791  
auditor or clerk of a court of common pleas that is designated a 792  
deputy registrar shall accept payment by means of a financial 793  
transaction device, including credit cards and debit cards, for 794

all department transactions conducted at the office of the 795  
county auditor or clerk in the county auditor's or clerk's 796  
capacity as deputy registrar. The bureau is not required to pay 797  
any costs incurred by a county auditor or clerk that result from 798  
accepting payment by means of a financial transaction device for 799  
any department transaction. 800

(I) For persons who reside in counties where tailpipe 801  
emissions inspections are required under the motor vehicle 802  
inspection and maintenance program, the notice required by 803  
division (B) of this section shall also include the toll-free 804  
telephone number maintained by the Ohio environmental protection 805  
agency to provide information concerning the locations of 806  
emissions testing centers. The registrar also shall include a 807  
statement in the notice that a battery electric motor vehicle is 808  
not required to undergo emissions inspection under the motor 809  
vehicle inspection and maintenance program established under 810  
section 3704.14 of the Revised Code. 811

**Sec. 4503.103.** (A) (1) The registrar of motor vehicles may 812  
adopt rules to permit any person or lessee, other than a person 813  
receiving an apportioned license plate under the international 814  
registration plan, who owns or leases one or more motor vehicles 815  
to file a written application for registration for no more than 816  
five succeeding registration years. The rules adopted by the 817  
registrar may designate the classes of motor vehicles that are 818  
eligible for such registration. At the time of application, all 819  
annual taxes and fees shall be paid for each year for which the 820  
person is registering. 821

(2) (a) The registrar shall adopt rules to permit any 822  
person or lessee who owns or leases a trailer or semitrailer 823  
that is subject to the tax rate prescribed in either division 824

(C) (1) or, beginning January 1, 2022, (C) (2) of section 4503.042 825  
of the Revised Code to file a written application for 826  
registration for any number of succeeding registration years, 827  
including a permanent registration, for such trailers or 828  
semitrailers. 829

At the time of application, the applicant shall pay all of 830  
the following: 831

(i) As applicable, either the annual tax prescribed in 832  
division (C) (1) of section 4503.042 of the Revised Code for each 833  
year for which the applicant is registering or the annual tax 834  
prescribed in division (C) (2) of section 4503.042 of the Revised 835  
Code, unless the applicant previously paid the tax specified in 836  
division (C) (2) of that section for the trailer or semitrailer 837  
being registered. However, an applicant paying the annual tax 838  
under division (C) (1) of section 4503.042 of the Revised Code 839  
shall not pay more than eight times the annual taxes due, 840  
regardless of the number of years for which the applicant is 841  
registering. 842

(ii) The additional fee established under division (C) (1) 843  
of section 4503.10 of the Revised Code for each year of 844  
registration, provided that not more than eight times the 845  
additional fee due shall be paid, regardless of the number of 846  
years for which the applicant is registering. 847

(iii) One single deputy registrar service fee in the 848  
amount specified in division (D) of section 4503.10 of the 849  
Revised Code or one single bureau of motor vehicles service fee 850  
in the amount specified in division (G) of that section, as 851  
applicable, regardless of the number of years for which the 852  
applicant is registering. 853

(b) In addition, each applicant registering a trailer or 854  
semitrailer under division (A) (2) (a) of this section shall pay 855  
any applicable local motor vehicle license tax levied under 856  
Chapter 4504. of the Revised Code for each year for which the 857  
applicant is registering, provided that not more than eight 858  
times any such annual local taxes shall be due upon 859  
registration. 860

(c) The period of registration for a trailer or 861  
semitrailer registered under division (A) (2) (a) of this section 862  
is exclusive to the trailer or semitrailer for which that 863  
certificate of registration is issued and is not transferable to 864  
any other trailer or semitrailer if the registration is a 865  
permanent registration. 866

(3) Except as provided in division (A) (4) of this section, 867  
the registrar shall adopt rules to permit any person who owns a 868  
motor vehicle to file an application for registration for not 869  
more than five succeeding registration years. At the time of 870  
application, the person shall pay the annual taxes and fees for 871  
each registration year, calculated in accordance with division 872  
(C) of section 4503.11 of the Revised Code. A person who is 873  
registering a vehicle under division (A) (3) of this section 874  
shall pay for each year of registration the additional fee 875  
established under division (C) (1) or (3) of section 4503.10 of 876  
the Revised Code, as applicable. The person shall also pay the 877  
deputy registrar service fee or the bureau of motor vehicles 878  
service fee equal to the amount established under section 879  
4503.038 of the Revised Code. 880

(4) Division (A) (3) of this section does not apply to a 881  
person receiving an apportioned license plate under the 882  
international registration plan, or the owner of a commercial 883

car used solely in intrastate commerce, or the owner of a bus as 884  
defined in section 4513.50 of the Revised Code. 885

(5) A person registering a noncommercial trailer 886  
permanently shall register the trailer under section 4503.107 of 887  
the Revised Code. 888

(B) No person applying for a multi-year registration under 889  
division (A) of this section is entitled to a refund of any 890  
taxes or fees paid. 891

(C) The registrar shall not issue to any applicant who has 892  
been issued a final, nonappealable order under division (D) of 893  
this section a multi-year registration or renewal thereof under 894  
this division or rules adopted under it for any motor vehicle 895  
that is required to be inspected under section 3704.14 of the 896  
Revised Code the district of registration of which, as 897  
determined under section 4503.10 of the Revised Code, is or is 898  
located in the county named in the order. 899

(D) Upon receipt from the director of environmental 900  
protection of a notice issued under rules adopted under section 901  
3704.14 of the Revised Code indicating that an owner of a motor 902  
vehicle that is required to be inspected under that section who 903  
obtained a multi-year registration for the vehicle under 904  
division (A) of this section or rules adopted under that 905  
division has not obtained a required inspection certificate or 906  
alternative emissions certificate for the vehicle, the registrar 907  
in accordance with Chapter 119. of the Revised Code shall issue 908  
an order to the owner impounding the certificate of registration 909  
and identification license plates for the vehicle. The order 910  
also shall prohibit the owner from obtaining or renewing a 911  
multi-year registration for any vehicle that is required to be 912  
inspected under that section, the district of registration of 913

which is or is located in the same county as the county named in 914  
the order during the number of years after expiration of the 915  
current multi-year registration that equals the number of years 916  
for which the current multi-year registration was issued. 917

An order issued under this division shall require the 918  
owner to surrender to the registrar the certificate of 919  
registration and license plates for the vehicle named in the 920  
order within five days after its issuance. If the owner fails to 921  
do so within that time, the registrar shall certify that fact to 922  
the county sheriff or local police officials who shall recover 923  
the certificate of registration and license plates for the 924  
vehicle. 925

(E) Upon the occurrence of either of the following 926  
circumstances, the registrar in accordance with Chapter 119. of 927  
the Revised Code shall issue to the owner a modified order 928  
rescinding the provisions of the order issued under division (D) 929  
of this section impounding the certificate of registration and 930  
license plates for the vehicle named in that original order: 931

(1) Receipt from the director of environmental protection 932  
of a subsequent notice under rules adopted under section 3704.14 933  
of the Revised Code that the owner has obtained the inspection 934  
certificate or alternative emissions certificate for the vehicle 935  
as required under those rules; 936

(2) Presentation to the registrar by the owner of the 937  
required inspection certificate or alternative emissions 938  
certificate for the vehicle. 939

(F) The owner of a motor vehicle for which the certificate 940  
of registration and license plates have been impounded pursuant 941  
to an order issued under division (D) of this section, upon 942



issuance of a modified order under division (E) of this section, 943  
may apply to the registrar for their return. A fee of two 944  
dollars and fifty cents shall be charged for the return of the 945  
certificate of registration and license plates for each vehicle 946  
named in the application. 947

**Section 2.** That existing sections 107.42, 3704.14, 948  
4503.10, 4503.102, and 4503.103 of the Revised Code are hereby 949  
repealed. 950

**Section 3.** That section 3704.032 of the Revised Code is 951  
hereby repealed. 952

**Section 4.** This act shall be known as the "E-Check Ease 953  
Act." 954