

AN ACT

To amend sections 109.71, 125.56, 1905.01, 2301.374, 2919.22, 3327.08, 4501.01, 4501.021, 4501.25, 4503.10, 4503.103, 4503.12, 4503.19, 4503.21, 4503.27, 4503.301, 4503.31, 4503.311, 4503.312, 4503.33, 4503.77, 4503.84, 4505.07, 4505.08, 4505.11, 4506.01, 4506.08, 4506.14, 4506.16, 4506.17, 4507.01, 4507.02, 4507.021, 4507.022, 4507.08, 4507.09, 4507.10, 4507.13, 4507.14, 4507.16, 4507.162, 4507.163, 4507.169, 4507.50, 4507.52, 4509.31, 4511.191, 4511.193, 4511.195, 4511.196, 4511.62, 4511.76, 4511.99, 4513.201, 4513.202, 4513.61, 4513.63, 4517.01, 4517.03, 4519.04, and 5503.09 and to enact sections 4507.012 and 4549.451 of the Revised Code to make changes in the law governing the operation, registration, and titling of motor vehicles and in the law governing the operation of the Bureau of Motor Vehicles, and to require auctioneers to disclose in all written materials advertising motor vehicles for sale when a motor vehicle listed or described in such materials has a nonfunctional odometer.

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

SECTION 1. That sections 109.71, 125.56, 1905.01, 2301.374, 2919.22, 3327.08, 4501.01, 4501.021, 4501.25, 4503.10, 4503.103, 4503.12, 4503.19, 4503.21, 4503.27, 4503.301, 4503.31, 4503.311, 4503.312, 4503.33, 4503.77, 4503.84, 4505.07, 4505.08, 4505.11, 4506.01, 4506.08, 4506.14, 4506.16, 4506.17, 4507.01, 4507.02, 4507.021, 4507.022, 4507.08, 4507.09, 4507.10, 4507.13, 4507.14, 4507.16, 4507.162, 4507.163, 4507.169, 4507.50, 4507.52, 4509.31, 4511.191, 4511.193, 4511.195, 4511.196, 4511.62, 4511.76, 4511.99, 4513.201, 4513.202, 4513.61, 4513.63, 4517.01,

4517.03, 4519.04, and 5503.09 be amended and sections 4507.012 and 4549.451 of the Revised Code be enacted to read as follows:

Sec. 109.71. There is hereby created in the office of the attorney general the Ohio peace officer training commission. The commission shall consist of nine members appointed by the governor with the advice and consent of the senate and selected as follows: one member representing the public; two members who are incumbent sheriffs; two members who are incumbent chiefs of police; one member from the bureau of criminal identification and investigation; one member from the state highway patrol; one member who is the special agent in charge of a field office of the federal bureau of investigation in this state; and one member from the department of education, trade and industrial education services, law enforcement training.

As used in sections 109.71 to 109.77 of the Revised Code:

(A) "Peace officer" means:

(1) A deputy sheriff, marshal, deputy marshal, member of the organized police department of a township or municipal corporation, member of a township police district or joint township police district police force, member of a police force employed by a metropolitan housing authority under division (D) of section 3735.31 of the Revised Code, or township constable, who is commissioned and employed as a peace officer by a political subdivision of this state or by a metropolitan housing authority, and whose primary duties are to preserve the peace, to protect life and property, and to enforce the laws of this state, ordinances of a municipal corporation, resolutions of a township, or regulations of a board of county commissioners or board of township trustees, or any such laws, ordinances, resolutions, or regulations;

(2) A police officer who is employed by a railroad company and appointed and commissioned by the governor pursuant to sections 4973.17 to 4973.22 of the Revised Code;

(3) Employees of the department of taxation engaged in the enforcement of Chapter 5743. of the Revised Code and designated by the tax commissioner for peace officer training for purposes of the delegation of investigation powers under section 5743.45 of the Revised Code;

(4) An undercover drug agent;

(5) Liquor control investigators of the department of public safety engaged in the enforcement of Chapters 4301. and 4303. of the Revised Code;

(6) An employee of the department of natural resources who is a park officer designated pursuant to section 1541.10, a forest officer designated pursuant to section 1503.29, a preserve officer designated pursuant to

section 1517.10, a wildlife officer designated pursuant to section 1531.13, or a state watercraft officer designated pursuant to section 1547.521 of the Revised Code;

(7) An employee of a park district who is designated pursuant to section 511.232 or 1545.13 of the Revised Code;

(8) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;

(9) A police officer who is employed by a hospital that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by the governor pursuant to sections 4973.17 to 4973.22 of the Revised Code;

(10) Ohio veterans' home police officers designated under section 5907.02 of the Revised Code;

(11) A police officer who is employed by a qualified nonprofit corporation police department pursuant to section 1702.80 of the Revised Code;

(12) A state university law enforcement officer appointed under section 3345.04 of the Revised Code or a person serving as a state university law enforcement officer on a permanent basis on June 19, 1978, who has been awarded a certificate by the executive director of the Ohio peace officer training council attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;

(13) A special police officer employed by the department of mental health pursuant to section 5119.14 of the Revised Code or the department of mental retardation and developmental disabilities pursuant to section 5123.13 of the Revised Code;

(14) A member of a campus police department appointed under section 1713.50 of the Revised Code;

(15) A member of a police force employed by a regional transit authority under division (Y) of section 306.35 of the Revised Code.

(16) Food stamp trafficking agents of the department of public safety designated under section 5502.14 of the Revised Code;

(17) Investigators appointed by the auditor of state pursuant to section 117.091 of the Revised Code and engaged in the enforcement of Chapter 117. of the Revised Code;

(18) A special police officer designated by the superintendent of the state highway patrol pursuant to section 5503.09 Of the Revised Code.

(B) "Undercover drug agent" has the same meaning as in division (B)(2) of section 109.79 of the Revised Code.

(C) "Crisis intervention training" means training in the use of interpersonal and communication skills to most effectively and sensitively interview victims of rape.

(D) "Missing children" has the same meaning as in section 2901.30 of the Revised Code.

Sec. 125.56. ~~All~~ (A) Except as provided in division (B) of this section, all printing under sections 125.43 to 125.76 of the Revised Code, must shall be executed within this state.

(B) Division (A) of this section does not apply to printing contracts requiring special, security paper of a unique nature if compliance with division (A) will result in an excessive price for the product or acquiring a disproportionately inferior product.

(C) As used in this section, "excessive price" means a price that exceeds by more than five per cent the lowest price submitted on a non-Ohio bid.

Sec. 1905.01. (A) In all municipal corporations not being the site of a municipal court nor a place where a judge of the Auglaize county, Crawford county, Jackson county, Miami county, Portage county, or Wayne county municipal court sits as required pursuant to section 1901.021 of the Revised Code or by designation of the judges pursuant to section 1901.021 of the Revised Code, the mayor of the municipal corporation has jurisdiction, except as provided in divisions (B) and (C) of this section and subject to the limitation contained in section 1905.03 and the limitation contained in section 1905.031 of the Revised Code, to hear and determine any prosecution for the violation of an ordinance of the municipal corporation, to hear and determine any case involving a violation of a vehicle parking or standing ordinance of the municipal corporation unless the violation is required to be handled by a parking violations bureau or joint parking violations bureau pursuant to Chapter 4521. of the Revised Code, and to hear and determine all criminal causes involving any moving traffic violation occurring on a state highway located within the boundaries of the municipal corporation, subject to the limitations of sections 2937.08 and 2938.04 of the Revised Code.

(B)(1) In all municipal corporations not being the site of a municipal court nor a place where a judge of a court listed in division (A) of this section sits as required pursuant to section 1901.021 of the Revised Code or by designation of the judges pursuant to section 1901.021 of the Revised Code, the mayor of the municipal corporation has jurisdiction, subject to the limitation contained in section 1905.03 of the Revised Code, to hear and determine prosecutions involving a violation of an ordinance of the municipal corporation relating to operating a vehicle while under the

nfluence of alcohol, a drug of abuse, or alcohol and a drug of abuse or relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, and to hear and determine criminal causes involving a violation of section 4511.19 of the Revised Code that occur on a state highway located within the boundaries of the municipal corporation, subject to the limitations of sections 2937.08 and 2938.04 of the Revised Code, only if the person charged with the violation, within five years of the date of the violation charged, has not been convicted of or pleaded guilty to any of the following:

(a) A violation of an ordinance of any municipal corporation relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine;

(b) A violation of section 4511.19 of the Revised Code;

(c) A violation of any ordinance of any municipal corporation or of any section of the Revised Code that regulates the operation of vehicles, streetcars, and trackless trolleys upon the highways or streets, in relation to which all of the following apply:

(i) The person, in the case in which the conviction was obtained or the plea of guilty was entered, had been charged with a violation of an ordinance of any municipal corporation relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, or with a violation of section 4511.19 of the Revised Code;

(ii) The charge of the violation described in division (B)(1)(c)(i) of this section was dismissed or reduced;

(iii) The violation of which the person was convicted or to which the person pleaded guilty arose out of the same facts and circumstances and the same act as did the charge that was dismissed or reduced.

(d) A violation of a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to section 4511.19 of the Revised Code.

(2) The mayor of a municipal corporation does not have jurisdiction to hear and determine any prosecution or criminal cause involving a violation described in division (B)(1)(a) or (b) of this section, regardless of where the violation occurred, if the person charged with the violation, within five years of the violation charged, has been convicted of or pleaded guilty to any violation listed in division (B)(1)(a), (b), (c), or (d) of this section.

If the mayor of a municipal corporation, in hearing a prosecution

ng a violation of an ordinance of the municipal corporation the mayor serves relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, or in hearing a criminal cause involving a violation of section 4511.19 of the Revised Code, determines that the person charged, within five years of the violation charged, has been convicted of or pleaded guilty to any violation listed in division (B)(1)(a), (b), (c), or (d) of this section, the mayor immediately shall transfer the case to the county court or municipal court with jurisdiction over the violation charged, in accordance with section 1905.032 of the Revised Code.

(C)(1) In all municipal corporations not being the site of a municipal court and not being a place where a judge of a court listed in division (A) of this section sits as required pursuant to section 1901.021 of the Revised Code or by designation of the judges pursuant to section 1901.021 of the Revised Code, the mayor of the municipal corporation, subject to sections 1901.031, 2937.08, and 2938.04 of the Revised Code, has jurisdiction to hear and determine prosecutions involving a violation of a municipal ordinance that is substantially equivalent to division (B)(1) or (D)(2) of section 4507.02 of the Revised Code and to hear and determine criminal causes that involve a moving traffic violation, that involve a violation of division (B)(1) or (D)(2) of section 4507.02 of the Revised Code, and that occur on a state highway located within the boundaries of the municipal corporation only if all of the following apply regarding the violation and the person charged:

(a) Regarding a violation of division (B)(1) of section 4507.02 of the Revised Code or a violation of a municipal ordinance that is substantially equivalent to that division, the person charged with the violation, within five years of the date of the violation charged, has not been convicted of or pleaded guilty to any of the following:

(i) A violation of division (B)(1) of section 4507.02 of the Revised Code;

(ii) A violation of a municipal ordinance that is substantially equivalent to division (B)(1) of section 4507.02 of the Revised Code;

(iii) A violation of any municipal ordinance or section of the Revised Code that regulates the operation of vehicles, streetcars, and trackless trolleys upon the highways or streets, in a case in which, after a charge against the person of a violation of a type described in division (C)(1)(a)(i) or (ii) of this section was dismissed or reduced, the person is convicted of or pleads guilty to a violation that arose out of the same facts and

circumstances and the same act as did the charge that was dismissed or reduced.

(b) Regarding a violation of division (D)(2) of section 4507.02 of the Revised Code or a violation of a municipal ordinance that is substantially equivalent to that division, the person charged with the violation, within five years of the date of the violation charged, has not been convicted of or pleaded guilty to any of the following:

(i) A violation of division (D)(2) of section 4507.02 of the Revised Code;

(ii) A violation of a municipal ordinance that is substantially equivalent to division (D)(2) of section 4507.02 of the Revised Code;

(iii) A violation of any municipal ordinance or section of the Revised Code that regulates the operation of vehicles, streetcars, and trackless trolleys upon the highways or streets in a case in which, after a charge against the person of a violation of a type described in division (C)(1)(b)(i) or (ii) of this section was dismissed or reduced, the person is convicted of or pleads guilty to a violation that arose out of the same facts and circumstances and the same act as did the charge that was dismissed or reduced.

(2) The mayor of a municipal corporation does not have jurisdiction to hear and determine any prosecution or criminal cause involving a violation described in division (C)(1)(a)(i) or (ii) of this section if the person charged with the violation, within five years of the violation charged, has been convicted of or pleaded guilty to any violation listed in division (C)(1)(a)(i), (ii), or (iii) of this section and does not have jurisdiction to hear and determine any prosecution or criminal cause involving a violation described in division (C)(1)(b)(i) or (ii) of this section if the person charged with the violation, within five years of the violation charged, has been convicted of or pleaded guilty to any violation listed in division (C)(1)(b)(i), (ii), or (iii) of this section.

(3) If the mayor of a municipal corporation, in hearing a prosecution involving a violation of an ordinance of the municipal corporation the mayor serves that is substantially equivalent to division (B)(1) or (D)(2) of section 4507.02 of the Revised Code or a violation of division (B)(1) or (D)(2) of section 4507.02 of the Revised Code, determines that, under division (C)(2) of this section, mayors do not have jurisdiction of the prosecution, the mayor immediately shall transfer the case to the county court or municipal court with jurisdiction over the violation in accordance with section 1905.032 of the Revised Code.

(D) If the mayor of a municipal corporation has jurisdiction pursuant to

division (B)(1) of this section to hear and determine a prosecution or criminal cause involving a violation described in division (B)(1)(a) or (b) of this section, the authority of the mayor to hear or determine the prosecution or cause is subject to the limitation contained in division (C) of section 1905.03 of the Revised Code. If the mayor of a municipal corporation has jurisdiction pursuant to division (A) or (C) of this section to hear and determine a prosecution or criminal cause involving a violation other than a violation described in division (B)(1)(a) or (b) of this section, the authority of the mayor to hear or determine the prosecution or cause is subject to the limitation contained in division (C) of section 1905.031 of the Revised Code.

(E) In keeping a docket and files, the mayor, and a mayor's court magistrate appointed under section 1905.05 of the Revised Code, shall be governed by the laws pertaining to county courts.

Sec. 2301.374. (A) The director of human services shall specify a date for the purposes of this section, which shall be the later of the date the support enforcement tracking system is expected to be operational in all the counties of the state, or the date that is six months after the effective date of this section.

(B)(1) If a court or child support enforcement agency makes a final and enforceable determination pursuant to division (B) of section 3113.21 of the Revised Code prior to the date specified under division (A) of this section that an individual is in default under a child support order, the agency administering or handling the child support order may determine whether the individual holds a commercial driver's license or commercial driver's temporary instruction permit issued by the registrar of motor vehicles or a deputy registrar or, if possible, whether the individual has applied, or is likely to apply, for such a license or permit. If the agency determines that the individual holds, has applied for, or is likely to apply for, such a license or permit, it shall send the individual the notice specified in division (B)(2) of this section. The agency also may send a notice to the registrar ~~of motor vehicles~~ that gives the name and social security number or other identifying number of the individual and states that a court or agency has determined the individual to be in default under a child support order.

(2) Notice shall be sent to the individual described in division (B)(1) of this section by first class mail. The notice shall specify that a court or agency has determined the individual to be in default under a child support order, that a notice containing the individual's name and social security number or other identification number may be sent under division (B)(1) of this section to the registrar, and that, if the registrar receives that notice and

determines that the individual is the individual named in that notice and the registrar has not received notice under division (B)(3) of this section, all of the following will occur:

(a) The registrar and all deputy registrars will be prohibited from issuing to, or renewing for, the individual a commercial driver's license or commercial driver's temporary instruction permit;

(b) If the individual holds a commercial driver's license or commercial driver's temporary instruction permit, the registrar will impose a disqualification as defined in section 4506.01 of the Revised Code with respect to the license or permit if the registrar determines that the individual is the individual named in the notice sent pursuant to division (B)(1) of this section;

(c) If the individual is the individual named in the notice, the individual will not be issued, and the disqualification will not be removed with respect to, any license or permit listed in division (B)(2) of this section until the registrar receives a notice under division (B)(3) of this section.

(3) An agency that sent a notice under division (B)(1) of this section shall send to the registrar a notice that the individual is not in default under a child support order if it determines that the individual is not in default or any of the following occurs:

(a) The individual makes full payment to the agency of the arrearage that was the basis for the court or agency determination that the individual was in default;

(b) An appropriate withholding or deduction notice or other appropriate order has been issued pursuant to section 3113.21 of the Revised Code to collect current support and any arrearage due under the child support order that was in default and the individual is complying with the notice or order;

(c) A new child support order has been issued or the child support order that was in default has been modified as provided under sections 3113.21 to 3113.219 of the Revised Code to collect current support and any arrearage due under the child support order that was in default and the individual is complying with the new or modified child support order.

The agency shall send the notice under this division not later than seven days after it determines the individual is not in default or that any of the circumstances specified in division (B)(3) of this section has occurred.

(4)(a) On receipt of a notice pursuant to division (B)(1) of this section, the registrar shall determine whether the individual named in the notice holds or has applied for a commercial driver's license or commercial driver's temporary instruction permit. If the registrar determines that the individual holds or has applied for a license or permit and the individual is the

individual named in the notice and does not receive a notice pursuant to division (B)(3) of this section, the registrar immediately shall provide notice of the determination to each deputy registrar. The registrar or a deputy registrar may not issue to the individual and may not renew for the individual a commercial driver's license or commercial driver's temporary instruction permit and the registrar shall impose a disqualification on the individual with respect to the license or permit held by the individual.

(b) The registrar shall maintain a list of names of individuals identified in notices sent to the registrar pursuant to division (B)(1) of this section that do not hold a commercial driver's license or commercial driver's temporary instruction permit. The registrar shall update the list quarterly and provide each deputy registrar with a copy. On receipt of an application for such a license or permit from an individual who appears on the list, a deputy registrar shall notify the registrar. On receipt of an application for such a license or permit from such an individual or on receipt of a notice from a deputy registrar pursuant to division (B)(4)(b) of this section, the registrar shall proceed in accordance with division (B)(4)(a) of this section.

(c) Not later than seven days after receipt of a notice pursuant to division (B)(3) of this section, the registrar shall notify each deputy registrar of the notice. The registrar and each deputy registrar shall then, if the individual otherwise is eligible for the license or permit and wants the license or permit, issue a license or permit to, or renew a license or permit of, the individual, or, if a disqualification was imposed on the individual with respect to the individual's license or permit pursuant to division (B)(4)(a) of this section, remove the disqualification. The registrar or a deputy registrar may charge a fee of not more than twenty-five dollars for issuing or renewing a license or permit for an individual or removing the disqualification imposed on the individual's license or permit pursuant to this division. The fees collected by the registrar pursuant to this section shall be paid into the state bureau of motor vehicles fund established in section 4501.25 Of the Revised Code.

(d) Notwithstanding section 119.06 of the Revised Code, the registrar shall not hold any hearing in connection with an order refusing to issue or renew a license or permit for, or imposing a disqualification with respect to a license or permit of, an individual pursuant to this section.

(C)(1) If a court or child support enforcement agency makes a final and enforceable determination pursuant to division (B) of section 3113.21 of the Revised Code on or after the date specified under division (A) of this section that an individual is in default under a child support order, the agency administering or handling the child support order may determine whether

the individual holds a driver's or commercial driver's license, motorcycle operator's license or endorsement, temporary instruction permit, or commercial driver's temporary instruction permit issued by the registrar of motor vehicles or a deputy registrar or, if possible, whether the individual has applied, or is likely to apply, for such a license, endorsement, or permit. If the agency determines that the individual holds, has applied for, or is likely to apply for, such a license, endorsement, or permit, it shall send to the individual the notice specified in division (C)(2) of this section. The agency also may send a notice to the registrar of motor vehicles that gives the name and social security number or other identifying number of the individual and states that a court or agency has determined the individual to be in default under a child support order.

(2) Notice shall be sent to the individual described in division (C)(1) of this section by first class mail. The notice shall specify that a court or agency has determined the individual to be in default under a child support order, that a notice containing the individual's name and social security number or other identification number may be sent under division (C)(1) of this section to the registrar, and that, if the registrar receives that notice and determines that the individual is the individual named in that notice and the registrar has not received notice under division (C)(3) of this section, all of the following will occur:

(a) The registrar and all deputy registrars will be prohibited from issuing to the individual a driver's or commercial driver's license, motorcycle operator's license or endorsement, or temporary instruction permit or commercial driver's temporary instruction permit;

(b) The registrar and all deputy registrars will be prohibited from renewing for the individual a driver's or commercial driver's license, motorcycle operator's license or endorsement, or commercial driver's temporary instruction permit;

(c) If the individual holds a driver's or commercial driver's license, motorcycle operator's license or endorsement, or temporary instruction permit or commercial driver's temporary instruction permit, it will be suspended if the registrar determines that the individual is the individual named in the notice sent pursuant to division (C)(1) of this section;

(d) If the individual is the individual named in the notice the individual will not be issued or have renewed any license, endorsement, or permit, and no suspension will be lifted with respect to any license, endorsement, or permit listed in division (C)(2) of this section until the registrar receives a notice under division (C)(3) of this section.

(3) An agency that sent a notice under division (C)(1) of this section

shall send to the registrar a notice that the individual is not in default under a child support order if it determines that the individual is not in default or any of the following occurs:

(a) The individual makes full payment to the agency of the arrearage that was the basis for the court or agency determination that the individual was in default;

(b) An appropriate withholding or deduction notice or other appropriate order has been issued pursuant to section 3113.21 of the revised code to collect current support and any arrearage due under the child support order that was in default and the individual is complying with the notice or order;

(c) A new child support order has been issued or the child support order that was in default has been modified as provided under sections 3113.21 to 3113.219 of the Revised Code to collect current support and any arrearage due under the child support order that was in default and the individual is complying with the new or modified child support order.

The agency shall send the notice under this division not later than seven days after it determines the individual is not in default or that any of the circumstances specified in division (C)(3) of this section has occurred.

(4)(a) On receipt of a notice pursuant to division (C)(1) of this section, the registrar shall determine whether the individual named in the notice holds or has applied for a driver's license or commercial driver's license, motorcycle operator's license or endorsement, or temporary instruction permit or commercial driver's temporary instruction permit. If the registrar determines that the individual holds or has applied for a license, permit, or endorsement and the individual is the individual named in the notice and does not receive a notice pursuant to division (C)(3) of this section, the registrar immediately shall provide notice of the determination to each deputy registrar. The registrar or a deputy registrar may not issue to the individual a driver's or commercial driver's license, motorcycle operator's license or endorsement, or temporary instruction permit or commercial driver's temporary instruction permit and may not renew for the individual a driver's or commercial driver's license, motorcycle operator's license or endorsement, or commercial driver's temporary instruction permit. The registrar or a deputy registrar also shall suspend a license, permit, or endorsement held by the individual.

(b) The registrar shall maintain a list of names of individuals identified in notices sent to the registrar pursuant to division (C)(1) of this section that do not hold a driver's or commercial driver's license, motorcycle operator's license or endorsement, or temporary instruction permit or commercial driver's temporary instruction permit. The registrar shall update the list

quarterly and provide each deputy registrar with a copy. On receipt of an application for such a license, permit, or endorsement from an individual who appears on the list, a deputy registrar shall notify the registrar. On receipt of an application for such a license, permit, or endorsement from such an individual or on receipt of a notice from a deputy registrar pursuant to division (C)(4)(b) of this section, the registrar shall proceed in accordance with division (C)(4)(a) of this section.

(c) Not later than seven days after receipt of a notice pursuant to division (C)(3) of this section, the registrar shall notify each deputy registrar of the notice. The registrar and each deputy registrar shall then, if the individual otherwise is eligible for the license, permit, or endorsement and wants the license, permit, or endorsement, issue a license, permit, or endorsement to, or renew a license, permit, or endorsement of, the individual, or, if the individual's license, permit, or endorsement was suspended pursuant to division (C)(4)(a) of this section, remove the suspension. The registrar or a deputy registrar may charge a fee of not more than twenty-five dollars for issuing or renewing or removing the suspension of a license pursuant to this division. The fees collected by the registrar pursuant to this section shall be paid into the state bureau of motor vehicles fund established in section 4501.25 Of the Revised Code.

(d) Notwithstanding section 119.06 of the Revised Code, the registrar shall not hold any hearing in connection with an order refusing to issue or renew a license, permit, or endorsement for, or suspending a license, permit, or endorsement of, an individual pursuant to this section.

(D) The department of human services may adopt rules in accordance with Chapter 119. of the Revised Code to implement this section.

Sec. 2919.22. (A) No person, who is the parent, guardian, custodian, person having custody or control, or person in loco parentis of a child under eighteen years of age or a mentally or physically handicapped child under twenty-one years of age, shall create a substantial risk to the health or safety of the child, by violating a duty of care, protection, or support. It is not a violation of a duty of care, protection, or support under this division when the parent, guardian, custodian, or person having custody or control of a child treats the physical or mental illness or defect of the child by spiritual means through prayer alone, in accordance with the tenets of a recognized religious body.

(B) No person shall do any of the following to a child under eighteen years of age or a mentally or physically handicapped child under twenty-one years of age:

- (1) Abuse the child;

(2) Torture or cruelly abuse the child;

(3) Administer corporal punishment or other physical disciplinary measure, or physically restrain the child in a cruel manner or for a prolonged period, which punishment, discipline, or restraint is excessive under the circumstances and creates a substantial risk of serious physical harm to the child;

(4) Repeatedly administer unwarranted disciplinary measures to the child, when there is a substantial risk that such conduct, if continued, will seriously impair or retard the child's mental health or development;

(5) Entice, coerce, permit, encourage, compel, hire, employ, use, or allow the child to act, model, or in any other way participate in, or be photographed for, the production, presentation, dissemination, or advertisement of any material or performance that the offender knows or reasonably should know is obscene, is sexually oriented matter, or is nudity-oriented matter.

(C)(1) No person shall operate a vehicle, streetcar, or trackless trolley within this state ~~and~~ in violation of division (A) of section 4511.19 of the Revised Code when one or more children under eighteen years of age are in the vehicle, streetcar, or trackless trolley. Notwithstanding any other provision of law, a person may be convicted at the same trial or proceeding of a violation of this division and a violation of division (A) of section 4511.19 of the Revised Code that constitutes the basis of the charge of the violation of this division. For purposes of section 4511.191 of the Revised Code and all related provisions of law, a person arrested for a violation of this division shall be considered to be under arrest for operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or for operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine.

(2) As used in division (C)(1) of this section, "vehicle," "streetcar," and "trackless trolley" have the same meanings as in section 4511.01 of the Revised Code.

(D)(1) Division (B)(5) of this section does not apply to any material or performance that is produced, presented, or disseminated for a bona fide medical, scientific, educational, religious, governmental, judicial, or other proper purpose, by or to a physician, psychologist, sociologist, scientist, teacher, person pursuing bona fide studies or research, librarian, clergyman, prosecutor, judge, or other person having a proper interest in the material or performance.

(2) Mistake of age is not a defense to a charge under division (B)(5) of this section.

(3) In a prosecution under division (B)(5) of this section, the trier of fact may infer that an actor, model, or participant in the material or performance involved is a juvenile if the material or performance, through its title, text, visual representation, or otherwise, represents or depicts the actor, model, or participant as a juvenile.

(4) As used in this division and division (B)(5) of this section:

(a) "Material," "performance," "obscene," and "sexual activity" have the same meanings as in section 2907.01 of the Revised Code.

(b) "Nudity-oriented matter" means any material or performance that shows a minor in a state of nudity and that, taken as a whole by the average person applying contemporary community standards, appeals to prurient interest.

(c) "Sexually oriented matter" means any material or performance that shows a minor participating or engaging in sexual activity, masturbation, or bestiality.

(E)(1) Whoever violates this section is guilty of endangering children.

(2) If the offender violates division (A) or (B)(1) of this section, endangering children is one of the following:

(a) Except as otherwise provided in division (E)(2)(b) or (c) of this section, a misdemeanor of the first degree;

(b) If the offender previously has been convicted of an offense under this section or of any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, except as otherwise provided in division (E)(2)(c) of this section, a felony of the fourth degree;

(c) If the violation results in serious physical harm to the child involved, a felony of the third degree.

(3) If the offender violates division (B)(2), (3), or (4) of this section, except as otherwise provided in this division, endangering children is a felony of the third degree. If the violation results in serious physical harm to the child involved, or if the offender previously has been convicted of an offense under this section or of any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, endangering children is a felony of the second degree.

(4) If the offender violates division (B)(5) of this section, endangering children is a felony of the second degree.

(5) If the offender violates division (C) of this section, the offender shall be punished as follows:

(a) Except as otherwise provided in division (E)(5)(b) or (c) of this section, endangering children in violation of division (C) of this section is a misdemeanor of the first degree.

(b) If the violation results in serious physical harm to the child involved or the offender previously has been convicted of an offense under this section or any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, except as otherwise provided in division (E)(5)(c) of this section, endangering children in violation of division (C) of this section is a felony of the fifth degree.

(c) If the violation results in serious physical harm to the child involved and if the offender previously has been convicted of a violation of division (C) of this section, section 2903.06, 2903.07, or 2903.08 of the Revised Code, or section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, endangering children in violation of division (C) of this section is a felony of the fourth degree.

(d) In addition to any term of imprisonment, fine, or other sentence, penalty, or sanction it imposes upon the offender pursuant to division (E)(5)(a), (b), or (c) of this section or pursuant to any other provision of law, the court also may impose upon the offender one or both of the following sanctions:

(i) It may require the offender, as part of the offender's sentence and in the manner described in division (F) of this section, to perform not more than two hundred hours of supervised community service work under the authority of any agency, political subdivision, or charitable organization of the type described in division (F)(1) of section 2951.02 of the Revised Code, provided that the court shall not require the offender to perform supervised community service work under this division unless the offender agrees to perform the supervised community service work.

(ii) It may suspend the driver's or commercial driver's license or permit or nonresident operating privilege of the offender for up to ninety days, in addition to any suspension or revocation of the offender's driver's or commercial driver's license or permit or nonresident operating privilege under Chapter 4506., 4507., 4509., or 4511. of the Revised Code or under any other provision of law.

(e) In addition to any term of imprisonment, fine, or other sentence, penalty, or sanction imposed upon the offender pursuant to division (E)(5)(a), (b), (c), or (d) of this section or pursuant to any other provision of law for the violation of division (C) of this section, if as part of the same trial or proceeding the offender also is convicted of or pleads guilty to a separate charge charging the violation of division (A) of section 4511.19 of the Revised Code that was the basis of the charge of the violation of division (C) of this section, the offender also shall be sentenced, in accordance with

section 4511.99 of the Revised Code, for that violation of division (A) of section 4511.19 of the Revised Code and also shall be subject to all other sanctions that are required or authorized by any provision of law for that violation of division (A) of section 4511.19 of the Revised Code.

(F)(1)(a) If a court, pursuant to division (E)(5)(d)(i) of this section, requires an offender to perform supervised community service work under the authority of an agency, subdivision, or charitable organization, the requirement shall be part of the community control sanction or sentence of the offender, and the court shall impose the community service in accordance with and subject to divisions (F)(1)(a) and (b) of this section. The court may require an offender whom it requires to perform supervised community service work as part of the offender's community control sanction or sentence to pay the court a reasonable fee to cover the costs of the offender's participation in the work, including, but not limited to, the costs of procuring a policy or policies of liability insurance to cover the period during which the offender will perform the work. If the court requires the offender to perform supervised community service work as part of the offender's community control sanction or sentence, the court shall do so in accordance with the following limitations and criteria:

(i) The court shall require that the community service work be performed after completion of the term of imprisonment imposed upon the offender for the violation of division (C) of this section, if applicable.

(ii) The supervised community service work shall be subject to the limitations set forth in divisions (F)(1)(a) to (c) of section 2951.02 of the Revised Code.

(iii) The community service work shall be supervised in the manner described in division (F)(1)(d) of section 2951.02 of the Revised Code by an official or person with the qualifications described in that division. The official or person periodically shall report in writing to the court concerning the conduct of the offender in performing the work.

(iv) The court shall inform the offender in writing that if the offender does not adequately perform, as determined by the court, all of the required community service work, the court may order that the offender be committed to a jail or workhouse for a period of time that does not exceed the term of imprisonment that the court could have imposed upon the offender for the violation of division (C) of this section, reduced by the total amount of time that the offender actually was imprisoned under the sentence or term that was imposed upon the offender for that violation and by the total amount of time that the offender was confined for any reason arising out of the offense for which the offender was convicted and sentenced as

described in sections 2949.08 and 2967.191 of the Revised Code, and that, if the court orders that the offender be so committed, the court is authorized, but not required, to grant the offender credit upon the period of the commitment for the community service work that the offender adequately performed.

(b) If a court, pursuant to this division and division (E)(5)(d)(i) of this section, orders an offender to perform community service work as part of the offender's community control sanction or sentence and if the offender does not adequately perform all of the required community service work, as determined by the court, the court may order that the offender be committed to a jail or workhouse for a period of time that does not exceed the term of imprisonment that the court could have imposed upon the offender for the violation of division (C) of this section, reduced by the total amount of time that the offender actually was imprisoned under the sentence or term that was imposed upon the offender for that violation and by the total amount of time that the offender was confined for any reason arising out of the offense for which the offender was convicted and sentenced as described in sections 2949.08 and 2967.191 of the Revised Code. The court may order that a person committed pursuant to this division shall receive hour-for-hour credit upon the period of the commitment for the community service work that the offender adequately performed. No commitment pursuant to this division shall exceed the period of the term of imprisonment that the sentencing court could have imposed upon the offender for the violation of division (C) of this section, reduced by the total amount of time that the offender actually was imprisoned under that sentence or term and by the total amount of time that the offender was confined for any reason arising out of the offense for which the offender was convicted and sentenced as described in sections 2949.08 and 2967.191 of the Revised Code.

(2) Divisions (E)(5)(d)(i) and (F)(1) of this section do not limit or affect the authority of the court to suspend the sentence imposed upon a misdemeanor offender and place the offender on probation or otherwise suspend the sentence pursuant to sections 2929.51 and 2951.02 of the Revised Code, to require the misdemeanor offender, as a condition of the offender's probation or of otherwise suspending the offender's sentence, to perform supervised community service work in accordance with division (F) of section 2951.02 of the Revised Code, or to place a felony offender under a community control sanction.

(G) If a court suspends an offender's driver's or commercial driver's license or permit or nonresident operating privilege under division (E)(5)(d)(ii) of this section, the period of the suspension shall be consecutive

to, and commence after, the period of suspension or revocation of the offender's driver's or commercial driver's license or permit or nonresident operating privilege that is imposed under Chapter 4506., 4507., 4509., or 4511. of the Revised Code or under any other provision of law in relation to the violation of division (C) of this section that is the basis of the suspension under division (E)(5)(d)(ii) of this section or in relation to the violation of division (A) of section 4511.19 of the Revised Code that is the basis for that violation of division (C) of this section.

If an offender's license, permit, or privilege has been suspended under division (E)(5)(d)(ii) of this section and the offender, within the preceding seven years, has been convicted of or pleaded guilty to three or more violations of division (C) of this section, division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, the offender is not entitled to request, and the court shall not grant to the offender, occupational driving privileges under this division. Any other offender whose license, permit, or nonresident operating privilege has been suspended under division (E)(5)(d)(ii) of this section may file with the sentencing court a petition alleging that the suspension would seriously affect the offender's ability to continue employment. Upon satisfactory proof that there is reasonable cause to believe that the suspension would seriously affect the offender's ability to continue employment, the court may grant the offender occupational driving privileges during the period during which the suspension otherwise would be imposed, except that the court shall not grant occupational driving privileges for employment as a driver of commercial motor vehicles to any person who is disqualified from operating a commercial motor vehicle under section 2301.374 or 4506.16 of the Revised Code.

(H)(1) If a person violates division (C) of this section and if, at the time

of the violation, there were two or more children under eighteen years of age in the motor vehicle involved in the violation, the offender may be convicted of a violation of division (C) of this section for each of the children, but the court may sentence the offender for only one of the violations.

(2)(a) If a person is convicted of or pleads guilty to a violation of division (C) of this section but the person is not also convicted of and does not also plead guilty to a separate charge charging the violation of division (A) of section 4511.19 of the Revised Code that was the basis of the charge of the violation of division (C) of this section, both of the following apply:

(i) For purposes of the provisions of section 4511.99 of the Revised Code that set forth the penalties and sanctions for a violation of division (A) of section 4511.19 of the Revised Code, the conviction of or plea of guilty to the violation of division (C) of this section shall not constitute a violation of division (A) of section 4511.19 of the Revised Code;

(ii) For purposes of any provision of law that refers to a conviction of or plea of guilty to a violation of division (A) of section 4511.19 of the Revised Code and that is not described in division (H)(2)(a)(i) of this section, the conviction of or plea of guilty to the violation of division (C) of this section shall constitute a conviction of or plea of guilty to a violation of division (A) of section 4511.19 of the Revised Code.

(b) If a person is convicted of or pleads guilty to a violation of division (C) of this section and the person also is convicted of or pleads guilty to a separate charge charging the violation of division (A) of section 4511.19 of the Revised Code that was the basis of the charge of the violation of division (C) of this section, the conviction of or plea of guilty to the violation of division (C) of this section shall not constitute, for purposes of any provision of law that refers to a conviction of or plea of guilty to a violation of division (A) of section 4511.19 of the Revised Code, a conviction of or plea of guilty to a violation of division (A) of section 4511.19 of the Revised Code.

(I) As used in this section, "community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

Sec. 3327.08. Boards of education of city school districts, local school districts, exempted village school districts, cooperative education school districts, and joint vocational school districts and governing boards of educational service centers may purchase on individual contract school buses and other equipment used in transporting children to and from school and to other functions as authorized by the boards, or the boards ~~may~~, at their discretion, may purchase ~~such~~ the buses and equipment through ~~whatever~~ any system of centralized purchasing is established by the state

department of education for ~~such~~ that purpose, provided that state subsidy payments shall be based on the amount of the lowest price available to the boards by either method of purchase. No ~~such~~ board shall be deprived of any form of state assistance in the purchase of ~~said~~ buses and equipment by reason of purchases of ~~said~~ buses and equipment on an individual contract.

The purchase of school buses shall be made only after competitive bidding in accordance with section 3313.46 of the Revised Code. All bids shall state that the buses, prior to delivery, will comply with the safety ~~regulations~~ rules of the department of education ~~adopted by and with the advice and consent of the director~~ of public safety adopted pursuant to section 4511.76 of the Revised Code and all other pertinent provisions of law.

Sec. 4501.01. As used in this chapter and Chapters 4503., 4505., 4507., 4509., 4511., 4513., 4515., and 4517. of the Revised Code, and in the penal laws, except as otherwise provided:

(A) "Vehicles" means everything on wheels or runners, including motorized bicycles, but does not mean vehicles that are operated exclusively on rails or tracks or from overhead electric trolley wires and vehicles that belong to any police department, municipal fire department, or volunteer fire department, or that are used by such a department in the discharge of its functions.

(B) "Motor vehicle" means any vehicle, including manufactured homes and recreational vehicles, that is propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires, except motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, well-drilling machinery, ditch-digging machinery, farm machinery, trailers that are used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed of twenty-five miles per hour or less, threshing machinery, hay-baling machinery, corn sheller, hammermill and agricultural tractors, machinery used in the production of horticultural, agricultural, and vegetable products, and trailers that are designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a public road or highway for a distance of no more than ten miles and at a speed of twenty-five miles per hour or less.

(C) "Agricultural tractor" and "traction engine" mean any self-propelling vehicle that is designed or used for drawing other vehicles or

wheeled machinery, but has no provisions for carrying loads independently of such other vehicles, and that is used principally for agricultural purposes.

(D) "Commercial tractor," except as defined in division (C) of this section, means any motor vehicle that has motive power and either is designed or used for drawing other motor vehicles, or is designed or used for drawing another motor vehicle while carrying a portion of the other motor vehicle or its load, or both.

(E) "Passenger car" means any motor vehicle that is designed and used for carrying not more than nine persons and includes any motor vehicle that is designed and used for carrying not more than fifteen persons in a ridesharing arrangement.

(F) "Collector's vehicle" means any motor vehicle or agricultural tractor or traction engine that is of special interest, that has a fair market value of one hundred dollars or more, whether operable or not, and that is owned, operated, collected, preserved, restored, maintained, or used essentially as a collector's item, leisure pursuit, or investment, but not as the owner's principal means of transportation. "Licensed collector's vehicle" means a collector's vehicle, other than an agricultural tractor or traction engine, that displays current, valid license tags issued under section 4503.45 of the Revised Code, or a similar type of motor vehicle that displays current, valid license tags issued under substantially equivalent provisions in the laws of other states.

(G) "Historical motor vehicle" means any motor vehicle that is over twenty-five years old and is owned solely as a collector's item and for participation in club activities, exhibitions, tours, parades, and similar uses, but that in no event is used for general transportation.

(H) "Noncommercial motor vehicle" means any motor vehicle, including a farm truck as defined in section 4503.04 of the Revised Code, that is designed by the manufacturer to carry a load of no more than one ton and is used exclusively for purposes other than engaging in business for profit.

(I) "Bus" means any motor vehicle that has motor power and is designed and used for carrying more than nine passengers, except any motor vehicle that is designed and used for carrying not more than fifteen passengers in a ridesharing arrangement.

(J) "Commercial car" means any motor vehicle that has motor power and is designed and used for carrying merchandise or freight, or that is used as a commercial tractor.

(K) "Bicycle" means every device, other than a tricycle that is designed solely for use as a play vehicle by a child, that is propelled solely by human

power upon which any person may ride, and that has either two tandem wheels, or one wheel in front and two wheels in the rear, any of which is more than fourteen inches in diameter.

(L) "Motorized bicycle" means any vehicle that ~~has~~ either has two tandem wheels or one wheel in the front and two wheels in the rear, that is capable of being pedaled, and that is equipped with a helper motor of not more than fifty cubic centimeters piston displacement that produces no more than one brake horsepower and is capable of propelling the vehicle at a speed of no greater than twenty miles per hour on a level surface.

(M) "Trailer" means any vehicle without motive power that is designed or used for carrying property or persons wholly on its own structure and for being drawn by a motor vehicle, and includes any such vehicle that is formed by or operated as a combination of a semitrailer and a vehicle of the dolly type such as that commonly known as a trailer dolly, a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed greater than twenty-five miles per hour, and a vehicle that is designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a public road or highway for a distance of more than ten miles or at a speed of more than twenty-five miles per hour. "Trailer" does not include a manufactured home or travel trailer.

(N) "Noncommercial trailer" means any trailer, except a travel trailer or trailer that is used to transport a boat as described in division (B) of this section, but, where applicable, includes a vehicle that is used to transport a boat as described in division (M) of this section, that has a gross weight of no more than three thousand pounds, and that is used exclusively for purposes other than engaging in business for a profit.

(O) "Manufactured home" means any nonself-propelled vehicle transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Calculations used to determine the number of square feet in a structure are based on the structure's exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows.

(P) "Semitrailer" means any vehicle of the trailer type that does not have motive power and is so designed or used with another and separate motor vehicle that in operation a part of its own weight or that of its load, or both, rests upon and is carried by the other vehicle furnishing the motive power for propelling itself and the vehicle referred to in this division, and includes, for the purpose only of registration and taxation under those chapters, any vehicle of the dolly type, such as a trailer dolly, that is designed or used for the conversion of a semitrailer into a trailer.

(Q) "Recreational vehicle" means a vehicular portable structure that is designed and constructed to be used as a temporary dwelling for travel, recreational, and vacation uses and is classed as follows:

(1) "Travel trailer" means a nonself-propelled recreational vehicle that does not exceed an overall length of thirty-five feet, exclusive of bumper and tongue or coupling, and includes a tent-type fold-out camping trailer as defined in section 4517.01 of the Revised Code.

(2) "Motor home" means a self-propelled recreational vehicle that is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.

(3) "Truck camper" means a nonself-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. "Truck camper" does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling.

(4) "Fifth wheel trailer" means a vehicle that is of such size and weight as to be movable without a special highway permit, that has a gross trailer area of four hundred square feet or less, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck.

(5) "Park trailer" means a vehicle that is commonly known as a park model recreational vehicle, meets the American national standard institute standard A119.5 (1988) for park trailers, is built on a single chassis, has a gross trailer area of four hundred square feet or less when set up, is designed for seasonal or temporary living quarters, and may be connected to utilities necessary for the operation of installed features and appliances.

(R) "Pneumatic tires" means tires of rubber and fabric or tires of similar material, that are inflated with air.

(S) "Solid tires" means tires of rubber or similar elastic material that are not dependent upon confined air for support of the load.

(T) "Solid tire vehicle" means any vehicle that is equipped with two or

more solid tires.

(U) "Farm machinery" means all machines and tools that are used in the production, harvesting, and care of farm products, and includes trailers that are used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed of twenty-five miles per hour or less.

(V) "Owner" includes any person, firm, or corporation other than a manufacturer or dealer that has title to a motor vehicle, except that in sections 4505.01 to 4505.19 of the Revised Code, "owner" includes in addition manufacturers and dealers.

(W) "Manufacturer" and "dealer" include all persons, firms, and corporations that are regularly engaged in the business of manufacturing, selling, displaying, offering for sale, or dealing in motor vehicles, at an established place of business that is used exclusively for the purpose of manufacturing, selling, displaying, offering for sale, or dealing in motor vehicles. A place of business that is used for manufacturing, selling, displaying, offering for sale, or dealing in motor vehicles shall be deemed to be used exclusively for those purposes even though snowmobiles or all-purpose vehicles are sold or displayed for sale thereat, even though farm machinery is sold or displayed for sale thereat, or even though repair, accessory, gasoline and oil, storage, parts, service, or paint departments are maintained thereat, or, in any county having a population of less than seventy-five thousand persons at the last federal census, even though a department in a place of business is used to dismantle, salvage, or rebuild motor vehicles by means of used parts, if such departments are operated for the purpose of furthering and assisting in the business of manufacturing, selling, displaying, offering for sale, or dealing in motor vehicles. Places of business or departments in a place of business used to dismantle, salvage, or rebuild motor vehicles by means of using used parts are not considered as being maintained for the purpose of assisting or furthering the manufacturing, selling, displaying, and offering for sale or dealing in motor vehicles.

(X) "Operator" includes any person who drives or operates a motor vehicle upon the public highways.

(Y) "Chauffeur" means any operator who operates a motor vehicle, other than a taxicab, as an employee for hire; or any operator whether or not the owner of a motor vehicle, other than a taxicab, who operates such vehicle for transporting, for gain, compensation, or profit, either persons or property owned by another. Any operator of a motor vehicle who is

voluntarily involved in a ridesharing arrangement is not considered an employee for hire or operating such vehicle for gain, compensation, or profit.

(Z) "State" includes the territories and federal districts of the United States, and the provinces of Canada.

(AA) "Public roads and highways" for vehicles includes all public thoroughfares, bridges, and culverts.

(BB) "Manufacturer's number" means the manufacturer's original serial number that is affixed to or imprinted upon the chassis or other part of the motor vehicle.

(CC) "Motor number" means the manufacturer's original number that is affixed to or imprinted upon the engine or motor of the vehicle.

(DD) "Bill of sale" means the written statement or document of transfer or conveyance required prior to January 1, 1938, to be executed and delivered by the corporation, partnership, association, or person selling, giving away, transferring, or passing title to a motor vehicle.

(EE) "Distributor" means any person who is authorized by a motor vehicle manufacturer to distribute new motor vehicles to licensed motor vehicle dealers at an established place of business that is used exclusively for the purpose of distributing new motor vehicles to licensed motor vehicle dealers, except when the distributor also is a new motor vehicle dealer, in which case the distributor may distribute at the location of the distributor's licensed dealership.

(FF) "Ridesharing arrangement" means the transportation of persons in a motor vehicle where the transportation is incidental to another purpose of a volunteer driver and includes ridesharing arrangements known as carpools, vanpools, and buspools.

(GG) "Apportionable vehicle" means any vehicle that is used or intended for use in two or more international registration plan member jurisdictions that allocate or proportionally register vehicles, that is used for the transportation of persons for hire or designed, used, or maintained primarily for the transportation of property, and that meets any of the following qualifications:

(1) Is a power unit having a gross vehicle weight in excess of twenty-six thousand pounds;

(2) Is a power unit having three or more axles, regardless of the gross vehicle weight;

(3) Is a combination vehicle with a gross vehicle weight in excess of twenty-six thousand pounds.

"Apportionable vehicle" does not include recreational vehicles, vehicles

displaying restricted plates, city pick-up and delivery vehicles, buses used for the transportation of chartered parties, or vehicles owned and operated by the United States, this state, or any political subdivisions thereof.

(HH) "Chartered party" means a group of persons who contract as a group to acquire the exclusive use of a passenger-carrying motor vehicle at a fixed charge for the vehicle in accordance with the carrier's tariff, lawfully on file with the ~~interstate commerce commission~~ United States department of transportation, for the purpose of group travel to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after having left the place of origin.

(II) "International registration plan" means a reciprocal agreement of member jurisdictions that is endorsed by the American association of motor vehicle administrators, and that promotes and encourages the fullest possible use of the highway system by authorizing apportioned registration of fleets of vehicles and recognizing registration of vehicles apportioned in member jurisdictions.

(JJ) "Restricted plate" means a license plate that has a restriction of time, geographic area, mileage, or commodity, and includes license plates issued to farm trucks under division (K) of section 4503.04 of the Revised Code.

(KK) "Gross vehicle weight," with regard to any commercial car, trailer, semitrailer, or bus that is taxed at the rates established under section 4503.042 of the Revised Code, means the unladen weight of the vehicle fully equipped plus the maximum weight of the load to be carried on the vehicle.

(LL) "Combined gross vehicle weight" with regard to any combination of a commercial car, trailer, and semitrailer, that is taxed at the rates established under section 4503.042 of the Revised Code, means the total unladen weight of the combination of vehicles fully equipped plus the maximum weight of the load to be carried on that combination of vehicles.

(MM) "Chauffeured limousine" means a motor vehicle that is designed to carry ~~fewer than nine~~ or fewer passengers and is operated for hire on an hourly basis pursuant to a prearranged contract for the transportation of passengers on public roads and highways along a route under the control of the person hiring the vehicle and not over a defined and regular route. "Prearranged contract" means an agreement, made in advance of boarding, to provide transportation from a specific location in a chauffeured limousine at a fixed rate per hour or trip. "Chauffeured limousine" does not include any vehicle that is used exclusively in the business of funeral directing.

Sec. 4501.021. (A) The registrar of motor vehicles may dispose of all

~~motor vehicle bureau~~ records of the bureau of motor vehicles pursuant to section 149.34 of the Revised Code.

The disposal of all records shall not take place when the registrar has received notice that a court case or other legal action is pending involving such records.

Any surplus from the sale of such records, after paying the cost of administering the destruction or sale of such records, shall be paid into the state treasury.

(B) Each deputy registrar shall retain in the deputy registrar's office a file containing copies of all records and transactions performed for the bureau. Copies of motor vehicle registration applications shall be retained for a period of eighteen months from the date of the record or transaction, whichever is later; copies of driver's license or identification card applications shall be retained for a period of four years from the date of the record or transaction, whichever is later; and all other records shall be retained for a period of three years from the date of the record or transaction, whichever is later. The retained records shall be available for public examination, but no person may make copies of the records for sale or distribution.

Sec. 4501.25. There is hereby created in the state treasury the state bureau of motor vehicles fund. The fund shall consist of all money collected by the registrar of motor vehicles, including taxes, fees, and fines levied, charged, or referred to in Chapters 4501., 4503., 4505., 4506., 4507., 4509., 4511., 4517., 4519., 4521., and sections 2301.374, 2935.27, 2937.221, 3407.168, 4738.06, 4738.13, and 4738.18 of the Revised Code unless otherwise designated by law. The fund shall be used to pay the expenses of administering the law relative to the powers and duties of the registrar of motor vehicles. All investment earnings of the fund shall be retained by the fund.

Sec. 4503.10. (A) Except as provided in section 4503.103 of the Revised Code, every owner of a motor vehicle and every person mentioned as owner in the last certificate of title, bill of sale, or sworn statement of ownership of a motor vehicle ~~which~~ that is operated or driven upon the public roads or highways shall cause to be filed each year, by mail or otherwise, in the office of the registrar of motor vehicles or a deputy registrar, a written application or a preprinted registration renewal notice issued under section 4503.102 of the Revised Code, the form of which shall be prescribed by the registrar, for registration for the following registration year, which shall begin on the first day of January of every calendar year and end on the thirty-first day of December in the same year. Applications

for registration and registration renewal notices shall be filed at the times established by the registrar pursuant to section 4503.101 of the Revised Code. Except as provided in division (J) of this section, applications for registration shall be made on blanks furnished by the registrar for that purpose, containing the following information:

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

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

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

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

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

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

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

(6) Whether the fees required to be paid for the registration or transfer of the motor vehicle, during the preceding registration year and during the preceding period of the current registration year, have been paid. Each application for registration shall be signed by the owner, directly or pursuant to obtaining a limited power of attorney authorized by the registrar for registration, or other document authorizing such signature.

(7) The owner's social security number, if assigned, or, where a motor vehicle to be registered is used for hire or principally in connection with any established business, the owner's federal taxpayer identification number.

(B) Each time the applicant first registers a motor vehicle in the applicant's name, the applicant shall present for inspection proper bills of sale or sworn statement of ownership, the originals of which have been filed with the clerk of the court of common pleas, or a certificate of the clerk certifying that such bills of sale or sworn statement of ownership have been filed with the clerk, or a certificate of title or a memorandum certificate showing title to the motor vehicle to be registered in the applicant. When a motor vehicle inspection and maintenance program is in effect under section

3704.14 of the Revised Code and rules adopted under it, each application for registration for a vehicle required to be inspected under that section and those rules shall be accompanied by an inspection certificate for the motor vehicle issued in accordance with that section. The application shall be refused if any of the following applies:

- (1) The application is not in proper form.
- (2) The application is prohibited from being accepted by division (D) of section 2935.27, division (A) of section 2937.221, division (B) of section 4507.168, or division (B)(1) of section 4521.10 of the Revised Code.
- (3) When applicable, proper bills of sale or sworn statement of ownership or proper certificate thereof or certificate of title or memorandum certificate does not accompany the application.
- (4) All registration and transfer fees for the motor vehicle, for the preceding year or the preceding period of the current registration year, have not been paid.
- (5) The owner or lessee does not have an inspection certificate for the motor vehicle as provided in section 3704.14 of the Revised Code, and rules adopted under it, if that section is applicable.

This section does not require the payment of license or registration taxes on a motor vehicle for any preceding year, or for any preceding period of a year, if the motor vehicle was not taxable for that preceding year or period under sections 4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the Revised Code. When a certificate of registration is issued upon the first registration of a motor vehicle by or on behalf of the owner, the official issuing the certificate shall indicate the issuance with a stamp on the certificate of title or memorandum certificate and on the inspection certificate for the motor vehicle, if any. The official also shall indicate, by a stamp or by such other means as the registrar prescribes, on the registration certificate issued upon the first registration of a motor vehicle by or on behalf of the owner the odometer reading of the motor vehicle as shown in the odometer statement included in or attached to the certificate of title. Upon each subsequent registration of the motor vehicle by or on behalf of the same owner, the official also shall so indicate the odometer reading of the motor vehicle as shown on the immediately preceding certificate of registration.

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

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

(D) Each deputy registrar shall be allowed a fee of two dollars and twenty-five cents for each application for registration and registration renewal notice the deputy registrar receives, which shall be for the purpose of compensating the deputy registrar for the deputy registrar's deputy's services, and such office and rental expenses, as may be necessary for the proper discharge of the deputy registrar's deputy's duties in the receiving of applications and renewal notices and the issuing of licenses.

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

(F) Each deputy registrar, upon receipt of any application for registration or registration renewal notice, together with the license fee and any; township motor vehicle license tax, or local motor vehicle license tax levied pursuant to Chapter 4504. of the Revised Code, shall transmit that fee and tax, if any, in the manner provided in this section, together with the original and duplicate copy of the application, to the registrar. The registrar, subject to the approval of the director of public safety, may deposit the funds collected by those deputies in a local bank or depository to the credit of the "state of Ohio, bureau of motor vehicles." Where a local bank or depository has been designated by the registrar, each deputy registrar shall deposit all moneys collected by the deputy registrar into that bank or depository not more than one business day after their collection and shall make reports to the registrar of the amounts so deposited, together with any other information, some of which may be prescribed by the treasurer of state, as the registrar may require and as prescribed by the registrar by rule.

The registrar, within three days after receipt of notification of the deposit of funds by a deputy registrar in a local bank or depository, shall draw on that account in favor of the treasurer of state. The registrar, subject to the approval of the director and the treasurer of state, may make reasonable rules necessary for the prompt transmittal of fees and for safeguarding the interests of the state and of counties, townships, and municipal corporations levying county or township motor vehicle license taxes, ~~township motor vehicle license taxes,~~ or municipal motor vehicle license taxes. The registrar may pay service charges usually collected by banks and depositories for such service. If deputy registrars are located in communities where banking facilities are not available, they shall transmit the fees forthwith, by money order or otherwise, as the registrar, by rule approved by the director and the treasurer of state, may prescribe. The registrar may pay the usual and customary fees for such service.

(G) This section does not prevent any person from making an application for a motor vehicle license directly to the registrar upon payment of a two dollars and twenty-five cents service fee for each application. ~~Each deputy registrar shall retain in the deputy registrar's deputy's office a copy of each application the deputy registrar receives for a period of three registration years. This copy shall be for public examination, but no person may make copies thereof for sale or distribution.~~

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

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

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

registration or preregistration.

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

(J) Application for registration under the international registration plan, as set forth in sections 4503.60 to 4503.66 of the Revised Code, shall be made to the registrar on forms furnished by the registrar. In accordance with international registration plan guidelines and pursuant to rules adopted by the registrar, the forms shall include the following:

- (1) A uniform mileage schedule;
- (2) The gross vehicle weight of the vehicle or combined gross vehicle weight of the combination vehicle as declared by the registrant;
- (3) Any other information the registrar requires by rule.

Sec. 4503.103. (A) ~~Any~~ The registrar of motor vehicles may adopt rules to permit any person or lessee, other than a person receiving an apportioned license plate under the international registration plan, who owns or leases ~~twenty ten~~ ten or more motor vehicles used principally in connection with any established business, ~~in accordance with rules adopted by the registrar of motor vehicles, may~~ to file a written application for registration for no more than ~~four~~ five succeeding registration years. The rules adopted by the registrar may designate the classes of motor vehicles that are eligible for such registration. At the time of application, all annual taxes and fees shall be paid for each year for which the person is registering. No person applying for a multi-year registration is entitled to a refund of any taxes or fees paid.

The registrar may adopt rules to permit any person, other than a person receiving an apportioned license plate under the international registration plan, who owns a motor vehicle to file an application for registration for the next two succeeding registration years.

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

(B) Upon receipt from the director of environmental protection of a notice issued under division (J) of section 3704.14 of the Revised Code indicating that an owner of a motor vehicle that is required to be inspected under that section who obtained a multi-year registration for the vehicle under division (A) of this section or rules adopted under that division has not obtained an inspection certificate for the vehicle in accordance with that section in a year intervening between the years of issuance and expiration of the multi-year registration in which the owner is required to have the vehicle inspected and obtain an inspection certificate for it under division (F)(1)(a) of that section, the registrar in accordance with Chapter 119. of the Revised Code shall issue an order to the owner impounding the certificate of registration and identification license plates for the vehicle. The order also shall prohibit the owner from obtaining or renewing a multi-year registration for any vehicle that is required to be inspected under that section, the district of registration of which is or is located in the same county as the county named in the order during the number of years after expiration of the current multi-year registration that equals the number of years for which the current multi-year registration was issued.

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

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

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

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

(D) The owner of a motor vehicle for which the certificate of registration and license plates have been impounded pursuant to an order issued under division (B) of this section, upon issuance of a modified order under division (C) of this section, may apply to the registrar for their return. A fee of two dollars and fifty cents shall be charged for the return of the certificate of registration and license plates for each vehicle named in the application.

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

(A) If a statutory merger or consolidation results in the transfer of ownership of a motor vehicle from a constituent corporation to the surviving corporation, or if the incorporation of a proprietorship or partnership results in the transfer of ownership of a motor vehicle from the proprietorship or partnership to the corporation, the registration shall be continued upon the filing by the surviving or new corporation, within thirty days of such transfer, of an application for an amended certificate of registration, unless such registration is prohibited by division (D) of section 2935.27, division (A) of section 2937.221, division (B) of section 4507.168, or division (B)(1) of section 4521.10 of the Revised Code. The application shall be accompanied by a service fee of two dollars and twenty-five cents, a transfer fee of one dollar, and the original certificate of registration. Upon a proper filing, the registrar of motor vehicles shall issue an amended certificate of registration in the name of the new owner.

(B) If the death of the owner of a motor vehicle results in the transfer of ownership of the motor vehicle to the surviving spouse of the owner or if a motor vehicle is owned by two persons under joint ownership with right of survivorship established under section 2106.17 of the Revised Code and one of those persons dies, the registration shall be continued upon the filing by the surviving spouse of an application for an amended certificate of registration, unless such registration is prohibited by division (D) of section 2937.27, division (A) of section 2937.221, division (B) of section 4507.168, or division (B)(1) of section 4521.10 of the Revised Code. The application shall be accompanied by a service fee of two dollars and twenty-five cents, a transfer fee of one dollar, the original certificate of registration, and, in relation to a motor vehicle that is owned by two persons under joint ownership with right of survivorship established under section 2106.17 of the Revised Code, by a copy of the certificate of title that specifies that the

vehicle is owned under joint ownership with right of survivorship. Upon a proper filing, the registrar shall issue an amended certificate of registration in the name of the surviving spouse.

(C) If the original owner of a motor vehicle that has been transferred makes application for the registration of another motor vehicle at any time during the remainder of the registration period for which the transferred motor vehicle was registered, the owner, unless such registration is prohibited by division (D) of section 2935.27, division (A) of section 2937.221, division (E) of section 4503.234, division (B) of section 4507.168, or division (B)(1) of section 4521.10 of the Revised Code, may file an application for transfer of the registration and, where applicable, the license plates, accompanied by a service fee of two dollars and twenty-five cents, a transfer fee of one dollar, and the original certificate of registration. The transfer of the registration and, where applicable, the license plates from the motor vehicle for which they originally were issued to a succeeding motor vehicle purchased by the same person in whose name the original registration and license plates were issued shall be done within a period not to exceed thirty days. During that thirty-day period, the license plates from the motor vehicle for which they originally were issued may be displayed on the succeeding motor vehicle, and the succeeding motor vehicle may be operated on the public roads and highways in this state.

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

(D) The owner of a commercial car having a gross vehicle weight or combined gross vehicle weight of more than ten thousand pounds may transfer the registration of that commercial car to another commercial car the owner owns without transferring ownership of the first commercial car,

unless registration of the second commercial car is prohibited by division (D) of section 2935.27, division (A) of section 2937.221, division (B) of section 4507.168, or division (B)(1) of section 4521.10 of the Revised Code. At any time during the remainder of the registration period for which the first commercial car was registered, the owner may file an application for the transfer of the registration and, where applicable, the license plates, accompanied by a service fee of two dollars and twenty-five cents, a transfer fee of one dollar, and the certificate of registration of the first commercial car. The amount of any tax due or credit to be allowed for a transfer of registration under this division shall be computed in accordance with division (C) of this section.

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

(E) Upon application to the registrar or a deputy registrar, a person who owns or leases a motor vehicle may transfer special license plates assigned to that vehicle to any other vehicle that the person owns or leases or that is owned or leased by the person's spouse. The application shall be accompanied by a service fee of two dollars and twenty-five cents, a transfer fee of one dollar, and the original certificate of registration. As appropriate, the application also shall be accompanied by a power of attorney for the registration of a leased vehicle and a written statement releasing the special plates to the applicant. Upon a proper filing, the registrar or deputy registrar shall assign the special license plates to the motor vehicle owned or leased by the applicant and issue a new certificate of registration for that motor vehicle.

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

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

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

Sec. 4503.19. Upon the filing of an application for registration and the payment of the tax therefor, the registrar of motor vehicles or a deputy registrar shall determine whether the owner has previously been issued license plates for the motor vehicle described in the application. If no license plates have previously been issued to the owner for that motor vehicle, the registrar or deputy registrar shall assign to the motor vehicle a distinctive

number and issue and deliver to the owner in such manner as the registrar may select a certificate of registration, in such form as the registrar shall prescribe, and, except as otherwise provided in this section, two license plates, duplicates of each other, and A validation stickers sticker, or A validation stickers sticker alone, to be attached to the number plates as provided in section 4503.191 of the Revised Code. The registrar or deputy registrar also shall charge the owner any fees required under division (C) of section 4503.10 of the Revised Code. Trailers, manufactured homes, semitrailers, the manufacturer thereof, the dealer, or in transit companies therein, shall be issued one license plate only and one validation sticker, or a validation sticker alone, which license plate and validation sticker shall be displayed only on the rear of such vehicles. A commercial tractor that does not receive an apportioned license plate under the international registration plan shall be issued one license plate and one validation sticker, which license plate and validation sticker shall be displayed on the front of the commercial tractor. An apportioned vehicle receiving an apportioned license plate under the international registration plan shall be issued one license plate only and one validation sticker, or a validation sticker alone; the license plate shall be displayed only on the front of a semitractor and on the rear of all other vehicles. School buses shall not be issued license plates, but shall bear identifying numbers in the manner prescribed by section 4511.764 of the Revised Code. The certificate of registration and license plates and validation stickers, or validation stickers alone, shall be issued and delivered to the owner in person or by mail. Chauffeured limousines shall be issued license plates, a validation sticker, and a livery sticker as provided in section 4503.24 of the Revised Code. In the event of the loss, mutilation, or destruction of any certificate of registration, or of any license plates or validation stickers, or in the event the owner chooses to replace license plates previously issued for a motor vehicle, or the registration certificate and license plates have been impounded as provided by division (F)(1) of section 4507.02 and division (A)(2) of section 4507.16 Of the Revised Code, the owner of a motor vehicle, or manufacturer or dealer, may obtain from the registrar, or from a deputy registrar if authorized by the registrar, a duplicate thereof or new license plates bearing a different number, if the registrar considers it advisable, upon filing an application prescribed by the registrar, and upon paying a fee of one dollar for such certificate of registration ~~and~~, a fee of five dollars for each set of two license plates, or three dollars for each single license plate or validation sticker ~~and a service fee of two dollars and twenty-five cents.~~ In addition, each applicant for a replacement certificate of registration, license plate, or validation sticker

shall pay the fees provided in divisions (C) and (D) of section 4503.10 Of the Revised Code.

Additionally, the registrar and each deputy registrar who either issues license plates and a validation sticker for use on any vehicle other than a commercial tractor, semitrailer, or apportioned vehicle, or who issues a validation sticker alone for use on such a vehicle and the owner has changed the owner's county of residence since the owner last was issued county identification stickers, also shall issue and deliver to the owner either one or two county identification stickers, as appropriate, which shall be attached to the license plates in a manner prescribed by the director of public safety. The county identification stickers shall prominently identify by name or number the county in which the owner of the vehicle resides at the time of registration.

Sec. 4503.21. No person who is the owner or operator of a motor vehicle shall fail to display in plain view on the front and rear of ~~such~~ the motor vehicle the distinctive number and registration mark, including any county identification sticker and any validation sticker issued under sections 4503.19 and 4503.191 of the Revised Code, furnished by the director of public safety, except that a manufacturer of motor vehicles or dealer therein, the holder of an in transit permit, and the owner or operator of a motorcycle, motorized bicycle, manufactured home, trailer, or semitrailer shall display on the rear only. A motor vehicle that is issued two license plates shall display the validation sticker on the rear license plate. A commercial tractor that does not receive an apportioned license plate under the international registration plan shall be issued one license plate and one validation sticker, which license plate and validation sticker shall be displayed on the front of the commercial tractor. An apportioned vehicle receiving an apportioned license plate under the international registration plan shall display the license plate only on the front of a ~~semitractor~~ commercial tractor and on the rear of all other vehicles. ~~Such number~~ All license plates shall be securely fastened so as not to swing, and shall not be covered by any material that obstructs their visibility.

No person to whom a temporary license placard or windshield sticker has been issued for the use of a motor vehicle under section 4503.182 of the Revised Code, and no operator of ~~such~~ that motor vehicle, shall fail to display ~~such~~ the temporary license placard in plain view from the rear of the vehicle either in the rear window or on an external rear surface of the motor vehicle, or fail to display ~~such~~ the windshield sticker in plain view on the rear window of the motor vehicle. ~~Such~~ no temporary license placard or windshield sticker shall ~~not~~ be covered by any material that obstructs its

visibility.

Sec. 4503.27. A manufacturer, dealer, or distributor shall make application for registration, for each place in this state at which the business of manufacturing, dealing, or distributing of motor vehicles is carried on. The application shall show the make of motor vehicles manufactured, dealt in, or distributed at such place and shall show the taxing district in which the place of business is located. Upon the filing of such application and the payment of the annual tax and postage therefor, the registrar of motor vehicles shall assign to the applicant a distinctive number which must be carried and displayed by each such motor vehicle in like manner as provided by law for other motor vehicles while it is operated on the public highway until it is sold or transferred. At the time the registrar assigns the distinctive number ~~he~~ the registrar shall furnish one placard with the number thereon. Such manufacturer, dealer, or distributor may procure a reasonable number of certified copies of the registration certificate upon the payment for each of a an annual fee of five dollars and the appropriate postage as required by the registrar. With each of ~~such the~~ certified copies the registrar shall furnish one placard with the same numbering provided in the original registration certificate, and shall add thereto such special designation as necessary to distinguish one set of placards from another.

The registrar shall not assign any distinctive number; and ~~he~~ shall not furnish any placards to any dealer or distributor unless ~~such the~~ dealer or distributor, at the time of making application for ~~such the~~ placards, produces evidence to show that ~~he the dealer or distributor~~ is the holder either of a motor vehicle dealer's license required by section 4517.04 or 4517.05 of the Revised Code; or a distributor's license required by section 4517.08 of the Revised Code. Such evidence shall be presented in the manner prescribed by the registrar.

Sec. 4503.301. (A) A manufacturer, dealer, or distributor of motor vehicles may apply for a reasonable number of commercial car demonstration ~~placard~~ placards. The application shall show the make of commercial cars, commercial tractors, trailers, and semitrailers manufactured, dealt, or distributed in and shall show the taxing district in which the applicant's place of business is located.

Upon the filing of such application and the payment of ~~a~~ an annual fee of five hundred dollars and appropriate postage as required by the registrar of motor vehicles, the registrar shall assign to the applicant a distinctive placard and number. Such placards shall be known as "commercial car demonstration placards," and shall ~~be valid for a period of one year from date of issue~~ expire on a date prescribed by the registrar. ~~Such~~ Upon the first

application by any person for such placards, the registrar shall prorate the annual fee in accordance with section 4503.11 Of the Revised Code; for all renewals or replacements of such placards, the registrar shall collect the full amount of the annual fee.

Commercial car demonstration placards may be displayed on commercial cars, commercial tractors, trailers and semitrailers owned by the manufacturer, dealer, or distributor, when ~~such~~ those vehicles are operated by or being demonstrated to a prospective purchaser. In addition to the purposes permitted by section 4503.30 of the Revised Code, the placards provided for in this section may be displayed on vehicles operated or used for delivery, hauling, transporting, or any other lawful purpose. When such placards are used, the placards provided for in section 4503.30 of the Revised Code need not be displayed.

The operator of any commercial car, commercial tractor, trailer, or semitrailer displaying the placards provided for in this section ~~shall~~, at all times, shall carry with ~~him~~ the operator a letter from the manufacturer, dealer, or distributor authorizing the use of such manufacturer's, dealer's, or distributor's commercial car demonstration placards.

When such placards are used on any commercial car or commercial tractor, such power unit shall be considered duly registered and licensed for the purposes of section 4503.38 of the Revised Code.

(B) No manufacturer, dealer, or distributor of motor vehicles shall use the commercial car demonstration placard for purposes other than those ~~provided in~~ authorized by this section.

Sec. 4503.31. As used in this section, "person" includes, but is not limited to, any person engaged in the business of manufacturing or distributing, or selling at retail, displaying, offering for sale, or dealing in, motorized bicycles who is not subject to section 4503.09 of the Revised Code, or an Ohio nonprofit corporation engaged in the business of testing of motor vehicles.

Persons other than manufacturers, dealers, or distributors may register annually with the registrar of motor vehicles and obtain placards to be displayed on motor vehicles as provided by this section. Applications for annual registration shall be made at the time provided for payment of the tax and postage imposed on manufacturers, dealers, or distributors and shall be in the manner to be prescribed by the registrar. The fee for such registration shall be twenty-five dollars and shall not be reduced when the registration is for a part of a year. Applicants may procure a reasonable number of certified copies of such registration upon the payment of a fee of five dollars and appropriate postage as required by the registrar for each ~~such~~ copy.

Upon the filing of the application and the payment of the fee and postage prescribed by this section, the registrar shall issue to each applicant a certificate of registration and assign a distinctive number and furnish one placard with the number thereon. With each of the certified copies of the registration provided for in this section the registrar shall furnish one placard with the same numbering assigned in the original registration certificate and shall add thereto such special designation as necessary to distinguish one set of placards from another. All placards furnished by the registrar pursuant to this section shall be so marked as to be distinguishable from placards issued dealers, manufacturers, or distributors. Placards issued pursuant to this section may be used only on motor vehicles or motorized bicycles owned and being used in testing or being demonstrated for purposes of sale or lease; or on motor vehicles subject to the rights and remedies of a secured party being exercised under sections 1309.01 to 1309.50 of the Revised Code; or on motor vehicles being held or transported by any insurance company for purposes of salvage disposition; or on motor vehicles being transported by any persons regularly engaged in salvage operations or scrap metal processing from the point of acquisition to their established place of business; or on motor vehicles owned by or in the lawful possession of an Ohio nonprofit corporation while being used in the testing of those motor vehicles.

Placards issued pursuant to this section ~~may~~ also may be used by persons regularly and primarily engaged in the business of rustproofing, reconditioning, or installing equipment or trim on motor vehicles for motor vehicle dealers when such motor vehicles are being transported to or from the motor vehicle dealer's place of business; and by persons engaged in manufacturing articles for attachment to motor vehicles when such motor vehicles are being transported to or from places where mechanical equipment is attached to the chassis of such new motor vehicles; or on motor vehicles being towed by any persons regularly and primarily engaged in the business of towing motor vehicles while such vehicle is being towed to a point of storage.

Placards issued pursuant to this section ~~may~~ also may be used on trailers being transported by persons engaged in the business of selling tangible personal property other than motor vehicles.

No person required to register an apportionable vehicle under the international registration plan shall apply for or receive a placard for that vehicle under this section.

The fees collected by the registrar pursuant to this section shall be paid into the state bureau of motor vehicles fund established in section 4501.25

of the Revised Code and used for the purposes described in that section.

Sec. 4503.311. A manufacturer of or dealer in trailers for transporting watercraft may apply for registration with the registrar of motor vehicles for each place in this state where ~~he~~ the manufacturer or dealer carries on the business of manufacturing or dealing in such trailers. Applications for annual registration shall be made at the time provided for payment of the tax imposed on manufacturers and dealers by section 4503.09 of the Revised Code and shall be in the manner to be prescribed by the registrar. The fee for such registration shall be twenty-five dollars and shall not be reduced when the registration is for a part of a year.

Upon the filing of such application and the payment of ~~such~~ the fee, and appropriate postage as required by the registrar of motor vehicles, ~~the registrar~~ shall assign to the applicant a distinctive number which shall be displayed on the rear of each trailer while it is operated on the public highway. Such trailer may be operated on the public highway while loaded, until it is sold or transferred. At the time the registrar assigns the distinctive number, ~~he~~ the registrar shall furnish one placard with the number thereon. Such manufacturer or dealer may procure a reasonable number of certified copies of the registration certificate upon the payment of a fee of five dollars and postage. With each of such certified copies, the registrar shall furnish one placard with the same number provided in the original registration certificate, and shall add thereto such special designation as necessary to distinguish one set of placards from another. All placards furnished by the registrar pursuant to this section shall be so marked as to be distinguishable from placards issued to dealers in or manufacturers of motor vehicles.

The fees collected by the registrar pursuant to this section shall be paid into the state bureau of motor vehicles fund established in section 4501.25 of the Revised Code and used for the purposes described in that section.

Sec. 4503.312. As used in this section:

(A) "Utility trailer" means any trailer, except a travel trailer or trailer for transporting watercraft, having a gross weight of less than four thousand pounds.

(B) "Snowmobile" and "all-purpose vehicle" have the same meaning as in section 4519.01 of the Revised Code.

(C) "Distributor" means any person authorized by a manufacturer of utility trailers or trailers for transporting motorcycles, snowmobiles, or all-purpose vehicles to distribute new trailers to persons for purposes of resale.

A manufacturer or distributor of utility trailers or trailers for transporting motorcycles, snowmobiles, or all-purpose vehicles may apply

for registration with the registrar of motor vehicles for each place in this state where ~~he~~ the manufacturer or distributor carries on the business of manufacturing or distributing such trailers. Applications for annual registration shall be made at the time provided for payment of the tax imposed by section 4503.09 of the Revised Code; shall be in the manner to be prescribed by the registrar; and shall be accompanied by an affidavit certifying that the applicant is a manufacturer or distributor of utility trailers or trailers for transporting motorcycles, snowmobiles, or all-purpose vehicles. The fee for such registration shall be twenty-five dollars and shall not be reduced when the registration is for a part of a year.

Upon the filing of the application and affidavit, and payment of the fee and appropriate postage as required by the registrar, the registrar shall assign to the applicant a distinctive number which shall be displayed on the rear of each trailer when it is operated on the public highway. Any trailer for transporting motorcycles, snowmobiles, or all-purpose vehicles that is not loaded may be operated on the public highway until it is sold or transferred; and any utility trailer that is not loaded, or that is being used to transport another utility trailer for purposes of demonstration or delivery, may be operated on the public highway until it is sold or transferred.

At the time the registrar assigns the distinctive number, ~~he~~ the registrar shall furnish one placard with the number thereon. The manufacturer or distributor may procure a reasonable number of certified copies of the registration certificate upon the payment of a fee of five dollars and postage. With each of such certified copies, the registrar shall furnish one placard with the same number provided in the original registration certificate, and shall add thereto such special designation as necessary to distinguish one set of placards from another. All placards furnished by the registrar pursuant to this section shall be so marked as to be distinguishable from placards issued to dealers in or manufacturers of motor vehicles or trailers for transporting watercraft.

The fees collected by the registrar pursuant to this section shall be paid into the state bureau of motor vehicles fund established by section 4501.25 of the Revised Code and used for the purposes described in that section.

Sec. 4503.33. A person, firm, or corporation engaged in this state as a drive-away operator or trailer transporter or both in the business of transporting and delivering, by means of the full mount method, the saddle mount method, the tow bar method, tow-away method, or any combination thereof, or under their own power, new motor vehicles from the manufacturer or any other point of origin to any point of destination, or used motor vehicles from any individual, firm, or corporation to any point of

destination, or both, shall make application to the registrar of motor vehicles for an "in transit" permit. This application shall be accompanied by a registration fee of fifty dollars, and shall show such information as ~~deemed~~ is considered necessary by the registrar. Upon the filing of the application and the payment of the annual fee and appropriate postage as required by the registrar, the registrar shall issue to each permittee a certificate of registration bearing a distinctive number or designation of the registration and one placard bearing a corresponding number or designation, which placard must be carried and displayed by each such motor vehicle in like manner as provided by law for other motor vehicles while operated upon a public highway in transit from the manufacturer or any other point of origin to any point of destination.

~~Such~~ A permittee may procure a reasonable number of certified copies of such registration certificate upon the payment of a fee of three dollars and postage. With each such certified copy the registrar shall furnish one placard with the same numbering or designation provided in the original registration certificate, and ~~he~~ the registrar may add thereto such special designation as may be necessary to distinguish one placard from another.

No person required to register an apportionable vehicle under the international registration plan shall apply for or receive a placard for that vehicle under this section.

Sec. 4503.77. (A) As used in this section, "nonstandard license plate" means all of the following:

(1) A license plate issued under sections 4503.52, 4503.55, 4503.56, 4503.57, 4503.70, 4503.71, ~~and~~ 4503.72, and 4503.75 of the Revised Code;

(2) A license plate issued under a program that is reestablished under division (D) of this section and that meets the requirements contained in division (B) of section 4503.78 of the Revised Code;

(3) Except as may otherwise be specifically provided by law, any license plate created after the effective date of this section.

(B)(1) If, during any calendar year commencing with 1998, the total number of motor vehicle registrations involving a particular type of nonstandard license plate is less than one thousand, including both new registrations and registration renewals, the registrar of motor vehicles, on or after the first day of January, but not later than the fifteenth day of January of the following year, shall send a written notice to the sponsor of that type of nonstandard license plate, if a sponsor exists, informing the sponsor of this fact. The registrar also shall inform the sponsor that if, during the calendar year in which the written notice is sent, the total number of motor vehicle registrations involving the sponsor's nonstandard license plate again

is less than one thousand, the program involving that type of nonstandard license plate will be terminated on the thirty-first day of December of the calendar year in which the written notice is sent and, except as provided in division (C) of this section, no motor vehicle registration application involving either the actual issuance of that type of nonstandard license plate or the registration renewal of a motor vehicle displaying that type of nonstandard license plate will be accepted by the registrar or a deputy registrar beginning the first day of January of the next calendar year. The registrar also shall inform the sponsor that if the program involving the sponsor's nonstandard license plate is terminated under this section, it may be reestablished pursuant to division (D) of this section.

(2) If, during any calendar year commencing with 1998, the total number of motor vehicle registrations involving a particular type of nonstandard license plate is less than one thousand, including both new registrations and registration renewals, and no sponsor exists for that license plate, the registrar shall issue a public notice on or after the first day of January, but not later than the fifteenth day of January of the following year, stating that fact. The notice also shall inform the public that if, during the calendar year in which the registrar issues the public notice, the total number of motor vehicle registrations for that type of nonstandard license plate, including both new registrations and registration renewals, again is less than one thousand, the program involving that type of nonstandard license plate will be terminated on the thirty-first day of December of the calendar year in which the registrar issues the public notice and, except as provided in division (C) of this section, no motor vehicle registration application involving either the actual issuance of that type of nonstandard license plate or the registration renewal of a motor vehicle displaying that type of nonstandard license plate will be accepted by the registrar or a deputy registrar beginning on the first day of January of the next calendar year.

(C) If the program involving a type of nonstandard license plate is terminated under division (B) of this section, the registration of any motor vehicle displaying that type of nonstandard license plate at the time of termination may be renewed so long as the nonstandard license plates remain serviceable. If the nonstandard license plates of such a motor vehicle become unfit for service, the owner of the motor vehicle may apply for the issuance of nonstandard license plates of that same type, but the registrar or deputy registrar shall issue such nonstandard license plates only if at the time of application the stock of the bureau contains license plates of that type of nonstandard license plate. If, at the time of such application, the stock of the bureau does not contain license plates of that type of

standard license plate, the registrar or deputy registrar shall inform the owner of that fact, and the application shall be refused.

If the program involving a type of nonstandard license plate is terminated under division (B) of this section and the registration of motor vehicles displaying such license plates continues as permitted by this division, the registrar, for as long as such registrations continue to be issued, shall continue to collect and distribute any contribution that was required to be collected and distributed prior to the termination of that program.

(D) If the program involving a nonstandard license plate is terminated under division (B)(1) of this section, the sponsor of that license plate may apply to the registrar for the reestablishment of the program. If the program involving that nonstandard license plate is reestablished, the reestablishment is subject to division (B) of section 4503.78 of the Revised Code.

Sec. 4503.84. The registrar of motor vehicles ~~shall~~ may prescribe rules to make license plates and validation stickers available for purchase in the year following the expiration of the license plate and validation sticker or when the license plate design no longer is issued or in service. The price of each license plate shall be five dollars; the price of each validation sticker shall be two dollars.

Sec. 4505.07. (A) A certificate of title shall be printed upon a special paper with a secure printing process or other secure process, for the printing of motor vehicle titles, as required by section 2 of the "Truth in Mileage Act of 1986," 100 Stat. 3309, 15 U.S.C.A. 1901 et seq.

(B) Every certificate of title shall bear the distinguishing number assigned to the title, and shall contain, on the front of the certificate, the following information:

- (1) An indication that the certificate is issued in this state;
- (2) The county in which the certificate is issued;
- (3) An indication that the certificate is an original, memorandum, duplicate, or salvage certificate;
- (4) The date of issuance of the certificate;
- (5) The name and address of the owner, in full;
- (6) The name and address of the previous owner, in full;
- (7) The previous certificate of title number;
- (8) The state in which the vehicle previously was titled;
- (9) The make, body type, year, model, and vehicle identification number of the vehicle;
- (10) First and second lien notation information, including the name and address of the lienholder in full and the date of the lien notation;
- (11) For discharging and canceling the lien notation, a notice that states:

"lien discharge," a space for the signature of the lienholder, the discharge date, a space for the signature of the clerk of the court of common pleas, the cancellation date, and a space for the notation of the deputy clerk;

(12) The purchase price of the motor vehicle and the amount of Ohio sales or use tax paid;

(13) The mileage registered on the odometer and the status of the odometer of the vehicle at the time the previous title was assigned;

(14) A space for the seal of the clerk;

(15) The signature of the clerk;

(16) A space for the notation of the deputy clerk;

(17) A space for other pertinent information as may be required by the registrar of motor vehicles;

(18) A consecutive number for control purposes;

(19) In the case of a vehicle last previously registered in another state, a space to be used for recording any notation applicable to the vehicle and the abbreviation of the state in which the vehicle was last registered, as required by divisions (B)(1) and (2) of section 4505.08 of the Revised Code;

(20) In the case of a vehicle last previously registered in this state, a space to be used for recording any information applicable to the vehicle as required by division (C) of section 4505.08 Of the Revised Code or by rule of the registrar of motor vehicles adopted under that division.

(C) If the certificate of title is a duplicate certificate, that fact and the original title number must be stated on the front of the duplicate certificate.

(D) If the certificate of title is a memorandum certificate, that fact and the original title number must be stated on the front of the memorandum certificate.

(E) If the certificate of title is a salvage certificate, that fact and the original title number must be stated on the front of the salvage certificate.

(F) The following information shall appear on the reverse side of each certificate of title:

(1) A notice in bold lettering that states: "ERASURES AND ALTERATIONS VOID THIS TITLE ASSIGNMENT. (Type or print in ink.)";

(2) The total consideration of the vehicle;

(3) A disclosure that states: "I (we) certify the vehicle described in this title was transferred for the price of \$..... to:" and the printed name and address of the buyer in full;

(4) An odometer certification statement that states: "Federal and state laws require that you state the mileage in connection with transfer of ownership. Failure to complete or providing false information may result in

finer and imprisonment."

The odometer certification language as required by federal law and division (C) of section 4505.06 of the Revised Code.

(5) A disclosure that states: "I (we) warrant the title to be free of all liens.";

(6) A space for the signature of the transferor and the transferor's printed name and address in full;

(7) A space for the seal of the clerk or a notary;

(8) The acknowledgment statement of the clerk, the deputy clerk, or a notary;

(9) A space for the signature of the clerk, the deputy clerk, or a notary;

(10) The buyer's odometer acknowledgment statement, with a space for the buyer's printed name and address;

(11) A notice in bold lettering that states: "WARNING TO TRANSFEROR AND TRANSFEREE (SELLER AND BUYER): You are required by law to state the true selling price. A false statement is in violation of section 2921.13 of the Revised Code and is punishable by six months' imprisonment or a fine of up to one thousand dollars, or both. All transfers are audited by the department of taxation.

The seller and buyer must provide any information requested by the department of taxation. The buyer may be assessed any additional tax found to be due."

(12) An application for a certificate of title, memorandum certificate of title, or salvage certificate of title, as prescribed by the registrar, which shall include all of the following:

(a) A disclosure that states: "Application for certificate of title (type or print in ink)";

(b) A disclosure that states: "Fee of \$5.00 for failure to apply for title within 30 days of assignment.";

(c) A space for the applicant's printed name and address:

(d) A ~~pace~~ space for the applicant's social security number or employer's identification number;

(e) A space for the purchase price, tax paid, or tax exemption reason, or dealer's permit number, and vendor's number, and condition of the vehicle;

(f) A disclosure statement that states: "Lien information: If no lien state "none." If more than one lien, attach statement of all additional liens.";

(g) A space for the lienholder's name and address; ~~dress~~;

(h) A disclosure statement that states: "I (we) state that all information contained in this application is true and correct.";

(i) A space for the applicant's signature;

(j) A space for the acknowledgment statement of the clerk, the deputy clerk, or a notary;

(k) A space for the seal of the clerk or a notary;

(l) A space for the signature of the clerk, the deputy clerk, or a notary;

(m) Any other pertinent information as may be required by the registrar.

Sec. 4505.08. (A) The clerk of the court of common pleas shall issue certificates of title in duplicate. One copy shall be retained and filed by the clerk in the clerk's office. The clerk shall sign and affix the clerk's seal to the original certificate of title and, if there are no liens on the motor vehicle, shall deliver the certificate to the applicant or the selling dealer. If there are one or more liens on the motor vehicle, the certificate of title shall be delivered to the holder of the first lien or the selling dealer, who shall deliver the certificate of title to the holder of the first lien.

The registrar of motor vehicles shall prescribe a uniform method of numbering certificates of title, and such numbering shall be in such manner that the county of issuance is indicated. The clerk shall assign numbers to certificates of title in the manner prescribed by the registrar. The clerk shall file all certificates of title according to regulations to be prescribed by the registrar, and the clerk shall maintain in the clerk's office indexes for the certificates of title.

The clerk need not retain on file any current certificates of title, current duplicate certificates of title, current memorandum certificates of title, or current salvage certificates of title, or supporting evidence thereof covering any motor vehicle or manufactured home for a period longer than seven years after the date of its filing; thereafter the same may be destroyed. The clerk need not retain on file any inactive records including certificates of title, duplicate certificates of title, memorandum certificates of title, or supporting evidence thereof covering any motor vehicle or manufactured home for a period longer than five years after the date of its filing; thereafter, the same may be destroyed. The clerk shall retain the active index and all active records in the data base of the computer in the clerk's office, and shall retain in the data base a record and index of all inactive titles for ten years. If the clerk provides a written copy of any information contained in the data base, the copy shall be considered the original for purposes of the clerk certifying the record of such information for use in any legal proceeding.

(B)(1) If the clerk issues a certificate of title for a motor vehicle that was last previously registered in another state, the clerk shall record verbatim, where practicable, in the space on the title described in division (B)(19) of section 4505.07 of the Revised Code, the words that appear as a notation to

he vehicle on the title issued by the previous state. These notations may include, but are not limited to, words to the effect that the vehicle was considered or was categorized by the state in which it was last previously registered to be a law enforcement vehicle, a taxicab, or was once in a flood.

(2) If the clerk, while issuing a certificate of title for a motor vehicle that was last previously registered in another state, receives information from the automated title processing system indicating that a title to the vehicle previously was issued by this state and that the previous title contained notations that appeared in the space described in division (B)(19) or (20) of section 4505.07 of the Revised Code, the clerk shall enter the notations that appeared on the previous certificate of title issued by this state on the new certificate of title in the space described in division (B)(19) or (20) of section 4505.07 of the Revised Code, irrespective of whether the notations appear on the certificate of title issued by the state in which the vehicle was last previously registered.

(3) If the clerk, while issuing a certificate of title for a motor vehicle that was last previously registered in another state, receives information from the automated title processing system indicating that the vehicle was previously issued a title by this state and that the previous title bore the notation "REBUILT SALVAGE" as required by division (E) of section 4505.11 of the Revised Code, or the previous title to the vehicle issued by this state was a salvage certificate of title, the clerk shall cause the certificate of title the clerk issues to bear the notation "REBUILT SALVAGE" in the location prescribed by the registrar pursuant to that division.

(C) When the clerk issues a certificate of title for a motor vehicle that was last previously registered in this state and was a law enforcement vehicle, a taxicab, or was once in a flood, the clerk shall record that information in the space on the title described in division (B)(20) of section 4505.07 Of the Revised Code. The registrar, by rule, may prescribe any additional uses of or happenings to a motor vehicle that the registrar has reason to believe should be noted on the certificate of title as provided in this division.

~~(4)(D)~~ The clerk shall use reasonable care in recording or entering onto titles the clerk issues any notation and information the clerk is required by ~~division~~ divisions (B) and (C) of this section to record or enter and in causing the titles the clerk issues to bear any notation required by ~~that division~~ those divisions, but the clerk is not liable for any of the clerk's errors or omissions or those of the clerk's deputies, or the automated title processing system, in the performance of the duties imposed on the clerk by this section.

~~(C)~~(E) The clerk may issue a duplicate title, when duly applied for, of any title that has been destroyed as herein provided.

Sec. 4505.11. (A) Each owner of a motor vehicle and each person mentioned as owner in the last certificate of title, when the motor vehicle is dismantled, destroyed, or changed in such manner that it loses its character as a motor vehicle, or changed in such manner that it is not the motor vehicle described in the certificate of title, shall surrender the certificate of title to that motor vehicle to the clerk of the court of common pleas who issued it, and thereupon the clerk, with the consent of any holders of any liens noted thereon, shall enter a cancellation upon the clerk's records and shall notify the registrar of motor vehicles of the cancellation.

Upon the cancellation of a certificate of title in the manner prescribed by this section, the clerk and the registrar of motor vehicles may cancel and destroy all certificates and all memorandum certificates in that chain of title.

(B) Where an Ohio certificate of title or salvage certificate of title to a motor vehicle is assigned to a salvage dealer, the dealer is not required to obtain an Ohio certificate of title or a salvage certificate of title to the motor vehicle in the dealer's own name if the dealer dismantles or destroys the motor vehicle, indicates the number of the dealer's motor vehicle salvage dealer's license thereon, marks "FOR DESTRUCTION" across the face of the certificate of title or salvage certificate of title, and surrenders the certificate of title or salvage certificate of title to the clerk of the court of common pleas as provided in division (A) of this section. If the salvage dealer retains the motor vehicle for resale, the dealer shall make application for a salvage certificate of title to the motor vehicle in the dealer's own name as provided in division (C)(1) of this section.

(C)(1) When an insurance company declares it economically impractical to repair such a motor vehicle and has paid an agreed price for the purchase of the motor vehicle to any insured or claimant owner, the insurance company shall receive the certificate of title and the motor vehicle and; ~~except as provided in division (C)(2) of this section;~~ proceed as follows. Within thirty days the insurance company shall deliver the certificate of title to the clerk of the court of common pleas and shall make application for a salvage certificate of title. The clerk shall issue the salvage certificate of title on a form, prescribed by the registrar, that shall be easily distinguishable from the original certificate of title and shall bear the same number and information as the original certificate of title. The Except as provided in division (C)(2) of this section, the salvage certificate of title shall be assigned by the insurance company to a salvage dealer or any other person for use as evidence of ownership upon the sale or other disposition of the

motor vehicle, and the salvage certificate of title shall be transferrable to any other person. The clerk shall charge a fee of four dollars for the cost of processing each salvage certificate of title.

(2) If an insurance company considers a motor vehicle as described in division (C)(1) of this section to be impossible to restore for highway operation, the insurance company may assign the certificate of title to the motor vehicle to a salvage dealer or scrap metal processing facility and send the assigned certificate of title to the clerk of the court of common pleas of the county in which the salvage dealer or scrap metal processing facility is located. The insurance company shall mark the face of the certificate of title "FOR DESTRUCTION" and shall deliver a photocopy of the certificate of title to the salvage dealer or scrap metal processing facility for its records.

(3) If an insurance company declares it economically impractical to repair a motor vehicle, agrees to pay to the insured or claimant owner an amount in settlement of a claim against a policy of motor vehicle insurance covering the motor vehicle, and agrees to permit the insured or claimant owner to retain possession of the motor vehicle, the insurance company shall not pay the insured or claimant owner any amount in settlement of the insurance claim until the owner obtains a salvage certificate of title to the vehicle and furnishes a copy of the salvage certificate of title to the insurance company.

(D) When a self-insured organization, rental or leasing company, or secured creditor becomes the owner of a motor vehicle that is burned, damaged, or dismantled and is determined to be economically impractical to repair, the self-insured organization, rental or leasing company, or secured creditor shall do one of the following:

(1) Mark the face of the certificate of title to the motor vehicle "FOR DESTRUCTION" and surrender the certificate of title to the clerk of the court of common pleas for cancellation as described in division (A) of this section. The self-insured organization, rental or leasing company, or secured creditor thereupon shall deliver the motor vehicle, together with a photocopy of the certificate of title, to a salvage dealer or scrap metal processing facility and shall cause the motor vehicle to be dismantled, flattened, crushed, or destroyed.

(2) Obtain a salvage certificate of title to the motor vehicle in the name of the self-insured organization, rental or leasing company, or secured creditor, as provided in division (C)(1) of this section, and then sell or otherwise dispose of the motor vehicle. If the motor vehicle is sold, the self-insured organization, rental or leasing company, or secured creditor shall obtain a salvage certificate of title to the motor vehicle in the name of

the purchaser from the clerk of the court of common pleas of the county in which the purchaser resides.

(E) If a motor vehicle titled with a salvage certificate of title is restored for operation upon the highways, application shall be made to the clerk of the court of common pleas for a certificate of title. Upon inspection by the state highway patrol, which shall include establishing proof of ownership and an inspection of the motor number and vehicle identification number of the motor vehicle and of documentation or receipts for the materials used in restoration by the owner of the motor vehicle being inspected, which documentation or receipts shall be presented at the time of inspection, the clerk, upon surrender of the salvage certificate of title, shall issue a certificate of title for a fee prescribed by the registrar. The certificate of title shall be in the same form as the original certificate of title, shall bear the same number as the salvage certificate of title and the original certificate of title, and shall bear the words "REBUILT SALVAGE" in black boldface letters on its face. Every subsequent certificate of title, memorandum certificate of title, or duplicate certificate of title issued for the motor vehicle also shall bear the words "REBUILT SALVAGE" in black boldface letters on its face. The exact location on the face of the certificate of title of the words "REBUILT SALVAGE" shall be determined by the registrar, who shall develop an automated procedure within the automated title processing system to comply with this division. The clerk shall use reasonable care in performing the duties imposed on the clerk by this division in issuing a certificate of title pursuant to this division, but the clerk is not liable for any of the clerk's errors or omissions or those of the clerk's deputies, or the automated title processing system in the performance of those duties. A fee of forty dollars in fiscal year 1998 and fifty dollars in fiscal year 1999 and thereafter shall be assessed by the state highway patrol for each inspection made pursuant to this division and shall be deposited into the state highway safety fund established by section 4501.06 of the Revised Code.

(F) No person shall operate upon the highways in this state a motor vehicle, title to which is evidenced by a salvage certificate of title, except to deliver the motor vehicle pursuant to an appointment for an inspection under this section.

(G) No motor vehicle the certificate of title to which has been marked "FOR DESTRUCTION" and surrendered to the clerk of the court of common pleas shall be used for anything except parts and scrap metal.

Sec. 4506.01. As used in this chapter:

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

grams of alcohol per the following:

- (1) One hundred milliliters of blood;
- (2) Two hundred ten liters of breath;
- (3) One hundred milliliters of urine.

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

(C) "Commercial driver's license" means a license, ~~including a probationary commercial driver's license~~, issued in accordance with this chapter that authorizes an individual to drive a commercial motor vehicle.

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

(E) "Commercial motor vehicle" means any motor vehicle designed or used to transport persons or property that meets any of the following qualifications:

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

(2) Any single vehicle with a gross vehicle weight rating of twenty-six thousand one pounds or more, or any such vehicle towing a vehicle having a gross vehicle weight rating that is not in excess of ten thousand pounds;

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

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

(5) Is transporting hazardous materials for which placarding is required by regulations adopted under the "Hazardous Materials Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as amended;

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

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

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

amended;

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

(3) Any drug of abuse.

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

(H) "Disqualification" means withdrawal of the privilege to drive a commercial motor vehicle.

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

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

(K) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes an individual to drive.

(L) "Drug of abuse" means any controlled substance, dangerous drug as defined in section 4729.02 of the Revised Code, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes.

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

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

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

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

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

(R) "Hazardous materials" means materials identified as such under

regulations adopted under the "Hazardous Materials Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as amended.

(S) "Motor vehicle" has the same meaning as in section 4511.01 of the Revised Code.

(T) "Out-of-service order" means a temporary prohibition against driving a commercial motor vehicle issued under this chapter or a similar law of another state or of a foreign jurisdiction.

(U) "Residence" means any person's residence determined in accordance with ~~section 3503.02 of the Revised Code~~ standards prescribed in rules adopted by the registrar.

(V) "Temporary residence" means residence on a temporary basis as determined by the registrar in accordance with standards prescribed in rules adopted by the registrar.

(W) "Serious traffic violation" means a conviction arising from the operation of a commercial motor vehicle that involves any of the following:

(1) A single charge of any speed that is in excess of the posted speed limit by an amount specified by the United States secretary of transportation and that the director of public safety designates as such by rule;

(2) Violation of section 4511.20, 4511.201, or 4511.202 of the Revised Code or any similar ordinance or resolution, or of any similar law of another state or political subdivision of another state;

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

(4) Violation of any other law of this state or an ordinance or resolution relating to traffic control, other than a parking violation, that is determined to be a serious traffic violation by the United States secretary of transportation and the director designates as such by rule.

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

~~(X)~~(Y) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank that is either permanently or temporarily attached to the vehicle or its chassis, but does not include any portable tank having a rated capacity of less than one thousand gallons.

~~(Y)~~(Z) "United States" means the fifty states and the District of Columbia.

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

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

~~(BB) "Probationary commercial driver's license" means the license issued to a person between eighteen and twenty-one years of age.~~

Sec. 4506.08. (A) Each application for a commercial driver's license temporary instruction permit shall be accompanied by a fee of ten dollars; except as provided in division (B) of this section, each application for a commercial driver's license, restricted commercial driver's license, or renewal of such a license, ~~or for a probationary commercial driver's license~~ shall be accompanied by a fee of twenty-five dollars; and each application for a duplicate commercial driver's license shall be accompanied by a fee of ten dollars. In addition, the registrar of motor vehicles or deputy registrar may collect and retain an additional fee of no more than two dollars and twenty-five cents for each application for a commercial driver's license temporary instruction permit, commercial driver's license, renewal of a commercial driver's license, or duplicate commercial driver's license received by ~~him~~ the registrar or deputy. No fee shall be charged for the annual issuance of a waiver for farm-related service industries pursuant to section 4506.24 of the Revised Code.

Each deputy registrar shall transmit the fees collected to the registrar ~~of motor vehicles~~ at the time and in the manner prescribed by the registrar by rule. The registrar shall pay the fees into the state highway safety fund established in section 4501.06 of the Revised Code.

~~(B) Each application for a probationary commercial driver's license shall be accompanied by whichever of the following fees is applicable:~~

~~(1) If the person is eighteen years of age or older, but less than nineteen years of age, a fee of eighteen dollars and seventy-five cents;~~

~~(2) If the person is nineteen years of age or older, but less than twenty years of age, a fee of twelve dollars and fifty cents;~~

~~(3) If the person is twenty years of age or older, but less than twenty-one years of age, a fee of six dollars and twenty-five cents.~~

~~(C)~~ Information regarding the driving record of any person holding a commercial driver's license issued by this state shall be furnished by the registrar, upon request and payment of a fee of three dollars, to the employer or prospective employer of such a person and to any insurer.

Sec. 4506.14. (A) Commercial driver's licenses shall expire as follows:

(1) Except as provided in division (A)(3) of this section, each such license issued to replace an operator's or chauffeur's license shall expire on the original expiration date of the operator's or chauffeur's license and, upon renewal, shall expire on the licensee's birthday in the fourth year after the

date of issuance.

(2) Except as provided in division (A)(3) of this section, each such license issued as an original license to a person whose residence is in this state shall expire on the licensee's birthday in the fourth year after the date of issuance, and each such license issued to a person whose temporary residence is in this state shall expire in accordance with rules adopted by the registrar of motor vehicles. A license issued to a person with a temporary residence in this state is nonrenewable, but may be replaced with a new license within ninety days prior to its expiration upon the applicant's compliance with all applicable requirements.

(3) Each such license issued to replace the operator's or chauffeur's license of a person who is less than twenty-one years of age, and each such license issued as an original license to a person who is less than twenty-one years of age, shall expire on the licensee's twenty-first birthday.

(B) No commercial driver's license shall be issued for a period longer than four years and ninety days. Except as provided in section 4507.12 of the Revised Code, the registrar ~~of motor vehicles~~ may waive the examination of any person applying for the renewal of a commercial driver's license issued under this chapter, provided that the applicant presents either an unexpired commercial driver's license or a commercial driver's license that has expired not more than six months prior to the date of application.

(C) Subject to the requirements of this chapter and except as provided in division (A)(2) of this section in regard to a person whose temporary residence is in this state, every commercial driver's license shall be renewable ~~sixty~~ ninety days before its expiration upon payment of the fees required by section 4506.08 of the Revised Code. Each person applying for renewal of a commercial driver's license shall complete the application form prescribed by section 4506.07 of the Revised Code and shall provide all certifications required. If the person wishes to retain an endorsement authorizing ~~him~~ the person to transport hazardous materials, ~~he~~ the person shall take and successfully complete the written test for the endorsement.

(D) Each person licensed as a driver under this chapter shall notify the registrar of any change in the person's address within ten days following that change. The notification shall be in writing on a form provided by the registrar and shall include the full name, date of birth, license number, county of residence, social security number, and new address of the person.

Sec. 4506.16. (A) Whoever violates division (A) of section 4506.15 of the Revised Code or a similar law of another state or a foreign jurisdiction, immediately shall be placed out-of-service for twenty-four hours, in addition to any disqualification required by this section and any other penalty

imposed by the Revised Code.

(B) The registrar of motor vehicles shall disqualify any person from operating a commercial motor vehicle as follows:

(1) Upon a first conviction for a violation of divisions (B) to (G) of section 4506.15 of the Revised Code or a similar law of another state or a foreign jurisdiction, one year, in addition to any other penalty imposed by the Revised Code;

(2) Upon a first conviction for a violation of division (H) of section 4506.15 of the Revised Code or a similar law of another state or a foreign jurisdiction, three years, in addition to any other penalty imposed by the Revised Code;

(3) Upon a second conviction for a violation of divisions (B) to (G) of section 4506.15 of the Revised Code or a similar law of another state or a foreign jurisdiction, or any combination of such violations arising from two or more separate incidents, the person shall be disqualified for life or for any other period of time as determined by the United States secretary of transportation and designated by the director of public safety by rule, in addition to any other penalty imposed by the Revised Code;

(4) Upon conviction of a violation of division (E) of section 4506.15 of the Revised Code or a similar law of another state or a foreign jurisdiction in connection with the manufacture, distribution, or dispensing of a controlled substance or the possession with intent to manufacture, distribute, or dispense a controlled substance, the person shall be disqualified for life, in addition to any other penalty imposed by the Revised Code;

(5) Upon conviction of two serious traffic violations involving the operation of a commercial motor vehicle by the person and arising from separate incidents occurring in a three-year period, the person shall be disqualified for sixty days, in addition to any other penalty imposed by the Revised Code;

(6) Upon conviction of three serious traffic violations involving the operation of a commercial motor vehicle by the person and arising from separate incidents occurring in a three-year period, the person shall be disqualified for one hundred twenty days, in addition to any other penalty imposed by the Revised Code.

(C) For the purposes of this section, conviction of a violation for which disqualification is required may be evidenced by any of the following:

(1) A judgment entry of a court of competent jurisdiction in this or any other state;

(2) An administrative order of a state agency of a state other than Ohio having statutory jurisdiction over commercial drivers;

(3) A computer record obtained from or through the commercial driver's license information system;

(4) A computer record obtained from or through a state agency of a state other than Ohio having statutory jurisdiction over commercial drivers or the records of commercial drivers.

(D) Any record described in division (C) of this section shall be deemed to be self-authenticating when it is received by the bureau of motor vehicles.

(E) When disqualifying a driver, the registrar shall cause the records of the bureau to be updated to reflect that action within ten days after it occurs.

(F) The registrar immediately shall notify a driver who is finally convicted of any offense described in section 4506.15 of the Revised Code or division (B)(4), (5), or (6) of this section and thereby is subject to disqualification, of the offense or offenses involved, of the length of time for which disqualification is to be imposed, and that the driver may request a hearing within thirty days of the mailing of the notice to show cause why ~~he~~ the driver should not be disqualified from operating a commercial motor vehicle. If a request for such a hearing is not made within thirty days of the mailing of the notice, the order of disqualification is final. The registrar may designate hearing examiners who, after affording all parties reasonable notice, shall conduct a hearing to determine whether the disqualification order is supported by reliable evidence. The registrar shall adopt rules to implement this division.

(G) Any person who is disqualified from operating a commercial motor vehicle under this section may apply to the registrar for a driver's license to operate a motor vehicle other than a commercial motor vehicle, provided the person's commercial driver's license is not otherwise suspended or revoked. A person whose commercial driver's license is suspended or revoked shall not apply to the registrar for or receive a driver's license under Chapter 4507. of the Revised Code during the period of suspension or revocation.

Sec. 4506.17. (A) Any person who drives a commercial motor vehicle within this state shall be deemed to have given consent to a test or tests of ~~his~~ the person's blood, breath, or urine for the purpose of determining ~~his~~ the person's alcohol concentration or the presence of any controlled substance.

(B) A test or tests as provided in division (A) of this section may be administered at the direction of a peace officer having reasonable ground to stop or detain the person and, after investigating the circumstances surrounding the operation of the commercial motor vehicle, also having reasonable ground to believe the person was driving the commercial vehicle ~~in violation of section 4506.15 of the Revised Code~~ while having a measurable or detectable amount of alcohol or of a controlled substance in

the person's blood, breath, or urine. Any such test shall be given within two hours of the time of the alleged violation.

(C) A person requested to submit to a test under division (A) of this section shall be advised by the peace officer requesting the test that a refusal to submit to the test will result in the person immediately being placed out-of-service for a period of twenty-four hours and being disqualified from operating a commercial motor vehicle for a period of not less than one year, and that the person is required to surrender ~~his~~ the person's commercial driver's license to the peace officer.

(D) If a person refuses to submit to a test after being warned as provided in division (C) of this section or submits to a test that discloses the presence of a controlled substance or an alcohol concentration of four-hundredths of one per cent or more, ~~the provisions of division (B)(1) or (3) of section 4506.16 of the Revised Code apply and the person also shall~~ immediately shall surrender ~~his~~ the person's commercial driver's license to the peace officer. The peace officer shall forward the license, together with a sworn report, to the registrar of motor vehicles certifying that the test was requested pursuant to division (A) of this section and that the person either refused to submit to testing or submitted to a test that disclosed the presence of a controlled substance or an alcohol concentration of four-hundredths of one per cent or more. The form and contents of the report required by this section shall be established by the registrar by rule, but shall contain the advice to be read to the driver and a statement to be signed by ~~him~~ the driver acknowledging that ~~he~~ the driver has been read the advice and that the form was shown to ~~him~~ the driver.

(E) Upon receipt of a sworn report from a peace officer as provided in division (D) of this section, the registrar shall disqualify the person named in the report from driving a commercial motor vehicle for the period ~~required by section 4506.16 of the Revised Code~~ described below:

(1) Upon a first incident, one year;

(2) Upon an incident of refusal or of a prohibited concentration of alcohol after one or more previous incidents of either refusal or of a prohibited concentration of alcohol, the person shall be disqualified for life or such lesser period as prescribed by rule by the registrar.

(F) A blood test given under this section shall comply with the applicable provisions of division (D) of section 4511.19 of the Revised Code and any physician, registered nurse, or qualified technician or chemist who withdraws blood from a person under this section, and any hospital, first-aid station, or clinic at which blood is withdrawn from a person pursuant to this section, is immune from criminal liability, and from civil

liability that is based upon a claim of assault and battery or based upon any other claim of malpractice, for any act performed in withdrawing blood from the person.

(G) When a person submits to a test under this section, the results of the test, at ~~his~~ the person's request, shall be made available to ~~him~~ the person, ~~his~~ the person's attorney, or ~~his~~ the person's agent, immediately upon completion of the chemical test analysis. The person also may have an additional test administered by a physician, a registered nurse, or a qualified technician or chemist of ~~his~~ the person's own choosing as provided in division (D) of section 4511.19 of the Revised Code for tests administered under that section, and the failure to obtain such a test has the same effect as in that division.

(H) No person shall refuse to immediately surrender ~~his~~ the person's commercial driver's license to a peace officer when required to do so by this section.

(I) A peace officer issuing an out-of-service order or receiving a commercial driver's license surrendered under this section may remove or arrange for the removal of any commercial motor vehicle affected by the issuance of that order or the surrender of that license.

(J)(1) Except for civil actions arising out of the operation of a motor vehicle and civil actions in which the state is a plaintiff, no peace officer of any law enforcement agency within this state is liable in compensatory damages in any civil action that arises under the Revised Code or common law of this state for an injury, death, or loss to person or property caused in the performance of ~~his~~ official duties under this section and rules adopted under this section, unless the officer's actions were manifestly outside the scope of ~~his~~ the officer's employment or official responsibilities, or unless the officer acted with malicious purpose, in bad faith, or in a wanton or reckless manner.

(2) Except for civil actions that arise out of the operation of a motor vehicle and civil actions in which the state is a plaintiff, no peace officer of any law enforcement agency within this state is liable in punitive or exemplary damages in any civil action that arises under the Revised Code or common law of this state for any injury, death, or loss to person or property caused in the performance of ~~his~~ official duties under this section of the Revised Code and rules adopted under this section, unless the officer's actions were manifestly outside the scope of ~~his~~ the officer's employment or official responsibilities, or unless the officer acted with malicious purpose, in bad faith, or in a wanton or reckless manner.

(K) When disqualifying a driver, the registrar shall cause the records of

the bureau of motor vehicles to be updated to reflect the disqualification within ten days after it occurs.

(L) The registrar immediately shall notify a driver who is subject to disqualification of the disqualification, of the length of the disqualification, and that the driver may request a hearing within thirty days of the mailing of the notice to show cause why the driver should not be disqualified from operating a commercial motor vehicle. If a request for such a hearing is not made within thirty days of the mailing of the notice, the order of disqualification is final. The registrar may designate hearing examiners who, after affording all parties reasonable notice, shall conduct a hearing to determine whether the disqualification order is supported by reliable evidence. The registrar shall adopt rules to implement this division.

(M) Any person who is disqualified from operating a commercial motor vehicle under this section may apply to the Registrar for a driver's license to operate a motor vehicle other than a commercial motor vehicle, provided the person's commercial driver's license is not otherwise suspended or revoked. A person whose commercial driver's license is suspended or revoked shall not apply to the Registrar for or receive a driver's license under Chapter 4507. of the Revised Code during the period of suspension or revocation.

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

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

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

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

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

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

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

"Probationary motorized bicycle license" means the license issued under

section 4511.521 of the Revised Code to any person between fourteen and sixteen years of age to operate a motorized bicycle.

"Identification card" means a card issued under sections 4507.50 and 4507.51 of the Revised Code.

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

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

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

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

The registrar ~~shall~~ also shall provide at each place where an application for a driver's or commercial driver's license or identification card may be made the necessary equipment to take a color photograph of the applicant for such license or card as required under section 4506.11 or 4507.06 of the Revised Code, and to conduct the vision screenings required by section 4507.12 of the Revised Code, and equipment to laminate licenses, motorized bicycle licenses, and identification cards as required by sections 4507.13, 4507.52, and 4511.521 of the Revised Code.

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

(C) No agent for any insurance company, writing automobile insurance, shall be appointed deputy registrar, and any such appointment is void. No deputy registrar shall in any manner solicit any form of automobile insurance, nor in any manner advise, suggest, or influence any licensee or applicant for license for or against any kind or type of automobile insurance, insurance company, or agent, nor have ~~his~~ the deputy registrar's office directly connected with the office of any automobile insurance agent, nor impart any information furnished by any applicant for a license or

ation card to any person, except the registrar. This division shall not apply to any nonprofit corporation appointed deputy registrar.

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

(E) The registrar shall periodically solicit bids and enter into a contract for the provision of laminating equipment and laminating materials to the registrar and all deputy registrars. The registrar shall not consider any bid that does not provide for the supplying of both laminating equipment and laminating materials. The laminating materials selected shall contain a security feature so that any tampering with the laminating material covering a license or identification card is readily apparent. In soliciting bids and entering into a contract for the provision of laminating equipment and laminating materials, the registrar shall observe all procedures required by law.

Sec. 4507.012. As used in the Revised Code, "suspension" or "revocation," when applied to a driver's license, means, unless the context clearly indicates otherwise, the withdrawal from a resident, temporary resident, or nonresident of the privilege to operate a motor vehicle upon a street or highway in this state. The withdrawal of the privilege from a person causes the person to be ineligible for the privilege during the entire period of the suspension or revocation and also includes any period during which the resident, temporary resident, or nonresident either has not paid any applicable driver's license reinstatement fee or has not complied with any other requirement governing license reinstatement.

Sec. 4507.02. (A)(1) No person, except those expressly exempted under sections 4507.03, 4507.04, and 4507.05 of the Revised Code, shall operate any motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking in this state unless the person has a valid driver's license issued under this chapter or a commercial driver's license issued under Chapter 4506. of the Revised Code.

(2) No person shall permit the operation of a motor vehicle upon any public or private property used by the public for purposes of vehicular travel or parking knowing the operator does not have a valid driver's license issued to the operator by the registrar of motor vehicles under this chapter or a valid commercial driver's license issued under Chapter 4506. of the Revised Code.

(3) No person, except a person expressly exempted under sections 4507.03, 4507.04, and 4507.05 of the Revised Code, shall operate any motorcycle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking in this state unless the

person has a valid license as a motorcycle operator, that was issued upon application by the registrar under this chapter. The license shall be in the form of an endorsement, as determined by the registrar, upon a driver's or commercial driver's license, if the person has a valid license to operate a motor vehicle or commercial motor vehicle, or in the form of a restricted license as provided in section 4507.14 of the Revised Code, if the person does not have a valid license to operate a motor vehicle or commercial motor vehicle.

(4) No person shall receive a driver's license, or a motorcycle operator's endorsement of a driver's or commercial driver's license, unless and until ~~he~~ the person surrenders to the registrar all valid licenses issued to ~~him~~ the person by another jurisdiction recognized by this state. All surrendered licenses shall be returned by the registrar to the issuing authority, together with information that a license is now issued in this state. No person shall be permitted to have more than one valid license at any time.

(B)(1) No person, whose driver's or commercial driver's license or permit or nonresident's operating privilege has been suspended or revoked pursuant to Chapter 4509. of the Revised Code, shall operate any motor vehicle within this state, or knowingly permit any motor vehicle owned by ~~him~~ the person to be operated by another person in the state, during the period of the suspension or revocation, except as specifically authorized by Chapter 4509. of the Revised Code. No person shall operate a motor vehicle within this state, or knowingly permit any motor vehicle owned by ~~him~~ the person to be operated by another person in the state, during the period in which ~~he~~ the person is required by section 4509.45 of the Revised Code to file and maintain proof of financial responsibility for a violation of section 4509.101 of the Revised Code, unless proof of financial responsibility is maintained with respect to that vehicle.

(2) No person shall operate any motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking in this state in violation of any restriction of the person's driver's or commercial driver's license imposed under division (D) of section 4506.10 or section 4507.14 of the Revised Code.

(C) No person, whose driver's or commercial driver's license or permit has been suspended pursuant to section 4511.191, section 4511.196, or division (B) of section 4507.16 of the Revised Code, shall operate any motor vehicle within this state until ~~he~~ the person has paid the license reinstatement fee required pursuant to division (L) of section 4511.191 of the Revised Code and the license or permit has been returned to the person or a new license or permit has been issued to the person.

(D)(1) No person, whose driver's or commercial driver's license or permit or nonresident operating privilege has been suspended or revoked under any provision of the Revised Code other than Chapter 4509. of the Revised Code or under any applicable law in any other jurisdiction in which the person's license or permit was issued, shall operate any motor vehicle upon the highways or streets within this state during the period of the suspension or within one year after the date of the revocation. No person who is granted occupational driving privileges by any court shall operate any motor vehicle upon the highways or streets in this state except in accordance with the terms of the privileges.

(2) No person, whose driver's or commercial driver's license or permit or nonresident operating privilege has been suspended under division (B) of section 4507.16 of the Revised Code, shall operate any motor vehicle upon the highways or streets within this state during the period of suspension. No person who is granted occupational driving privileges by any court shall operate any motor vehicle upon the highways or streets in this state except in accordance with the terms of those privileges.

(E) It is an affirmative defense to any prosecution brought pursuant to division (B), (C), or (D) of this section that the alleged offender drove under suspension or in violation of a restriction because of a substantial emergency, provided that no other person was reasonably available to drive in response to the emergency.

(F)(1) If a person is convicted of a violation of division (B), (C), or (D) of this section, the trial judge of any court, in addition to or independent of, any other penalties provided by law or ordinance, shall impound the identification license plates of any motor vehicle registered in the name of the person. The court shall send the impounded license plates to the registrar, who may retain the license plates until the driver's or commercial driver's license of the owner has been reinstated or destroy them pursuant to section 4503.232 of the Revised Code.

If the license plates of a person convicted of a violation of division (B), (C), or (D) of this section have been impounded in accordance with the provisions of this division, the court shall notify the registrar of that action. The notice shall contain the name and address of the driver, the serial number of ~~his~~ the driver's driver's or commercial driver's license, the serial numbers of the license plates of the motor vehicle, and the length of time for which the license plates have been impounded. The registrar shall record the data in the notice as part of the driver's permanent record.

(2) Any motor vehicle owner who has had the license plates of a motor vehicle impounded pursuant to division (F)(1) of this section may apply to

the registrar, or to a deputy registrar, for special license plates which shall conform to the requirements of section 4503.231 of the Revised Code. The registrar or deputy registrar forthwith shall notify the court of the application and, upon approval of the court, shall issue special license plates to the applicant. Until the driver's or commercial driver's license of the owner is reinstated, any new license plates issued to ~~him~~ the owner also shall conform to the requirements of section 4503.231 of the Revised Code.

~~A fee of two dollars and fifty cents~~ The registrar or deputy registrar shall be charged charge the owner of a vehicle the fees provided in section 4503.19 Of the Revised Code for every set of special license plates that are issued in accordance with this division, except upon renewal as specified in section 4503.10 of the Revised Code, when the regular fee as provided in section 4503.04 of the Revised Code shall be charged. ~~Whenever a set of~~ The registrar or deputy registrar shall charge the owner of a vehicle the fees provided in section 4503.19 Of the Revised Code whenever special license plates ~~is~~ are exchanged, by reason of the reinstatement of the driver's or commercial driver's license of the owner, for those ordinarily issued, ~~no fee shall be charged.~~

(3) If an owner wishes to sell a motor vehicle during the time the special license plates provided under division (F)(2) of this section are in use, ~~he~~ the owner may apply to the court that impounded the license plates of the motor vehicle for permission to transfer title to the motor vehicle. If the court is satisfied that the sale will be made in good faith and not for the purpose of circumventing the provisions of this section, it may certify its consent to the owner and to the registrar of motor vehicles who shall enter notice of the transfer of the title of the motor vehicle in the vehicle registration record.

If, during the time the special license plates provided under division (F)(2) of this section are in use, the title to a motor vehicle is transferred by the foreclosure of a chattel mortgage, a sale upon execution, the cancellation of a conditional sales contract, or by order of a court, the court shall notify the registrar of the action and the registrar shall enter notice of the transfer of the title to the motor vehicle in the vehicle registration record.

(G) This section is not intended to change or modify any provision of Chapter 4503. of the Revised Code with respect to the taxation of motor vehicles or the time within which the taxes on motor vehicles shall be paid.

Sec. 4507.021. (A) Every county court judge, mayor of a mayor's court, and clerk of a court of record shall keep a full record of every case in which a person is charged with any violation of sections 4511.01 to 4511.771, 4511.99, and 4513.01 to 4513.36 of the Revised Code, or of any other law or ordinance regulating the operation of vehicles, streetcars, and trackless

trolleys on highways or streets.

A United States district court whose jurisdiction lies within this state may keep a full record of every case in which a person is charged with any violation of sections 4511.01 to 4511.771, 4511.99, and 4513.01 to 4513.36 of the Revised Code, or of any other law or ordinance regulating the operation of vehicles, streetcars, and trackless trolleys on highways or streets located on federal property within this state.

(B) If a person is convicted of or forfeits bail in relation to a violation of any section listed in division (A) of this section or a violation of any other law or ordinance regulating the operation of vehicles, streetcars, and trackless trolleys on highways or streets, the county court judge, mayor of a mayor's court, or clerk, within ten days after the conviction or bail forfeiture, shall prepare and immediately forward to the bureau of motor vehicles an abstract, certified by the preparer to be true and correct, of the court record covering the case in which the person was convicted or forfeited bail.

If a person is convicted of or forfeits bail in relation to a violation of any section listed in division (A) of this section or a violation of any other law or ordinance regulating the operation of vehicles, streetcars, and trackless trolleys on highways or streets, a United States district court whose jurisdiction lies within this state, within ten days after the conviction or bail forfeiture, may prepare and immediately forward to the bureau an abstract, certified by the preparer to be true and correct, of the court record covering the case in which the person was convicted or forfeited bail.

(C)(1) Each abstract required by division (B) of this section shall be made upon a form approved and furnished by the bureau and shall include the name and address of the person charged, the number of the person's ~~the~~ party's driver's or commercial driver's license, the registration number of the vehicle involved, the nature of the offense, the date of the offense, the date of hearing, the plea, the judgment, or whether bail was forfeited, and the amount of the fine or forfeiture.

If a United States district court whose jurisdiction lies within this state utilizes the provision contained in division (B) of this section and forwards an abstract to the bureau, on a form approved and furnished by the bureau, containing all the information prescribed in division (C)(1) of this section, the bureau shall accept and process the abstract in the same manner as it accepts and processes an abstract received from a county judge, mayor of a mayor's court, or clerk of a court of record.

(2)(a) If a person is charged with a violation of section 4511.19 of the Revised Code or a violation of any ordinance relating to operating a vehicle

while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine; if that charge is dismissed or reduced; if the person is convicted of or forfeits bail in relation to a violation of any other section of the Revised Code or of any ordinance that regulates the operation of vehicles, streetcars, and trackless trolleys on highways and streets but that does not relate to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine; and if the violation of which the person was convicted or in relation to which the person forfeited bail arose out of the same facts and circumstances and the same act as did the charge that was dismissed or reduced, the abstract also shall set forth the charge that was dismissed or reduced, indicate that it was dismissed or reduced, and indicate that the violation resulting in the conviction or bail forfeiture arose out of the same facts and circumstances and the same act as did the charge that was dismissed or reduced.

(b) If a charge against a person of a violation of division (B)(1) or (D)(2) of section 4507.02 of the Revised Code or any municipal ordinance that is substantially equivalent to that division is dismissed or reduced and if the person is convicted of or forfeits bail in relation to a violation of any other section of the Revised Code or any other ordinance that regulates the operation of vehicles, streetcars, and trackless trolleys on highways and streets that arose out of the same facts and circumstances as did the charge that was dismissed or reduced, the abstract also shall set forth the charge that was dismissed or reduced, indicate that it was dismissed or reduced, and indicate that the violation resulting in the conviction or bail forfeiture arose out of the same facts and circumstances and the same act as did the charge that was dismissed or reduced.

(3) If a person was convicted of or pleaded guilty to a violation of division (B)(1) or (D)(2) of section 4507.02 of the Revised Code, a substantially equivalent municipal ordinance, section 4507.33 or division (A) of section 4511.19 of the Revised Code, or a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or with a prohibited concentration of alcohol in the blood, breath, or urine, and division (E) of section 4503.234 of the Revised Code prohibits the registrar of motor vehicles and all deputy registrars from accepting an application for the registration of, or registering, any motor vehicle in the name of that person, the abstract shall specifically set forth these facts and clearly indicate the date on which the

order of criminal forfeiture was issued or would have been issued but for the operation of division (C) of section 4503.234 or section 4503.235 of the Revised Code. If the registrar receives an abstract containing this information relating to a person, the registrar, in accordance with sections 4503.12 and 4503.234 of the Revised Code, shall take all necessary measures to prevent the registrar's office or any deputy registrar from accepting from the person, for the period of time ending five years after the date on which the order was issued or would have been issued and as described in division (E) of section 4503.234 of the Revised Code, any new application for the registration of any motor vehicle in the name of the person.

(D)(1) Every court of record also shall forward to the bureau an abstract of the court record as described in division (C) of this section upon the conviction of any person of aggravated vehicular homicide or vehicular homicide or of a felony in the commission of which a vehicle was used.

A United States district court whose jurisdiction lies within this state also may forward to the bureau an abstract as described in division (C) of this section upon the conviction of any person of aggravated vehicular homicide or vehicular homicide or of a felony in the commission of which a vehicle was used.

(2)(a) If a child has been adjudicated an unruly or delinquent child or a juvenile traffic offender for having committed any act that if committed by an adult would be a drug abuse offense, as defined in section 2925.01 of the Revised Code, or any violation of division (B) of section 2917.11 or of section 4511.19 of the Revised Code, the court shall notify the bureau, by means of an abstract of the court record as described in divisions (B) and (C) of this section, within ten days after the adjudication.

(b) If a court requires a child as provided in division (D)(2)(a) of this section to attend a drug abuse or alcohol abuse education, intervention, or treatment program, the abstract required by that division and forwarded to the bureau also shall include the name and address of the operator of the program and the date that the child entered the program. If the child satisfactorily completes the program, the court, immediately upon receipt of such information, shall send to the bureau an updated abstract that also shall contain the date on which the child satisfactorily completed the program.

(E) The purposeful failure or refusal of the officer to comply with this section constitutes misconduct in office and is a ground for removal from the office.

(F) The bureau shall record within ten days and keep all abstracts received under this section at its main office and shall maintain records of

convictions and bond forfeitures for any violation of law or ordinance regulating the operation of vehicles, streetcars, and trackless trolleys on highways and streets, except as to parking a motor vehicle. The bureau also shall record any abstract of a case involving a first violation of division (D) of section 4511.21 of the Revised Code, whether or not points are to be assessed therefor, in such a manner that it becomes a part of the person's permanent record and assists a court in monitoring the assessment of points under division (G) of this section.

(G) Every court of record or mayor's court before which a person is charged with a violation for which points are chargeable by this section shall assess and transcribe to the abstract of conviction report, furnished by the bureau, the number of points chargeable by this section in the correct space assigned on the reporting form. A United States district court whose jurisdiction lies within this state and before whom a person is charged with a violation for which points are chargeable by this section may assess and transcribe to the abstract of conviction report, furnished by the bureau, the number of points chargeable by this section in the correct space assigned on the reporting form. If the court so assesses and transcribes to the abstract of conviction report the number of points chargeable, the bureau shall record the points in the same manner as those assessed and transcribed by every court of record or mayor's court of this state. The points shall be assessed based on the following formula:

(1) Violation of division (B), (C), or (D) of section 4507.02 of the Revised Code or any ordinance prohibiting the operation of a motor vehicle while the driver's or commercial driver's license is under suspension or revocation
6 points

(2) Violation of section 2913.03 of the Revised Code, except the provisions relating to use or operation of an aircraft or motorboat, or any ordinance prohibiting the operation of a vehicle without the consent of the owner
6 points

(3) Aggravated vehicular homicide or vehicular homicide, when either involves the operation of a vehicle, streetcar, or trackless trolley on a highway or street
6 points

(4) Violation of division (A) of section 4511.19 of the Revised Code, any ordinance prohibiting the operation of a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or any ordinance substantially equivalent to division (A) of section 4511.19 of the

Revised Code prohibiting the operation of a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine

.....
6 points

(5) Violation of section 4549.02 or 4549.021 of the Revised Code or any ordinance requiring the driver of a vehicle to stop and disclose identity at the scene of an accident

.....
6 points

(6) Violation of section 2921.331 of the Revised Code or any ordinance prohibiting the willful fleeing or eluding of a police officer

.....
6 points

(7) Any crime punishable as a felony under the motor vehicle laws of this state, or any other felony in the commission of which a motor vehicle was used

.....
6 points

(8) Operating a motor vehicle in violation of a restriction imposed by a registrar

.....
2 points

(9) Violation of section 4511.251 of the Revised Code or any ordinance prohibiting street racing

.....
6 points

(10) Violation of section 4511.20 of the Revised Code or any ordinance prohibiting the operation of a motor vehicle in willful or wanton disregard of the safety of persons or property

.....
4 points

(11) Violation of division (B) of section 4511.19 of the Revised Code or any ordinance substantially equivalent to that division prohibiting the operation of a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine

.....
4 points

(12) Violation of any law or ordinance pertaining to speed, except as otherwise provided in this section and in division (G) of section 4511.21 of the Revised Code

.....
2 points

(13) Upon a first violation of a limitation under division (D) of section 4511.21 of the Revised Code at a speed in excess of seventy-five miles per hour

.....
2 points

(14) Upon a second violation within one year of the first violation of a limitation under division (D) of section 4511.21 of the Revised Code, for each increment of five miles per hour in excess of the posted speed limit, exclusive of the first five miles per hour over the limitation
1 point

(15) Upon a third or subsequent violation within one year of the first violation of a limitation under division (D) of section 4511.21 of the Revised Code, for each increment of five miles per hour in excess of the posted speed limit, exclusive of the first five miles per hour over the limitation
2 points

(16) All other moving violations pertaining to the operation of motor vehicles reported under this section, except any violations of section 4513.263 of the Revised Code or any substantively comparable ordinance, or violations under Chapter 5577. of the Revised Code
2 points

(H) Upon receiving notification from the proper court, including a United States district court whose jurisdiction lies within this state, the bureau shall delete any points entered for bond forfeiture in the event the driver is acquitted of the offense for which ~~the driver~~ bond was posted.

(I) In the event a person is convicted of, or forfeits bail for two or more offenses, arising out of the same facts, and points are chargeable for each of the offenses, points shall be charged for only the conviction or bond forfeiture for which the greater number of points is chargeable, and if the number of points chargeable for each offense is equal, only one offense shall be recorded and points charged therefor.

(J) Whenever the points charged against any person exceed five, the registrar shall forward to the person at the person's last known address, via regular mail, a warning letter listing the reported violations, along with the number of points charged for each, and outlining the suspension provision of this section.

(K) When, upon determination of the registrar, any person has charged against the person a total of not less than twelve points within a period of two years from the date of the first conviction within the two-year period, the registrar shall send written notification to the person at the person's last known address, that the person's driver's or commercial driver's license shall be suspended for six months, effective on the twentieth day after mailing the notice, unless the person files a petition in the municipal court or the county court, or in case such person is under the age of eighteen years, ~~to~~ in the juvenile court, in whose jurisdiction such person resides, or in the case of a

nonresident, in the Franklin county municipal court. By filing an appeal the person is agreeing to pay the cost of the proceedings and is alleging that the person can show cause why the person's ~~the licensee's~~ driving privileges should not be suspended for a period of six months.

(L) Any person who has charged against the person more than five but not more than eleven points, for the purpose of obtaining a credit of two points against the total amount of points on the person's driving record, may enroll for one time only in a course of remedial driving instruction, as approved by the director of public safety. Such a credit, subject to successful completion of an approved remedial driving course taken at a time when more than five but not more than eleven points are charged against the person, shall be approved by the registrar.

(M) When the driving privileges of any person are suspended by any trial judge of any court of record pursuant to section 4507.16 of the Revised Code, and points are charged against the person under this section for the offense which resulted in the suspension, that period of suspension shall be credited against the time of any subsequent suspension under this section for which the points were considered in making the subsequent suspension.

When the driving privileges of a person are suspended pursuant to the "Assimilative Crimes Act," 102 Stat. 4381 (1988), 18 U.S.C.A. 13, as amended, by a United States district court whose jurisdiction lies within this state and the court utilizes the provision contained in division (B) of this section, and points are charged against the person under this section for the offense that resulted in the suspension, the period of suspension imposed by the district court shall be credited against the time of any subsequent suspension imposed under this section for which the points were considered in making the subsequent suspension.

(N) The registrar, upon written request of a licensee petitioning under division (K) of this section, shall furnish the licensee a copy of the registrar's record of the convictions and bond forfeitures of the person certified by the registrar. This record shall include the name, address, and birthdate of the person so charged; the number of the person's driver's or commercial driver's license; the name of the court in which each conviction or bail forfeiture took place; the nature of the offense; the date of hearing; the number of points charged against each conviction or bail forfeiture; and such other information as the registrar considers necessary. When the record includes not less than twelve points charged against the person within a two-year period, it is prima-facie evidence that the person is a repeat traffic offender and the person's driving privilege shall be suspended as provided in this section.

In hearing the matter and determining whether the person has shown cause why the person's driving privileges should not be suspended, the court shall decide the issue upon the record certified by the registrar and such additional relevant, competent, and material evidence as either the registrar or the person whose license is sought to be suspended submits.

In such proceedings, the registrar shall be represented by the prosecuting attorney of the county in which the person resides if the petition is filed in the county court, except where the petitioner is a resident of a city or village within the jurisdiction of a county court in which case the city director of law or village solicitor shall represent the registrar. If the petition is filed in the municipal court, the registrar shall be represented as provided in section 1901.34 of the Revised Code.

If the court finds from the evidence submitted that the person has failed to show cause why the person's driving privileges should not be suspended, then the court shall assess the cost of the proceeding against the person and shall impose the suspension provided in division (K) of this section or withhold the suspension, or part thereof, and provide such conditions or probation as the court deems proper. If the court finds that the person has shown cause why the person's driving privileges should not be suspended, the cost of the proceedings shall be paid out of the county treasury of the county in which the proceedings were held.

Any person whose license is suspended under this section is not entitled to apply for or receive a new license during the effective period of the suspension.

Upon termination of any suspension or other penalty imposed under this section involving surrender of a license or permit and upon request of the person whose license or permit was so suspended or surrendered, the registrar shall return the license or permit to the person upon determining that all provisions of section 4507.022 of the Revised Code have been met or shall reissue the person's license or permit under section 4507.54 of the Revised Code, if the registrar destroyed the license or permit under that section.

Any person whose license, permit, or privilege to operate a motor vehicle has been suspended as a repeat traffic offender under this section and who, during such suspension, drives any motor vehicle upon any highway is guilty of a misdemeanor of the first degree, and no court shall suspend the first three days of any such sentence.

(O) The privilege of driving a motor vehicle on the highways or streets of this state, given to nonresidents under section 4507.04 of the Revised Code, is subject to suspension by the registrar.

Sec. 4507.022. Any person whose driver's or commercial driver's license or permit is suspended, or who is put on probation or granted limited or occupational driving privileges, under section 4507.021 or division (E) of section 4507.16 of the Revised Code, is not eligible to retain the person's license, or to have the person's ~~license returned~~ driving privileges reinstated, until each of the following has occurred:

(A) The person successfully completes a course of remedial driving instruction approved by the director of public safety, provided the person commences taking the course after the person's driver's or commercial driver's license or permit is suspended under section 4507.021 or division (E) of section 4507.16 of the Revised Code. A minimum of twenty-five per cent of the number of hours of instruction included in the course shall be devoted to instruction on driver attitude.

The course also shall devote a number of hours to instruction in the area of alcohol and drugs and the operation of motor vehicles. The instruction shall include, but not be limited to, a review of the laws governing the operation of a motor vehicle while under the influence of alcohol, drugs, or both, the dangers of operating a motor vehicle while under the influence of alcohol, drugs, or both, and other information relating to the operation of motor vehicles and the consumption of alcoholic beverages and use of drugs. The director, in consultation with the director of ~~the department of~~ alcohol and drug addiction services, shall prescribe the content of the instruction. The number of hours devoted to the area of alcohol and drugs and the operation of motor vehicles shall comprise a minimum of twenty-five per cent of the number of hours of instruction included in the course.

(B) The person is examined in the manner provided for in section 4507.20 of the Revised Code, and found by the registrar of motor vehicles to be qualified to operate a motor vehicle;

(C) The person gives and maintains proof of financial responsibility, in accordance with section 4509.45 of the Revised Code.

Sec. 4507.08. No driver's license shall be issued to any person under eighteen years of age, except that a probationary license may be issued to a person over sixteen years of age and a restricted license may be issued to a person who is fourteen or fifteen years of age upon proof of hardship satisfactory to the registrar of motor vehicles. No probationary license shall be issued to any person under the age of eighteen who has been adjudicated an unruly or delinquent child or a juvenile traffic offender for having committed any act that if committed by an adult would be a drug abuse offense, as defined in section 2925.01 of the Revised Code, a violation of

division (B) of section 2917.11, or a violation of division (A) of section 4511.19 of the Revised Code, unless the person has been required by the court to attend a drug abuse or alcohol abuse education, intervention, or treatment program specified by the court and has satisfactorily completed the program.

No temporary instruction permit or driver's license shall be issued to any person whose license has been suspended, during the period for which the license was suspended, nor to any person whose license has been revoked, under sections 4507.01 to 4507.39 of the Revised Code, until the expiration of one year after the license was revoked.

No temporary instruction permit or driver's license shall be issued to any person whose commercial driver's license is suspended under section 1905.201, 2301.374, 4507.16, 4507.34, 4507.99, 4511.191, or 4511.196 of the Revised Code or under any other provision of the Revised Code during the period of the suspension.

No temporary instruction permit or driver's license shall be issued to, or retained by:

(A) Any person who is an alcoholic, or is addicted to the use of controlled substances to the extent that the use constitutes an impairment to the person's ability to operate a motor vehicle with the required degree of safety;

(B) Any person who is under the age of eighteen and has been adjudicated an unruly or delinquent child or a juvenile traffic offender for having committed any act that if committed by an adult would be a drug abuse offense, as defined in section 2925.01 of the Revised Code, a violation of division (B) of section 2917.11, or a violation of division (A) of section 4511.19 of the Revised Code, unless the person has been required by the court to attend a drug abuse or alcohol abuse education, intervention, or treatment program specified by the court and has satisfactorily completed the program;

(C) Any person who, in the opinion of the registrar, is afflicted with or suffering from a physical or mental disability or disease that prevents the person from exercising reasonable and ordinary control over a motor vehicle while operating the vehicle upon the highways, except that a restricted license effective for six months may be issued to any person otherwise qualified who is or has been subject to any condition resulting in episodic impairment of consciousness or loss of muscular control and whose condition, in the opinion of the registrar, is dormant or is sufficiently under medical control that the person is capable of exercising reasonable and ordinary control over a motor vehicle. A restricted license effective for six

months shall be issued to any person who is otherwise qualified who is subject to any condition which causes episodic impairment of consciousness or a loss of muscular control if the person presents a statement from a licensed physician that the person's condition is under effective medical control and the period of time for which the control has been continuously maintained, unless, thereafter, a medical examination is ordered and, pursuant thereto, cause for denial is found.

A person to whom a six-month restricted license has been issued shall give notice of the person's medical condition to the registrar on forms provided by the registrar and signed by the licensee's physician. The notice shall be sent to the registrar six months after the issuance of the license. Subsequent restricted licenses issued to the same individual shall be effective for six months.

(D) Any person who is unable to understand highway warnings or traffic signs or directions given in the English language;

(E) Any person making an application whose driver's license or driving privileges are under revocation or suspension in the jurisdiction where issued or any other jurisdiction, until the expiration of one year after the license was revoked or until the period of suspension ends. Any person whose application is denied under this division may file a petition in the municipal court or county court in whose jurisdiction the person resides agreeing to pay the cost of the proceedings and alleging that the conduct involved in the offense that resulted in suspension or revocation in the foreign jurisdiction would not have resulted in a suspension or revocation had the offense occurred in this state. If the petition is granted, petitioner shall notify the registrar of motor vehicles by a certified copy of the court's findings and a license shall not be denied under this division;

(F) Any person whose driver's or commercial driver's license or permit has been permanently revoked pursuant to division (C) of section 4507.16 of the Revised Code;

(G) Any person who is not a resident or temporary resident of this state.

Sec. 4507.09. (A) Except as provided in division (B) of this section, every driver's license issued to a resident of this state expires on the birthday of the applicant in the fourth year after the date it is issued, but in and every driver's license issued to a temporary resident expires in accordance with rules adopted by the registrar of motor vehicles. In no event shall any such license be issued for a period longer than four years and ninety days.

Subject to the requirements of section 4507.12 of the Revised Code, every driver's license issued to a resident is renewable ~~within sixty days at any time~~ prior to its expiration ~~upon payment of the fees as required by law,~~

~~except that~~ and any license of an Ohio a temporary resident who will be temporarily out of state is renewable at any time prior to its expiration nonrenewable. A nonrenewable license may be replaced with a new license within ninety days prior to its expiration upon the applicant's compliance with all applicable requirements. No refund shall be made or credit given for the unexpired portion of the driver's license that is renewed. The registrar of motor vehicles shall notify each person whose driver's license has expired within forty-five days after the date of expiration. Notification shall be made by regular mail sent to the person's last known address as shown in the records of the bureau of motor vehicles. Failure to provide such notification shall not be construed as a renewal or extension of any license. ~~The registrar may issue rules permitting the use and display of drivers' licenses at any time not to exceed sixty days prior to the next succeeding birthday of the applicant.~~ For the purposes of this section, the date of birth of any applicant born on the twenty-ninth day of February shall be deemed to be the first day of March in any year in which there is no twenty-ninth day of February.

~~The registrar may require an application for license renewal submitted by a resident who will be temporarily out of state to be accompanied by an affidavit, in a form prescribed by the registrar, certifying that the resident will be temporarily out of state at the time the resident's license will expire.~~

(B) Every driver's license or renewal of a driver's license issued to an applicant who is sixteen years of age or older, but less than twenty-one years of age, expires on the twenty-first birthday of the applicant, except that an applicant who applies no more than thirty days before the applicant's twenty-first birthday shall be issued a license in accordance with division (A) of this section.

(C) Each person licensed as a driver under this chapter shall notify the registrar of any change in the person's address within ten days following that change. The notification shall be in writing on a form provided by the registrar and shall include the full name, date of birth, license number, county of residence, social security number, and new address of the person.

Sec. 4507.10. (A) The registrar of motor vehicles shall examine every applicant for a driver's license, or motorcycle operator's endorsement before issuing any such license or endorsement.

(B) Except as provided in section 4507.12 of the Revised Code, the registrar may waive the examination of any person applying for the renewal of a driver's license, or motorcycle operator's endorsement issued under this chapter, provided that the applicant presents either an unexpired license or endorsement or a license or endorsement which has expired not more than six months prior to the date of application.

(C) The registrar may waive the examination of any person applying for the renewal of such license or endorsement who is on active duty in the military or naval forces of the United States, or in service with the peace corps, volunteers in service to America, or the foreign service of the United States if the applicant has no physical or mental disabilities that would affect ~~his~~ the applicant's driving ability ~~and was an~~ had a valid Ohio licensee driver's or commercial driver's license at the time ~~he~~ the applicant commenced such active duty or service, and the applicant's license is not under suspension or revocation by this state or any other jurisdiction.

(D) Except as provided in section 4507.12 of the Revised Code, the registrar may waive the examination of any person applying for such license or endorsement who meets either of the following sets of qualifications:

(1) Has been on active duty in the military or naval forces of the United States, presents an honorable discharge certificate showing that ~~he~~ the applicant has no physical or mental disabilities which would affect ~~his~~ the applicant's driving ability, ~~was an~~ had a valid Ohio licensee driver's or commercial driver's license at the time ~~he~~ the applicant commenced such active duty, is not under a license suspension or revocation by this state or any other jurisdiction, and makes the application not more than six months after the date of discharge or separation;

(2) Was in service with the peace corps, volunteers in service to America, or the foreign service of the United States; presents such evidence of such service as the registrar prescribes showing that the applicant has no physical or mental disabilities that would affect ~~his~~ applicant's driving ability; ~~was an~~ had a valid Ohio licensee driver's or commercial driver's license at the time ~~he~~ the applicant commenced such service; is not under a license suspension or revocation by this state or any other jurisdiction, and makes the application no more than six months after leaving the peace corps, volunteers, or foreign service.

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

Every driver's license shall bear on it the distinguishing number assigned to the licensee and shall contain the licensee's name, date of birth, social security number if such number has been assigned; the licensee's residence address and county of residence; a color photograph of the licensee; a brief description of the licensee for the purpose of identification;

a facsimile of the signature of the licensee as it appears on the application for the license; a space marked "blood type" in which a licensee may specify his the licensee's blood type; a notation, in a manner prescribed by the registrar, indicating any condition described in division (D) of section 4507.08 of the Revised Code to which the licensee is subject; on and after May 1, 1993, if the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that ~~he the licensee~~ wishes his the license to indicate that ~~he the licensee~~ has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument; and any additional information that the registrar requires by rule.

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

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

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

Each license issued under this section shall be of such material and so designed as to prevent its reproduction or alteration without ready detection and, to this end, shall be laminated with a transparent plastic material.

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

Sec. 4507.14. The registrar of motor vehicles upon issuing a driver's

license, a motorcycle operator's endorsement, a driver's license renewal, or the renewal of any other license issued under this chapter, ~~may~~, whenever good cause appears, may impose restrictions suitable to the licensee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle which the licensee may operate, or such other restrictions applicable to the licensee as the registrar determines to be necessary.

When issuing ~~licenses~~ a license to a ~~deaf person or to persons~~ with impaired hearing, the registrar shall require that a motor vehicle operated by ~~such persons~~ the person be equipped with two outside rear vision mirrors, one outside on the left side and ~~one inside such motor vehicles~~ the other on the right side.

The registrar ~~may~~ either may issue a special restricted license or may set forth such restrictions upon the usual license form.

The registrar, upon receiving satisfactory evidence of any violation of the restrictions of such license, after an opportunity for a hearing in accordance with Chapter 119. Of the Revised Code, may suspend ~~or revoke~~ the same the license for a period of six months.

Sec. 4507.16. (A)(1) The trial judge of any court of record, in addition to or independent of all other penalties provided by law or by ordinance, shall suspend for not less than thirty days or more than three years or shall revoke the driver's or commercial driver's license or permit or nonresident operating privilege of any person who is convicted of or pleads guilty to any of the following:

(a) Perjury or the making of a false affidavit under this chapter, or any other law of this state requiring the registration of motor vehicles or regulating their operation on the highway;

(b) Any crime punishable as a felony under the motor vehicle laws of this state or any other felony in the commission of which a motor vehicle is used;

(c) Failing to stop and disclose identity at the scene of the accident when required by law or ordinance to do so;

(d) Street racing as defined in section 4511.251 of the Revised Code or any substantially similar municipal ordinance;

(e) Willfully eluding or fleeing a police officer;

(f) Trafficking in cigarettes with the intent to avoid payment of the cigarette tax under division (A) of section 5743.112 of the Revised Code;

(g) A violation of section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance substantially similar to section 2903.07 of the Revised Code, unless the jury or judge as trier of fact in the case finds

that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse at the time of the commission of the offense.

If a person is convicted of or pleads guilty to a violation of section 2907.24 of the Revised Code, an attempt to commit a violation of that section, or a violation of or an attempt to commit a violation of a municipal ordinance that is substantially equivalent to that section and if the person, in committing or attempting to commit the violation, was in, was on, or used a motor vehicle, the trial judge of a court of record, in addition to or independent of all other penalties provided by law or ordinance, shall suspend for thirty days the person's driver's or commercial driver's license or permit.

The trial judge of any court of record, in addition to suspensions or revocations of licenses, permits, or privileges pursuant to this division and in addition to or independent of all other penalties provided by law or by ordinance, shall impose a suspended jail sentence not to exceed six months, if imprisonment was not imposed for the offense for which the person was convicted.

(2) If the trial judge of any court of record suspends or revokes the driver's or commercial driver's license or permit or nonresident operating privilege of a person who is convicted of or pleads guilty to any offense for which such suspension or revocation is provided by law or ordinance, in addition to all other penalties provided by law or ordinance, the judge may issue an order prohibiting the offender from registering, renewing, or transferring the registration of any vehicle during the period that the offender's license, permit, or privilege is suspended or revoked. The court promptly shall send a copy of the order to the registrar of motor vehicles.

Upon receipt of such an order, neither the registrar nor any deputy registrar shall accept any application for the registration, registration renewal, or transfer of registration of any motor vehicle owned or leased by the person named in the order during the period that the person's license, permit, or privilege is suspended or revoked, unless the registrar is properly notified by the court that the order of suspension or revocation has been canceled. When the period of suspension or revocation expires or the order is canceled, the registrar or deputy registrar shall accept the application for registration, registration renewal, or transfer of registration of the person named in the order.

(B) Except as otherwise provided in this section, the trial judge of any court of record and the mayor of a mayor's court, in addition to or independent of all other penalties provided by law or by ordinance, shall revoke the driver's or commercial driver's license or permit or nonresident

operating privilege of any person who is convicted of or pleads guilty to a violation of division (A) of section 4511.19 of the Revised Code, of a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or of a municipal ordinance that is substantially equivalent to division (A) of section 4511.19 of the Revised Code relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine or suspend the license, permit, or privilege as follows:

(1) Except when division (B)(2), (3), or (4) of this section applies and the judge or mayor is required to suspend or revoke the offender's license or permit pursuant to that division, the judge or mayor shall suspend the offender's driver's or commercial driver's license or permit or nonresident operating privilege for not less than six months nor more than three years.

(2) Subject to division (B)(4) of this section, if, within six years of the offense, the offender has been convicted of or pleaded guilty to one violation of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a motor vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, the judge shall suspend the offender's driver's or commercial driver's license or permit or nonresident operating privilege for not less than one year nor more than five years.

(3) Subject to division (B)(4) of this section, if, within six years of the offense, the offender has been convicted of or pleaded guilty to two violations described in division (B)(2) of this section, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, the judge shall suspend the offender's driver's or commercial driver's license or permit or nonresident operating privilege for not less than one year nor more than ten

years.

(4) If, within six years of the offense, the offender has been convicted of or pleaded guilty to three or more violations described in division (B)(2) of this section, ~~or~~ a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, or if the offender previously has been convicted of or pleaded guilty to a violation of division (A) of section 4511.19 of the Revised Code under circumstances in which the violation was a felony and regardless of when the violation and the conviction or guilty plea occurred, the judge shall suspend the offender's driver's or commercial driver's license or permit or nonresident operating privilege for a period of time set by the court but not less than three years, and the judge may permanently revoke the offender's driver's or commercial driver's license or permit or nonresident operating privilege.

(5) The filing of an appeal by a person whose driver's or commercial driver's license is suspended or revoked under division (B)(1), (2), (3), or (4) of this section regarding any aspect of the person's trial or sentence does not stay the operation of the suspension or revocation.

(C) The trial judge of any court of record or the mayor of a mayor's court, in addition to or independent of all other penalties provided by law or by ordinance, may suspend the driver's or commercial driver's license or permit or nonresident operating privilege of any person who violates a requirement or prohibition of the court imposed under division (F) of this section or division (G)(1) of section 2951.02 of the Revised Code as follows:

(1) For not more than one year, upon conviction for a first violation of the requirement or prohibition;

(2) For not more than five years, upon conviction for a second or subsequent violation of the requirement or prohibition during the same period of required use of an ignition interlock device that is certified pursuant to section 4511.83 of the Revised Code.

(D)(1) The trial judge of any court of record, in addition to or independent of all other penalties provided by law or by ordinance, shall permanently revoke the driver's or commercial driver's license or permit or nonresident operating privilege of any person who is convicted of or pleads guilty to a violation of section 2903.04 of the Revised Code in a case in which the offender is subject to the sanctions described in division (D) of that section, or of any person who is convicted of or pleads guilty to a violation of section 2903.06, 2903.07, or 2903.08 of the Revised Code or of

a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code if the jury or judge as trier of fact in the case in which the person is convicted finds that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, at the time of the commission of the offense.

(2) In addition to any prison term authorized or required by the section that establishes the offense and sections 2929.13 and 2929.14 of the Revised Code, and in addition to any other sanction imposed for the offense under the section that establishes the offense or sections 2929.11 to 2929.182 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised Code either shall revoke or, if it does not revoke, shall suspend for not less than six months or more than five years, as specified in the section that establishes the offense, the person's driver's or commercial driver's license or permit. If the person's driver's or commercial driver's license or permit is under suspension on the date the court imposes sentence upon the person, any revocation imposed upon the person that is referred to in division (D)(2) of this section shall take effect immediately. If the person's driver's or commercial driver's license or permit is under suspension on the date the court imposes sentence upon the person, any period of suspension imposed upon the person that is referred to in division (D)(2) of this section shall take effect on the next day immediately following the end of that period of suspension. If the person is sixteen years of age or older and is a resident of this state but does not have a current, valid Ohio driver's or commercial driver's license or permit, the court shall order the registrar ~~of motor vehicles~~ to deny to the person the issuance of a driver's or commercial driver's license or permit for six months beginning on the date the court imposes a sentence upon the person. If the person has not attained the age of sixteen years on the date the court sentences the person for the violation, the period of denial shall commence on the date the person attains the age of sixteen years.

(E) Except as otherwise provided in this section, the trial judge of any court of record and the mayor of a mayor's court, in addition to or independent of all other penalties provided by law or ordinance, shall suspend for not less than sixty days nor more than two years the driver's or commercial driver's license or permit or nonresident operating privilege of any person who is convicted of or pleads guilty to a violation of division (B) of section 4511.19 of the Revised Code or of a municipal ordinance substantially equivalent to that division relating to operating a vehicle with a

prohibited concentration of alcohol in the blood, breath, or urine.

(F) If a person's driver's or commercial driver's license or permit or nonresident operating privilege has been suspended pursuant to division (B) or (C) of this section or pursuant to division (F) of section 4511.191 of the Revised Code, and the person, within the preceding seven years, has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, the person is not entitled to request, and the judge or mayor shall not grant to the person, occupational driving privileges under this division. Any other person whose driver's or commercial driver's license or nonresident operating privilege has been suspended under any of those divisions may file a petition that alleges that the suspension would seriously affect the person's ability to continue the person's employment. The petition of a person whose license, permit, or privilege was suspended pursuant to division (F) of section 4511.191 of the Revised Code shall be filed in the court specified in division (I)(4) of that section, and the petition of a person whose license, permit, or privilege was suspended under division (B) or (C) of this section shall be filed in the municipal, county, mayor's, or in the case of a minor, juvenile court that has jurisdiction over the place of arrest. Upon satisfactory proof that there is reasonable cause to believe that the suspension would seriously affect the person's ability to continue the person's employment, the judge of the court or mayor of the mayor's court may grant the person occupational driving privileges during the period during which the suspension otherwise would be imposed, except that the judge or mayor shall not grant occupational driving privileges to any person who, within seven years of the filing of the petition, has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of

alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, shall not grant occupational driving privileges for employment as a driver of commercial motor vehicles to any person who is disqualified from operating a commercial motor vehicle under section 2301.374 or 4506.16 of the Revised Code, and shall not grant occupational driving privileges during any of the following periods of time:

(1) The first fifteen days of suspension imposed upon an offender whose license, permit, or privilege is suspended pursuant to division (B)(1) of this section or division (F)(1) of section 4511.191 of the Revised Code. On or after the sixteenth day of suspension, the court may grant the offender occupational driving privileges, but the court may provide that the offender shall not exercise the occupational driving privileges unless the vehicles the offender operates are equipped with ignition interlock devices.

(2) The first thirty days of suspension imposed upon an offender whose license, permit, or privilege is suspended pursuant to division (B)(2) of this section or division (F)(2) of section 4511.191 of the Revised Code. On or after the thirty-first day of suspension, the court may grant the offender occupational driving privileges, but the court may provide that the offender shall not exercise the occupational driving privileges unless the vehicles the offender operates are equipped with ignition interlock devices.

(3) The first one hundred eighty days of suspension imposed upon an offender whose license, permit, or privilege is suspended pursuant to division (B)(3) of this section or division (F)(3) of section 4511.191 of the Revised Code. The judge may grant occupational driving privileges to an offender who receives a suspension under either of those divisions on or after the one hundred eighty-first day of the suspension only if division (F) of this section does not prohibit the judge from granting the privileges and only if the judge, at the time of granting the privileges, also issues an order prohibiting the offender, while exercising the occupational driving privileges during the period commencing with the one hundred eighty-first

day of suspension and ending with the first year of suspension, from operating any motor vehicle unless it is equipped with a certified ignition interlock device. After the first year of the suspension, the court may authorize the offender to continue exercising the occupational driving privileges in vehicles that are not equipped with ignition interlock devices. If the offender does not petition for occupational driving privileges until after the first year of suspension and if division (F) of this section does not prohibit the judge from granting the privileges, the judge may grant the offender occupational driving privileges without requiring the use of a certified ignition interlock device.

(4) The first three years of suspension imposed upon an offender whose license, permit, or privilege is suspended pursuant to division (B)(4) of this section or division (F)(4) of section 4511.191 of the Revised Code. The judge may grant occupational driving privileges to an offender who receives a suspension under either of those divisions after the first three years of suspension only if division (F) of this section does not prohibit the judge from granting the privileges and only if the judge, at the time of granting the privileges, also issues an order prohibiting the offender from operating any motor vehicle, for the period of suspension following the first three years of suspension, unless the motor vehicle is equipped with a certified ignition interlock device.

(G) If a person's driver's or commercial driver's license or permit or nonresident operating privilege has been suspended under division (E) of this section, and the person, within the preceding seven years, has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, the person is not entitled to request, and the judge or mayor shall not grant to the person, occupational driving privileges under this division. Any other person whose driver's or

commercial driver's license or nonresident operating privilege has been suspended under division (E) of this section may file a petition that alleges that the suspension would seriously affect the person's ability to continue the person's employment. The petition shall be filed in the municipal, county, or mayor's court that has jurisdiction over the place of arrest. Upon satisfactory proof that there is reasonable cause to believe that the suspension would seriously affect the person's ability to continue the person's employment, the judge of the court or mayor of the mayor's court may grant the person occupational driving privileges during the period during which the suspension otherwise would be imposed, except that the judge or mayor shall not grant occupational driving privileges to any person who, within seven years of the filing of the petition, has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, shall not grant occupational driving privileges for employment as a driver of commercial motor vehicles to any person who is disqualified from operating a commercial motor vehicle under section 4506.16 of the Revised Code, and shall not grant occupational driving privileges during the first sixty days of suspension imposed upon an offender whose driver's or commercial driver's license or permit or nonresident operating privilege is suspended pursuant to division (E) of this section.

(H)(1) After a driver's or commercial driver's license or permit has been suspended or revoked pursuant to this section, the judge of the court or mayor of the mayor's court that suspended or revoked the license or permit shall cause the offender to deliver the license or permit to the court. The judge, mayor, or clerk of the court or mayor's court, if the license or permit has been suspended or revoked in connection with any of the offenses listed in this section, forthwith shall forward it to the registrar with notice of the

action of the court.

(2) Suspension of a commercial driver's license under this section shall be concurrent with any period of disqualification under section 2301.374 or 4506.16 of the Revised Code. No person who is disqualified for life from holding a commercial driver's license under section 4506.16 of the Revised Code shall be issued a driver's license under this chapter during the period for which the commercial driver's license was suspended under this section, and no person whose commercial driver's license is suspended under this section shall be issued a driver's license under this chapter during the period of the suspension.

(I) No judge shall suspend the first thirty days of suspension of a driver's or commercial driver's license or permit or a nonresident operating privilege required under division (A) of this section, no judge or mayor shall suspend the first six months of suspension required under division (B)(1) of this section, no judge shall suspend the first year of suspension required under division (B)(2) of this section, no judge shall suspend the first year of suspension required under division (B)(3) of this section, no judge shall suspend the first three years of suspension required under division (B)(4) of this section, no judge or mayor shall suspend the revocation required by division (D) of this section, and no judge or mayor shall suspend the first sixty days of suspension required under division (E) of this section, except that the court shall credit any period of suspension imposed pursuant to section 4511.191 or 4511.196 of the Revised Code against any time of suspension imposed pursuant to division (B) or (E) of this section as described in division (J) of this section.

(J) The judge of the court or mayor of the mayor's court shall credit any time during which an offender was subject to an administrative suspension of the offender's driver's or commercial driver's license or permit or nonresident operating privilege imposed pursuant to division (E) or (F) of section 4511.191 or a suspension imposed by a judge, referee, or mayor pursuant to division (B)(1) or (2) of section 4511.196 of the Revised Code against the time to be served under a related suspension imposed pursuant to this section.

(K) The judge or mayor shall notify the bureau of any determinations made, and of any suspensions or revocations imposed, pursuant to division (B) of this section.

(L)(1) If a court issues an ignition interlock order under division (F) of this section, the order shall authorize the offender during the specified period to operate a motor vehicle only if it is equipped with a certified ignition interlock device. The court shall provide the offender with a copy of

an ignition interlock order issued under division (F) of this section, and the copy of the order shall be used by the offender in lieu of an Ohio driver's or commercial driver's license or permit until the registrar or a deputy registrar issues the offender a restricted license.

An order issued under division (F) of this section does not authorize or permit the offender to whom it has been issued to operate a vehicle during any time that the offender's driver's or commercial driver's license or permit is suspended or revoked under any other provision of law.

(2) The offender may present the ignition interlock order to the registrar or to a deputy registrar. Upon presentation of the order to the registrar or a deputy registrar, the registrar or deputy registrar shall issue the offender a restricted license. A restricted license issued under this division shall be identical to an Ohio driver's license, except that it shall have printed on its face a statement that the offender is prohibited during the period specified in the court order from operating any motor vehicle that is not equipped with a certified ignition interlock device, and except that the date of commencement and the date of termination of the period shall be indicated conspicuously upon the face of the license.

(3) As used in this section:

(a) "Ignition interlock device" has the same meaning as in section 4511.83 of the Revised Code.

(b) "Certified ignition interlock device" means an ignition interlock device that is certified pursuant to section 4511.83 of the Revised Code.

Sec. 4507.162. (A) Except as provided in division (C) of this section, the registrar of motor vehicles shall suspend the probationary driver's license or restricted license issued to any person when the person, before reaching ~~his~~ the person's eighteenth birthday, has been convicted of, pleaded guilty to, or been adjudicated in juvenile court of having committed any of the following:

(1) Three separate violations in any two-year period of section 2903.06, 2903.07, 2903.08, 2921.331, 4511.12, 4511.13, 4511.15, 4511.191, 4511.192, 4511.20, 4511.201, 4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the Revised Code, section 2903.04 of the Revised Code in a case in which the person would have been subject to the sanctions described in division (D) of that section had ~~he~~ the person been convicted of the violation of that section, or any municipal ordinances similarly relating to the offenses contained in those sections;

(2) One violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance.

Any person whose license is suspended under division (A) of this section shall mail or deliver ~~his~~ the person's probationary driver's license or restricted license to the registrar within fourteen days of notification of the suspension. The registrar shall retain the license during the period of the suspension. A suspension pursuant to division (A)(1) of this section shall remain in effect until one year has elapsed since the date of suspension of the probationary driver's license or restricted license and a suspension pursuant to division (A)(2) of this section shall remain in effect until six months have elapsed since the date of the suspension. If the person's probationary driver's license or restricted license is under suspension on the date the court imposes sentence upon the person for a violation described in division (A)(2) of this section, the suspension shall take effect on the next day immediately following the end of that period of suspension. If the person is sixteen years of age or older and pleads guilty to or is convicted of a violation described in division (A)(2) of this section and ~~he~~ the person does not have a current, valid probationary driver's license or restricted license, the registrar shall deny the issuance to the person of a probationary driver's license, restricted license, driver's license, ~~probationary commercial driver's license,~~ or commercial driver's license, as the case may be, for six months beginning on the date the court imposes sentence upon the person for the violation. If the person has not attained the age of sixteen years on the date the court imposes sentence upon ~~him~~ the person for the violation, the period of denial shall commence on the date the person attains the age of sixteen years.

(B) The registrar also shall suspend the temporary instruction permit or probationary driver's license of any person under the age of eighteen who has been adjudicated unruly, delinquent, or a juvenile traffic offender for having committed any act that if committed by an adult would be a drug abuse offense as defined in section 2925.01 of the Revised Code, or a violation of division (B) of section 2917.11 of the Revised Code until the person reaches the age of eighteen years or attends, at the discretion of the court, and satisfactorily completes a drug abuse or alcohol abuse education, intervention, or treatment program specified by the court. Any person whose temporary instruction permit or probationary driver's license is suspended under this division shall mail or deliver ~~his~~ the person's permit or license to the registrar within fourteen days of notification of the suspension. The registrar shall retain the license during the period of the suspension.

(C) If a person is convicted of, pleads guilty to, or is adjudicated in juvenile court of having committed a third violation of sections 4511.12, 4511.13, 4511.15, 4511.20 to 4511.23, 4511.25, 4511.26 to 4511.48,

7 to 4511.65, or 4511.75 of the Revised Code or any similar municipal ordinances within a two-year period, and the person, within the preceding seven years, has been convicted of, pleaded guilty to, or adjudicated in juvenile court of having committed three or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, or section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, the person is not entitled to request, and the court shall not grant to the person, occupational driving privileges under this division. For any other person who is convicted of, pleads guilty to, or is adjudicated in juvenile court of having committed a third violation of sections 4511.12, 4511.13, 4511.15, 4511.20 to 4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 4511.75 of the Revised Code or any similar municipal ordinances within a two-year period, the court in which the third conviction, finding, plea, or adjudication was made, upon petition of the person, may grant the person occupational driving privileges if the court finds that the person will reach ~~his~~ the person's eighteenth birthday before the period of suspension required to be imposed under division (A)(1) of this section expires and further finds reasonable cause to believe that the suspension, if continued beyond the person's eighteenth birthday, will seriously affect the person's ability to continue in ~~his~~ employment. The occupational driving privileges granted under this division shall be effective on the person's eighteenth birthday and during the period following such birthday for which the suspension would otherwise be imposed. A court shall not grant occupational driving privileges to any person who, within seven years of the filing of the petition, has been convicted of, pleaded guilty to, or adjudicated in juvenile court of having committed three or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, or section 2903.06,

2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse. In granting occupational driving privileges, the court shall specify the times and places at which the person may drive and may impose any other conditions upon the person's use of a motor vehicle that the court considers reasonable and necessary.

A court that grants occupational driving privileges to a person under this division shall retain the person's probationary driver's license or restricted license during the period the license is suspended and also during the period for which occupational driving privileges are granted, and shall deliver to the person a permit card, in a form to be prescribed by the court, setting forth the date on which the occupational driving privileges will become effective, the times and places at which the person may drive, and any other conditions imposed upon the person's use of a motor vehicle.

The court immediately shall notify the registrar, in writing, of a grant of occupational driving privileges. The notification shall specify the date on which the occupational driving privileges will become effective, the times and places at which the person may drive, and any other conditions imposed upon the person's use of a motor vehicle. The registrar shall not suspend the probationary driver's license or restricted license of any person pursuant to division (A) of this section during any period for which the person has been granted occupational driving privileges as provided in this division, if the registrar has received the notification described in this division from the court.

(D) If a person who has been granted occupational driving privileges under division (C) of this section is convicted of, pleads guilty to, or is adjudicated in juvenile court of having committed, a violation of section 4507.02 of the Revised Code, or a fourth or subsequent violation of any of the other sections of the Revised Code listed in division (A)(1) of this section or any similar municipal ordinance during the period for which ~~he~~ the person was granted occupational driving privileges, the court that granted the occupational driving privileges shall revoke them and cancel the person's permit card. The court or the clerk of the court immediately shall forward the person's probationary driver's license or restricted license together with written notification of the court's action to the registrar. Upon receipt of the license and notification, the registrar shall suspend the person's probationary driver's license or restricted license for a period of one year. The registrar shall retain the license during the period of suspension, and no

further occupational driving privileges shall be granted during that period.

(E) No application for a driver's or commercial driver's license shall be received from any person whose probationary driver's license or restricted license has been suspended under this section until the suspension period has expired, a temporary instruction permit or commercial driver's license temporary instruction permit has been issued, and the applicant has submitted to the examination for a driver's license as provided for in section 4507.11 or a commercial driver's license as provided in Chapter 4506. of the Revised Code.

Sec. 4507.163. (A) Any person of insufficient age to purchase intoxicating liquor or beer who, contrary to division (A) or (C) of section 4507.30 of the Revised Code, displays as proof that ~~he~~ the person is of sufficient age to purchase intoxicating liquor or beer, a driver's or commercial driver's license, knowing the same to be fictitious, altered, or not ~~his~~ the person's own, shall thereby forfeit the driving privileges authorized by ~~his~~ the person's own driver's license, probationary driver's license, commercial driver's license, ~~probationary commercial driver's license,~~ temporary instruction permit, or commercial driver's license temporary instruction permit and be denied the issuance or reissuance of any such license or permit by the registrar of motor vehicles for one year beginning with the date on which notification of such forfeiture and denial is mailed to ~~him~~ the person by the registrar.

(B) In any prosecution, or in any proceeding before the liquor control commission, in which the defense authorized by section 4301.639 of the Revised Code is sustained, the clerk of the court in which ~~said~~ the prosecution was had, or the clerk of the liquor control commission, shall certify to the registrar ~~of motor vehicles~~ the facts ascertainable from ~~his~~ the clerk's records evidencing violation of division (A) or (C) of section 4507.30 of the Revised Code by a person of insufficient age to purchase intoxicating liquor or beer, including in ~~such~~ the certification the person's name and residence address ~~of such person~~.

(C) The registrar ~~of motor vehicles,~~ upon receipt of ~~said~~ the certification, shall suspend ~~such~~ the person's license or permit to drive subject to review as provided in this section, and shall mail to ~~such~~ the person, at ~~his~~ the person's last known address, a notice of the suspension and of the hearing provided in division (D) of this section.

(D) Any person whose license or permit to drive has been suspended under this section ~~may,~~ within twenty days of the mailing of the notice provided above, may file a petition in the municipal court or county court, or in case ~~such~~ the person is under the age of eighteen years, in the juvenile

court, in whose jurisdiction ~~such~~ the person resides, agreeing to pay the cost of the proceedings, and alleging error by the registrar ~~of motor vehicles~~ in the suspension of the license or permit to drive, or in one or more of the matters within the scope of the hearing as provided in this section, or both. ~~Such~~ The petitioner shall notify the registrar of the filing of the petition and send ~~him~~ the registrar a copy thereof. The scope of ~~such~~ the hearing shall be limited to whether a court of record did in fact find that the petitioner displayed, or, if the original proceedings were before the liquor control commission, whether the petitioner did in fact display, as proof that ~~he~~ the person was of sufficient age to purchase intoxicating liquor or beer, a driver's or commercial driver's license knowing the same to be fictitious, altered, or not ~~his~~ the person's own, and whether ~~he~~ the person was at that time of insufficient age legally to make a purchase of intoxicating liquor or beer.

(E) In any hearing authorized by this section, the registrar ~~of motor vehicles~~ shall be represented by the prosecuting attorney of the county where the petitioner resides.

(F) If the court finds from the evidence submitted that ~~such~~ the person has failed to show error in the action by the registrar ~~of motor vehicles~~ or in one or more of the matters within the scope of the hearing as limited in division (D) of this section, or both, the court shall assess the cost of the proceeding against ~~such~~ the person and shall impose the suspension provided in divisions (A) and (C) of this section. If the court finds that ~~such~~ the person has shown error in the action taken by the registrar, or in one or more of the matters within the scope of the hearing as limited in division (B) of this section, or both, the cost of the proceeding shall be paid out of the county treasury of the county in which the proceedings were held, and the suspension provided in divisions (A) and (C) of this section shall not be imposed. The court shall inform the registrar ~~of motor vehicles~~ in writing of the action taken.

Sec. 4507.169. (A) The registrar of motor vehicles shall suspend for ~~six months~~ the period of time specified in this division the driver's or commercial driver's license or permit of, or deny for ~~six months~~ such period of time the issuance of a driver's or commercial driver's license or permit to, any person who is a resident of this state and is convicted of or pleads guilty to a violation of a statute of any other state or any federal statute that is substantially similar to section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised Code. Upon receipt of a report from a court, court clerk, or other official of any other state or from any

federal authority that a resident of this state was convicted of or pleaded guilty to an offense described in this division, the registrar shall send a notice by regular first class mail to the person, at the person's last known address as shown in the records of the bureau of motor vehicles, informing the person of the suspension or denial, that the suspension or denial will take effect twenty-one days from the date of the notice, and that, if the person wishes to appeal the suspension or denial, the person must file a notice of appeal within twenty-one days of the date of the notice requesting a hearing on the matter. If the person requests a hearing, the registrar shall hold the hearing not more than forty days after receipt by the registrar of the notice of appeal. The filing of a notice of appeal does not stay the operation of the suspension or denial that must be imposed pursuant to this division. The scope of the hearing shall be limited to whether the person actually was convicted of or pleaded guilty to the offense for which the suspension or denial is to be imposed.

~~If the person is a resident of this state who does not have a current, valid Ohio driver's or commercial driver's license, the notice shall inform the person that the person will be denied issuance of a driver's or commercial driver's license or permit for six months beginning on the date of the notice~~
the period of suspension or denial the registrar is required to impose under this division shall end either on the last day of any period of suspension of the person's nonresident operating privilege imposed by the state or federal court located in the other state, or the date six months and twenty-one days from the date of the notice sent by the registrar to the person under this division, whichever is earlier.

The registrar shall subscribe to or otherwise participate in any information system or register, or enter into reciprocal and mutual agreements with other states and federal authorities, in order to facilitate the exchange of information with other states and the United States government regarding persons who plead guilty to or are convicted of offenses described in this division and therefore are subject to the suspension or denial described in this division.

(B) The registrar shall suspend for ~~six months~~ the period of time specified in this division the driver's or commercial driver's license or permit of, or deny for ~~six months~~ such period of time the issuance of a driver's or commercial driver's license or permit to, any person who is a resident of this state and is convicted of or pleads guilty to a violation of a statute of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to section 4511.19 of the Revised Code. Upon receipt of a report from another state made pursuant to section

~~4511.95~~ 4507.60 of the Revised Code indicating that a resident of this state was convicted of or pleaded guilty to an offense described in this division, the registrar shall send a notice by regular first class mail to the person, at the person's last known address as shown in the records of the bureau of motor vehicles, informing the person of the suspension or denial, that the suspension or denial will take effect twenty-one days from the date of the notice, and that, if the person wishes to appeal the suspension or denial, the person must file a notice of appeal within twenty-one days of the date of the notice requesting a hearing on the matter. If the person requests a hearing, the registrar shall hold the hearing not more than forty days after receipt by the registrar of the notice of appeal. The filing of a notice of appeal does not stay the operation of the suspension or denial that must be imposed pursuant to this division. The scope of the hearing shall be limited to whether the person actually was convicted of or pleaded guilty to the offense for which the suspension or denial is to be imposed.

~~If the person is a resident of this state but does not have a current, valid Ohio driver's or commercial driver's license, the notice shall inform the person that the person will be denied issuance of a driver's or commercial driver's license or permit for six months beginning on the date of the notice~~ the period of suspension or denial the registrar is required to impose under this division shall end either on the last day of any period of suspension of the person's nonresident operating privilege imposed by the state or federal court located in the other state, or the date six months and twenty-one days from the date of the notice sent by the registrar to the person under this division, whichever is earlier.

(C) The registrar shall suspend for ~~six months~~ the period of time specified in this division the driver's or commercial driver's license or permit of, or deny for ~~six months~~ such period of time the issuance of a driver's or commercial driver's license or permit to, any child who is a resident of this state and is convicted of or pleads guilty to a violation of a statute of any other state or any federal statute that is substantially similar to section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised Code. Upon receipt of a report from a court, court clerk, or other official of any other state or from any federal authority that a child who is a resident of this state was convicted of or pleaded guilty to an offense described in this division, the registrar shall send a notice by regular first class mail to the child, at the child's last known address as shown in the records of the bureau of motor vehicles, informing the child of the suspension or denial, that the suspension or denial will take effect

twenty-one days from the date of the notice, and that, if the child wishes to appeal the suspension or denial, the child must file a notice of appeal within twenty-one days of the date of the notice requesting a hearing on the matter. If the child requests a hearing, the registrar shall hold the hearing not more than forty days after receipt by the registrar of the notice of appeal. The filing of a notice of appeal does not stay the operation of the suspension or denial that must be imposed pursuant to this division. The scope of the hearing shall be limited to whether the child actually was convicted of or pleaded guilty to the offense for which the suspension or denial is to be imposed.

The period of suspension the registrar is required to impose under this division shall end either on the last day of any period of suspension of the child's nonresident operating privilege imposed by the state or federal court located in the other state, or the date six months and twenty-one days from the date of the notice sent by the registrar to the child under this division, whichever is earlier. If the child is a resident of this state who is sixteen years of age or older and does not have a current, valid Ohio driver's or commercial driver's license or permit, the notice shall inform the child that the child will be denied issuance of a driver's or commercial driver's license or permit for six months beginning on the date of the notice. If the child has not attained the age of sixteen years on the date of the notice, the notice shall inform the child that the period of denial of six months shall commence on the date the child attains the age of sixteen years.

The registrar shall subscribe to or otherwise participate in any information system or register, or enter into reciprocal and mutual agreements with other states and federal authorities, in order to facilitate the exchange of information with other states and the United States government regarding children who are residents of this state and plead guilty to or are convicted of offenses described in this division and therefore are subject to the suspension or denial described in this division.

(D) The registrar shall suspend for ~~six months~~ the period of time specified in this division the driver's or commercial driver's license or permit of, or deny for ~~six months~~ such period of time the issuance of a driver's or commercial driver's license or permit to, any child who is a resident of this state and is convicted of or pleads guilty to a violation of a statute of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to section 4511.19 of the Revised Code. Upon receipt of a report from another state made pursuant to section ~~4511.95~~ 4507.60 of the Revised Code indicating that a child who is a resident of this state was convicted of or pleaded guilty to an offense

described in this division, the registrar shall send a notice by regular first class mail to the child, at the child's last known address as shown in the records of the bureau of motor vehicles, informing the child of the suspension or denial, that the suspension or denial will take effect twenty-one days from the date of the notice, and that, if the child wishes to appeal the suspension or denial, the child must file a notice of appeal within twenty-one days of the date of the notice requesting a hearing on the matter. If the child requests a hearing, the registrar shall hold the hearing not more than forty days after receipt by the registrar of the notice of appeal. The filing of a notice of appeal does not stay the operation of the suspension or denial that must be imposed pursuant to this division. The scope of the hearing shall be limited to whether the child actually was convicted of or pleaded guilty to the offense for which the suspension or denial is to be imposed.

The period of suspension the registrar is required to impose under this division shall end either on the last day of any period of suspension of the child's nonresident operating privilege imposed by the state or federal court located in the other state, or the date six months and twenty-one days from the date of the notice sent by the registrar to the child under this division, whichever is earlier. If the child is a resident of this state who is sixteen years of age or older and does not have a current, valid Ohio driver's or commercial driver's license or permit, the notice shall inform the child that the child will be denied issuance of a driver's or commercial driver's license or permit for six months beginning on the date of the notice. If the child has not attained the age of sixteen years on the date of the notice, the notice shall inform the child that the period of denial of six months shall commence on the date the child attains the age of sixteen years.

(E) Any person whose license or permit has been suspended pursuant to division (B) or (D) of this section may file a petition in the municipal or county court, or in case the person is under eighteen years of age, the juvenile court, in whose jurisdiction the person resides, agreeing to pay the cost of the proceedings and alleging that the suspension would seriously affect the person's ability to continue the person's employment. Upon satisfactory proof that there is reasonable cause to believe that the suspension would seriously affect the person's ability to continue the person's employment, the judge may grant the person occupational driving privileges during the period during which the suspension otherwise would be imposed, except that the judge shall not grant occupational driving privileges for employment as a driver of a commercial motor vehicle to any person who would be disqualified from operating a commercial motor

vehicle under section 4506.16 of the Revised Code if the violation had occurred in this state, or during any of the following periods of time:

(1) If the person has not been convicted within five years of the date of the offense giving rise to the suspension under this section of a violation of section 4511.19 of the Revised Code, of a municipal ordinance relating to operating a vehicle under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, of a municipal ordinance relating to operating a motor vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, of section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, or of section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, the first fifteen days of the suspension.

(2) If the person has been convicted only one time within five years of the date of the offense giving rise to the suspension under this section of a violation of section 4511.19 of the Revised Code, of a municipal ordinance relating to operating a vehicle under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, of a municipal ordinance relating to operating a motor vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, of section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, or of section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, the first thirty days of the suspension.

(3) If the person has been convicted two times within five years of the date of the offense giving rise to the suspension under this section of a violation of section 4511.19 of the Revised Code, of a municipal ordinance relating to operating a vehicle under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, of a municipal ordinance relating to operating a motor vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, of section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, or of section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of

abuse, the first one hundred eighty days of the suspension.

(4) If the person has been convicted three or more times within five years of the date of the offense giving rise to the suspension under this section of a violation of section 4511.19 of the Revised Code, of a municipal ordinance relating to operating a vehicle under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, of a municipal ordinance relating to operating a motor vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, of section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, or of section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, no occupational driving privileges may be granted.

If a person petitions for occupational driving privileges under division (E) of this section, the registrar shall be represented by the county prosecutor of the county in which the person resides if the petition is filed in a juvenile court or county court, except that if the person resides within a city or village that is located within the jurisdiction of the county in which the petition is filed, the city director of law or village solicitor of that city or village shall represent the registrar. If the petition is filed in a municipal court, the registrar shall be represented as provided in section 1901.34 of the Revised Code.

In granting occupational driving privileges under division (E) of this section, the court may impose any condition it considers reasonable and necessary to limit the use of a vehicle by the person. The court shall deliver to the person a permit card, in a form to be prescribed by the court, setting forth the time, place, and other conditions limiting the person's use of a motor vehicle. The grant of occupational driving privileges shall be conditioned upon the person's having the permit in ~~his~~ the person's possession at all times during which the person is operating a vehicle.

A person granted occupational driving privileges who operates a vehicle for other than occupational purposes, in violation of any condition imposed by the court or without having the permit in the person's possession, is guilty of a violation of division (D)(1) of section 4507.02 of the Revised Code.

(F) As used in divisions (C) and (D) of this section:

(1) "Child" means a person who is under the age of eighteen years, except that any person who violates a statute or ordinance described in division (C) or (D) of this section prior to attaining eighteen years of age

shall be deemed a "child" irrespective of the person's age at the time the complaint or other equivalent document is filed in the other state or a hearing, trial, or other proceeding is held in the other state on the complaint or other equivalent document, and irrespective of the person's age when the period of license suspension or denial prescribed in division (C) or (D) of this section is imposed.

(2) "Is convicted of or pleads guilty to" means, as it relates to a child who is a resident of this state, that in a proceeding conducted in a state or federal court located in another state for a violation of a statute or ordinance described in division (C) or (D) of this section, the result of the proceeding is any of the following:

(a) Under the laws that govern the proceedings of the court, the child is adjudicated to be or admits to being a delinquent child or a juvenile traffic offender for a violation described in division (C) or (D) of this section that would be a crime if committed by an adult;

(b) Under the laws that govern the proceedings of the court, the child is convicted of or pleads guilty to a violation described in division (C) or (D) of this section;

(c) Under the laws that govern the proceedings of the court, irrespective of the terminology utilized in those laws, the result of the court's proceedings is the functional equivalent of division (F)(2)(a) or (b) of this section.

Sec. 4507.50. The registrar of motor vehicles or a deputy registrar ~~shall~~, upon receipt of an application filed in compliance with section 4507.51 of the Revised Code by any person who is a resident or a temporary resident of this state and, except as otherwise provided in this section, is not licensed as an operator of a motor vehicle in this state or another licensing jurisdiction, and upon receipt of a fee of three dollars and fifty cents, shall issue an identification card to that person.

Any person who is a resident or temporary resident of this state whose Ohio driver's or commercial driver's license has been suspended or revoked, ~~may~~, upon application in compliance with section 4507.51 of the Revised Code and payment of a fee of three dollars and fifty cents, may be issued a temporary identification card. The temporary identification card shall be identical to an identification card, except that it shall be printed on its face with a statement that the card is valid during the effective dates of the suspension or revocation of the cardholder's license, or until the birthday of the cardholder in the fourth year after the date on which it is issued, whichever is shorter. The cardholder shall surrender ~~his~~ the identification card to the registrar or any deputy registrar before ~~his~~ the cardholder's

driver's or commercial driver's license is restored or reissued.

The deputy registrar shall be allowed a fee of two dollars and twenty-five cents for each identification card issued under this section. The fee allowed to the deputy registrar shall be in addition to the fee for issuing an identification card.

Neither the registrar nor any deputy registrar shall charge a fee in excess of one dollar and fifty cents for laminating an identification card or temporary identification card. A deputy registrar laminating such a card shall retain the entire amount of the fee charged for lamination, less the actual cost to the registrar of the laminating materials used for that lamination, as specified in the contract executed by the bureau for the laminating materials and laminating equipment. The deputy registrar shall forward the amount of the cost of the laminating materials to the registrar for deposit as provided in this section.

The fee collected for issuing an identification card under this section, except the fee allowed to the deputy registrar, shall be paid into the state treasury to the credit of the state bureau of motor vehicles fund created in section 4501.25 of the Revised Code.

Sec. 4507.52. Each identification card issued by the registrar of motor vehicles or a deputy registrar shall bear a distinguishing number assigned to the cardholder, and shall contain the following inscription:

"STATE OF OHIO IDENTIFICATION CARD

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

The identification card shall bear substantially the same information as contained in the application and as described in division (A)(1) of section 4507.51 of the Revised Code and shall contain the color photograph of the cardholder. On and after May 1, 1993, if the cardholder has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the cardholder wishes the identification card to indicate that the cardholder has executed either type of instrument, the card also shall contain any symbol chosen by the registrar to indicate that the cardholder has executed either type of instrument. The card shall be sealed in transparent plastic or similar material and shall be so designed as to prevent its reproduction or alteration without ready detection.

The identification card for persons under twenty-one years of age shall have characteristics prescribed by the registrar distinguishing it from that

issued to a person who is twenty-one years of age or older, except that an identification card issued to a person who applies no more than thirty days before the applicant's twenty-first birthday shall have the characteristics of an identification card issued to a person who is twenty-one years of age or older.

Every identification card issued to a resident of this state shall expire, unless canceled or surrendered earlier, on the birthday of the cardholder in the fourth year after the date on which it is issued. Every identification card issued to a temporary resident shall expire in accordance with rules adopted by the registrar and is nonrenewable, but may be replaced with a new identification card upon the applicant's compliance with all applicable requirements. A cardholder may renew the cardholder's identification card within ~~thirty~~ ninety days prior to the day on which it expires by filing an application and paying the prescribed fee in accordance with section 4507.50 of the Revised Code.

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

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

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

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

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

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

When a cardholder applies for a duplicate or obtains a replacement identification card, the cardholder shall pay a fee of two dollars and fifty cents. A deputy registrar shall be allowed an additional fee of two dollars and twenty-five cents for issuing a duplicate or replacement identification card.

A duplicate or replacement identification card shall expire on the same date as the card it replaces.

The registrar shall cancel any card upon determining that the card was

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

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

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

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

Sec. 4509.31. (A) Whenever the registrar of motor vehicles receives notice from a court of record or mayor's court that a person has been convicted of, pleads guilty to, or forfeits any bail or collateral deposited to secure an appearance for trial for any of the crimes listed in section 4507.16 of the Revised Code, the registrar shall suspend the driver's or commercial driver's license or permit or nonresident operating privilege of the person and the registration of all motor vehicles registered in the name of the person as the owner, except that the registrar shall not suspend the driver's or commercial driver's license or permit or nonresident operating privilege, and registration unless otherwise required by law in the event the person has given or immediately gives and thereafter maintains, for a period of three years, proof of financial responsibility with respect to all the motor vehicles registered by the person as the owner.

(B) Except as provided in division (L) of section 4511.191 of the Revised Code, division (A) of this section does not apply to any person who is convicted of, or pleads guilty to, a violation of section 4511.19 of the Revised Code, of a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or of a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, if the offender previously has not been convicted of a violation of section 4511.19

of the Revised Code, of a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or with a prohibited concentration of alcohol in the blood, breath, or urine, or of a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, and the offender did not cause serious physical harm to a person other than the offender.

Sec. 4511.191. (A) Any person who operates a vehicle upon a highway or any public or private property used by the public for vehicular travel or parking within this state shall be deemed to have given consent to a chemical test or tests of the person's blood, breath, or urine for the purpose of determining the alcohol, drug, or alcohol and drug content of the person's blood, breath, or urine if arrested for operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or for operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine. The chemical test or tests shall be administered at the request of a police officer having reasonable grounds to believe the person to have been operating a vehicle upon a highway or any public or private property used by the public for vehicular travel or parking in this state while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or with a prohibited concentration of alcohol in the blood, breath, or urine. The law enforcement agency by which the officer is employed shall designate which of the tests shall be administered.

(B) Any person who is dead or unconscious, or who is otherwise in a condition rendering the person incapable of refusal, shall be deemed not to have withdrawn consent as provided by division (A) of this section and the test or tests may be administered, subject to sections 313.12 to 313.16 of the Revised Code.

(C)(1) Any person under arrest for operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or for operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine shall be advised at a police station, or at a hospital, first-aid station, or clinic to which the person has been taken for first-aid or medical treatment, of both of the following:

(a) The consequences, as specified in division (E) of this section, of the person's refusal to submit upon request to a chemical test designated by the law enforcement agency as provided in division (A) of this section;

(b) The consequences, as specified in division (F) of this section, of the person's submission to the designated chemical test if the person is found to

have a prohibited concentration of alcohol in the blood, breath, or urine.

(2)(a) The advice given pursuant to division (C)(1) of this section shall be in a written form containing the information described in division (C)(2)(b) of this section and shall be read to the person. The form shall contain a statement that the form was shown to the person under arrest and read to the person in the presence of the arresting officer and either another police officer, a civilian police employee, or an employee of a hospital, first-aid station, or clinic, if any, to which the person has been taken for first-aid or medical treatment. The witnesses shall certify to this fact by signing the form.

(b) The form required by division (C)(2)(a) of this section shall read as follows:

"You now are under arrest for operating a vehicle while under the influence of alcohol, a drug of abuse, or both alcohol and a drug of abuse and will be requested by a police officer to submit to a chemical test to determine the concentration of alcohol, drugs of abuse, or alcohol and drugs of abuse in your blood, breath, or urine.

If you refuse to submit to the requested test or if you submit to the requested test and are found to have a prohibited concentration of alcohol in your blood, breath, or urine, your driver's or commercial driver's license or permit or nonresident operating privilege immediately will be suspended for the period of time specified by law by the officer, on behalf of the registrar of motor vehicles. You may appeal this suspension at your initial appearance before the court that hears the charges against you resulting from the arrest, and your initial appearance will be conducted no later than five days after the arrest. This suspension is independent of the penalties for the offense, and you may be subject to other penalties upon conviction."

(D)(1) If a person under arrest as described in division (C)(1) of this section is not asked by a police officer to submit to a chemical test designated as provided in division (A) of this section, the arresting officer shall seize the Ohio or out-of-state driver's or commercial driver's license or permit of the person and immediately forward the seized license or permit to the court in which the arrested person is to appear on the charge for which the person was arrested. If the arrested person does not have the person's driver's or commercial driver's license or permit on his or her person or in his or her vehicle, the arresting officer shall order the arrested person to surrender it to the law enforcement agency that employs the officer within twenty-four hours after the arrest, and, upon the surrender, the officer's employing agency immediately shall forward the license or permit to the court in which the arrested person is to appear on the charge for which the

person was arrested. Upon receipt of the license or permit, the court shall retain it pending the initial appearance of the arrested person and any action taken under section 4511.196 of the Revised Code.

If a person under arrest as described in division (C)(1) of this section is asked by a police officer to submit to a chemical test designated as provided in division (A) of this section and is advised of the consequences of the person's refusal or submission as provided in division (C) of this section and if the person either refuses to submit to the designated chemical test or the person submits to the designated chemical test and the test results indicate that the person's blood contained a concentration of ten-hundredths of one per cent or more by weight of alcohol, the person's breath contained a concentration of ten-hundredths of one gram or more by weight of alcohol per two hundred ten liters of the person's breath, or the person's urine contained a concentration of fourteen-hundredths of one gram or more by weight of alcohol per one hundred milliliters of the person's urine at the time of the alleged offense, the arresting officer shall do all of the following:

(a) On behalf of the registrar, serve a notice of suspension upon the person that advises the person that, independent of any penalties or sanctions imposed upon the person pursuant to any other section of the Revised Code or any other municipal ordinance, the person's driver's or commercial driver's license or permit or nonresident operating privilege is suspended, that the suspension takes effect immediately, that the suspension will last at least until the person's initial appearance on the charge that will be held within five days after the date of the person's arrest or the issuance of a citation to the person, and that the person may appeal the suspension at the initial appearance; seize the Ohio or out-of-state driver's or commercial driver's license or permit of the person; and immediately forward the seized license or permit to the registrar. If the arrested person does not have the person's driver's or commercial driver's license or permit on his or her person or in his or her vehicle, the arresting officer shall order the person to surrender it to the law enforcement agency that employs the officer within twenty-four hours after the service of the notice of suspension, and, upon the surrender, the officer's employing agency immediately shall forward the license or permit to the registrar.

(b) Verify the current residence of the person and, if it differs from that on the person's driver's or commercial driver's license or permit, notify the registrar of the change;

(c) In addition to forwarding the arrested person's driver's or commercial driver's license or permit to the registrar, send to the registrar, within forty-eight hours after the arrest of the person, a sworn report that includes

all of the following statements:

(i) That the officer had reasonable grounds to believe that, at the time of the arrest, the arrested person was operating a vehicle upon a highway or public or private property used by the public for vehicular travel or parking within this state while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or with a prohibited concentration of alcohol in the blood, breath, or urine;

(ii) That the person was arrested and charged with operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or with operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine;

(iii) That the officer asked the person to take the designated chemical test, advised the person of the consequences of submitting to the chemical test or refusing to take the chemical test, and gave the person the form described in division (C)(2) of this section;

(iv) That the person refused to submit to the chemical test or that the person submitted to the chemical test and the test results indicate that the person's blood contained a concentration of ten-hundredths of one per cent or more by weight of alcohol, the person's breath contained a concentration of ten-hundredths of one gram or more by weight of alcohol per two hundred ten liters of the person's breath, or the person's urine contained a concentration of fourteen-hundredths of one gram or more by weight of alcohol per one hundred milliliters of the person's urine at the time of the alleged offense;

(v) That the officer served a notice of suspension upon the person as described in division (D)(1)(a) of this section.

(2) The sworn report of an arresting officer completed under division (D)(1)(c) of this section shall be given by the officer to the arrested person at the time of the arrest or sent to the person by regular first class mail by the registrar as soon thereafter as possible, but no later than fourteen days after receipt of the report. An arresting officer may give an unsworn report to the arrested person at the time of the arrest provided the report is complete when given to the arrested person and subsequently is sworn to by the arresting officer. As soon as possible, but no later than forty-eight hours after the arrest of the person, the arresting officer shall send a copy of the sworn report to the court in which the arrested person is to appear on the charge for which the person was arrested.

(3) The sworn report of an arresting officer completed and sent to the registrar and the court under divisions (D)(1)(c) and (D)(2) of this section is prima-facie proof of the information and statements that it contains and shall

be admitted and considered as prima-facie proof of the information and statements that it contains in any appeal under division (H) of this section relative to any suspension of a person's driver's or commercial driver's license or permit or nonresident operating privilege that results from the arrest covered by the report.

(E)(1) Upon receipt of the sworn report of an arresting officer completed and sent to the registrar and a court pursuant to divisions (D)(1)(c) and (D)(2) of this section in regard to a person who refused to take the designated chemical test, the registrar shall enter into the registrar's records the fact that the person's driver's or commercial driver's license or permit or nonresident operating privilege was suspended by the arresting officer under division (D)(1)(a) of this section and the period of the suspension, as determined under divisions (E)(1)(a) to (d) of this section. The suspension shall be subject to appeal as provided in this section and shall be for whichever of the following periods applies:

(a) If the arrested person, within five years of the date on which the person refused the request to consent to the chemical test, had not refused a previous request to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content, the period of suspension shall be one year. If the person is a resident without a license or permit to operate a vehicle within this state, the registrar shall deny to the person the issuance of a driver's or commercial driver's license or permit for a period of one year after the date of the alleged violation.

(b) If the arrested person, within five years of the date on which the person refused the request to consent to the chemical test, had refused one previous request to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content, the period of suspension or denial shall be two years.

(c) If the arrested person, within five years of the date on which the person refused the request to consent to the chemical test, had refused two previous requests to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content, the period of suspension or denial shall be three years.

(d) If the arrested person, within five years of the date on which the person refused the request to consent to the chemical test, had refused three or more previous requests to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content, the period of suspension or denial shall be five years.

(2) The suspension or denial imposed under division (E)(1) of this section shall continue for the entire one-year, two-year, three-year, or

five-year period, subject to appeal as provided in this section and subject to termination as provided in division (K) of this section.

(F) Upon receipt of the sworn report of an arresting officer completed and sent to the registrar and a court pursuant to divisions (D)(1)(c) and (D)(2) of this section in regard to a person whose test results indicate that the person's blood contained a concentration of ten-hundredths of one per cent or more by weight of alcohol, the person's breath contained a concentration of ten-hundredths of one gram or more by weight of alcohol per two hundred ten liters of the person's breath, or the person's urine contained a concentration of fourteen-hundredths of one gram or more by weight of alcohol per one hundred milliliters of the person's urine at the time of the alleged offense, the registrar shall enter into the registrar's records the fact that the person's driver's or commercial driver's license or permit or nonresident operating privilege was suspended by the arresting officer under division (D)(1)(a) of this section and the period of the suspension, as determined under divisions (F)(1) to (4) of this section. The suspension shall be subject to appeal as provided in this section and shall be for whichever of the following periods that applies:

(1) Except when division (F)(2), (3), or (4) of this section applies and specifies a different period of suspension or denial, the period of the suspension or denial shall be ninety days.

(2) If the person has been convicted, within ten years of the date the test was conducted, of one violation of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, or section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that at the time of the commission of the offense the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, the period of the suspension or denial shall be one year.

(3) If the person has been convicted, within ten years of the date the test was conducted, of two violations of a statute or ordinance described in

division (F)(2) of this section, the period of the suspension or denial shall be two years.

(4) If the person has been convicted, within ten years of the date the test was conducted, of more than two violations of a statute or ordinance described in division (F)(2) of this section, the period of the suspension or denial shall be three years.

(G)(1) A suspension of a person's driver's or commercial driver's license or permit or nonresident operating privilege under division (D)(1)(a) of this section for the period of time described in division (E) or (F) of this section is effective immediately from the time at which the arresting officer serves the notice of suspension upon the arrested person. Any subsequent finding that the person is not guilty of the charge that resulted in the person being requested to take, or in the person taking, the chemical test or tests under division (A) of this section affects the suspension only as described in division (H)(2) of this section.

(2) If a person is arrested for operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or for operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine and regardless of whether the person's driver's or commercial driver's license or permit or nonresident operating privilege is or is not suspended under division (E) or (F) of this section, the person's initial appearance on the charge resulting from the arrest shall be held within five days of the person's arrest or the issuance of the citation to the person, subject to any continuance granted by the court pursuant to division (H)(1) of this section regarding the issues specified in that division.

(H)(1) If a person is arrested for operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or for operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine and if the person's driver's or commercial driver's license or permit or nonresident operating privilege is suspended under division (E) or (F) of this section, the person may appeal the suspension at the person's initial appearance on the charge resulting from the arrest in the court in which the person will appear on that charge. If the person appeals the suspension at the person's initial appearance, the appeal does not stay the operation of the suspension. Subject to division (H)(2) of this section, no court has jurisdiction to grant a stay of a suspension imposed under division (E) or (F) of this section, and any order issued by any court that purports to grant a stay of any suspension imposed under either of those divisions shall not be given administrative effect.

If the person appeals the suspension at the person's initial appearance,

either the person or the registrar may request a continuance of the appeal. Either the person or the registrar shall make the request for a continuance of the appeal at the same time as the making of the appeal. If either the person or the registrar requests a continuance of the appeal, the court may grant the continuance. The court also may continue the appeal on its own motion. The granting of a continuance applies only to the conduct of the appeal of the suspension and does not extend the time within which the initial appearance must be conducted, and the court shall proceed with all other aspects of the initial appearance in accordance with its normal procedures. Neither the request for nor the granting of a continuance stays the operation of the suspension that is the subject of the appeal.

If the person appeals the suspension at the person's initial appearance, the scope of the appeal is limited to determining whether one or more of the following conditions have not been met:

(a) Whether the law enforcement officer had reasonable ground to believe the arrested person was operating a vehicle upon a highway or public or private property used by the public for vehicular travel or parking within this state while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or with a prohibited concentration of alcohol in the blood, breath, or urine and whether the arrested person was in fact placed under arrest;

(b) Whether the law enforcement officer requested the arrested person to submit to the chemical test designated pursuant to division (A) of this section;

(c) Whether the arresting officer informed the arrested person of the consequences of refusing to be tested or of submitting to the test;

(d) Whichever of the following is applicable:

(i) Whether the arrested person refused to submit to the chemical test requested by the officer;

(ii) Whether the chemical test results indicate that the arrested person's blood contained a concentration of ten-hundredths of one per cent or more by weight of alcohol, the person's breath contained a concentration of ten-hundredths of one gram or more by weight of alcohol per two hundred ten liters of the person's breath, or the person's urine contained a concentration of fourteen-hundredths of one gram or more by weight of alcohol per one hundred milliliters of the person's urine at the time of the alleged offense.

(2) If the person appeals the suspension at the initial appearance, the judge or referee of the court or the mayor of the mayor's court shall determine whether one or more of the conditions specified in divisions

(H)(1)(a) to (d) of this section have not been met. The person who appeals the suspension has the burden of proving, by a preponderance of the evidence, that one or more of the specified conditions has not been met. If during the appeal at the initial appearance the judge or referee of the court or the mayor of the mayor's court determines that all of those conditions have been met, the judge, referee, or mayor shall uphold the suspension, shall continue the suspension, and shall notify the registrar of the decision on a form approved by the registrar. Except as otherwise provided in division (H)(2) of this section, if the suspension is upheld or if the person does not appeal the suspension at the person's initial appearance under division (H)(1) of this section, the suspension shall continue until the complaint alleging the violation for which the person was arrested and in relation to which the suspension was imposed is adjudicated on the merits by the judge or referee of the trial court or by the mayor of the mayor's court. If the suspension was imposed under division (E) of this section and it is continued under this division, any subsequent finding that the person is not guilty of the charge that resulted in the person being requested to take the chemical test or tests under division (A) of this section does not terminate or otherwise affect the suspension. If the suspension was imposed under division (F) of this section and it is continued under this division, the suspension shall terminate if, for any reason, the person subsequently is found not guilty of the charge that resulted in the person taking the chemical test or tests under division (A) of this section.

If, during the appeal at the initial appearance, the judge or referee of the trial court or the mayor of the mayor's court determines that one or more of the conditions specified in divisions (H)(1)(a) to (d) of this section have not been met, the judge, referee, or mayor shall terminate the suspension, subject to the imposition of a new suspension under division (B) of section 4511.196 of the Revised Code; shall notify the registrar of the decision on a form approved by the registrar; and, except as provided in division (B) of section 4511.196 of the Revised Code, shall order the registrar to return the driver's or commercial driver's license or permit to the person or to take such measures as may be necessary, if the license or permit was destroyed under section 4507.55 of the Revised Code, to permit the person to obtain a replacement driver's or commercial driver's license or permit from the registrar or a deputy registrar in accordance with that section. The court also shall issue to the person a court order, valid for not more than ten days from the date of issuance, granting the person operating privileges for that period of time.

If the person appeals the suspension at the initial appearance, the

trar shall be represented by the prosecuting attorney of the county in which the arrest occurred if the initial appearance is conducted in a juvenile court or county court, except that if the arrest occurred within a city or village within the jurisdiction of the county court in which the appeal is conducted, the city director of law or village solicitor of that city or village shall represent the registrar. If the appeal is conducted in a municipal court, the registrar shall be represented as provided in section 1901.34 of the Revised Code. If the appeal is conducted in a mayor's court, the registrar shall be represented by the city director of law, village solicitor, or other chief legal officer of the municipal corporation that operates that mayor's court.

(I)(1) If a person's driver's or commercial driver's license or permit or nonresident operating privilege has been suspended pursuant to division (E) of this section, and the person, within the preceding seven years, has refused three previous requests to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content or has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, or section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, the person is not entitled to request, and the court shall not grant to the person, occupational driving privileges under this division. Any other person whose driver's or commercial driver's license or nonresident operating privilege has been suspended pursuant to division (E) of this section may file a petition requesting occupational driving privileges in the common pleas court, municipal court, county court, mayor's court, or, if the person is a minor, juvenile court with jurisdiction over the place at which the arrest occurred related criminal or delinquency case. The petition may be filed at any time subsequent to the date on which the ~~arresting officer serves the~~ notice of suspension is served upon the arrested person. The person shall pay the costs of the proceeding, notify the registrar of the filing of the petition, and send

the registrar a copy of the petition.

In the proceedings, the registrar shall be represented by the prosecuting attorney of the county in which the arrest occurred if the petition is filed in the juvenile court ~~or~~ county court, or common pleas court, except that, if the arrest occurred within a city or village within the jurisdiction of the county court in which the petition is filed, the city director of law or village solicitor of that city or village shall represent the registrar. If the petition is filed in the municipal court, the registrar shall be represented as provided in section 1901.34 of the Revised Code. If the petition is filed in a mayor's court, the registrar shall be represented by the city director of law, village solicitor, or other chief legal officer of the municipal corporation that operates the mayor's court.

The court, if it finds reasonable cause to believe that suspension would seriously affect the person's ability to continue in the person's employment, may grant the person occupational driving privileges during the period of suspension imposed pursuant to division (E) of this section, subject to the limitations contained in this division and division (I)(2) of this section. The court may grant the occupational driving privileges, subject to the limitations contained in this division and division (I)(2) of this section, regardless of whether the person appeals the suspension at the person's initial appearance under division (H)(1) of this section or appeals the decision of the court made pursuant to the appeal conducted at the initial appearance, and, if the person has appealed the suspension or decision, regardless of whether the matter at issue has been heard or decided by the court. The court shall not grant occupational driving privileges to any person who, within seven years of the filing of the petition, has refused three previous requests to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content or has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, or section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal

corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, and shall not grant occupational driving privileges for employment as a driver of commercial motor vehicles to any person who is disqualified from operating a commercial motor vehicle under section 2301.374 or 4506.16 of the Revised Code.

(2)(a) In granting occupational driving privileges under division (I)(1) of this section, the court may impose any condition it considers reasonable and necessary to limit the use of a vehicle by the person. The court shall deliver to the person a permit card, in a form to be prescribed by the court, setting forth the time, place, and other conditions limiting the defendant's use of a vehicle. The grant of occupational driving privileges shall be conditioned upon the person's having the permit in the person's possession at all times during which the person is operating a vehicle.

A person granted occupational driving privileges who operates a vehicle for other than occupational purposes, in violation of any condition imposed by the court, or without having the permit in the person's possession, is guilty of a violation of section 4507.02 of the Revised Code.

(b) The court may not grant a person occupational driving privileges under division (I)(1) of this section when prohibited by a limitation contained in that division or during any of the following periods of time:

(i) The first thirty days of suspension imposed upon a person who, within five years of the date on which the person refused the request to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content and for which refusal the suspension was imposed, had not refused a previous request to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content;

(ii) The first ninety days of suspension imposed upon a person who, within five years of the date on which the person refused the request to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content and for which refusal the suspension was imposed, had refused one previous request to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content;

(iii) The first year of suspension imposed upon a person who, within five years of the date on which the person refused the request to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content and for which refusal the suspension was imposed, had refused two previous requests to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content;

(iv) The first three years of suspension imposed upon a person who,

hin five years of the date on which the person refused the request to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content and for which refusal the suspension was imposed, had refused three or more previous requests to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content.

(3) The court shall give information in writing of any action taken under this section to the registrar.

(4) If a person's driver's or commercial driver's license or permit or nonresident operating privilege has been suspended pursuant to division (F) of this section, and the person, within the preceding seven years, has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, or section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, the person is not entitled to request, and the court shall not grant to the person, occupational driving privileges under this division. Any other person whose driver's or commercial driver's license or nonresident operating privilege has been suspended pursuant to division (F) of this section may file in the court specified in division (I)(1) of this section a petition requesting occupational driving privileges in accordance with section 4507.16 of the Revised Code. The petition may be filed at any time subsequent to the date on which the arresting officer serves the notice of suspension upon the arrested person. Upon the making of the request, occupational driving privileges may be granted in accordance with section 4507.16 of the Revised Code. The court may grant the occupational driving privileges, subject to the limitations contained in section 4507.16 of the Revised Code, regardless of whether the person appeals the suspension at the person's initial appearance under division (H)(1) of this section or appeals the decision of the court made pursuant to the appeal conducted at the initial appearance, and, if the person has appealed the suspension or decision, regardless of whether the matter at

issue has been heard or decided by the court.

(J) When it finally has been determined under the procedures of this section that a nonresident's privilege to operate a vehicle within this state has been suspended, the registrar shall give information in writing of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which the person has a license.

(K) A suspension of the driver's or commercial driver's license or permit of a resident, a suspension of the operating privilege of a nonresident, or a denial of a driver's or commercial driver's license or permit for refusal to submit to a chemical test to determine the alcohol, drug, or alcohol and drug content of the person's blood, breath, or urine pursuant to division (E) of this section, shall be terminated by the registrar upon receipt of notice of the person's entering a plea of guilty to, or of the person's conviction after entering a plea of no contest under Criminal Rule 11 to, operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or with a prohibited concentration of alcohol in the blood, breath, or urine, if the offense for which the plea is entered arose from the same incident that led to the suspension or denial.

The registrar shall credit against any judicial suspension of a person's driver's or commercial driver's license or permit or nonresident operating privilege imposed pursuant to division (B) or (E) of section 4507.16 of the Revised Code any time during which the person serves a related suspension imposed pursuant to division (E) or (F) of this section.

(L) At the end of a suspension period under this section, section 4511.196, or division (B) of section 4507.16 of the Revised Code and upon the request of the person whose driver's or commercial driver's license or permit was suspended and who is not otherwise subject to suspension, revocation, or disqualification, the registrar shall return the driver's or commercial driver's license or permit to the person upon the occurrence of all of the following:

(1) A showing by the person that the person had proof of financial responsibility, a policy of liability insurance in effect that meets the minimum standards set forth in section 4509.51 of the Revised Code, or proof, to the satisfaction of the registrar, that the person is able to respond in damages in an amount at least equal to the minimum amounts specified in section 4509.51 of the Revised Code.

(2) Payment by the person of a license reinstatement fee of two hundred eighty dollars to the bureau of motor vehicles, which fee shall be deposited in the state treasury and credited as follows:

(a) Seventy-five dollars shall be credited to the drivers' treatment and

intervention fund, which is hereby established. The fund shall be used to pay the costs of driver treatment and intervention programs operated pursuant to sections 3793.02 and 3793.10 of the Revised Code. The director of alcohol and drug addiction services shall determine the share of the fund that is to be allocated to alcohol and drug addiction programs authorized by section 3793.02 of the Revised Code, and the share of the fund that is to be allocated to drivers' intervention programs authorized by section 3793.10 of the Revised Code.

(b) Fifty dollars shall be credited to the reparations fund created by section 2743.191 of the Revised Code.

(c) Twenty-five dollars shall be credited to the indigent drivers alcohol treatment fund, which is hereby established. Except as otherwise provided in division (L)(2)(c) of this section, moneys in the fund shall be distributed by the department of alcohol and drug addiction services to the county indigent drivers alcohol treatment funds, the county juvenile indigent drivers alcohol treatment funds, and the municipal indigent drivers treatment funds that are required to be established by counties and municipal corporations pursuant to division (N) of this section, and shall be used only to pay the cost of an alcohol and drug addiction treatment program attended by an offender or juvenile traffic offender who is ordered to attend an alcohol and drug addiction treatment program by a county, juvenile, or municipal court judge and who is determined by the county, juvenile, or municipal court judge not to have the means to pay for attendance at the program. Moneys in the fund that are not distributed to a county indigent drivers alcohol treatment fund, a county juvenile indigent drivers alcohol treatment fund, or a municipal indigent drivers alcohol treatment fund under division (N) of this section because the director of alcohol and drug addiction services does not have the information necessary to identify the county or municipal corporation where the offender or juvenile offender was arrested may be transferred by the director of budget and management to the drivers' treatment and intervention fund, created in division (L)(2)(a) of this section, upon certification of the amount by the director of alcohol and drug addiction services.

(d) Fifty dollars shall be credited to the Ohio rehabilitation services commission established by section 3304.12 of the Revised Code, to the services for rehabilitation fund, which is hereby established. The fund shall be used to match available federal matching funds where appropriate, and for any other purpose or program of the commission to rehabilitate people with disabilities to help them become employed and independent.

(e) Fifty dollars shall be deposited into the state treasury and credited to the drug abuse resistance education programs fund, which is hereby

established, to be used by the attorney general for the purposes specified in division (L)(2)(e) of this section.

(f) Thirty dollars shall be credited to the state bureau of motor vehicles fund created by section 4501.25 of the Revised Code.

The attorney general shall use amounts in the drug abuse resistance education programs fund to award grants to law enforcement agencies to establish and implement drug abuse resistance education programs in public schools. Grants awarded to a law enforcement agency under division (L)(2)(e) of this section shall be used by the agency to pay for not more than fifty per cent of the amount of the salaries of law enforcement officers who conduct drug abuse resistance education programs in public schools. The attorney general shall not use more than six per cent of the amounts the attorney general's office receives under division (L)(2)(e) of this section to pay the costs it incurs in administering the grant program established by division (L)(2)(e) of this section and in providing training and materials relating to drug abuse resistance education programs.

The attorney general shall report to the governor and the general assembly each fiscal year on the progress made in establishing and implementing drug abuse resistance education programs. These reports shall include an evaluation of the effectiveness of these programs.

(M) Suspension of a commercial driver's license under division (E) or (F) of this section shall be concurrent with any period of disqualification under section 2301.374 or 4506.16 of the Revised Code. No person who is disqualified for life from holding a commercial driver's license under section 4506.16 of the Revised Code shall be issued a driver's license under Chapter 4507. of the Revised Code during the period for which the commercial driver's license was suspended under division (E) or (F) of this section, and no person whose commercial driver's license is suspended under division (E) or (F) of this section shall be issued a driver's license under that chapter during the period of the suspension.

(N)(1) Each county shall establish an indigent drivers alcohol treatment fund, each county shall establish a juvenile indigent drivers alcohol treatment fund, and each municipal corporation in which there is a municipal court shall establish an indigent drivers alcohol treatment fund. All revenue that the general assembly appropriates to the indigent drivers alcohol treatment fund for transfer to a county indigent drivers alcohol treatment fund, a county juvenile indigent drivers alcohol treatment fund, or a municipal indigent drivers alcohol treatment fund, all portions of fees that are paid under division (L) of this section and that are credited under that division to the indigent drivers alcohol treatment fund in the state treasury

for a county indigent drivers alcohol treatment fund, a county juvenile indigent drivers alcohol treatment fund, or a municipal indigent drivers alcohol treatment fund, and all portions of fines that are specified for deposit into a county or municipal indigent drivers alcohol treatment fund by section 4511.193 of the Revised Code shall be deposited into that county indigent drivers alcohol treatment fund, county juvenile indigent drivers alcohol treatment fund, or municipal indigent drivers alcohol treatment fund in accordance with division (N)(2) of this section. Additionally, all portions of fines that are paid for a violation of section 4511.19 of the Revised Code or division (B)(2) of section 4507.02 of the Revised Code, and that are required under division (A)(1) or (2) of section 4511.99 or division (B)(5) of section 4507.99 of the Revised Code to be deposited into a county indigent drivers alcohol treatment fund or municipal indigent drivers alcohol treatment fund shall be deposited into the appropriate fund in accordance with the applicable division.

(2) That portion of the license reinstatement fee that is paid under division (L) of this section and that is credited under that division to the indigent drivers alcohol treatment fund shall be deposited into a county indigent drivers alcohol treatment fund, a county juvenile indigent drivers alcohol treatment fund, or a municipal indigent drivers alcohol treatment fund as follows:

(a) If the suspension in question was imposed under this section, that portion of the fee shall be deposited as follows:

(i) If the fee is paid by a person who was charged in a county court with the violation that resulted in the suspension, the portion shall be deposited into the county indigent drivers alcohol treatment fund under the control of that court;

(ii) If the fee is paid by a person who was charged in a juvenile court with the violation that resulted in the suspension, the portion shall be deposited into the county juvenile indigent drivers alcohol treatment fund established in the county served by the court;

(iii) If the fee is paid by a person who was charged in a municipal court with the violation that resulted in the suspension, the portion shall be deposited into the municipal indigent drivers alcohol treatment fund under the control of that court.

(b) If the suspension in question was imposed under division (B) of section 4507.16 of the Revised Code, that portion of the fee shall be deposited as follows:

(i) If the fee is paid by a person whose license or permit was suspended by a county court, the portion shall be deposited into the county indigent

drivers alcohol treatment fund under the control of that court;

(ii) If the fee is paid by a person whose license or permit was suspended by a municipal court, the portion shall be deposited into the municipal indigent drivers alcohol treatment fund under the control of that court.

(3) Expenditures from a county indigent drivers alcohol treatment fund, a county juvenile indigent drivers alcohol treatment fund, or a municipal indigent drivers alcohol treatment fund shall be made only upon the order of a county, juvenile, or municipal court judge and only for payment of the cost of the attendance at an alcohol and drug addiction treatment program of a person who is convicted of, or found to be a juvenile traffic offender by reason of, a violation of division (A) of section 4511.19 of the Revised Code or a substantially similar municipal ordinance, who is ordered by the court to attend the alcohol and drug addiction treatment program, and who is determined by the court to be unable to pay the cost of attendance at the treatment program. The board of alcohol, drug addiction, and mental health services established pursuant to section 340.02 of the Revised Code serving the alcohol, drug addiction, and mental health service district in which the court is located shall administer the indigent drivers alcohol treatment program of the court. When a court orders an offender or juvenile traffic offender to attend an alcohol and drug addiction treatment program, the board shall determine which program is suitable to meet the needs of the offender or juvenile traffic offender, and when a suitable program is located and space is available at the program, the offender or juvenile traffic offender shall attend the program designated by the board. A reasonable amount not to exceed five per cent of the amounts credited to and deposited into the county indigent drivers alcohol treatment fund, the county juvenile indigent drivers alcohol treatment fund, or the municipal indigent drivers alcohol treatment fund serving every court whose program is administered by that board shall be paid to the board to cover the costs it incurs in administering those indigent drivers alcohol treatment programs.

Sec. 4511.193. (A) Twenty-five dollars of any fine imposed for a violation of a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine shall be deposited into the municipal or county indigent drivers alcohol treatment fund created pursuant to division (N) of section 4511.191 of the Revised Code in accordance with this section and section 733.40, divisions (A) and (B) of section 1901.024, division (F) of section 1901.31, or division (C) of section 1907.20 of the Revised Code. Regardless of whether the fine is imposed by a municipal court, a mayor's

court, or a juvenile court, if the fine was imposed for a violation of an ordinance of a municipal corporation that is within the jurisdiction of a municipal court, the twenty-five dollars that is subject to this section shall be deposited into the indigent drivers alcohol treatment fund of the municipal corporation in which is located the municipal court that has jurisdiction over that municipal corporation. Regardless of whether the fine is imposed by a county court, a mayor's court, or a juvenile court, if the fine was imposed for a violation of an ordinance of a municipal corporation that is within the jurisdiction of a county court, the twenty-five dollars that is subject to this section shall be deposited into the indigent drivers alcohol treatment fund of the county in which is located the county court that has jurisdiction over that municipal corporation. The deposit shall be made in accordance with section 733.40, divisions (A) and (B) of section 1901.024, division (F) of section 1901.31, or division (C) of section 1907.20 of the Revised Code.

(B)(1) The requirements and sanctions imposed by divisions (B)(1) and (2) of this section are an adjunct to and derive from the state's exclusive authority over the registration and titling of motor vehicles and do not comprise a part of the criminal sentence to be imposed upon a person who violates a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine.

(2) If a person is convicted of or pleads guilty to a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine and if, within the period of time specified in division (B)(2)(a), (b), or (c) of this section, the offender has been convicted of or pleaded guilty to any violation of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised Code, or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, ~~or~~ a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division

(A) or (B) of section 4511.19 of the Revised Code, or if the other circumstances described in division (B)(2)(c) of this section apply, the court, in addition to and independent of any sentence that it imposes upon the offender for the offense, regardless of whether the vehicle the offender was operating at the time of the offense is registered in the offender's name or in the name of another person, and subject to section 4503.235 of the Revised Code, shall do whichever of the following is applicable:

(a) Except as otherwise provided in division (B)(2)(c) of this section, if, within six years of the current offense, the offender has been convicted of or pleaded guilty to one violation described in division (B)(2) of this section, the court shall order the immobilization for ninety days of the vehicle the offender was operating at the time of the offense and the impoundment for ninety days of the license plates of that vehicle. The order for the immobilization and impoundment shall be issued and enforced in accordance with section 4503.233 of the Revised Code.

(b) Except as otherwise provided in division (B)(2)(c) of this section, if, within six years of the current offense, the offender has been convicted of or pleaded guilty to two violations described in division (B)(2) of this section, the court shall order the immobilization for one hundred eighty days of the vehicle the offender was operating at the time of the offense and the impoundment for one hundred eighty days of the license plates of that vehicle. The order for the immobilization and impoundment shall be issued and enforced in accordance with section 4503.233 of the Revised Code.

(c) If, within six years of the current offense, the offender has been convicted of or pleaded guilty to three or more violations described in division (B)(2) of this section, or if the offender previously has been convicted of or pleaded guilty to a violation of division (A) of section 4511.19 of the Revised Code under circumstances in which the violation was a felony and regardless of when the violation and the conviction or guilty plea occurred, the court shall order the criminal forfeiture to the state of the vehicle the offender was operating at the time of the offense. The order of criminal forfeiture shall be issued and enforced in accordance with section 4503.234 of the Revised Code.

Sec. 4511.195. (A) As used in this section:

(1) "Vehicle operator" means a person who is operating a vehicle at the time it is seized under division (B) of this section.

(2) "Vehicle owner" means either of the following:

(a) The person in whose name is registered, at the time of the seizure, a vehicle that is seized under division (B) of this section;

(b) A person to whom the certificate of title to a vehicle that is seized

under division (B) of this section has been assigned and who has not obtained a certificate of title to the vehicle in that person's name, but who is deemed by the court as being the owner of the vehicle at the time the vehicle was seized under division (B) of this section.

(3) "Municipal OMVI ordinance" means any municipal ordinance prohibiting the operation of a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or prohibiting the operation of a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine.

(4) "Interested party" includes the owner of a vehicle seized under this section, all lienholders, the defendant, the owner of the place of storage at which a vehicle seized under this section is stored, and the person or entity that caused the vehicle to be removed.

(B)(1) If a person is arrested for a violation of division (A) of section 4511.19 of the Revised Code or of a municipal OMVI ordinance and, within six years of the alleged violation, the person previously has been convicted of or pleaded guilty to one or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal OMVI ordinance, section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, or section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 Of the Revised Code, or if a person is arrested for a violation of division (A) of section 4511.19 of the Revised Code or of a municipal OMVI ordinance and the person previously has been convicted of or pleaded guilty to a violation of division (A) of section 4511.19 of the Revised Code under circumstances in which the violation was a felony, regardless of when the prior felony violation of division (A) of section 4511.19 of the Revised Code and the conviction or guilty plea occurred, the arresting officer or another officer of the law enforcement agency that employs the arresting officer, in addition to any action that the arresting officer is required or authorized to take by section 4511.191 of the Revised Code or by any other provision of law, shall seize the vehicle that the person was operating at the time of the alleged offense and its license plates. Except as otherwise provided in this division, the officer shall seize the vehicle and its license plates regardless of whether the vehicle is registered in the name

of the person who was operating it or in the name of another person or entity. This section does not apply to or affect any rented or leased vehicle that is being rented or leased for a period of thirty days or less, except that a law enforcement agency that employs a law enforcement officer who makes an arrest of a type that is described in division (B)(1) of this section and that involves a rented or leased vehicle of this type shall notify, within twenty-four hours after the officer makes the arrest, the lessor or owner of the vehicle regarding the circumstances of the arrest and the location at which the vehicle may be picked up. At the time of the seizure of the vehicle, the law enforcement officer who made the arrest shall give the vehicle operator written notice that the vehicle and its license plates have been seized; that the vehicle either will be kept by the officer's law enforcement agency or will be immobilized at least until the operator's initial appearance on the charge of the offense for which the arrest was made; that, at the initial appearance, the court in certain circumstances may order that the vehicle and license plates be released to the vehicle owner until the disposition of that charge; that, if the vehicle operator is convicted of that charge, the court generally must order the immobilization of the vehicle and the impoundment of its license plates, or the forfeiture of the vehicle; and that, if the operator is not the vehicle owner, the operator immediately should inform the vehicle owner that the vehicle and its license plates have been seized and that the vehicle owner may be able to obtain their return or release at the initial appearance or thereafter.

(2) The arresting officer or a law enforcement officer of the agency that employs the arresting officer shall give written notice of the seizure to the court that will conduct the initial appearance of the vehicle operator ~~the vehicle operator~~. The notice shall be given when the charges are filed against the vehicle operator. Upon receipt of the notice, the court promptly shall determine whether the vehicle operator is the vehicle owner and whether there are any liens recorded on the certificate of title to the vehicle. If the court determines that the vehicle operator is not the vehicle owner, it promptly shall send by regular mail written notice of the seizure of the motor vehicle to the vehicle owner and to all lienholders recorded on the certificate of title. The written notice to the vehicle owner and lienholders shall contain all of the information required by division (B)(1) of this section to be in a notice to be given to the vehicle operator and also shall specify the date, time, and place of the vehicle operator's initial appearance ~~the vehicle operator~~. The notice to the vehicle owner also shall state that if the vehicle is immobilized under division (A) of section 4503.233 of the Revised Code, seven days after the end of the period of immobilization a

law enforcement agency will send the vehicle owner a notice, informing the vehicle owner that if the release of the vehicle is not obtained in accordance with division (D)(3) of section 4503.233 of the Revised Code, the vehicle shall be forfeited. The notice also shall inform the vehicle owner that the vehicle owner may be charged expenses or charges incurred under this section and section 4503.233 of the Revised Code for the removal and storage of the vehicle.

The written notice that is given to the vehicle operator or is sent or delivered to the vehicle owner if the vehicle owner is not the vehicle operator also shall state that if the vehicle operator pleads guilty to or is convicted of the offense for which the vehicle operator was arrested and the court issues an immobilization and impoundment order relative to that vehicle, division (D)(4) of section 4503.233 of the Revised Code prohibits the vehicle from being sold during the period of immobilization without the prior approval of the court.

Any such notice also shall state that if title to a motor vehicle that is subject to an order for criminal forfeiture under this section is assigned or transferred and division (C)(2) or (3) of section 4503.234 Of the Revised Code applies, the court may fine the offender the value of the vehicle.

(3) At or before the initial appearance, the vehicle owner may file a motion requesting the court to order that the vehicle and its license plates be released to the vehicle owner. Except as provided in this division and subject to the payment of expenses or charges incurred in the removal and storage of the vehicle, the court, in its discretion, then may issue an order releasing the vehicle and its license plates to the vehicle owner. Such an order may be conditioned upon such terms as the court determines appropriate, including the posting of a bond in an amount determined by the court. If the vehicle operator is not the vehicle owner and if the vehicle owner is not present at the vehicle operator's initial appearance, and if the court believes that the vehicle owner was not provided with adequate notice of the initial appearance, the court, in its discretion, may allow the vehicle owner to file a motion within seven days of the initial appearance. If the court allows the vehicle owner to file such a motion after the initial appearance, the extension of time granted by the court does not extend the time within which the initial appearance is to be conducted. If the court issues an order for the release of the vehicle and its license plates, a copy of the order shall be made available to the vehicle owner. If the vehicle owner presents a copy of the order to the law enforcement agency that employs the law enforcement officer who arrested the person who was operating the vehicle, the law enforcement agency promptly shall release the vehicle and

its license plates to the vehicle owner upon payment by the vehicle owner of any expenses or charges incurred in the removal and storage of the vehicle.

(4) A vehicle seized under division (B)(1) of this section either shall be towed to a place specified by the law enforcement agency that employs the arresting officer to be safely kept by the agency at that place for the time and in the manner specified in this section or shall be otherwise immobilized for the time and in the manner specified in this section. A law enforcement officer of that agency shall remove the identification license plates of the vehicle, and they shall be safely kept by the agency for the time and in the manner specified in this section. No vehicle that is seized and either towed or immobilized pursuant to this division shall be considered contraband for purposes of section 2933.41, 2933.42, or 2933.43 of the Revised Code. The vehicle shall not be immobilized at any place other than a commercially operated private storage lot, a place owned by a law enforcement agency or other government agency, or a place to which one of the following applies:

(a) The place is leased by or otherwise under the control of a law enforcement agency or other government agency.

(b) The place is owned by the vehicle operator, the vehicle operator's spouse, or a parent or child of the vehicle operator.

(c) The place is owned by a private person or entity, and, prior to the immobilization, the private entity or person that owns the place, or the authorized agent of that private entity or person, has given express written consent for the immobilization to be carried out at that place.

(d) The place is a street or highway on which the vehicle is parked in accordance with the law.

(C)(1) A vehicle that is seized under division (B) of this section shall be safely kept at the place to which it is towed or otherwise moved by the law enforcement agency that employs the arresting officer until the initial appearance of the vehicle operator relative to the charge ~~the vehicle operator~~ in question. The license plates of the vehicle that are removed pursuant to division (B) of this section shall be safely kept by the law enforcement agency that employs the arresting officer until the initial appearance of the vehicle operator relative to the charge in question.

~~(2)(a) the vehicle owner's the vehicle owner the vehicle owner the vehicle owner's the vehicle owner the vehicle owner's the vehicle owner's the vehicle operator the vehicle owner's the vehicle owner's the vehicle owner's the vehicle operator The court also shall notify the arrested person, and the movant if the movant is not the arrested person, that if title to a motor vehicle that is subject to an order for criminal forfeiture under this section is assigned or transferred and division (C)(2) or (3) of section~~

~~3.234 of the Revised Code applies, the court may fine the offender the value of the vehicle. the vehicle owner's~~ If, at the initial appearance, the vehicle operator pleads guilty to the violation of division (A) of section 4511.19 of the Revised Code or of the municipal OMVI ordinance or pleads no contest to and is convicted of the violation, the court shall impose sentence upon the vehicle operator as provided by law or ordinance; the court, except as provided in this division and subject to section 4503.235 of the Revised Code, shall order the immobilization of the vehicle and the impoundment of its license plates under section 4503.233 and section 4511.193 or 4511.99 of the Revised Code, or the criminal forfeiture of the vehicle under section 4503.234 and section 4511.193 or 4511.99 of the Revised Code, whichever is applicable; and the vehicle and its license plates shall not be returned or released to the vehicle owner. If the vehicle operator is not the vehicle owner and the vehicle owner ~~the vehicle owner's~~ is not present at the vehicle operator's initial appearance and if the court believes that the vehicle owner was not provided adequate notice of the initial appearance, the court, in its discretion, may refrain for a period of time not exceeding seven days from ordering the immobilization of the vehicle and the impoundment of its license plates, or the criminal forfeiture of the vehicle so that the vehicle owner ~~the vehicle owner's~~ may appear before the court to present evidence as to why the court should not order the immobilization of the vehicle and the impoundment of its license plates, or the criminal forfeiture of the vehicle. If the court refrains from ordering the immobilization of the vehicle and the impoundment of its license plates, or the criminal forfeiture of the vehicle, section 4503.235 of the Revised Code applies relative to the order of immobilization and impoundment, or the order of forfeiture.

(b) If, at any time, the charge that the vehicle operator violated division (A) of section 4511.19 of the Revised Code or the municipal OMVI ordinance is dismissed for any reason, the court shall order that the vehicle seized at the time of the arrest and its license plates immediately be released to the vehicle owner subject to the payment of expenses or ~~the vehicle owner's~~ charges incurred in the removal and storage of the vehicle.

(D) If a vehicle is seized under division (B) of this section ~~the vehicle operator OMVI~~ and is not returned or released to the vehicle owner ~~the vehicle owner's~~ pursuant to division (C) of this section, the vehicle or its license plates shall be retained until the final disposition of the charge in question. Upon the final disposition of that charge, the court shall do whichever of the following is applicable:

(1) If the vehicle operator is convicted of or pleads guilty to the violation of division (A) of section 4511.19 of the Revised Code or of the

municipal OMVI ordinance, the court shall impose sentence upon the vehicle operator as provided by law or ordinance and, subject to section 4503.235 of the Revised Code, shall order the immobilization of the vehicle the vehicle operator was operating at the time of, or that was involved in, the offense and the impoundment of its license plates under section 4503.233 and section 4511.193 or 4511.99 of the Revised Code, or the criminal forfeiture of the vehicle under section 4503.234 and section 4511.193 or 4511.99 of the Revised Code, whichever is applicable.

(2) If the vehicle operator is found not guilty of the violation of division (A) of section 4511.19 of the Revised Code or of the municipal OMVI ordinance, the court shall order that the vehicle and its license plates immediately be released to the vehicle owner upon the payment of any expenses or ~~the vehicle owner's~~ charges incurred in its removal and storage.

(3) If the charge that the vehicle operator violated division (A) of section 4511.19 of the Revised Code or the municipal OMVI ordinance is dismissed for any reason, the court shall order that the vehicle and its license plates immediately be released to the vehicle owner upon the payment of any expenses or ~~the vehicle owner's~~ charges incurred in its removal and storage.

~~the vehicle operator the vehicle owner's the vehicle owner's the vehicle operator OMVI~~

(E) If a vehicle is seized under division (B) of this section, the time between the seizure of the vehicle and either its release to the vehicle owner ~~the vehicle owner's~~ under division (C) of this section or the issuance of an order of immobilization of the vehicle under section 4503.233 of the Revised Code shall be credited against the period of immobilization ordered by the court.

(F)(1) The vehicle owner may be charged expenses or charges incurred in the removal and storage of the immobilized vehicle. The court with jurisdiction over the case, after notice to all interested parties, including lienholders, and after an opportunity for them to be heard, if the vehicle owner fails to appear in person, without good cause, or if the court finds that the vehicle owner does not intend to seek release of the vehicle at the end of the period of immobilization under section 4503.233 of the Revised Code or that the vehicle owner is not or will not be able to pay the expenses and charges incurred in its removal and storage, may order that title to the vehicle be transferred, in order of priority, first into the name of the person or entity that removed it, next into the name of a lienholder, or lastly into the name of the owner of the place of storage.

Any lienholder that receives title under a court order shall do so on the

condition that it pay any expenses or charges incurred in the vehicle's removal and storage. If the person or entity that receives title to the vehicle is the person or entity that removed it, the person or entity shall receive title on the condition that it pay any lien on the vehicle. The court shall not order that title be transferred to any person or entity other than the owner of the place of storage if the person or entity refuses to receive the title. Any person or entity that receives title either may keep title to the vehicle or may dispose of the vehicle in any legal manner that it considers appropriate, including assignment of the certificate of title to the motor vehicle to a salvage dealer or a scrap metal processing facility. The person or entity shall not transfer the vehicle to the person who is the vehicle's immediate previous owner.

If the person or entity assigns the motor vehicle to a salvage dealer or scrap metal processing facility, the person or entity shall send the assigned certificate of title to the motor vehicle to the clerk of the court of common pleas of the county in which the salvage dealer or scrap metal processing facility is located. The person or entity shall mark the face of the certificate of title with the words "for destruction" and shall deliver a photocopy of the certificate of title to the salvage dealer or scrap metal processing facility for its records.

(2) Whenever a court issues an order under division (F)(1) of this section, the court also shall order removal of the license plates from the vehicle and cause them to be sent to the registrar of motor vehicles if they have not already been sent to the registrar. Thereafter, no further proceedings shall take place under this section or under section 4503.233 of the Revised Code.

(3) Prior to initiating a proceeding under division (F)(1) of this section, and upon payment of the fee under division (B) of section 4505.14 of the Revised Code, any interested party may cause a search to be made of the public records of the bureau of motor vehicles or the clerk of the court of common pleas, to ascertain the identity of any lienholder of the vehicle. The initiating party shall furnish this information to the clerk of the court with jurisdiction over the case, and the clerk shall provide notice to the vehicle owner, the defendant, any lienholder, and any other interested parties listed by the initiating party, at the last known address supplied by the initiating party, by certified mail or, at the option of the initiating party, by personal service or ordinary mail.

~~the vehicle operator~~

Sec. 4511.196. (A) If a person is arrested for operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of

use or for operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine and regardless of whether the person's driver's or commercial driver's license or permit or nonresident operating privilege is or is not suspended under division (E) or (F) of section 4511.191 of the Revised Code, the person's initial appearance on the charge resulting from the arrest shall be held within five days of the person's arrest or the issuance of the citation to ~~him, subject to any continuance granted by the court pursuant to division (H)(1) of section 4511.191 of the Revised Code~~ person.

(B)(1) If a person is arrested as described in division (A) of this section, if the person's driver's or commercial driver's license or permit or nonresident operating privilege has been suspended under division (E) or (F) of section 4511.191 of the Revised Code in relation to that arrest, if the person ~~at his initial appearance on the charge resulting from the arrest~~ appeals the suspension in accordance with division (H)(1) of that section, and if the judge, ~~referee~~ magistrate, or mayor ~~at the initial appearance~~ terminates the suspension in accordance with division (H)(2) of that section, the judge, ~~referee~~ magistrate, or mayor ~~at the initial appearance~~ may impose a new suspension of the person's license, permit, or nonresident operating privilege, notwithstanding the termination of the suspension imposed under division (E) or (F) of section 4511.191 of the Revised Code, if the judge, ~~referee~~ magistrate, or mayor determines ~~at the initial appearance~~ that the person's continued driving will be a threat to public safety.

(2) If a person is arrested as described in division (A) of this section and if the person's driver's or commercial driver's license or permit or nonresident operating privilege has not been suspended under division (E) or (F) of section 4511.191 of the Revised Code in relation to that arrest, the judge, ~~referee~~ magistrate, or mayor ~~at the person's initial appearance on the charge resulting from the arrest~~ may impose a ~~new~~ suspension of the person's license, permit, or nonresident operating privilege if the judge, referee, or mayor determines ~~at the initial appearance~~ that the person's continued driving will be a threat to public safety.

(C) A suspension of a person's driver's or commercial driver's license or permit or nonresident operating privilege under division (B)(1) or (2) of this section ~~shall be imposed at the person's initial appearance on the charge resulting from the arrest and shall continue until the complaint on the charge resulting from the arrest is adjudicated on the merits by the judge or referee of the trial court or the mayor of the mayor's court.~~ A court that imposes a suspension under division (B)(2) of this section shall send the person's driver's license or permit to the registrar. If the court possesses the driver's or commercial driver's license or permit of a person in the category

described in division (B)(2) of this section and the court does not impose a suspension under division (B)(2) of this section, the court shall return the license or permit to the person if the license or permit has not otherwise been suspended or revoked.

Any time during which the person serves a suspension of ~~his~~ the person's driver's or commercial driver's license or permit or nonresident operating privilege that is imposed pursuant to division (B)(1) or (2) of this section shall be credited against any judicial suspension of ~~his~~ the person's license, permit, or nonresident operating privilege that is imposed pursuant to division (B) of section 4507.16 of the Revised Code.

~~A suspension imposed pursuant to division (B)(1) or (2) of this section shall terminate if the person subsequently is found not guilty of the charge resulting from the arrest.~~

Sec. 4511.62. (A)(1) Whenever any person driving a vehicle or trackless trolley approaches a railroad grade crossing ~~under any of the circumstances stated in this section,~~ he the person shall stop within fifty feet, but not less than fifteen feet from the nearest rail of the railroad, ~~and shall not proceed until he can do so safely.~~ The foregoing requirements shall apply when if any of the following circumstances exist at the crossing:

~~(1)(a)~~ (a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a train;₂

~~(2)(b)~~ (b) A crossing gate is lowered;₂

~~(3)(c)~~ (c) A ~~human flagman~~ flagperson gives or continues to give a signal of the approach or passage of a train;₂

~~(4)~~ ~~A train approaching within approximately one thousand five hundred feet~~ (d) there is insufficient space on the other side of the highway railroad grade crossing emits a signal audible from that distance and the train, by reason of its speed or nearness to accommodate the crossing, is an immediate hazard; vehicle or trackless trolley the person is operating without obstructing the passage of other vehicles, trackless trolleys, pedestrians, or railroad trains, notwithstanding any traffic control signal indication to proceed.

~~(5)(e)~~ (e) An approaching train is emitting an audible signal or is plainly visible and is in hazardous proximity to the crossing.

(2) A person who is driving a vehicle or trackless trolley and who approaches a railroad grade crossing shall not proceed as long as any of the circumstances described in divisions (A)(1)(a) to (e) of this section exist at the crossing.

(B) No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while the gate or barrier is

closed or is being opened or closed unless the person is signaled by a law enforcement officer or flagperson that it is permissible to do so.

Sec. 4511.76. (A) The department of ~~education~~ public safety, by and with the advice ~~and consent~~ of the ~~director~~ superintendent of public safety instruction, shall adopt and enforce ~~regulations~~ rules relating to the construction, design, and equipment, including lighting equipment required by section 4511.771 of the Revised Code, ~~and operation~~ of all school buses ~~owned and operated by any school district or~~ both publicly and privately owned and operated ~~under contract with any school district~~ in this state. ~~When such buses are privately owned and operated under contract with any school district in this state, these regulations shall, by reference, be made a part of any such contract with a school district. Every school district, its officers and employees, and every person employed under contract by a school district shall be subject to such regulations.~~

~~Any officer or employee of any school district who violates any such regulation, or who fails to include the obligation to comply with such regulations in any contract executed by him on behalf of a school district, is guilty of misconduct and subject to removal from office or employment. Any person operating a school bus under contract with a school district who fails to comply with any such regulation is guilty of a breach of contract, and such contract shall be canceled by the responsible officers of such school district.~~

~~No person shall operate such a school bus within this state in violation of the regulations of the department of education. No person, being the owner thereof or having the supervisory responsibility therefor, shall permit the operation of such a school bus within this state in violation of the regulations of the department of education.~~

(B) The department of ~~public safety~~ education, by and with the advice ~~of the director of public safety~~, shall adopt and enforce ~~such regulations as relate~~ rules relating to the safety of the construction, design, equipment, and operation of all school buses ~~not subject to the regulations of the department of education pursuant to division (A) of this section. Such regulations shall be adopted pursuant to Chapter 119. of the Revised Code~~ both publicly and privately owned and operated in this state.

(C) No person shall operate ~~such~~ a school bus within this state in violation of the ~~regulations~~ rules of the department of education or the department of public safety. No person, being the owner thereof or having the supervisory responsibility therefor, shall permit the operation of ~~such~~ a school bus within this state in violation of the ~~regulations~~ rules of the department of education or the department of public safety.

~~(C)(D)~~ The department of public safety shall adopt and enforce ~~such regulations as relate~~ rules relating to the issuance of a license under section 4511.763 of the Revised Code. ~~Such regulations~~ The rules may relate to the moral character of the applicant; the condition of the equipment to be operated; the liability and property damage insurance carried by the applicant; the posting of satisfactory and sufficient bond; and such other ~~rules and regulations~~ as the director of public safety ~~deems~~ determines reasonably necessary for the safety of the pupils to be transported.

Sec. 4511.99. (A) Whoever violates division (A) of section 4511.19 of the Revised Code, in addition to the license suspension or revocation provided in section 4507.16 of the Revised Code and any disqualification imposed under section 4506.16 of the Revised Code, shall be punished as provided in division (A)(1), (2), (3), or (4) of this section.

(1) Except as otherwise provided in division (A)(2), (3), or (4) of this section, the offender is guilty of a misdemeanor of the first degree and the court shall sentence the offender to a term of imprisonment of three consecutive days and may sentence the offender pursuant to section 2929.21 of the Revised Code to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than two hundred and not more than one thousand dollars.

The court may suspend the execution of the mandatory three consecutive days of imprisonment that it is required to impose by this division, if the court, in lieu of the suspended term of imprisonment, places the offender on probation and requires the offender to attend, for three consecutive days, a drivers' intervention program that is certified pursuant to section 3793.10 of the Revised Code. The court also may suspend the execution of any part of the mandatory three consecutive days of imprisonment that it is required to impose by this division, if the court places the offender on probation for part of the three consecutive days; requires the offender to attend, for that part of the three consecutive days, a drivers' intervention program that is certified pursuant to section 3793.10 of the Revised Code; and sentences the offender to a term of imprisonment equal to the remainder of the three consecutive days that the offender does not spend attending the drivers' intervention program. The court may require the offender, as a condition of probation, to attend and satisfactorily complete any treatment or education programs that comply with the minimum standards adopted pursuant to Chapter 3793. of the Revised Code by the director of alcohol and drug addiction services, in addition to the required attendance at a drivers' intervention program, that the operators of the drivers' intervention program determine that the offender should attend

and to report periodically to the court on the offender's progress in the programs. The court also may impose any other conditions of probation on the offender that it considers necessary.

Of the fine imposed pursuant to this division, twenty-five dollars shall be paid to an enforcement and education fund established by the legislative authority of the law enforcement agency in this state that primarily was responsible for the arrest of the offender, as determined by the court that imposes the fine. This share shall be used by the agency to pay only those costs it incurs in enforcing section 4511.19 of the Revised Code or a substantially similar municipal ordinance and in informing the public of the laws governing the operation of a motor vehicle while under the influence of alcohol, the dangers of operating a motor vehicle while under the influence of alcohol, and other information relating to the operation of a motor vehicle and the consumption of alcoholic beverages. Twenty-five dollars of the fine imposed pursuant to this division shall be deposited into the county indigent drivers alcohol treatment fund or municipal indigent drivers alcohol treatment fund under the control of that court, as created by the county or municipal corporation pursuant to division (N) of section 4511.191 of the Revised Code. The balance of the fine shall be disbursed as otherwise provided by law.

(2)(a) Except as otherwise provided in division (A)(4) of this section, if, within six years of the offense, the offender has been convicted of or pleaded guilty to one violation of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, the offender is guilty of a misdemeanor of the first degree and, except as provided in this division, the court shall sentence the offender to a term of imprisonment of ten consecutive days and may sentence the offender pursuant to section 2929.21 of the Revised Code to a longer term of imprisonment. As an alternative to

the term of imprisonment required to be imposed by this division, but subject to division (A)(8) of this section, the court may impose upon the offender a sentence consisting of both a term of imprisonment of five consecutive days and not less than eighteen consecutive days of electronically monitored house arrest as defined in division (A) of section 2929.23 of the Revised Code. The five consecutive days of imprisonment and the period of electronically monitored house arrest shall not exceed six months. The five consecutive days of imprisonment do not have to be served prior to or consecutively with the period of electronically monitored house arrest.

In addition, the court shall impose upon the offender a fine of not less than three hundred and not more than one thousand five hundred dollars.

In addition to any other sentence that it imposes upon the offender, the court may require the offender to attend a drivers' intervention program that is certified pursuant to section 3793.10 of the Revised Code. If the officials of the drivers' intervention program determine that the offender is alcohol dependent, they shall notify the court, and the court shall order the offender to obtain treatment through an alcohol and drug addiction program authorized by section 3793.02 of the Revised Code. The cost of the treatment shall be paid by the offender.

Of the fine imposed pursuant to this division, thirty-five dollars shall be paid to an enforcement and education fund established by the legislative authority of the law enforcement agency in this state that primarily was responsible for the arrest of the offender, as determined by the court that imposes the fine. This share shall be used by the agency to pay only those costs it incurs in enforcing division (A) of section 4511.19 of the Revised Code or a substantially similar municipal ordinance and in informing the public of the laws governing the operation of a motor vehicle while under the influence of alcohol, the dangers of operating a motor vehicle while under the influence of alcohol, and other information relating to the operation of a motor vehicle and the consumption of alcoholic beverages. Sixty-five dollars of the fine imposed pursuant to this division shall be paid to the political subdivision responsible for housing the offender during the offender's term of incarceration. This share shall be used by the political subdivision to pay or reimburse incarceration costs it incurs in housing persons who violate section 4511.19 of the Revised Code or a substantially similar municipal ordinance and to pay for ignition interlock devices and electronic house arrest equipment for persons who violate that section, and shall be paid to the credit of the fund that pays the cost of the incarceration. Fifty dollars of the fine imposed pursuant to this division shall be deposited

into the county indigent drivers alcohol treatment fund or municipal indigent drivers alcohol treatment fund under the control of that court, as created by the county or municipal corporation pursuant to division (N) of section 4511.191 of the Revised Code. The balance of the fine shall be disbursed as otherwise provided by law.

(b) Regardless of whether the vehicle the offender was operating at the time of the offense is registered in the offender's name or in the name of another person, the court, in addition to the penalties imposed under division (A)(2)(a) of this section and all other penalties provided by law and subject to section 4503.235 of the Revised Code, shall order the immobilization for ninety days of the vehicle the offender was operating at the time of the offense and the impoundment for ninety days of the identification license plates of that vehicle. The order for the immobilization and impoundment shall be issued and enforced in accordance with section 4503.233 of the Revised Code.

(3)(a) Except as otherwise provided in division (A)(4) of this section, if, within six years of the offense, the offender has been convicted of or pleaded guilty to two violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, except as provided in this division, the court shall sentence the offender to a term of imprisonment of thirty consecutive days and may sentence the offender to a longer definite term of imprisonment of not more than one year. As an alternative to the term of imprisonment required to be imposed by this division, but subject to division (A)(8) of this section, the court may impose upon the offender a sentence consisting of both a term of imprisonment of fifteen consecutive days and not less than fifty-five consecutive days of electronically monitored house arrest as defined in division (A) of section 2929.23 of the Revised Code. The fifteen consecutive days of imprisonment and the period

of electronically monitored house arrest shall not exceed one year. The fifteen consecutive days of imprisonment do not have to be served prior to or consecutively with the period of electronically monitored house arrest.

In addition, the court shall impose upon the offender a fine of not less than five hundred and not more than two thousand five hundred dollars.

In addition to any other sentence that it imposes upon the offender, the court shall require the offender to attend an alcohol and drug addiction program authorized by section 3793.02 of the Revised Code. The cost of the treatment shall be paid by the offender. If the court determines that the offender is unable to pay the cost of attendance at the treatment program, the court may order that payment of the cost of the offender's attendance at the treatment program be made from that court's indigent drivers alcohol treatment fund.

Of the fine imposed pursuant to this division, one hundred twenty-three dollars shall be paid to an enforcement and education fund established by the legislative authority of the law enforcement agency in this state that primarily was responsible for the arrest of the offender, as determined by the court that imposes the fine. This share shall be used by the agency to pay only those costs it incurs in enforcing section 4511.19 of the Revised Code or a substantially similar municipal ordinance and in informing the public of the laws governing the operation of a motor vehicle while under the influence of alcohol, the dangers of operating a motor vehicle while under the influence of alcohol, and other information relating to the operation of a motor vehicle and the consumption of alcoholic beverages. Two hundred twenty-seven dollars of the fine imposed pursuant to this division shall be paid to the political subdivision responsible for housing the offender during the offender's term of incarceration. This share shall be used by the political subdivision to pay or reimburse incarceration costs it incurs in housing persons who violate division (A) of section 4511.19 of the Revised Code or a substantially similar municipal ordinance and to pay for ignition interlock devices and electronic house arrest equipment for persons who violate that section and shall be paid to the credit of the fund that pays the cost of incarceration. The balance of the fine shall be disbursed as otherwise provided by law.

(b) Regardless of whether the vehicle the offender was operating at the time of the offense is registered in the offender's name or in the name of another person, the court, in addition to the penalties imposed under division (A)(3)(a) of this section and all other penalties provided by law and subject to section 4503.235 of the Revised Code, shall order the immobilization for one hundred eighty days of the vehicle the offender was operating at the

time of the offense and the impoundment for one hundred eighty days of the identification license plates of that vehicle. The order for the immobilization and impoundment shall be issued and enforced in accordance with section 4503.233 of the Revised Code.

(4)(a) If, within six years of the offense, the offender has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, or if the offender previously has been convicted of or pleaded guilty to a violation of division (A) of section 4511.19 of the Revised Code under circumstances in which the violation was a felony and regardless of when the violation and the conviction or guilty plea occurred, the offender is guilty of a felony of the fourth degree. The court shall sentence the offender in accordance with sections 2929.11 to 2929.19 of the Revised Code and shall impose as part of the sentence a mandatory term of local incarceration of sixty consecutive days of imprisonment in accordance with division (G)(1) of section 2929.13 of the Revised Code or a mandatory prison term of sixty consecutive days of imprisonment in accordance with division (G)(2) of that section, whichever is applicable. If the offender is required to serve a mandatory term of local incarceration of sixty consecutive days of imprisonment in accordance with division (G)(1) of section 2929.13 of the Revised Code, the court, pursuant to section 2929.17 of the Revised Code, may impose upon the offender a sentence that includes a term of electronically monitored house arrest, provided that the term of electronically monitored house arrest shall not commence until after the offender has served the mandatory term of local incarceration.

In addition to all other sanctions imposed, the court shall impose upon the offender, pursuant to section 2929.18 of the Revised Code, a fine of not less than seven hundred fifty nor more than ten thousand dollars.

In addition to any other sanction that it imposes upon the offender, the court shall require the offender to attend an alcohol and drug addiction program authorized by section 3793.02 of the Revised Code. The cost of the treatment shall be paid by the offender. If the court determines that the offender is unable to pay the cost of attendance at the treatment program, the court may order that payment of the cost of the offender's attendance at the treatment program be made from the court's indigent drivers alcohol treatment fund.

Of the fine imposed pursuant to this division, two hundred ten dollars shall be paid to an enforcement and education fund established by the legislative authority of the law enforcement agency in this state that primarily was responsible for the arrest of the offender, as determined by the court that imposes the fine. This share shall be used by the agency to pay only those costs it incurs in enforcing section 4511.19 of the Revised Code or a substantially similar municipal ordinance and in informing the public of the laws governing operation of a motor vehicle while under the influence of alcohol, the dangers of operation of a motor vehicle while under the influence of alcohol, and other information relating to the operation of a motor vehicle and the consumption of alcoholic beverages. Three hundred ninety dollars of the fine imposed pursuant to this division shall be paid to the political subdivision responsible for housing the offender during the offender's term of incarceration. This share shall be used by the political subdivision to pay or reimburse incarceration costs it incurs in housing persons who violate division (A) of section 4511.19 of the Revised Code or a substantially similar municipal ordinance and to pay for ignition interlock devices and electronic house arrest equipment for persons who violate that section, and shall be paid to the credit of the fund that pays the cost of incarceration. The balance of the fine shall be disbursed as otherwise provided by law.

(b) Regardless of whether the vehicle the offender was operating at the time of the offense is registered in the offender's name or in the name of another person, the court, in addition to the sanctions imposed under division (A)(4)(a) of this section and all other sanctions provided by law and subject to section 4503.235 of the Revised Code, shall order the criminal forfeiture to the state of the vehicle the offender was operating at the time of the offense. The order of criminal forfeiture shall be issued and enforced in accordance with section 4503.234 of the Revised Code.

(c) As used in division (A)(4)(a) of this section, "mandatory prison term" and "mandatory term of local incarceration" have the same meanings as in section 2929.01 of the Revised Code.

If title to a motor vehicle that is subject to an order for criminal forfeiture under this section is assigned or transferred and division (C)(2) or (3) of section 4503.234 of the Revised Code applies, in addition to or independent of any other penalty established by law, the court may fine the offender the value of the vehicle as determined by publications of the national auto dealer's association. The proceeds from any fine imposed under this division shall be distributed in accordance with division (D)(4) of section 4503.234 of the Revised Code.

(5)(a) Except as provided in division (A)(5)(b) of this section, upon a showing that imprisonment would seriously affect the ability of an offender sentenced pursuant to division (A)(1), (2), (3), or (4) of this section to continue the offender's employment, the court may authorize that the offender be granted work release from imprisonment after the offender has served the three, ten, or thirty consecutive days of imprisonment or the mandatory term of local incarceration of sixty consecutive days that the court is required by division (A)(1), (2), (3), or (4) of this section to impose. No court shall authorize work release from imprisonment during the three, ten, or thirty consecutive days of imprisonment or the mandatory term of local incarceration or mandatory prison term of sixty consecutive days that the court is required by division (A)(1), (2), (3), or (4) of this section to impose. The duration of the work release shall not exceed the time necessary each day for the offender to commute to and from the place of employment and the place of imprisonment and the time actually spent under employment.

(b) An offender who is sentenced pursuant to division (A)(2) or (3) of this section to a term of imprisonment followed by a period of electronically monitored house arrest is not eligible for work release from imprisonment, but that person shall be permitted work release during the period of electronically monitored house arrest. The duration of the work release shall not exceed the time necessary each day for the offender to commute to and from the place of employment and the offender's home or other place specified by the sentencing court and the time actually spent under employment.

(6) Notwithstanding any section of the Revised Code that authorizes the suspension of the imposition or execution of a sentence, the placement of an offender in any treatment program in lieu of imprisonment, or the use of a community control sanction for an offender convicted of a felony, no court shall suspend the ten or thirty consecutive days of imprisonment required to be imposed on an offender by division (A)(2) or (3) of this section, no court shall place an offender who is sentenced pursuant to division (A)(2), (3), or

(4) of this section in any treatment program in lieu of imprisonment until after the offender has served the ten or thirty consecutive days of imprisonment or the mandatory term of local incarceration or mandatory prison term of sixty consecutive days required to be imposed pursuant to division (A)(2), (3), or (4) of this section, no court that sentences an offender under division (A)(4) of this section shall impose any sanction other than a mandatory term of local incarceration or mandatory prison term to apply to the offender until after the offender has served the mandatory term of local incarceration or mandatory prison term of sixty consecutive days required to be imposed pursuant to division (A)(4) of this section, and no court that imposes a sentence of imprisonment and a period of electronically monitored house arrest upon an offender under division (A)(2) or (3) of this section shall suspend any portion of the sentence or place the offender in any treatment program in lieu of imprisonment or electronically monitored house arrest. Notwithstanding any section of the Revised Code that authorizes the suspension of the imposition or execution of a sentence or the placement of an offender in any treatment program in lieu of imprisonment, no court, except as specifically authorized by division (A)(1) of this section, shall suspend the three consecutive days of imprisonment required to be imposed by division (A)(1) of this section or place an offender who is sentenced pursuant to division (A)(1) of this section in any treatment program in lieu of imprisonment until after the offender has served the three consecutive days of imprisonment required to be imposed pursuant to division (A)(1) of this section.

(7) No court shall sentence an offender to an alcohol treatment program pursuant to division (A)(1), (2), (3), or (4) of this section unless the treatment program complies with the minimum standards adopted pursuant to Chapter 3793. of the Revised Code by the director of alcohol and drug addiction services.

(8) No court shall impose the alternative sentence of a term of imprisonment of five consecutive days plus not less than eighteen consecutive days of electronically monitored house arrest permitted to be imposed by division (A)(2) of this section, or the alternative sentence of a term of imprisonment of fifteen consecutive days plus not less than fifty-five consecutive days of electronically monitored house arrest permitted to be imposed pursuant to division (A)(3) of this section, unless within sixty days of the date of sentencing, the court issues a written finding, entered into the record, that due to the unavailability of space at the incarceration facility where the offender is required to serve the term of imprisonment imposed upon the offender, the offender will not be able to commence serving the

term of imprisonment within the sixty-day period following the date of sentencing. If the court issues such a finding, the court may impose the alternative sentence comprised of a term of imprisonment and a term of electronically monitored house arrest permitted to be imposed by division (A)(2) or (3) of this section.

(B) Whoever violates section 4511.192, 4511.251, or 4511.85 of the Revised Code is guilty of a misdemeanor of the first degree. The court, in addition to or independent of all other penalties provided by law, may suspend for a period not to exceed one year the driver's or commercial driver's license or permit or nonresident operating privilege of any person who pleads guilty to or is convicted of a violation of section 4511.192 of the Revised Code.

(C) Whoever violates section 4511.63, 4511.76, 4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the Revised Code is guilty of one of the following:

(1) Except as otherwise provided in division (C)(2) of this section, a minor misdemeanor.

(2) If the offender previously has been convicted of or pleaded guilty to one or more violations of section 4511.63, 4511.76, 4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the Revised Code or a municipal ordinance that is substantially similar to any of those sections, a misdemeanor of the fourth degree.

(D)(1) Whoever violates any provision of sections 4511.01 to 4511.76 or section 4511.84 of the Revised Code, for which no penalty otherwise is provided in this section is guilty of one of the following:

(a) Except as otherwise provided in division (D)(1)(b), (1)(c), (2), or (3) of this section, a minor misdemeanor;

(b) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one violation of any provision of sections 4511.01 to 4511.76 or section 4511.84 of the Revised Code for which no penalty otherwise is provided in this section or a municipal ordinance that is substantially similar to any provision of sections 4511.01 to 4511.76 or section 4511.84 of the Revised Code for which no penalty otherwise is provided in this section, a misdemeanor of the fourth degree;

(c) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two or more violations of any provision described in division (D)(1)(b) of this section or any municipal ordinance that is substantially similar to any of those provisions, a misdemeanor of the third degree.

(2) When any person is found guilty of a first offense for a violation of

section 4511.21 of the Revised Code upon a finding that the person operated a motor vehicle faster than thirty-five miles an hour in a business district of a municipal corporation, or faster than fifty miles an hour in other portions, or faster than thirty-five miles an hour while passing through a school zone during recess or while children are going to or leaving school during the opening or closing hours, the person is guilty of a misdemeanor of the fourth degree.

(3) Notwithstanding section 2929.21 of the Revised Code, upon a finding that such person operated a motor vehicle in a construction zone where a sign was then posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose a fine of two times the usual amount imposed for the violation. No court shall impose a fine of two times the usual amount imposed for the violation upon an offender who alleges, in an affidavit filed with the court prior to the offender's sentencing, that the offender is indigent and is unable to pay the fine imposed pursuant to this division, provided the court determines the offender is an indigent person and is unable to pay the fine.

(E) Whenever a person is found guilty in a court of record of a violation of section 4511.761, 4511.762, or 4511.77 of the Revised Code, the trial judge, in addition to or independent of all other penalties provided by law, may suspend for any period of time not exceeding three years, or revoke the license of any person, partnership, association, or corporation, issued under section 4511.763 of the Revised Code.

(F) Whoever violates division (E) or (F) of section 4511.51, division (A), (D), or (E) of section 4511.521, section 4511.681, division (A), (C), or (F) of section 4511.69, section 4511.772, or division (A) or (B) of section 4511.82 of the Revised Code is guilty of a minor misdemeanor.

(G) Whoever violates division (A) of section 4511.75 of the Revised Code may be fined an amount not to exceed five hundred dollars. A person who is issued a citation for a violation of division (A) of section 4511.75 of the Revised Code is not permitted to enter a written plea of guilty and waive the person's right to contest the citation in a trial, but instead must appear in person in the proper court to answer the charge.

(H)(1) Whoever is a resident of this state and violates division (A) or (B) of section 4511.81 of the Revised Code shall be punished as follows:

(a) Except as otherwise provided in division (H)(1)(b) of this section, the offender is guilty of a minor misdemeanor.

(b) If the offender previously has been convicted of or pleaded guilty to a violation of division (A) or (B) of section 4511.81 of the Revised Code or of a municipal ordinance that is substantially similar to either of those

divisions, the offender is guilty of a misdemeanor of the fourth degree.

(2) Whoever is not a resident of this state, violates division (A) or (B) of section 4511.81 of the Revised Code, and fails to prove by a preponderance of the evidence that the offender's use or nonuse of a child restraint system was in accordance with the law of the state of which the offender is a resident is guilty of a minor misdemeanor on a first offense; on a second or subsequent offense, that person is guilty of a misdemeanor of the fourth degree.

(3) Sixty-five per cent of every fine imposed pursuant to division (H)(1) or (2) of this section shall be forwarded to the treasurer of state for deposit in the "child highway safety fund" created by division (G) of section 4511.81 of the Revised Code. The balance of the fine shall be disbursed as otherwise provided by law.

(I) Whoever violates section 4511.202 of the Revised Code is guilty of operating a motor vehicle without being in control of it, a minor misdemeanor.

(J) Whoever violates division (B) of section 4511.74, division (B)(1), (2), or (3), (C), or (E)(1), (2), or (3) of section 4511.83 of the Revised Code is guilty of a misdemeanor of the first degree.

(K) Except as otherwise provided in this division, whoever violates division (E) of section 4511.11, division (A) or (C) of section 4511.17, or section 4511.18 of the Revised Code is guilty of a misdemeanor of the third degree. If a violation of division (A) or (C) of section 4511.17 of the Revised Code creates a risk of physical harm to any person, the offender is guilty of a misdemeanor of the first degree. A violation of division (A) or (C) of section 4511.17 of the Revised Code that causes serious physical harm to property that is owned, leased, or controlled by a state or local authority is a felony of the fifth degree.

(L) Whoever violates division (H) of section 4511.69 of the Revised Code shall be punished as follows:

(1) Except as otherwise provided in division (L)(2) of this section, the offender shall be issued a warning.

(2) If the offender previously has been convicted of or pleaded guilty to a violation of division (H) of section 4511.69 of the Revised Code or of a municipal ordinance that is substantially similar to that division, the offender shall not be issued a warning but shall be fined twenty-five dollars for each parking location that is not properly marked or whose markings are not properly maintained.

(M) Whoever violates division (A)(1) or (2) of section 4511.45 of the Revised Code is guilty of a misdemeanor of the fourth degree on a first

nse; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree; and on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the second degree.

(N)(1) Whoever violates division (B) of section 4511.19 of the Revised Code is guilty of operating a motor vehicle after under-age alcohol consumption and shall be punished as follows:

(a) Except as otherwise provided in division (N)(1)(b) of this section, the offender is guilty of a misdemeanor of the fourth degree.

(b) If, within one year of the offense, the offender has been convicted of or pleaded guilty to any violation of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, the offender is guilty of a misdemeanor of the third degree.

(2) In addition to or independent of all other penalties provided by law, the offender's driver's or commercial driver's license or permit or nonresident operating privilege shall be suspended in accordance with, and for the period of time specified in, division (E) of section 4507.16 of the Revised Code.

(O) Whoever violates section 4511.62 of the Revised Code is guilty of a misdemeanor of the fourth degree.

Sec. 4513.201. (A) No hydraulic brake fluid for use in motor vehicles shall be sold in this state if ~~such the~~ the brake fluid is below the minimum standard of specifications for heavy duty type brake fluid established by the society of automotive engineers ~~for heavy duty type brake fluid and the standard of specifications established by 49 C.F.R. 571.116, as amended.~~

(B) All manufacturers, packers, or distributors of brake fluid selling such fluid in this state shall state on the containers that the brake fluid therein meets or exceeds the applicable minimum SAE standard of

~~specifications; and before commencing sale of any brake fluid in this state and at such subsequent times as may be required by the director of public safety, shall submit to the department of public safety a sample of such brake fluid and a certified laboratory report of an independent testing laboratory showing same to meet or exceed such minimum SAE the standard of specifications established in 49 C.F.R. 571.116, as amended.~~

Sec. 4513.202. (A) No brake lining, brake lining material, or brake lining assemblies for use as repair and replacement parts in motor vehicles shall be sold in this state if ~~such~~ these items do not meet or exceed the minimum standard of specifications established by the ~~director~~ society of public safety automotive engineers and the standard of specifications established in 49 C.F.R. 571.105, as amended, and 49 C.F.R. 571.135, as amended.

(B) All manufacturers or distributors of brake lining, brake lining material, or brake lining assemblies selling ~~such~~ these items for use as repair and replacement parts in motor vehicles shall state that ~~such~~ the items meet or exceed ~~such~~ the applicable minimum standard of specifications, ~~and before commencing sale of any such items in this state and at such subsequent times as may be required by the director of public safety, shall submit to the department of public safety a certified laboratory report of an independent testing laboratory showing same to meet or exceed such minimum specifications.~~

(C) ~~The director of public safety, in conformity with sections 119.01 to 119.13, inclusive, of the Revised Code, shall prescribe and promulgate regulations relating to minimum specifications for the performance of brake lining, brake lining material, and brake lining assemblies and such regulations shall be in accordance with currently recognized standards.~~

~~(D)~~ As used in this section, "minimum standard of specifications" means a minimum standard for brake system or brake component performance. ~~In prescribing such standards, the director shall:~~

~~(1) Consider relevant available motor vehicle safety data, including results of research, development, testing, and evaluation;~~

~~(2) Consider relevant SAE standards and recommended practices;~~

~~(3) Promulgate only standards that are practicable, meet the need for motor vehicle safety, and are stated in objective terms;~~

~~(4) Amend said standards to comply with any that meets the need for motor vehicle safety and complies with the applicable SAE standards and recommended practices, and the federal motor vehicle safety standard which may appear covering standards that cover the same aspect of performance for any brake lining, brake lining material, or brake lining assemblies.~~

Sec. 4513.61. The sheriff of a county or chief of police of a municipal corporation, township, or township police district, within the sheriff's or chief's respective territorial jurisdiction, or a state highway patrol trooper, upon notification to the sheriff or chief of police of such action and of the location of the place of storage, may order into storage any motor vehicle, ~~other than~~ including an abandoned junk motor vehicle as defined in section 4513.63 of the Revised Code, ~~which that has come into the possession of the sheriff, chief of police, or state highway patrol trooper as a result of the performance of the sheriff's, chief's, or trooper's duties or that~~ has been left on a public street or other property open to the public for purposes of vehicular travel, or upon or within the right-of-way of any road or highway, for forty-eight hours or longer without notification to the sheriff or chief of police of the reasons for leaving the motor vehicle in such place, except that when such a motor vehicle constitutes an obstruction to traffic it may be ordered into storage immediately. The sheriff or chief of police shall designate the place of storage of any motor vehicle so ordered removed.

The sheriff or chief of police immediately shall cause a search to be made of the records of the bureau of motor vehicles to ascertain the owner and any lienholder of a motor vehicle ordered into storage by the sheriff or chief of police, or by a state highway patrol trooper, and, if known, shall send or cause to be sent notice to the owner or lienholder at the owner's or lienholder's last known address by certified mail with return receipt requested, that the motor vehicle will be declared a nuisance and disposed of if not claimed within ten days of the date of mailing of the notice. The owner or lienholder of the motor vehicle may reclaim it upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title to the motor vehicle. If the owner or lienholder of the motor vehicle reclaims it after a search of the records of the bureau has been conducted and after notice has been sent to the owner or lienholder as described in this section, and the search was conducted by the owner of the place of storage or the owner's employee, and the notice was sent to the motor vehicle owner by the owner of the place of storage or the owner's employee, the owner or lienholder shall pay to the place of storage a processing fee of twenty-five dollars, in addition to any expenses or charges incurred in the removal and storage of the vehicle.

If the owner or lienholder makes no claim to the motor vehicle within ten days of the date of mailing of the notice, and if the vehicle is to be disposed of at public auction as provided in section 4513.62 of the Revised Code, the sheriff or chief of police shall file with the clerk of courts of the

county in which the place of storage is located an affidavit showing compliance with the requirements of this section. Upon presentation of the affidavit, the clerk, without charge, shall issue a salvage certificate of title, free and clear of all liens and encumbrances, to the sheriff or chief of police. If the vehicle is to be disposed of to a motor vehicle salvage dealer or other facility as provided in section 4513.62 of the Revised Code, the sheriff or chief of police shall execute in triplicate an affidavit, as prescribed by the registrar of motor vehicles, describing the motor vehicle and the manner in which it was disposed of, and that all requirements of this section have been complied with. The sheriff or chief of police shall retain the original of the affidavit for the sheriff's or chief's records, and shall furnish two copies to the motor vehicle salvage dealer or other facility. Upon presentation of a copy of the affidavit by the motor vehicle salvage dealer, the clerk of courts shall issue to such owner a salvage certificate of title, free and clear of all liens and encumbrances.

Whenever a motor vehicle salvage dealer or other facility receives an affidavit for the disposal of a motor vehicle as provided in this section, the dealer or facility shall not be required to obtain an Ohio certificate of title to the motor vehicle in the dealer's or facility's own name if the vehicle is dismantled or destroyed and both copies of the affidavit are delivered to the clerk of courts.

Sec. 4513.63. "Abandoned junk motor vehicle" means any motor vehicle meeting all of the following requirements:

(A) Left on private property for ~~more than seventy-two~~ forty-eight hours or longer without the permission of the person having the right to the possession of the property, on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right-of-way of any road or highway, for forty-eight hours or longer;

(B) Three years old, or older;

(C) Extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor, or transmission;

(D) Apparently inoperable;

(E) Having a fair market value of ~~four~~ one thousand five hundred dollars or less.

The sheriff of a county or chief of police of a municipal corporation, township, or township police district, within ~~his~~ the sheriff's or chief's respective territorial jurisdiction, or a state highway patrol trooper, upon notification to the sheriff or chief of police of such action, shall order any abandoned junk motor vehicle to be photographed by a law enforcement officer. The officer shall record the make of motor vehicle, the serial

number when available, and shall also detail the damage or missing equipment to substantiate the value of ~~four~~ one thousand five hundred dollars or less. The sheriff or chief of police shall thereupon immediately dispose of the abandoned junk motor vehicle to a motor vehicle salvage dealer as defined in section 4738.01 of the Revised Code or a scrap metal processing facility as defined in section 4737.05 of the Revised Code which is under contract to the county, township, or municipal corporation, or to any other facility owned by or under contract with the county, township, or municipal corporation for the destruction of such motor vehicles. The records and photograph relating to the abandoned junk motor vehicle shall be retained by the law enforcement agency ordering the disposition of such vehicle for a period of at least two years. The law enforcement agency shall execute in quadruplicate an affidavit, as prescribed by the registrar of motor vehicles, describing the motor vehicle and the manner in which it was disposed of, and that all requirements of this section have been complied with, and shall sign and file the same with the clerk of courts of the county in which the motor vehicle was abandoned. The clerk of courts shall retain the original of the affidavit for ~~his~~ the clerk's files, shall furnish one copy thereof to the registrar, one copy to the motor vehicle salvage dealer or other facility handling the disposal of the vehicle, and one copy to the law enforcement agency ordering the disposal, who shall file such copy with the records and photograph relating to the disposal. Any moneys arising from the disposal of an abandoned junk motor vehicle shall be deposited in the general fund of the county, township, or the municipal corporation, as the case may be.

Notwithstanding section 4513.61 of the Revised Code, any motor vehicle meeting the requirements of divisions (C), (D), and (E) of this section which has remained unclaimed by the owner or lienholder for a period of ten days or longer following notification as provided in section 4513.61 of the Revised Code may be disposed of as provided in this section.

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

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

(B) "Motor vehicle" means motor vehicle as defined in section 4501.01 of the Revised Code.

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

(D) "Ultimate purchaser" means, with respect to any new motor vehicle,

the first person, other than a dealer purchasing in the capacity of a dealer, who in good faith purchases such new motor vehicle for purposes other than resale.

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

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

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

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

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

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

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

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

(M) "Motor vehicle leasing dealer" means any person engaged in the business of regularly making available, offering to make available, or arranging for another person to use a motor vehicle pursuant to a bailment, lease, or other contractual arrangement under which a charge is made for its use at a periodic rate for a term of thirty days or more, and title to the motor vehicle is in a person other than the user, but does not mean a manufacturer

or its affiliate leasing to its employees or to dealers.

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

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

(P) "Motor vehicle show" means a display of current models of motor vehicles whereby the primary purpose is the exhibition of competitive makes and models in order to provide the general public the opportunity to review and inspect various makes and models of motor vehicles at a single location.

(Q) "Motor vehicle auction owner" means any person who is engaged wholly or in part in the business of auctioning motor vehicles.

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

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

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

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

- (a) Fifteen feet in length, exclusive of bumper and tongue;
- (b) Sixty inches in height from the point of contact with the ground;
- (c) Eight feet in width;
- (d) One ton gross weight at time of sale.

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

chassis supplied by a manufacturer or distributor.

(U) "Flea market" means a market place, other than a dealer's location licensed under this chapter, where a space or location is provided for a fee or compensation to a seller to exhibit and offer for sale or trade, motor vehicles to the general public.

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

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

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

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

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

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

(BB) "Good faith" means honesty in the conduct or transaction concerned and the observance of reasonable commercial standards of fair dealing in the trade as is defined in division (S) of section 1301.01 of the Revised Code, including, but not limited to, the duty to act in a fair and equitable manner so as to guarantee freedom from coercion, intimidation, or threats of coercion or intimidation; provided however, that recommendation, endorsement, exposition, persuasion, urging, or argument shall not be considered to constitute a lack of good faith.

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

(DD) "Relevant market area" means any area within a radius of ten miles from the site of a potential new dealership, except that for manufactured home or recreational vehicle dealerships the radius shall be

twenty-five miles.

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

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

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

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

(2) A person who assembles or installs special equipment or accessories for handicapped persons, as defined in section 4503.44 of the Revised Code, upon a motor vehicle chassis supplied by a manufacturer or distributor.

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

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

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

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

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

(II) "Manufactured home broker" means any person acting as a selling agent on behalf of an owner of a manufactured home that is subject to taxation under section 4503.06 of the Revised Code.

Sec. 4517.03. (A) A place of business that is used for selling, displaying, offering for sale, or dealing in motor vehicles shall be considered as used exclusively for those purposes even though snowmobiles, all purpose vehicles, or farm machinery is sold or displayed there, or if repair, accessory, gasoline and oil, storage, parts, service, or paint departments are maintained there, or such products or services are provided there, if the departments are operated or the products or services are provided for the business of selling, displaying, offering for sale, or dealing in motor

vehicles. Places of business or departments in a place of business used to dismantle, salvage, or rebuild motor vehicles by means of using used parts, are not considered as being maintained for the purpose of assisting or furthering the selling, displaying, offering for sale, or dealing in motor vehicles. A place of business shall be considered as used exclusively for selling, displaying, offering for sale, or dealing in motor vehicles even though a business owned by a motor vehicle leasing dealer as defined in section 4517.01 of the Revised Code or a motor vehicle renting dealer as defined in section 4549.65 of the Revised Code is located at the place of business.

(B) No new motor vehicle dealer shall sell, display, offer for sale, or deal in motor vehicles at any place except an established place of business that is used exclusively for the purpose of selling, displaying, offering for sale, or dealing in motor vehicles and has space, under roof, for the display of at least one new motor vehicle and facilities and space therewith for the inspection, servicing, and repair of at least one motor vehicle; except that a new motor vehicle dealer selling manufactured homes is exempt from the requirement that ~~his~~ a place of business have space, under roof, for the display of at least one new motor vehicle and facilities and space therewith for the inspection, servicing, and repair of at least one motor vehicle.

Nothing contained in Chapter 4517. of the Revised Code shall be construed as prohibiting the sale of a manufactured home located in a manufactured home park by a licensed motor vehicle dealer who is the owner of the manufactured home park.

(C) No used motor vehicle dealer shall sell, display, offer for sale, or deal in motor vehicles at any place except an established place of business that is used exclusively for the purpose of selling, displaying, offering for sale, or dealing in motor vehicles.

(D) No motor vehicle leasing dealer shall make a motor vehicle available for use by another, in the manner described in division (M) of section 4517.01 of the Revised Code, at any place except an established place of business that is used for leasing motor vehicles; except that a motor vehicle leasing dealer who is also a new motor vehicle dealer or used motor vehicle dealer may lease motor vehicles at the same place of business at which the dealer sells, offers for sale, or deals in new or used motor vehicles.

(E) No motor vehicle leasing dealer or motor vehicle renting dealer as defined in section 4549.65 of the Revised Code shall sell a motor vehicle within ninety days after a certificate of title to the motor vehicle is issued to the dealer, except when a salvage certificate of title is issued to replace the

original certificate of title.

(F) No distributor shall distribute new motor vehicles to new motor vehicle dealers at any place except an established place of business that is used exclusively for the purpose of distributing new motor vehicles to new motor vehicle dealers; except that a distributor who is also a new motor vehicle dealer may distribute new motor vehicles at the same place of business at which the distributor sells, displays, offers for sale, or deals in new motor vehicles.

(G) No person, firm, or corporation that sells, displays, or offers for sale tent-type fold out camping trailers is subject to the requirement that the person's, firm's, or corporation's place of business be used exclusively for the purpose of selling, displaying, offering for sale, or dealing in motor vehicles. No person, firm, or corporation that sells, displays, or offers for sale tent-type fold-out camping trailers, trailers, or semitrailers is subject to the requirement that the person's, firm's, or corporation's place of business have space, under roof, for the display of at least one new motor vehicle and facilities and space therewith for the inspection, servicing, and repair of at least one motor vehicle.

(H) No manufactured home broker shall engage in the business of brokering manufactured homes at any place except an established place of business that is used exclusively for the purpose of brokering manufactured homes.

(I) Nothing in this section shall be construed to prohibit persons licensed under this chapter from making sales calls.

Sec. 4519.04. (A) Upon the filing of an application for registration of a snowmobile or all-purpose vehicle and the payment of the tax therefor, the registrar of motor vehicles or a deputy registrar shall assign to the snowmobile or all-purpose vehicle a distinctive number and issue and deliver to the owner in such manner as the registrar may select, a certificate of registration, in such form as the registrar shall prescribe. Any number so assigned to a snowmobile or all-purpose vehicle shall be a permanent number, and shall not be issued to any other snowmobile or all-purpose vehicle, except as provided in section 4519.05 of the Revised Code.

(B) Upon receipt of a certificate of registration for a snowmobile or all-purpose vehicle other than a mini-bike or trail bike, the owner shall paint on the vehicle or otherwise attach in such manner as the registrar shall prescribe, the identifying registration number in block characters of not less than two inches in height and of such color as to be distinctly visible and legible, as follows:

(1) In the case of a snowmobile, the number shall be displayed upon

each side of the forward cowling.

(2) In the case of an all-purpose vehicle, the number shall be displayed upon the front and rear of the vehicle.

(C) the certificate of registration for a mini-bike or trail bike shall be evidenced and displayed on the vehicle in such manner as the registrar shall prescribe.

(D) Unless previously canceled, each certificate of registration issued for a snowmobile or all-purpose vehicle shall expire upon the thirty-first day of ~~August~~ December in the third year after the date it is issued. Application for renewal of a certificate may be made not earlier than ninety days preceding the expiration date, and shall be accompanied by a fee of five dollars. The renewal of a certificate of registration for a snowmobile or all-purpose vehicle shall be evidenced by a decal or similar device identifying the registration period for which it is issued, and shall be displayed upon the vehicle in such manner as the registrar shall prescribe.

Sec. 4549.451. No auctioneer licensed under Chapter 4707. of the Revised Code shall advertise for sale by means of any written advertisement, brochure, flyer, or other writing, any motor vehicle the auctioneer knows or has reason to believe has an odometer that has been changed, tampered with, or disconnected, or in any other manner has been nonfunctional, unless the listing or description of the vehicle contained in the written advertisement, brochure, flyer, or other writing contains one of the two following statements:

(A) "This motor vehicle has an odometer that has been changed, tampered with, or disconnected, or otherwise has been nonfunctional."

(B) "Nonactual odometer reading: warning - odometer DISCREPANCY."

The statement selected by the auctioneer shall be printed in type identical in size to the other type used in the listing or description, and shall be located within the listing or description and not located as a footnote to the listing or description.

Sec. 5503.09. The superintendent of the state highway patrol ~~may~~, with the approval of the director of public safety, may designate one or more persons to be special police officers to preserve the peace and enforce the laws of this state with respect to persons and property under their jurisdiction and control. ~~Such~~ The officers are vested with the same powers of arrest as police officers under section 2935.03 of the Revised Code when exercising their responsibilities on lands owned by the Ohio expositions commission and on those state properties and institutions owned or leased by the state where ~~such~~ the officers are assigned by the superintendent.

Special police officers shall be required to complete peace officer basic training for the position to which they have been appointed as required by the Ohio peace officer training commission as authorized in section ~~109.78~~ 109.73 of the Revised Code. They ~~shall~~ also shall take an oath of office, wear the badge of office, and provide bond to the state in the amount of twenty-five hundred dollars for the proper performance of their duties.

SECTION 2. That existing sections 109.71, 125.56, 1905.01, 2301.374, 2919.22, 3327.08, 4501.01, 4501.021, 4501.25, 4503.10, 4503.103, 4503.12, 4503.19, 4503.21, 4503.27, 4503.301, 4503.31, 4503.311, 4503.312, 4503.33, 4503.77, 4503.84, 4505.07, 4505.08, 4505.11, 4506.01, 4506.08, 4506.14, 4506.16, 4506.17, 4507.01, 4507.02, 4507.021, 4507.022, 4507.08, 4507.09, 4507.10, 4507.13, 4507.14, 4507.16, 4507.162, 4507.163, 4507.169, 4507.50, 4507.52, 4509.31, 4511.191, 4511.193, 4511.195, 4511.196, 4511.62, 4511.76, 4511.99, 4513.201, 4513.202, 4513.61, 4513.63, 4517.01, 4517.03, 4519.04, and 5503.09 of the Revised Code are hereby repealed.

SECTION 3. Section 109.71 of the Revised Code is presented in this act as a composite of the section as amended by Sub. H.B. 351, Sub. H.B. 670, and Am. Sub. S.B. 285 of the 121st General Assembly, with the new language of none of the acts shown in capital letters. Section 2919.22 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 353 and Am. Sub. S.B. 269 of the 121st General Assembly, with the new language of neither of the acts shown in capital letters. Sections 4503.10 and 4503.12 of the Revised Code are presented in this act as a composite of the sections as amended by both Am. Sub. H.B. 353 and Am. Sub. S.B. 121 of the 121st General Assembly, with the new language of neither of the acts shown in capital letters. Section 4507.02 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. S.B. 20 and Am. Sub. H.B. 687 of the 120th General Assembly, with the new language of neither of the acts shown in capital letters. Section 4507.021 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 353 and Am. Sub. H.B. 438 of the 121st General Assembly, with the new language of neither of the acts shown in capital letters. Section 4507.16 of the Revised Code is presented in this act as a composite of the section as amended by Am. Sub. H.B. 353, Am. Sub. S.B. 166, Am. Sub. S.B. 269, and Am. Sub. H.B. 676 of the 121st General Assembly, with the new language of none of the acts shown in capital letters. Section 4511.193 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 353 and Am. Sub. S.B. 166 of the 121st General Assembly, with the new language of neither of the acts shown in capital letters. Section 4511.195 of the Revised Code is presented in this act as a composite of the section as amended by Am. Sub. H.B. 353, Am. Sub. S.B. 166, and Am. Sub. H.B. 676 of the 121st General Assembly, with the new language of none of the acts shown in capital letters. This is in recognition of the principle stated in division (B) of section 1.52 of the Revised Code that such amendments are to be harmonized where not substantively irreconcilable and constitutes a legislative finding that such is the resulting version in effect prior to the effective date of this act.

Speaker _____ *of the House of Representatives.*

President _____ of the Senate.

Passed _____, 20__

Approved _____, 20__

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the
____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____