

## As Passed by the House

124th General Assembly

Regular Session

2001-2002

Am. Sub. S. B. No. 123

Senators Oelslager, Mead

Representatives Womer Benjamin, Willamowski, Seitz, Latta, Salerno,

Buehrer, Schmidt, D. Miller, R. Miller, Otterman, S. Smith, Patton

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and 5743.99; to amend, for the purpose of adopting	86
new section numbers as indicated in parentheses,	87
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and 4511.951 (4510.72); to enact sections 99  
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4519.99, 4549.99, 4551.99, 4563.99, 4582.99, and 109  
4583.99 of the Revised Code to adopt, effective 110  
January 1, 2003, the Ohio Criminal Sentencing 111  
Commission's Traffic Proposals, with 112  
modifications, and related changes in the traffic 113  
laws.

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

**Section 1.** That sections 9.981, 119.062, 733.40, 1547.11, 114  
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(4510.63), 4507.63 (4510.64), 4511.95 (4510.71), and 4511.951 184  
(4510.72) be amended for the purpose of adopting new section 185  
numbers as indicated in parentheses; and sections 4508.091, 186  
4510.01, 4510.02, 4510.021, 4510.03, 4510.031, 4510.032, 4510.034, 187  
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4510.54, 4511.181, 4511.194, 4511.197, and 4549.52 of the Revised 190  
Code be enacted to read as follows: 191

**Sec. 9.981.** (A) Sections 9.98 to 9.983 of the Revised Code 192  
are applicable to bonds: 193

(1) The payment of the debt service on which is to be 194  
provided for directly or indirectly by payments contracted to be 195  
made in the bond proceedings by the absolute obligors, being 196  
persons other than the issuer; and 197

(2) Which are authorized to be issued under sections 122.39 198  
to 122.62, Chapter 165., 902., 3377., 3706., division ~~(D)~~(A)(4) of 199  
section 4582.06, division ~~(H)~~(A)(8) of section 4582.31, section 200  
4582.48, or Chapter 6121. or 6123. of the Revised Code, 201  
notwithstanding other provisions therein. 202

(B) Sections 9.98 to 9.983 of the Revised Code are applicable 203  
to bonds issued under Chapters 140., 152., 154., 175., and 349. of 204  
the Revised Code, and to any bonds authorized under laws which 205  
expressly make those sections applicable. 206

(C) Subject to division (A) of this section, the authority 207  
provided in sections 9.98 to 9.983 of the Revised Code is 208  
supplemental to and not in derogation of any similar authority 209  
provided by, derived from, or implied by, any law, the Ohio 210  
Constitution, or any charter, resolution, or ordinance, and no 211  
inference shall be drawn to negate the authority thereunder by 212  
reason of the express provisions of sections 9.98 to 9.983 of the 213  
Revised Code. 214

(D) Sections 9.98 to 9.983 of the Revised Code shall be 215  
liberally construed to permit flexibility in the arrangements 216  
therein provided to enhance the issuance of such bonds and provide 217  
for terms most beneficial and satisfactory to the persons which 218  
undertake to provide for their payment, security, and liquidity. 219

**Sec. 119.062.** (A) Notwithstanding section 119.06 of the 220  
Revised Code, the registrar of motor vehicles is not required to 221  
hold any hearing in connection with an order ~~revoking~~ canceling or 222  
suspending a motor vehicle driver's or commercial driver's license 223  
pursuant to section ~~4507.16, 4509.24, 4509.291, 4509.31, 4509.33,~~ 224  
~~4509.37, 4509.39, 4509.42, 4509.66, 4511.191, or 4511.196~~ 2903.06, 225  
2903.08, 2907.24, 2921.331, 4549.02, 4549.021, or 5743.99 or any 226  
provision of Chapter 2925., 4509., 4510., or 4511. of the Revised 227  
Code or in connection with an out-of-service order issued under 228  
Chapter 4506. of the Revised Code. 229

(B) Notwithstanding section 119.07 of the Revised Code, the 230  
registrar is not required to use registered mail, return receipt 231  
requested, in connection with an order ~~revoking~~ canceling or 232  
suspending a motor vehicle driver's or commercial driver's 233  
license, or a notification to a person to surrender a certificate 234  
of registration and registration plates. 235

**Sec. 733.40.** Except as otherwise provided in section 4511.193 236  
of the Revised Code, all fines, forfeitures, and costs in 237  
ordinance cases and all fees that are collected by the mayor, ~~or~~ 238  
~~which that~~ in any manner come into ~~his~~ the mayor's hands, or ~~which~~ 239  
that are due ~~such the~~ mayor or a marshal, chief of police, or 240  
other officer of the municipal corporation, any other fees and 241  
expenses ~~which that~~ have been advanced out of the treasury of the 242  
municipal corporation, and all money received by ~~such the~~ mayor 243  
for the use of ~~such the~~ municipal corporation, shall be paid by 244



~~him the mayor~~ into ~~such the~~ treasury of the municipal corporation 245  
on the first Monday of each month. At the first regular meeting of 246  
the legislative authority each month, the mayor shall submit a 247  
full statement of all money received, from whom and for what 248  
purposes received, and when paid into the treasury. Except as 249  
otherwise provided by sections 3375.50 to 3375.52 or ~~4511.99~~ 250  
4511.19 of the Revised Code, all fines, and forfeitures collected 251  
by the mayor in state cases, together with all fees and expenses 252  
collected ~~which that~~ have been advanced out of the county 253  
treasury, shall be paid by ~~him the mayor~~ to the county treasury on 254  
the first business day of each month. Except as otherwise provided 255  
by sections 3375.50 to 3375.52 or ~~4511.99~~ 4511.19 of the Revised 256  
Code, the mayor shall pay all court costs and fees collected by 257  
the mayor in state cases ~~shall be paid by him~~ into the municipal 258  
treasury on the first business day of each month. 259

This section does not apply to fines collected by a mayor's 260  
court for violations of division (B) of section 4513.263 of the 261  
Revised Code, or for violations of any municipal ordinance that is 262  
substantively comparable to that division, all of which shall be 263  
forwarded to the treasurer of state as provided in division (E) of 264  
section 4513.263 of the Revised Code. 265

**Sec. 1547.11.** (A) No person shall operate or be in physical 266  
control of any vessel underway or shall manipulate any water skis, 267  
aquaplane, or similar device on the waters in this state if, at 268  
the time of the operation, control, or manipulation, any of the 269  
following applies: 270

(1) The person is under the influence of alcohol ~~or~~, a drug 271  
of abuse, or ~~the combined influence of alcohol and a drug of~~ 272  
~~abuse;~~ a combination of them. 273

(2) The person has a concentration of ten-hundredths of one 274  
per cent or more by weight of alcohol per unit volume in the 275

person's <u>whole</u> blood <del>±</del> .	276
(3) <u>The person has a concentration of twelve-hundredths of</u>	277
<u>one per cent or more by weight per unit volume of alcohol in the</u>	278
<u>person's blood serum or plasma.</u>	279
(4) The person has a concentration of fourteen-hundredths of	280
one gram or more by weight of alcohol per one hundred milliliters	281
of the person's urine <del>±</del> .	282
<del>(4)</del> (5) The person has a concentration of ten-hundredths of	283
one gram or more by weight of alcohol per two hundred ten liters	284
of the person's breath.	285
(B) No person under twenty-one years of age shall operate or	286
be in physical control of any vessel underway or shall manipulate	287
any water skis, aquaplane, or similar device on the waters in this	288
state if, <u>at the time of the operation, control, or manipulation,</u>	289
any of the following applies:	290
(1) The person has a concentration of at least two-hundredths	291
of one per cent, but less than ten-hundredths of one per cent by	292
weight <u>per unit volume</u> of alcohol in the person's <u>whole</u> blood <del>±</del> .	293
	294
(2) <u>The person has a concentration of at least</u>	295
<u>three-hundredths of one per cent but less than twelve-hundredths</u>	296
<u>of one per cent by weight per unit volume of alcohol in the</u>	297
<u>person's blood serum or plasma.</u>	298
(3) The person has a concentration of at least twenty-eight	299
one-thousandths of one gram, but less than fourteen-hundredths of	300
one gram by weight of alcohol per one hundred milliliters of the	301
person's urine <del>±</del> .	302
<del>(3)</del> (4) The person has a concentration of at least	303
two-hundredths of one gram, but less than ten-hundredths of one	304
gram by weight of alcohol per two hundred ten liters of the	305

person's breath. 306

(C) In any proceeding arising out of one incident, a person 307  
may be charged with a violation of division (A)(1) and a violation 308  
of division (B)(1), (2), ~~or (3), or (4)~~ of this section, but the 309  
person shall not be convicted of more than one violation of those 310  
divisions. 311

(D)(1) In any criminal prosecution or juvenile court 312  
proceeding for a violation of this section or ~~of an ordinance of~~ 313  
~~any municipal corporation relating to operating a vessel or using~~ 314  
~~any water skis, aquaplane, or similar device while under the~~ 315  
~~influence of alcohol or a drug of abuse~~ for an equivalent 316  
violation, the court may admit evidence on the concentration of 317  
alcohol ~~or a drug, drugs~~ of abuse, or a combination of them in the 318  
defendant's or child's whole blood, blood serum or plasma, urine, 319  
or breath at the time of the alleged violation as shown by 320  
chemical analysis of the ~~defendant's blood, urine, or breath~~ 321  
substance withdrawn, or specimen taken within two hours of the 322  
time of the alleged violation. 323

When a person submits to a blood test, only a physician, a 324  
registered nurse, or a qualified technician ~~or, chemist, or~~ 325  
phlebotomist shall withdraw blood for the purpose of determining 326  
~~its~~ the alcohol ~~or, drug of abuse, or alcohol and drug~~ content of 327  
the whole blood, blood serum, or blood plasma. This limitation 328  
does not apply to the taking of breath or urine specimens. A 329  
~~physician, registered nurse, or qualified technician or chemist~~ 330  
person authorized to withdraw blood under this division may refuse 331  
to withdraw blood ~~for the purpose of determining its alcohol or~~ 332  
~~drug of abuse content~~ under this division if, in the that person's 333  
opinion ~~of the physician, nurse, or technician or chemist~~, the 334  
physical welfare of the ~~person~~ defendant or child would be 335  
endangered by ~~the~~ withdrawing ~~of~~ blood. 336

The whole blood, blood serum or plasma, urine, or breath 337

shall be analyzed in accordance with methods approved by the 338  
director of health by an individual possessing a valid permit 339  
issued by the director pursuant to section 3701.143 of the Revised 340  
Code. 341

~~If (2) In a criminal prosecution or juvenile court proceeding 342  
for a violation of division (A) of this section or for a violation 343  
of a prohibition that is substantially equivalent to division (A) 344  
of this section, if there was at the time the whole blood, blood 345  
serum or plasma, urine, or breath was taken a concentration of 346  
less than ten hundredths of one per cent by weight of alcohol in 347  
the defendant's blood, less than fourteen hundredths of one gram 348  
by weight of alcohol per one hundred milliliters of the defendant's 349  
urine, or less than ten hundredths of one gram by weight of 350  
alcohol per two hundred ten liters of the defendant's breath the 351  
applicable concentration of alcohol specified for a violation of 352  
division (A)(2), (3), (4), or (5) of this section, that fact may 353  
be considered with other competent evidence in determining the 354  
guilt or innocence of the defendant or in making an adjudication 355  
for the child. This division does not limit or affect a criminal 356  
prosecution or juvenile court proceeding for a violation of 357  
division (B) of this section or for a violation of a prohibition 358  
that is substantially equivalent to that division. 359~~

(3) Upon the request of the person who was tested, the 360  
results of the chemical test shall be made available to the person 361  
or the person's attorney ~~or agent~~ immediately upon the completion 362  
of the test analysis. 363

The person tested may have a physician, a registered nurse, 364  
or a qualified technician ~~or~~, chemist, or phlebotomist of the 365  
person's own choosing administer a chemical test or tests in 366  
addition to any administered at the direction of a law enforcement 367  
officer, and shall be so advised. The failure or inability to 368  
obtain an additional test by a person shall not preclude the 369

admission of evidence relating to the test or tests taken at the 370  
direction of a law enforcement officer. 371

A (E)(1) Subject to division (E)(3) of this section, in any 372  
criminal prosecution or juvenile court proceeding for a violation 373  
of this section or for an equivalent violation, the court shall 374  
admit as prima-facie evidence a laboratory report from any 375  
forensic laboratory certified by the department of health that 376  
contains an analysis of the whole blood, blood serum or plasma, 377  
breath, urine, or other bodily substance tested and that contains 378  
all of the information specified in this division. The laboratory 379  
report shall contain all of the following: 380

(a) The signature, under oath, of any person who performed 381  
the analysis; 382

(b) Any findings as to the identity and quantity of alcohol, 383  
a drug of abuse, or a combination of them that was found; 384

(c) A copy of a notarized statement by the laboratory 385  
director or a designee of the director that contains the name of 386  
each certified analyst or test performer involved with the report, 387  
the analyst's or test performer's employment relationship with the 388  
laboratory that issued the report, and a notation that performing 389  
an analysis of the type involved is part of the analyst's or test 390  
performer's regular duties; 391

(d) An outline of the analyst's or test performer's 392  
education, training, and experience in performing the type of 393  
analysis involved and a certification that the laboratory 394  
satisfies appropriate quality control standards in general and, in 395  
this particular analysis, under rules of the department of health. 396

(2) Notwithstanding any other provision of law regarding the 397  
admission of evidence, a report of the type described in division 398  
(E)(1) of this section is not admissible against the defendant or 399  
child to whom it pertains in any proceeding, other than a 400

preliminary hearing or a grand jury proceeding, unless the 401  
prosecutor has served a copy of the report on the defendant's or 402  
child's attorney or, if the defendant or child has no attorney, on 403  
the defendant or child. 404

(3) A report of the type described in division (E)(1) of this 405  
section shall not be prima-facie evidence of the contents, 406  
identity, or amount of any substance if, within seven days after 407  
the defendant or child to whom the report pertains or the 408  
defendant's or child's attorney receives a copy of the report, the 409  
defendant or child or the defendant's or child's attorney demands 410  
the testimony of the person who signed the report. The judge in 411  
the case may extend the seven-day time limit in the interest of 412  
justice. 413

(F) Except as otherwise provided in this division, any 414  
physician, registered nurse, or qualified technician ~~or~~, chemist, 415  
or phlebotomist who withdraws blood from a person pursuant to this 416  
section, and a hospital, first-aid station, or clinic at which 417  
blood is withdrawn from a person pursuant to this section, is 418  
immune from criminal ~~liability~~, and ~~from~~ civil liability ~~that is~~ 419  
based upon a claim of assault and battery or ~~based upon~~ any other 420  
claim that is not ~~in the nature of~~ a claim of malpractice, for any 421  
act performed in withdrawing blood from the person. The immunity 422  
provided in this division is not available to a person who 423  
withdraws blood if the person engages in willful or wanton 424  
misconduct. 425

~~(E) For the purposes of (G) As used in this section, "operate~~ 426  
and section 1547.111 of the Revised Code: 427

(1) "Equivalent violation" means a violation of a municipal 428  
ordinance, law of another state, or law of the United States that 429  
is substantially equivalent to division (A) or (B) of this 430  
section. 431

(2) "Operate" means that a vessel is being used on the waters 432  
in this state when the vessel is not securely affixed to a dock or 433  
to shore or to any permanent structure to which the vessel has the 434  
right to affix or that a vessel is not anchored in a designated 435  
anchorage area or boat camping area that is established by the 436  
United States coast guard, this state, or a political subdivision 437  
and in which the vessel has the right to anchor. 438

Sec. 1547.111. (A)(1) Any person who operates or is in 439  
physical control of a vessel or uses any water skis, aquaplane, or 440  
similar device upon any waters in this state shall be deemed to 441  
have given consent to a chemical test or tests ~~of the person's~~ 442  
~~blood, breath, or urine for the purpose of determining its to~~ 443  
determine the alcohol ~~or~~ drug of abuse, or alcohol and drug of 444  
abuse content of the person's whole blood, blood serum or plasma, 445  
breath, or urine if arrested for the offense of operating or being 446  
in physical control of a vessel or ~~using~~ manipulating any water 447  
skis, aquaplane, or similar device in violation of section 1547.11 448  
of the Revised Code or a substantially equivalent municipal 449  
ordinance. ~~The~~ 450

(2) The test or tests under division (A) of this section 451  
shall be administered at the direction of a law enforcement 452  
officer having reasonable grounds to believe the person ~~to have~~ 453  
~~been~~ was operating or in physical control of a vessel or ~~using~~ 454  
manipulating any water skis, aquaplane, or similar device in 455  
violation of section 1547.11 of the Revised Code or a 456  
substantially equivalent municipal ordinance. The law enforcement 457  
agency by which the officer is employed shall designate which ~~of~~ 458  
~~the~~ test or tests shall be administered. 459

(B) Any person who is dead, or unconscious, or who otherwise 460  
is in a condition rendering the person incapable of refusal shall 461  
be deemed ~~not~~ to have ~~withdrawn consent~~ consented as provided by 462

in division (A)(1) of this section, and the test or tests may be 463  
administered, subject to sections 313.12 to 313.16 of the Revised 464  
Code. 465

(C) Any person under arrest for ~~the offense of operating a~~ 466  
~~vessel or using any water skis, aquaplane, or similar device in~~ 467  
~~violation of~~ violating section 1547.11 of the Revised Code or a 468  
substantially equivalent municipal ordinance shall be advised of 469  
the consequences of refusing to submit to a chemical test or tests 470  
designated ~~by the law enforcement agency~~ as provided in division 471  
(A) of this section. The advice shall be in a written form 472  
prescribed by the chief of the division of watercraft and shall be 473  
read to the person. The form shall contain a statement that the 474  
form was shown to the person under arrest and read to the person 475  
~~in the presence of~~ by the arresting officer ~~and either another law~~ 476  
~~enforcement officer, a civilian law enforcement employee, or an~~ 477  
~~employee of a hospital, first aid station, or clinic, if any, to~~ 478  
~~which the person has been taken for first aid or medical~~ 479  
~~treatment.~~ The reading of the form shall be witnessed by one or 480  
more persons, and the witnesses shall certify to this fact by 481  
signing the form. 482

(D) If a law enforcement officer asks a person under arrest 483  
for ~~the offense of operating a vessel or using any water skis,~~ 484  
~~aquaplane, or similar device in violation of~~ violating section 485  
1547.11 of the Revised Code ~~refuses upon the request of a law~~ 486  
~~enforcement officer~~ or a substantially equivalent municipal 487  
ordinance to submit to a chemical test ~~designated by the law~~ 488  
~~enforcement agency~~ or tests as provided in division (A) of this 489  
section, ~~after first having been advised~~ if the arresting officer 490  
advises the person of the consequences of the person's refusal as 491  
provided in division (C) of this section, and if the person 492  
refuses to submit, no chemical test shall be given, ~~but the chief,~~ 493  
~~upon.~~ Upon receipt of a sworn statement of the ~~law enforcement~~ 494



officer that the arresting law enforcement officer had reasonable 495  
grounds to believe the arrested person had ~~been operating a vessel~~ 496  
~~or using any water skis, aquaplane, or similar device while under~~ 497  
~~the influence of alcohol or a drug of abuse, under the combined~~ 498  
~~influence of alcohol and a drug of abuse, or with a prohibited~~ 499  
~~concentration of alcohol in the person's blood, urine, or breath,~~ 500  
violated section 1547.11 of the Revised Code or a substantially 501  
equivalent municipal ordinance and that the person refused to 502  
submit to the chemical test upon the request of the ~~law~~ 503  
~~enforcement~~ officer, and upon receipt of the form as provided in 504  
division (C) of this section certifying that the arrested person 505  
was advised of the consequences of the refusal, the chief of the 506  
division of watercraft shall inform the person by written notice 507  
that the person is prohibited from operating or being in physical 508  
control of a vessel ~~or, from~~ using any water skis, aquaplane, or 509  
similar device, and ~~is prohibited~~ from registering any watercraft 510  
in accordance with section 1547.54 of the Revised Code, for one 511  
year following the date of the alleged violation ~~of section~~ 512  
~~1547.11 of the Revised Code~~. The suspension of these operation, 513  
physical control, use, and registration privileges shall continue 514  
for the entire one-year period, subject to review as provided in 515  
this section. 516

If the person under arrest is the owner of the vessel 517  
involved in the alleged violation, the law enforcement officer who 518  
arrested the person shall seize the watercraft registration 519  
certificate and tags from the vessel involved in the violation and 520  
forward them to the chief. The chief, ~~in addition to informing the~~ 521  
~~person by written notice that the person is prohibited from~~ 522  
~~operating a vessel or using any water skis, aquaplane, or similar~~ 523  
~~device, and from registering any watercraft in accordance with~~ 524  
~~section 1547.54 of the Revised Code, for one year following the~~ 525  
~~date of the alleged violation,~~ shall retain the impounded 526  
registration certificate and tags, and shall impound all other 527

registration certificates and tags issued to the person in 528  
accordance with sections 1547.54 and 1547.57 of the Revised Code, 529  
for a period of one year following the date of the alleged 530  
violation, subject to review as provided in this section. 531

If the arrested person fails to surrender the registration 532  
certificate because it is not on the person of the arrested person 533  
or in the watercraft, the law enforcement officer who made the 534  
arrest shall order the person to surrender it within twenty-four 535  
hours to the law enforcement officer or the law enforcement agency 536  
that employs the law enforcement officer. If the person fails to 537  
do so, the law enforcement officer shall notify the chief of that 538  
fact in the statement the officer submits to the chief under this 539  
division. 540

(E) Upon suspending a person's operation, physical control, 541  
use, and registration privileges in accordance with division (D) 542  
of this section, the chief shall notify the person in writing, at 543  
the person's last known address, and inform the person that the 544  
person may petition for a hearing in accordance with division (F) 545  
of this section. If a person whose operation, physical control, 546  
use, and registration privileges have been suspended petitions for 547  
a hearing or appeals any adverse decision ~~that is adverse to the~~ 548  
~~person~~, the suspension of ~~privileges~~ shall begin at the 549  
termination of any hearing or appeal unless the hearing or appeal 550  
~~resulted~~ results in a decision favorable to the person. 551

(F) Any person who has been notified by the chief that the 552  
person is prohibited from operating or being in physical control 553  
of a vessel or using any water skis, aquaplane, or similar device 554  
and from registering any watercraft in accordance with section 555  
1547.54 of the Revised Code, or who has had the registration 556  
certificate and tags of the person's watercraft impounded pursuant 557  
to division (D) of this section, within twenty days of the 558  
notification or impoundment, may file a petition in the municipal 559

court or the county court, or if the person is a minor in juvenile 560  
court, ~~in whose~~ with jurisdiction over the place at which the 561  
arrest occurred, agreeing to pay the cost of the proceedings and 562  
alleging error in the action taken by the chief under division (D) 563  
of this section or alleging one or more of the matters within the 564  
scope of the hearing as provided in this section, or both. The 565  
petitioner shall notify the chief of the filing of the petition 566  
and send the chief a copy of the petition. 567

The scope of the hearing is limited to the issues of whether 568  
the law enforcement officer had reasonable grounds to believe the 569  
petitioner was operating or in physical control of a vessel or 570  
~~using~~ manipulating any water skis, aquaplane, or similar device 571  
~~while under the influence of alcohol or a drug of abuse, under the~~ 572  
~~combined influence of alcohol and a drug of abuse, or with a~~ 573  
~~prohibited concentration of alcohol or a drug of abuse in the~~ 574  
~~person's blood, urine, or breath~~ in violation of section 1547.11 575  
of the Revised Code or a substantially equivalent municipal 576  
ordinance, whether the petitioner was placed under arrest, whether 577  
the petitioner refused to submit to the chemical test upon request 578  
of the officer, and whether the petitioner was advised of the 579  
consequences of the petitioner's refusal. 580

(G)(1) The chief shall furnish the court a copy of the 581  
affidavit as provided in division (C) of this section and any 582  
other relevant information requested by the court. 583

(2) In hearing the matter and in determining whether the 584  
person has shown error in the decision taken by the chief as 585  
provided in division (D) of this section, the court shall decide 586  
the issue upon the relevant, competent, and material evidence 587  
submitted by the chief or the person whose operation, physical 588  
control, use, and registration privileges have been suspended. 589

In the proceedings, the chief shall be represented by the 590  
prosecuting attorney of the county in which the petition is filed 591

if the petition is filed in a county court or juvenile court, 592  
except that if the arrest occurred within a city or village within 593  
the jurisdiction of the county court in which the petition is 594  
filed, the city director of law or village solicitor of that city 595  
or village shall represent the chief. If the petition is filed in 596  
the municipal court, the chief shall be represented as provided in 597  
section 1901.34 of the Revised Code. 598

(3) If the court finds from the evidence submitted that the 599  
person has failed to show error in the action taken by the chief 600  
under division (D) of this section or in one or more of the 601  
matters within the scope of the hearing as provided in division 602  
(F) of this section, or both, the court shall assess the cost of 603  
the proceeding against the person and shall uphold the suspension 604  
of the operation, physical control, use, and registration 605  
privileges provided in division (D) of this section. If the court 606  
finds that the person has shown error in the action taken by the 607  
chief under division (D) of this section or in one or more of the 608  
matters within the scope of the hearing as provided in division 609  
(F) of this section, or both, the cost of the proceedings shall be 610  
paid out of the county treasury of the county in which the 611  
proceedings were held, the chief shall reinstate the operation, 612  
physical control, use, and registration privileges of the person 613  
~~shall be reinstated~~ without charge, and the chief shall return the 614  
registration certificate and tags, if impounded, ~~shall be returned~~ 615  
without charge. 616

(4) The court shall give information in writing of any action 617  
taken under this section to the chief. 618

(H) At the end of any period of suspension or impoundment 619  
imposed under this section, and upon request of the person whose 620  
operation, physical control, use, and registration privileges were 621  
suspended or whose registration certificate and tags were 622  
impounded, the chief shall reinstate the person's operation, 623

physical control, use, and registration privileges by written 624  
notice and return the certificate and tags. 625

(I) No person who has received written notice from the chief 626  
that the person is prohibited from operating or being in physical 627  
control of a vessel ~~or~~, from using any water skis, aquaplane, or 628  
similar device, and from registering a watercraft, or who has had 629  
the registration certificate and tags of the person's watercraft 630  
impounded, in accordance with division (D) of this section, shall 631  
operate or be in physical control of a vessel or use any water 632  
skis, aquaplane, or similar device for a period of one year 633  
following the date of the person's alleged violation of section 634  
1547.11 of the Revised Code or the substantially equivalent 635  
municipal ordinance. 636

**Sec. 1547.99.** (A) Whoever violates section 1547.91 of the 637  
Revised Code is guilty of a felony of the fourth degree. 638

(B) Whoever violates section 1547.10, division (I) of section 639  
1547.111, section 1547.13, or section 1547.66 of the Revised Code 640  
is guilty of a misdemeanor of the first degree. 641

(C) Whoever violates a provision of this chapter or a rule 642  
adopted thereunder, for which no penalty is otherwise provided, is 643  
guilty of a minor misdemeanor. 644

(D) Whoever violates section 1547.07 or 1547.12 of the 645  
Revised Code without causing injury to persons or damage to 646  
property is guilty of a misdemeanor of the fourth degree. 647

(E) Whoever violates section 1547.07 or 1547.12 of the 648  
Revised Code causing injury to persons or damage to property is 649  
guilty of a misdemeanor of the third degree. 650

(F) Whoever violates division (M) of section 1547.54, 651  
division (G) of section 1547.30, or section 1547.131, 1547.25, 652  
1547.33, 1547.38, 1547.39, 1547.40, 1547.65, 1547.69, or 1547.92 653

of the Revised Code or a rule adopted under division (A)(2) of 654  
section 1547.52 of the Revised Code is guilty of a misdemeanor of 655  
the fourth degree. 656

(G) Whoever violates section 1547.11 of the Revised Code is 657  
guilty of a misdemeanor of the first degree and shall be punished 658  
as provided in division (G)(1), (2), or (3) of this section. 659

(1) Except as otherwise provided in division (G)(2) or (3) of 660  
this section, the court shall sentence the offender to a term of 661  
imprisonment of three consecutive days and may sentence the 662  
offender pursuant to section 2929.21 of the Revised Code to a 663  
longer term of imprisonment. In addition, the court shall impose 664  
upon the offender a fine of not less than one hundred fifty nor 665  
more than one thousand dollars. 666

The court may suspend the execution of the mandatory three 667  
consecutive days of imprisonment that it is required to impose by 668  
division (G)(1) of this section if the court, in lieu of the 669  
suspended term of imprisonment, places the offender on probation 670  
and requires the offender to attend, for three consecutive days, a 671  
drivers' intervention program that is certified pursuant to 672  
section 3793.10 of the Revised Code. The court also may suspend 673  
the execution of any part of the mandatory three consecutive days 674  
of imprisonment that it is required to impose by division (G)(1) 675  
of this section if the court places the offender on probation for 676  
part of the three consecutive days; requires the offender to 677  
attend, for that part of the three consecutive days, a drivers' 678  
intervention program that is certified pursuant to section 3793.10 679  
of the Revised Code; and sentences the offender to a term of 680  
imprisonment equal to the remainder of the three consecutive days 681  
that the offender does not spend attending the drivers' 682  
intervention program. The court may require the offender, as a 683  
condition of probation, to attend and satisfactorily complete any 684  
treatment or education programs, in addition to the required 685

attendance at a drivers' intervention program, that the operators 686  
of the drivers' intervention program determine that the offender 687  
should attend and to report periodically to the court on the 688  
offender's progress in the programs. The court also may impose any 689  
other conditions of probation on the offender that it considers 690  
necessary. 691

(2) If, within ~~five~~ six years of the offense, the offender 692  
has been convicted of or pleaded guilty to one violation of 693  
section 1547.11 of the Revised Code, of a municipal ordinance 694  
relating to operating a watercraft or manipulating any water skis, 695  
aquaplane, or similar device while under the influence of alcohol, 696  
a drug of abuse, or ~~alcohol and a drug of abuse~~ a combination of 697  
them, of a municipal ordinance relating to operating a watercraft 698  
or manipulating any water skis, aquaplane, or similar device with 699  
a prohibited concentration of alcohol in the whole blood, blood 700  
serum or plasma, breath, or urine, of division (A)(1) of section 701  
2903.06 of the Revised Code, or of division (A)(2), (3), or (4) of 702  
section 2903.06 of the Revised Code or ~~former~~ section 2903.06 or 703  
2903.07 of the Revised Code as they existed prior to March 23, 704  
2000, in a case in which the jury or judge found that the offender 705  
was under the influence of alcohol, a drug of abuse, or ~~alcohol~~ 706  
~~and a drug of abuse~~ a combination of them, the court shall 707  
sentence the offender to a term of imprisonment of ten consecutive 708  
days and may sentence the offender pursuant to section 2929.21 of 709  
the Revised Code to a longer term of imprisonment. In addition, 710  
the court shall impose upon the offender a fine of not less than 711  
one hundred fifty nor more than one thousand dollars. 712

In addition to any other sentence that it imposes upon the 713  
offender, the court may require the offender to attend a drivers' 714  
intervention program that is certified pursuant to section 3793.10 715  
of the Revised Code. 716

(3) If, within ~~five~~ six years of the offense, the offender 717

has been convicted of or pleaded guilty to more than one violation 718  
identified in division (G)(2) of this section, the court shall 719  
sentence the offender to a term of imprisonment of thirty 720  
consecutive days and may sentence the offender to a longer term of 721  
imprisonment of not more than one year. In addition, the court 722  
shall impose upon the offender a fine of not less than one hundred 723  
fifty nor more than one thousand dollars. 724

In addition to any other sentence that it imposes upon the 725  
offender, the court may require the offender to attend a drivers' 726  
intervention program that is certified pursuant to section 3793.10 727  
of the Revised Code. 728

(4) Upon a showing that imprisonment would seriously affect 729  
the ability of an offender sentenced pursuant to division (G)(1), 730  
(2), or (3) of this section to continue the offender's employment, 731  
the court may authorize that the offender be granted work release 732  
from imprisonment after the offender has served the three, ten, or 733  
thirty consecutive days of imprisonment that the court is required 734  
by division (G)(1), (2), or (3) of this section to impose. No 735  
court shall authorize work release from imprisonment during the 736  
three, ten, or thirty consecutive days of imprisonment that the 737  
court is required by division (G)(1), (2), or (3) of this section 738  
to impose. The duration of the work release shall not exceed the 739  
time necessary each day for the offender to commute to and from 740  
the place of employment and the place of imprisonment and the time 741  
actually spent under employment. 742

(5) Notwithstanding any section of the Revised Code that 743  
authorizes the suspension of the imposition or execution of a 744  
sentence or the placement of an offender in any treatment program 745  
in lieu of imprisonment, no court shall suspend the ten or thirty 746  
consecutive days of imprisonment required to be imposed by 747  
division (G)(2) or (3) of this section or place an offender who is 748  
sentenced pursuant to division (G)(2) or (3) of this section in 749



any treatment program in lieu of imprisonment until after the 750  
offender has served the ten or thirty consecutive days of 751  
imprisonment required to be imposed pursuant to division (G)(2) or 752  
(3) of this section. Notwithstanding any section of the Revised 753  
Code that authorizes the suspension of the imposition or execution 754  
of a sentence or the placement of an offender in any treatment 755  
program in lieu of imprisonment, no court, except as specifically 756  
authorized by division (G)(1) of this section, shall suspend the 757  
three consecutive days of imprisonment required to be imposed by 758  
division (G)(1) of this section or place an offender who is 759  
sentenced pursuant to division (G)(1) of this section in any 760  
treatment program in lieu of imprisonment until after the offender 761  
has served the three consecutive days of imprisonment required to 762  
be imposed pursuant to division (G)(1) of this section. 763

(H) Whoever violates section 1547.304 of the Revised Code is 764  
guilty of a misdemeanor of the fourth degree and also shall be 765  
assessed any costs incurred by the state or a county, township, 766  
municipal corporation, or other political subdivision in disposing 767  
of an abandoned junk vessel or outboard motor, less any money 768  
accruing to the state, county, township, municipal corporation, or 769  
other political subdivision from that disposal. 770

(I) Whoever violates division (B) or (C) of section 1547.49 771  
of the Revised Code is guilty of a minor misdemeanor. 772

(J) Whoever violates section 1547.31 of the Revised Code is 773  
guilty of a misdemeanor of the fourth degree on a first offense. 774  
On each subsequent offense, the person is guilty of a misdemeanor 775  
of the third degree. 776

(K) Whoever violates section 1547.05 or 1547.051 of the 777  
Revised Code is guilty of a misdemeanor of the fourth degree if 778  
the violation is not related to a collision, injury to a person, 779  
or damage to property and a misdemeanor of the third degree if the 780  
violation is related to a collision, injury to a person, or damage 781

to property. 782

(L) The sentencing court, in addition to the penalty provided 783  
under this section for a violation of this chapter or a rule 784  
adopted under it that involves a powercraft powered by more than 785  
ten horsepower and that, in the opinion of the court, involves a 786  
threat to the safety of persons or property, shall order the 787  
offender to complete successfully a boating course approved by the 788  
national association of state boating law administrators before 789  
the offender is allowed to operate a powercraft powered by more 790  
than ten horsepower on the waters in this state. Violation of a 791  
court order entered under this division is punishable as contempt 792  
under Chapter 2705. of the Revised Code. 793  
794

**Sec. 1901.024.** (A) The board of county commissioners of 795  
Hamilton county shall pay all of the costs of operation of the 796  
Hamilton county municipal court. Subject to sections 3375.50, 797  
3375.53, 4511.19, 4511.193, ~~4511.99~~, and 5503.04 of the Revised 798  
Code and to any other section of the Revised Code that requires a 799  
specific manner of disbursement of any moneys received by a 800  
municipal court, the county shall receive all of the costs, fees, 801  
and other moneys, except fines collected for violations of 802  
municipal ordinances and for violations of township resolutions 803  
adopted pursuant to Chapter 504. of the Revised Code, that are 804  
received by the Hamilton county municipal court and shall receive 805  
fifty per cent of all of the fines for violations of municipal 806  
ordinances and for violations of township resolutions adopted 807  
pursuant to Chapter 504. of the Revised Code that are received by 808  
the court. 809

(B) The board of county commissioners of Lawrence county 810  
shall pay all of the costs of operation of the Lawrence county 811  
municipal court. Subject to sections 3375.50, 3375.53, 4511.19, 812

4511.193, ~~4511.99~~, and 5503.04 of the Revised Code and to any 813  
other section of the Revised Code that requires a specific manner 814  
of disbursement of any moneys received by a municipal court, the 815  
county shall receive all of the costs, fees, and other moneys, 816  
except fines collected for violations of municipal ordinances and 817  
for violations of township resolutions adopted pursuant to Chapter 818  
504. of the Revised Code, that are received by the Lawrence county 819  
municipal court and shall receive fifty per cent of all of the 820  
fines for violations of municipal ordinances and for violations of 821  
township resolutions adopted pursuant to Chapter 504. of the 822  
Revised Code that are received by the court. 823

(C) The board of county commissioners of Ottawa county shall 824  
pay all of the costs of operation of the Ottawa county municipal 825  
court. Subject to sections 3375.50, 3375.53, 4511.19, 4511.193, 826  
~~4511.99~~, and 5503.04 of the Revised Code and to any other section 827  
of the Revised Code that requires a specific manner of 828  
disbursement of any moneys received by a municipal court, the 829  
county shall receive all of the costs, fees, and other moneys, 830  
except fines collected for violations of municipal ordinances and 831  
for violations of township resolutions adopted pursuant to Chapter 832  
504. of the Revised Code, that are received by the Ottawa county 833  
municipal court and shall receive fifty per cent of all of the 834  
fines for violations of municipal ordinances and for violations of 835  
township resolutions adopted pursuant to Chapter 504. of the 836  
Revised Code that are received by the court. 837

(D) The board of county commissioners of a county in which a 838  
county-operated municipal court is located shall pay all of the 839  
costs of operation of the municipal court. The county in which a 840  
county-operated municipal court that is not subject to division 841  
(A), (B), or (C) of this section is located shall receive all of 842  
the costs, fees, and other moneys, except fines collected for 843  
violations of municipal ordinances and for violations of township 844

resolutions adopted pursuant to Chapter 504. of the Revised Code 845  
and except as provided in sections 3375.50, 3375.53, and 5503.04 846  
of the Revised Code and in any other section of the Revised Code 847  
that requires a specific manner of disbursement of any moneys 848  
received by a municipal court, that are received by the court. 849

**Sec. 1901.31.** The clerk and deputy clerks of a municipal 850  
court shall be selected, be compensated, give bond, and have 851  
powers and duties as follows: 852

(A) There shall be a clerk of the court who is appointed or 853  
elected as follows: 854

(1)(a) Except in the Akron, Barberton, Cuyahoga Falls, 855  
Medina, Toledo, Clermont county, Hamilton county, Portage county, 856  
and Wayne county municipal courts, if the population of the 857  
territory equals or exceeds one hundred thousand at the regular 858  
municipal election immediately preceding the expiration of the 859  
term of the present clerk, the clerk shall be nominated and 860  
elected by the qualified electors of the territory in the manner 861  
that is provided for the nomination and election of judges in 862  
section 1901.07 of the Revised Code. 863

The clerk so elected shall hold office for a term of six 864  
years, which term shall commence on the first day of January 865  
following the clerk's election and continue until the clerk's 866  
successor is elected and qualified. 867

(b) In the Hamilton county municipal court, the clerk of 868  
courts of Hamilton county shall be the clerk of the municipal 869  
court and may appoint an assistant clerk who shall receive the 870  
compensation, payable out of the treasury of Hamilton county in 871  
semimonthly installments, that the board of county commissioners 872  
prescribes. The clerk of courts of Hamilton county, acting as the 873  
clerk of the Hamilton county municipal court and assuming the 874  
duties of that office, shall receive compensation at one-fourth 875

the rate that is prescribed for the clerks of courts of common 876  
pleas as determined in accordance with the population of the 877  
county and the rates set forth in sections 325.08 and 325.18 of 878  
the Revised Code. This compensation shall be paid from the county 879  
treasury in semimonthly installments and is in addition to the 880  
annual compensation that is received for the performance of the 881  
duties of the clerk of courts of Hamilton county, as provided in 882  
sections 325.08 and 325.18 of the Revised Code. 883

(c) In the Portage county and Wayne county municipal courts, 884  
the clerks of courts of Portage county and Wayne county shall be 885  
the clerks, respectively, of the Portage county and Wayne county 886  
municipal courts and may appoint a chief deputy clerk for each 887  
branch that is established pursuant to section 1901.311 of the 888  
Revised Code and assistant clerks as the judges of the municipal 889  
court determine are necessary, all of whom shall receive the 890  
compensation that the legislative authority prescribes. The clerks 891  
of courts of Portage county and Wayne county, acting as the clerks 892  
of the Portage county and Wayne county municipal courts and 893  
assuming the duties of these offices, shall receive compensation 894  
payable from the county treasury in semimonthly installments at 895  
one-fourth the rate that is prescribed for the clerks of courts of 896  
common pleas as determined in accordance with the population of 897  
the county and the rates set forth in sections 325.08 and 325.18 898  
of the Revised Code. 899

(d) Except as otherwise provided in division (A)(1)(d) of 900  
this section, in the Akron municipal court, candidates for 901  
election to the office of clerk of the court shall be nominated by 902  
primary election. The primary election shall be held on the day 903  
specified in the charter of the city of Akron for the nomination 904  
of municipal officers. Notwithstanding section 3513.257 of the 905  
Revised Code, the nominating petitions of independent candidates 906  
shall be signed by at least two hundred fifty qualified electors 907

of the territory of the court. 908

The candidates shall file a declaration of candidacy and 909  
petition, or a nominating petition, whichever is applicable, not 910  
later than four p.m. of the seventy-fifth day before the day of 911  
the primary election, in the form prescribed by section 3513.07 or 912  
3513.261 of the Revised Code. The declaration of candidacy and 913  
petition, or the nominating petition, shall conform to the 914  
applicable requirements of section 3513.05 or 3513.257 of the 915  
Revised Code. 916

If no valid declaration of candidacy and petition is filed by 917  
any person for nomination as a candidate of a particular political 918  
party for election to the office of clerk of the Akron municipal 919  
court, a primary election shall not be held for the purpose of 920  
nominating a candidate of that party for election to that office. 921  
If only one person files a valid declaration of candidacy and 922  
petition for nomination as a candidate of a particular political 923  
party for election to that office, a primary election shall not be 924  
held for the purpose of nominating a candidate of that party for 925  
election to that office, and the candidate shall be issued a 926  
certificate of nomination in the manner set forth in section 927  
3513.02 of the Revised Code. 928

Declarations of candidacy and petitions, nominating 929  
petitions, and certificates of nomination for the office of clerk 930  
of the Akron municipal court shall contain a designation of the 931  
term for which the candidate seeks election. At the following 932  
regular municipal election, all candidates for the office shall be 933  
submitted to the qualified electors of the territory of the court 934  
in the manner that is provided in section 1901.07 of the Revised 935  
Code for the election of the judges of the court. The clerk so 936  
elected shall hold office for a term of six years, which term 937  
shall commence on the first day of January following the clerk's 938  
election and continue until the clerk's successor is elected and 939

qualified. 940

(e) In the Clermont county municipal court, the clerk of 941  
courts of Clermont county shall be the clerk of the municipal 942  
court. The clerk of courts of Clermont county, acting as the clerk 943  
of the Clermont county municipal court and assuming the duties of 944  
that office, shall receive compensation at one-fourth the rate 945  
that is prescribed for the clerks of courts of common pleas as 946  
determined in accordance with the population of the county and the 947  
rates set forth in sections 325.08 and 325.18 of the Revised Code. 948  
This compensation shall be paid from the county treasury in 949  
semimonthly installments and is in addition to the annual 950  
compensation that is received for the performance of the duties of 951  
the clerk of courts of Clermont county, as provided in sections 952  
325.08 and 325.18 of the Revised Code. 953

(f) Irrespective of the population of the territory of the 954  
Medina municipal court, the clerk of that court shall be appointed 955  
pursuant to division (A)(2)(a) of this section by the judges of 956  
that court, shall hold office until the clerk's successor is 957  
similarly appointed and qualified, and shall receive pursuant to 958  
division (C) of this section the annual compensation that the 959  
legislative authority prescribes and that is payable in 960  
semimonthly installments from the same sources and in the same 961  
manner as provided in section 1901.11 of the Revised Code. 962

(g) Except as otherwise provided in division (A)(1)(g) of 963  
this section, in the Barberton municipal court, candidates for 964  
election to the office of clerk of the court shall be nominated by 965  
primary election. The primary election shall be held on the day 966  
specified in the charter of the city of Barberton for the 967  
nomination of municipal officers. Notwithstanding section 3513.257 968  
of the Revised Code, the nominating petitions of independent 969  
candidates shall be signed by at least two hundred fifty qualified 970  
electors of the territory of the court. 971

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the seventy-fifth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Barberton municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Barberton municipal court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.



(h) Except as otherwise provided in division (A)(1)(h) of 1004  
this section, in the Cuyahoga Falls municipal court, candidates 1005  
for election to the office of clerk of the court shall be 1006  
nominated by primary election. The primary election shall be held 1007  
on the day specified in the charter of the city of Cuyahoga Falls 1008  
for the nomination of municipal officers. Notwithstanding section 1009  
3513.257 of the Revised Code, the nominating petitions of 1010  
independent candidates shall be signed by at least two hundred 1011  
fifty qualified electors of the territory of the court. 1012

The candidates shall file a declaration of candidacy and 1013  
petition, or a nominating petition, whichever is applicable, not 1014  
later than four p.m. of the seventy-fifth day before the day of 1015  
the primary election, in the form prescribed by section 3513.07 or 1016  
3513.261 of the Revised Code. The declaration of candidacy and 1017  
petition, or the nominating petition, shall conform to the 1018  
applicable requirements of section 3513.05 or 3513.257 of the 1019  
Revised Code. 1020

If no valid declaration of candidacy and petition is filed by 1021  
any person for nomination as a candidate of a particular political 1022  
party for election to the office of clerk of the Cuyahoga Falls 1023  
municipal court, a primary election shall not be held for the 1024  
purpose of nominating a candidate of that party for election to 1025  
that office. If only one person files a valid declaration of 1026  
candidacy and petition for nomination as a candidate of a 1027  
particular political party for election to that office, a primary 1028  
election shall not be held for the purpose of nominating a 1029  
candidate of that party for election to that office, and the 1030  
candidate shall be issued a certificate of nomination in the 1031  
manner set forth in section 3513.02 of the Revised Code. 1032

Declarations of candidacy and petitions, nominating 1033  
petitions, and certificates of nomination for the office of clerk 1034  
of the Cuyahoga Falls municipal court shall contain a designation 1035

of the term for which the candidate seeks election. At the 1036  
following regular municipal election, all candidates for the 1037  
office shall be submitted to the qualified electors of the 1038  
territory of the court in the manner that is provided in section 1039  
1901.07 of the Revised Code for the election of the judges of the 1040  
court. The clerk so elected shall hold office for a term of six 1041  
years, which term shall commence on the first day of January 1042  
following the clerk's election and continue until the clerk's 1043  
successor is elected and qualified. 1044

(i) Except as otherwise provided in division (A)(1)(i) of 1045  
this section, in the Toledo municipal court, candidates for 1046  
election to the office of clerk of the court shall be nominated by 1047  
primary election. The primary election shall be held on the day 1048  
specified in the charter of the city of Toledo for the nomination 1049  
of municipal officers. Notwithstanding section 3513.257 of the 1050  
Revised Code, the nominating petitions of independent candidates 1051  
shall be signed by at least two hundred fifty qualified electors 1052  
of the territory of the court. 1053

The candidates shall file a declaration of candidacy and 1054  
petition, or a nominating petition, whichever is applicable, not 1055  
later than four p.m. of the seventy-fifth day before the day of 1056  
the primary election, in the form prescribed by section 3513.07 or 1057  
3513.261 of the Revised Code. The declaration of candidacy and 1058  
petition, or the nominating petition, shall conform to the 1059  
applicable requirements of section 3513.05 or 3513.257 of the 1060  
Revised Code. 1061

If no valid declaration of candidacy and petition is filed by 1062  
any person for nomination as a candidate of a particular political 1063  
party for election to the office of clerk of the Toledo municipal 1064  
court, a primary election shall not be held for the purpose of 1065  
nominating a candidate of that party for election to that office. 1066  
If only one person files a valid declaration of candidacy and 1067

petition for nomination as a candidate of a particular political 1068  
party for election to that office, a primary election shall not be 1069  
held for the purpose of nominating a candidate of that party for 1070  
election to that office, and the candidate shall be issued a 1071  
certificate of nomination in the manner set forth in section 1072  
3513.02 of the Revised Code. 1073

Declarations of candidacy and petitions, nominating 1074  
petitions, and certificates of nomination for the office of clerk 1075  
of the Toledo municipal court shall contain a designation of the 1076  
term for which the candidate seeks election. At the following 1077  
regular municipal election, all candidates for the office shall be 1078  
submitted to the qualified electors of the territory of the court 1079  
in the manner that is provided in section 1901.07 of the Revised 1080  
Code for the election of the judges of the court. The clerk so 1081  
elected shall hold office for a term of six years, which term 1082  
shall commence on the first day of January following the clerk's 1083  
election and continue until the clerk's successor is elected and 1084  
qualified. 1085

(2)(a) Except for the Alliance, Auglaize county, Columbiana 1086  
county, Lorain, Massillon, and Youngstown municipal courts, in a 1087  
municipal court for which the population of the territory is less 1088  
than one hundred thousand and in the Medina municipal court, the 1089  
clerk shall be appointed by the court, and the clerk shall hold 1090  
office until the clerk's successor is appointed and qualified. 1091

(b) In the Alliance, Lorain, Massillon, and Youngstown 1092  
municipal courts, the clerk shall be elected for a term of office 1093  
as described in division (A)(1)(a) of this section. 1094

(c) In the Auglaize county municipal court, the clerk of 1095  
courts of Auglaize county shall be the clerk of the municipal 1096  
court and may appoint a chief deputy clerk for each branch that is 1097  
established pursuant to section 1901.311 of the Revised Code, and 1098  
assistant clerks as the judge of the court determines are 1099

necessary, all of whom shall receive the compensation that the legislative authority prescribes. The clerk of courts of Auglaize county, acting as the clerk of the Auglaize county municipal court and assuming the duties of that office, shall receive compensation payable from the county treasury in semimonthly installments at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code.

(d) In the Columbiana county municipal court, the clerk of courts of Columbiana county shall be the clerk of the municipal court, may appoint a chief deputy clerk for each branch office that is established pursuant to section 1901.311 of the Revised Code, and may appoint any assistant clerks that the judges of the court determine are necessary. All of the chief deputy clerks and assistant clerks shall receive the compensation that the legislative authority prescribes. The clerk of courts of Columbiana county, acting as the clerk of the Columbiana county municipal court and assuming the duties of that office, shall receive compensation payable from the county treasury in semimonthly installments at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code.

(3) During the temporary absence of the clerk due to illness, vacation, or other proper cause, the court may appoint a temporary clerk, who shall be paid the same compensation, have the same authority, and perform the same duties as the clerk.

(B) Except in the Clermont county, Hamilton county, Medina, Portage county, and Wayne county municipal courts, if a vacancy occurs in the office of the clerk of the Alliance, Lorain, Massillon, or Youngstown municipal court or occurs in the office

of the clerk of a municipal court for which the population of the 1132  
territory equals or exceeds one hundred thousand because the clerk 1133  
ceases to hold the office before the end of the clerk's term or 1134  
because a clerk-elect fails to take office, the vacancy shall be 1135  
filled, until a successor is elected and qualified, by a person 1136  
chosen by the residents of the territory of the court who are 1137  
members of the county central committee of the political party by 1138  
which the last occupant of that office or the clerk-elect was 1139  
nominated. Not less than five nor more than fifteen days after a 1140  
vacancy occurs, those members of that county central committee 1141  
shall meet to make an appointment to fill the vacancy. At least 1142  
four days before the date of the meeting, the chairperson or a 1143  
secretary of the county central committee shall notify each such 1144  
member of that county central committee by first class mail of the 1145  
date, time, and place of the meeting and its purpose. A majority 1146  
of all such members of that county central committee constitutes a 1147  
quorum, and a majority of the quorum is required to make the 1148  
appointment. If the office so vacated was occupied or was to be 1149  
occupied by a person not nominated at a primary election, or if 1150  
the appointment was not made by the committee members in 1151  
accordance with this division, the court shall make an appointment 1152  
to fill the vacancy. A successor shall be elected to fill the 1153  
office for the unexpired term at the first municipal election that 1154  
is held more than one hundred twenty days after the vacancy 1155  
occurred. 1156

(C)(1) In a municipal court, other than the Auglaize county, 1157  
the Columbiana county, and the Lorain municipal courts, for which 1158  
the population of the territory is less than one hundred thousand 1159  
and in the Medina municipal court, the clerk of the municipal 1160  
court shall receive the annual compensation that the presiding 1161  
judge of the court prescribes, if the revenue of the court for the 1162  
preceding calendar year, as certified by the auditor or chief 1163  
fiscal officer of the municipal corporation in which the court is 1164

located or, in the case of a county-operated municipal court, the 1165  
county auditor, is equal to or greater than the expenditures, 1166  
including any debt charges, for the operation of the court payable 1167  
under this chapter from the city treasury or, in the case of a 1168  
county-operated municipal court, the county treasury for that 1169  
calendar year, as also certified by the auditor or chief fiscal 1170  
officer. If the revenue of a municipal court, other than the 1171  
Auglaize county, the Columbiana county, and the Lorain municipal 1172  
courts, for which the population of the territory is less than one 1173  
hundred thousand or the revenue of the Medina municipal court for 1174  
the preceding calendar year as so certified is not equal to or 1175  
greater than those expenditures for the operation of the court for 1176  
that calendar year as so certified, the clerk of a municipal court 1177  
shall receive the annual compensation that the legislative 1178  
authority prescribes. As used in this division, "revenue" means 1179  
the total of all costs and fees that are collected and paid to the 1180  
city treasury or, in a county-operated municipal court, the county 1181  
treasury by the clerk of the municipal court under division (F) of 1182  
this section and all interest received and paid to the city 1183  
treasury or, in a county-operated municipal court, the county 1184  
treasury in relation to the costs and fees under division (G) of 1185  
this section. 1186

(2) In a municipal court, other than the Clermont county, 1187  
Hamilton county, Medina, Portage county, and Wayne county 1188  
municipal courts, for which the population of the territory is one 1189  
hundred thousand or more, and in the Lorain municipal court, the 1190  
clerk of the municipal court shall receive annual compensation in 1191  
a sum equal to eighty-five per cent of the salary of a judge of 1192  
the court. 1193

(3) The compensation of a clerk described in division (C)(1) 1194  
or (2) of this section is payable in semimonthly installments from 1195  
the same sources and in the same manner as provided in section 1196

1901.11 of the Revised Code. 1197

(D) Before entering upon the duties of the clerk's office, 1198  
the clerk of a municipal court shall give bond of not less than 1199  
six thousand dollars to be determined by the judges of the court, 1200  
conditioned upon the faithful performance of the clerk's duties. 1201

(E) The clerk of a municipal court may do all of the 1202  
following: administer oaths, take affidavits, and issue executions 1203  
upon any judgment rendered in the court, including a judgment for 1204  
unpaid costs; issue, sign, and attach the seal of the court to all 1205  
writs, process, subpoenas, and papers issuing out of the court; 1206  
and approve all bonds, sureties, recognizances, and undertakings 1207  
fixed by any judge of the court or by law. The clerk may refuse to 1208  
accept for filing any pleading or paper submitted for filing by a 1209  
person who has been found to be a vexatious litigator under 1210  
section 2323.52 of the Revised Code and who has failed to obtain 1211  
leave to proceed under that section. The clerk shall do all of the 1212  
following: file and safely keep all journals, records, books, and 1213  
papers belonging or appertaining to the court; record the 1214  
proceedings of the court; perform all other duties that the judges 1215  
of the court may prescribe; and keep a book showing all receipts 1216  
and disbursements, which book shall be open for public inspection 1217  
at all times. 1218

The clerk shall prepare and maintain a general index, a 1219  
docket, and other records that the court, by rule, requires, all 1220  
of which shall be the public records of the court. In the docket, 1221  
the clerk shall enter, at the time of the commencement of an 1222  
action, the names of the parties in full, the names of the 1223  
counsel, and the nature of the proceedings. Under proper dates, 1224  
the clerk shall note the filing of the complaint, issuing of 1225  
summons or other process, returns, and any subsequent pleadings. 1226  
The clerk also shall enter all reports, verdicts, orders, 1227  
judgments, and proceedings of the court, clearly specifying the 1228

relief granted or orders made in each action. The court may order 1229  
an extended record of any of the above to be made and entered, 1230  
under the proper action heading, upon the docket at the request of 1231  
any party to the case, the expense of which record may be taxed as 1232  
costs in the case or may be required to be prepaid by the party 1233  
demanding the record, upon order of the court. 1234

(F) The clerk of a municipal court shall receive, collect, 1235  
and issue receipts for all costs, fees, fines, bail, and other 1236  
moneys payable to the office or to any officer of the court. The 1237  
clerk shall each month disburse to the proper persons or officers, 1238  
and take receipts for, all costs, fees, fines, bail, and other 1239  
moneys that the clerk collects. Subject to sections 3375.50 and 1240  
4511.193 of the Revised Code and to any other section of the 1241  
Revised Code that requires a specific manner of disbursement of 1242  
any moneys received by a municipal court and except for the 1243  
Hamilton county, Lawrence county, and Ottawa county municipal 1244  
courts, the clerk shall pay all fines received for violation of 1245  
municipal ordinances into the treasury of the municipal 1246  
corporation the ordinance of which was violated and shall pay all 1247  
fines received for violation of township resolutions adopted 1248  
pursuant to Chapter 504. of the Revised Code into the treasury of 1249  
the township the resolution of which was violated. Subject to 1250  
sections 1901.024 and 4511.193 of the Revised Code, in the 1251  
Hamilton county, Lawrence county, and Ottawa county municipal 1252  
courts, the clerk shall pay fifty per cent of the fines received 1253  
for violation of municipal ordinances and fifty per cent of the 1254  
fines received for violation of township resolutions adopted 1255  
pursuant to Chapter 504. of the Revised Code into the treasury of 1256  
the county. Subject to sections 3375.50, 3375.53, ~~4511.99~~ 4511.19, 1257  
and 5503.04 of the Revised Code and to any other section of the 1258  
Revised Code that requires a specific manner of disbursement of 1259  
any moneys received by a municipal court, the clerk shall pay all 1260  
fines collected for the violation of state laws into the county 1261



treasury. Except in a county-operated municipal court, the clerk 1262  
shall pay all costs and fees the disbursement of which is not 1263  
otherwise provided for in the Revised Code into the city treasury. 1264  
The clerk of a county-operated municipal court shall pay the costs 1265  
and fees the disbursement of which is not otherwise provided for 1266  
in the Revised Code into the county treasury. Moneys deposited as 1267  
security for costs shall be retained pending the litigation. The 1268  
clerk shall keep a separate account of all receipts and 1269  
disbursements in civil and criminal cases, which shall be a 1270  
permanent public record of the office. On the expiration of the 1271  
term of the clerk, the clerk shall deliver the records to the 1272  
clerk's successor. The clerk shall have other powers and duties as 1273  
are prescribed by rule or order of the court. 1274

(G) All moneys paid into a municipal court shall be noted on 1275  
the record of the case in which they are paid and shall be 1276  
deposited in a state or national bank, or a domestic savings and 1277  
loan association, as defined in section 1151.01 of the Revised 1278  
Code, that is selected by the clerk. Any interest received upon 1279  
the deposits shall be paid into the city treasury, except that, in 1280  
a county-operated municipal court, the interest shall be paid into 1281  
the treasury of the county in which the court is located. 1282

On the first Monday in January of each year, the clerk shall 1283  
make a list of the titles of all cases in the court that were 1284  
finally determined more than one year past in which there remains 1285  
unclaimed in the possession of the clerk any funds, or any part of 1286  
a deposit for security of costs not consumed by the costs in the 1287  
case. The clerk shall give notice of the moneys to the parties who 1288  
are entitled to the moneys or to their attorneys of record. All 1289  
the moneys remaining unclaimed on the first day of April of each 1290  
year shall be paid by the clerk to the city treasurer, except 1291  
that, in a county-operated municipal court, the moneys shall be 1292  
paid to the treasurer of the county in which the court is located. 1293

The treasurer shall pay any part of the moneys at any time to the 1294  
person who has the right to the moneys upon proper certification 1295  
of the clerk. 1296

(H) Deputy clerks may be appointed by the clerk and shall 1297  
receive the compensation, payable in semimonthly installments out 1298  
of the city treasury, that the clerk may prescribe, except that 1299  
the compensation of any deputy clerk of a county-operated 1300  
municipal court shall be paid out of the treasury of the county in 1301  
which the court is located. Each deputy clerk shall take an oath 1302  
of office before entering upon the duties of the deputy clerk's 1303  
office and, when so qualified, may perform the duties appertaining 1304  
to the office of the clerk. The clerk may require any of the 1305  
deputy clerks to give bond of not less than three thousand 1306  
dollars, conditioned for the faithful performance of the deputy 1307  
clerk's duties. 1308

(I) For the purposes of this section, whenever the population 1309  
of the territory of a municipal court falls below one hundred 1310  
thousand but not below ninety thousand, and the population of the 1311  
territory prior to the most recent regular federal census exceeded 1312  
one hundred thousand, the legislative authority of the municipal 1313  
corporation may declare, by resolution, that the territory shall 1314  
be considered to have a population of at least one hundred 1315  
thousand. 1316

(J) The clerk or a deputy clerk shall be in attendance at all 1317  
sessions of the municipal court, although not necessarily in the 1318  
courtroom, and may administer oaths to witnesses and jurors and 1319  
receive verdicts. 1320

**Sec. 1905.01.** (A) In all municipal corporations, other than 1321  
Batavia in Clermont county, not being the site of a municipal 1322  
court nor a place where a judge of the Auglaize county, Crawford 1323  
county, Jackson county, Miami county, Portage county, or Wayne 1324

county municipal court sits as required pursuant to section 1325  
1901.021 of the Revised Code or by designation of the judges 1326  
pursuant to section 1901.021 of the Revised Code, the mayor of the 1327  
municipal corporation has jurisdiction, except as provided in 1328  
divisions (B), (C), and (E) of this section and subject to the 1329  
limitation contained in section 1905.03 and the limitation 1330  
contained in section 1905.031 of the Revised Code, to hear and 1331  
determine any prosecution for the violation of an ordinance of the 1332  
municipal corporation, to hear and determine any case involving a 1333  
violation of a vehicle parking or standing ordinance of the 1334  
municipal corporation unless the violation is required to be 1335  
handled by a parking violations bureau or joint parking violations 1336  
bureau pursuant to Chapter 4521. of the Revised Code, and to hear 1337  
and determine all criminal causes involving any moving traffic 1338  
violation occurring on a state highway located within the 1339  
boundaries of the municipal corporation, subject to the 1340  
limitations of sections 2937.08 and 2938.04 of the Revised Code. 1341

(B)(1) In all municipal corporations, other than Batavia in 1342  
Clermont county, not being the site of a municipal court nor a 1343  
place where a judge of a court listed in division (A) of this 1344  
section sits as required pursuant to section 1901.021 of the 1345  
Revised Code or by designation of the judges pursuant to section 1346  
1901.021 of the Revised Code, the mayor of the municipal 1347  
corporation has jurisdiction, subject to the limitation contained 1348  
in section 1905.03 of the Revised Code, to hear and determine 1349  
prosecutions involving a violation of an ordinance of the 1350  
municipal corporation relating to operating a vehicle while under 1351  
the influence of alcohol, a drug of abuse, or ~~alcohol and a drug~~ 1352  
~~of abuse~~ combination of them or relating to operating a vehicle 1353  
with a prohibited concentration of alcohol in the whole blood, 1354  
blood serum or plasma, breath, or urine, and to hear and determine 1355  
criminal causes involving a violation of section 4511.19 of the 1356  
Revised Code that occur on a state highway located within the 1357

boundaries of the municipal corporation, subject to the 1358  
limitations of sections 2937.08 and 2938.04 of the Revised Code, 1359  
only if the person charged with the violation, within six years of 1360  
the date of the violation charged, has not been convicted of or 1361  
pleaded guilty to any of the following: 1362

(a) A violation of an ordinance of any municipal corporation 1363  
relating to operating a vehicle while under the influence of 1364  
alcohol, a drug of abuse, or ~~alcohol and a drug of abuse~~ 1365  
combination of them or relating to operating a vehicle with a 1366  
prohibited concentration of alcohol in the whole blood, blood 1367  
serum or plasma, breath, or urine; 1368

(b) A violation of section 4511.19 of the Revised Code; 1369

(c) A violation of any ordinance of any municipal corporation 1370  
or of any section of the Revised Code that regulates the operation 1371  
of vehicles, streetcars, and trackless trolleys upon the highways 1372  
or streets, ~~in relation~~ to which all of the following apply: 1373

(i) The person, in the case in which the conviction was 1375  
obtained or the plea of guilty was entered, had been charged with 1376  
a violation of an ordinance of ~~any municipal corporation relating~~ 1377  
~~to operating a vehicle while under the influence of alcohol, a~~ 1378  
~~drug of abuse, or alcohol and a drug of abuse or relating to~~ 1379  
~~operating a vehicle with a prohibited concentration of alcohol in~~ 1380  
~~the blood, breath, or urine~~ a type described in division (B)(1)(a) 1381  
of this section, or with a violation of section 4511.19 of the 1382  
Revised Code; 1383

(ii) The charge of the violation described in division 1384  
(B)(1)(c)(i) of this section was dismissed or reduced; 1385

(iii) The violation of which the person was convicted or to 1386  
which the person pleaded guilty arose out of the same facts and 1387  
circumstances and the same act as did the charge that was 1388

dismissed or reduced. 1389

(d) A violation of a statute of the United States or of any 1390  
other state or a municipal ordinance of a municipal corporation 1391  
located in any other state that is substantially similar to 1392  
section 4511.19 of the Revised Code. 1393

(2) The mayor of a municipal corporation does not have 1394  
jurisdiction to hear and determine any prosecution or criminal 1395  
cause involving a violation described in division (B)(1)(a) or (b) 1396  
of this section, regardless of where the violation occurred, if 1397  
the person charged with the violation, within six years of the 1398  
violation charged, has been convicted of or pleaded guilty to any 1399  
violation listed in division (B)(1)(a), (b), (c), or (d) of this 1400  
section. 1401

If the mayor of a municipal corporation, in hearing a 1402  
prosecution involving a violation of an ordinance of the municipal 1403  
corporation the mayor serves relating to operating a vehicle while 1404  
under the influence of alcohol, a drug of abuse, or ~~alcohol and a~~ 1405  
~~drug of abuse~~ combination of them or relating to operating a 1406  
vehicle with a prohibited concentration of alcohol in the whole 1407  
blood, blood serum or plasma, breath, or urine, or in hearing a 1408  
criminal cause involving a violation of section 4511.19 of the 1409  
Revised Code, determines that the person charged, within six years 1410  
of the violation charged, has been convicted of or pleaded guilty 1411  
to any violation listed in division (B)(1)(a), (b), (c), or (d) of 1412  
this section, the mayor immediately shall transfer the case to the 1413  
county court or municipal court with jurisdiction over the 1414  
violation charged, in accordance with section 1905.032 of the 1415  
Revised Code. 1416

(C)(1) In all municipal corporations, other than Batavia in 1417  
Clermont county, not being the site of a municipal court and not 1418  
being a place where a judge of a court listed in division (A) of 1419  
this section sits as required pursuant to section 1901.021 of the 1420

Revised Code or by designation of the judges pursuant to section 1421  
1901.021 of the Revised Code, the mayor of the municipal 1422  
corporation, subject to sections 1901.031, 2937.08, and 2938.04 of 1423  
the Revised Code, has jurisdiction to hear and determine 1424  
prosecutions involving a violation of a municipal ordinance that 1425  
is substantially equivalent to division ~~(B)(1) or (D)(2)~~ of (A) of 1426  
section 4510.14 or section 4507.02 4510.16 of the Revised Code and 1427  
to hear and determine criminal causes that involve a moving 1428  
traffic violation, that involve a violation of division ~~(B)(1) or~~ 1429  
~~(D)(2)~~ of (A) of section 4510.14 or section 4507.02 4510.16 of the 1430  
Revised Code, and that occur on a state highway located within the 1431  
boundaries of the municipal corporation only if all of the 1432  
following apply regarding the violation and the person charged: 1433

(a) Regarding a violation of ~~division (B)(1) of~~ section 1434  
~~4507.02 4510.16~~ of the Revised Code or a violation of a municipal 1435  
ordinance that is substantially equivalent to that division, the 1436  
person charged with the violation, within ~~five~~ six years of the 1437  
date of the violation charged, has not been convicted of or 1438  
pleaded guilty to any of the following: 1439

(i) A violation of ~~division (B)(1) of~~ section ~~4507.02 4510.16~~ 1440  
of the Revised Code; 1441

(ii) A violation of a municipal ordinance that is 1442  
substantially equivalent to ~~division (B)(1) of~~ section ~~4507.02~~ 1443  
4510.16 of the Revised Code; 1444

(iii) A violation of any municipal ordinance or section of 1445  
the Revised Code that regulates the operation of vehicles, 1446  
streetcars, and trackless trolleys upon the highways or streets, 1447  
in a case in which, after a charge against the person of a 1448  
violation of a type described in division (C)(1)(a)(i) or (ii) of 1449  
this section was dismissed or reduced, the person is convicted of 1450  
or pleads guilty to a violation that arose out of the same facts 1451  
and circumstances and the same act as did the charge that was 1452

dismissed or reduced. 1453

(b) Regarding a violation of division ~~(D)(2)(A)~~ of section 1454  
~~4507.02~~ 4510.14 of the Revised Code or a violation of a municipal 1455  
ordinance that is substantially equivalent to that division, the 1456  
person charged with the violation, within ~~five~~ six years of the 1457  
date of the violation charged, has not been convicted of or 1458  
pleaded guilty to any of the following: 1459

(i) A violation of division ~~(D)(2)(A)~~ of section ~~4507.02~~ 1460  
4510.14 of the Revised Code; 1461

(ii) A violation of a municipal ordinance that is 1462  
substantially equivalent to division ~~(D)(2)(A)~~ of section ~~4507.02~~ 1463  
4510.14 of the Revised Code; 1464

(iii) A violation of any municipal ordinance or section of 1465  
the Revised Code that regulates the operation of vehicles, 1466  
streetcars, and trackless trolleys upon the highways or streets in 1467  
a case in which, after a charge against the person of a violation 1468  
of a type described in division (C)(1)(b)(i) or (ii) of this 1469  
section was dismissed or reduced, the person is convicted of or 1470  
pleads guilty to a violation that arose out of the same facts and 1471  
circumstances and the same act as did the charge that was 1472  
dismissed or reduced. 1473

(2) The mayor of a municipal corporation does not have 1474  
jurisdiction to hear and determine any prosecution or criminal 1475  
cause involving a violation described in division (C)(1)(a)(i) or 1476  
(ii) of this section if the person charged with the violation, 1477  
within ~~five~~ six years of the violation charged, has been convicted 1478  
of or pleaded guilty to any violation listed in division 1479  
(C)(1)(a)(i), (ii), or (iii) of this section and does not have 1480  
jurisdiction to hear and determine any prosecution or criminal 1481  
cause involving a violation described in division (C)(1)(b)(i) or 1482  
(ii) of this section if the person charged with the violation, 1483

within ~~five~~ six years of the violation charged, has been convicted 1484  
of or pleaded guilty to any violation listed in division 1485  
(C)(1)(b)(i), (ii), or (iii) of this section. 1486

(3) If the mayor of a municipal corporation, in hearing a 1487  
prosecution involving a violation of an ordinance of the municipal 1488  
corporation the mayor serves that is substantially equivalent to 1489  
division ~~(B)(1) or (D)(2) of (A) of section 4510.14 or section~~ 1490  
~~4507.02~~ 4510.16 of the Revised Code or a violation of division 1491  
~~(B)(1) or (D)(2) of (A) of section 4510.14 or section 4507.02~~ 1492  
4510.16 of the Revised Code, determines that, under division 1493  
(C)(2) of this section, mayors do not have jurisdiction of the 1494  
prosecution, the mayor immediately shall transfer the case to the 1495  
county court or municipal court with jurisdiction over the 1496  
violation in accordance with section 1905.032 of the Revised Code. 1497

(D) If the mayor of a municipal corporation has jurisdiction 1498  
pursuant to division (B)(1) of this section to hear and determine 1499  
a prosecution or criminal cause involving a violation described in 1500  
division (B)(1)(a) or (b) of this section, the authority of the 1501  
mayor to hear or determine the prosecution or cause is subject to 1502  
the limitation contained in division (C) of section 1905.03 of the 1503  
Revised Code. If the mayor of a municipal corporation has 1504  
jurisdiction pursuant to division (A) or (C) of this section to 1505  
hear and determine a prosecution or criminal cause involving a 1506  
violation other than a violation described in division (B)(1)(a) 1507  
or (b) of this section, the authority of the mayor to hear or 1508  
determine the prosecution or cause is subject to the limitation 1509  
contained in division (C) of section 1905.031 of the Revised Code. 1510

(E)(1) The mayor of a municipal corporation does not have 1511  
jurisdiction to hear and determine any prosecution or criminal 1512  
cause involving any of the following: 1513

(a) A violation of section 2919.25 or 2919.27 of the Revised 1514  
Code; 1515



(b) A violation of section 2903.11, 2903.12, 2903.13, 1516  
2903.211, or 2911.211 of the Revised Code that involves a person 1517  
who was a family or household member of the defendant at the time 1518  
of the violation; 1519

(c) A violation of a municipal ordinance that is 1520  
substantially equivalent to an offense described in division 1521  
(E)(1)(a) or (b) of this section and that involves a person who 1522  
was a family or household member of the defendant at the time of 1523  
the violation. 1524

(2) The mayor of a municipal corporation does not have 1525  
jurisdiction to hear and determine a motion filed pursuant to 1526  
section 2919.26 of the Revised Code or filed pursuant to a 1527  
municipal ordinance that is substantially equivalent to that 1528  
section or to issue a protection order pursuant to that section or 1529  
a substantially equivalent municipal ordinance. 1530

(3) As used in this section, "family or household member" has 1531  
the same meaning as in section 2919.25 of the Revised Code. 1532

(F) In keeping a docket and files, the mayor, and a mayor's 1533  
court magistrate appointed under section 1905.05 of the Revised 1534  
Code, shall be governed by the laws pertaining to county courts. 1535

**Sec. 1905.201.** The mayor of a municipal corporation that has 1536  
a mayor's court, and a mayor's court magistrate, are entitled to 1537  
suspend ~~or revoke~~, and shall suspend ~~or revoke~~, in accordance with 1538  
~~division (B) of section 4507.16~~ sections 4510.02, 4510.07, and 1539  
4511.19 of the Revised Code, the driver's or commercial driver's 1540  
license or permit or nonresident operating privilege of any person 1541  
who is convicted of or pleads guilty to a violation of division 1542  
(A) of section 4511.19 of the Revised Code, of a municipal 1543  
ordinance relating to operating a vehicle while under the 1544  
influence of alcohol, a drug of abuse, or ~~alcohol and a drug of~~ 1545

~~abuse a combination of them~~, or of a municipal ordinance relating 1546  
to operating a vehicle with a prohibited concentration of alcohol 1547  
in the whole blood, blood serum or plasma, breath, or urine that 1548  
is substantially equivalent to division (A) of section 4511.19 of 1549  
the Revised Code. The mayor of a municipal corporation that has a 1550  
mayor's court, and a mayor's court magistrate, are entitled to 1551  
suspend, and shall suspend, in accordance with ~~division (E) of~~ 1552  
~~section 4507.16~~ sections 4510.02, 4510.07, and 4511.19 of the 1553  
Revised Code, the driver's, or commercial driver's license or 1554  
permit or nonresident operating privilege of any person who is 1555  
convicted of or pleads guilty to a violation of division (B) of 1556  
section 4511.19 of the Revised Code or of a municipal ordinance 1557  
relating to operating a vehicle with a prohibited concentration of 1558  
alcohol in the whole blood, blood serum or plasma, breath, or 1559  
urine that is substantially equivalent to division (B) of section 1560  
4511.19 of the Revised Code. 1561

Suspension of a commercial driver's license under this 1562  
section shall be concurrent with any period of disqualification or 1563  
suspension under section ~~3123.611~~ 3123.58 or 4506.16 of the 1564  
Revised Code ~~or period of suspension under section 3123.58 of the~~ 1565  
~~Revised Code~~. No person who is disqualified for life from holding 1566  
a commercial driver's license under section 4506.16 of the Revised 1567  
Code shall be issued a driver's license under Chapter 4507. of the 1568  
Revised Code during the period for which the commercial driver's 1569  
license was suspended under this section, and no person whose 1570  
commercial driver's license is suspended under this section shall 1571  
be issued a driver's license under Chapter 4507. of the Revised 1572  
Code during the period of the suspension. 1573

**Sec. 1907.20.** (A) The clerk of courts shall be the clerk of 1574  
the county court, except that the board of county commissioners, 1575  
with the concurrence of the county court judges, may appoint a 1576  
clerk for each county court judge, who shall serve at the pleasure 1577

of the board and shall receive compensation as set by the board, 1578  
payable in semimonthly installments from the treasury of the 1579  
county. An appointed clerk, before entering upon the duties of the 1580  
office, shall give bond of not less than five thousand dollars, as 1581  
determined by the board of county commissioners, conditioned upon 1582  
the faithful performance of the clerk's duties. 1583

The clerks of courts of common pleas, when acting as the 1584  
clerks of county courts, and upon assuming their county court 1585  
duties, shall receive compensation at one-fourth the rate 1586  
prescribed for the clerks of courts of common pleas as determined 1587  
in accordance with the population of the county and the rates set 1588  
forth in sections 325.08 and 325.18 of the Revised Code. This 1589  
compensation shall be paid from the county treasury in semimonthly 1590  
installments and is in addition to the annual compensation 1591  
received for the performance of the duties of the clerk of a court 1592  
of common pleas as provided in sections 325.08 and 325.18 of the 1593  
Revised Code. 1594

(B) The clerk of a county court shall have general powers to 1595  
administer oaths, take affidavits, and issue executions upon any 1596  
judgment rendered in the county court, including a judgment for 1597  
unpaid costs, power to issue and sign all writs, process, 1598  
subpoenas, and papers issuing out of the court, and to attach the 1599  
seal of the court to them, and power to approve all bonds, 1600  
sureties, recognizances, and undertakings fixed by any judge of 1601  
the court or by law. The clerk shall file and safely keep all 1602  
journals, records, books, and papers belonging or appertaining to 1603  
the court, record its proceedings, perform all other duties that 1604  
the judges of the court may prescribe, and keep a book showing all 1605  
receipts and disbursements, which shall be open for public 1606  
inspection at all times. The clerk may refuse to accept for filing 1607  
any pleading or paper submitted for filing by a person who has 1608  
been found to be a vexatious litigator under section 2323.52 of 1609

the Revised Code and who has failed to obtain leave to proceed 1610  
under that section. 1611

The clerk shall prepare and maintain a general index, a 1612  
docket as prescribed by the court, which shall be furnished by the 1613  
board of county commissioners, and such other records as the 1614  
court, by rule, requires, all of which shall be the public records 1615  
of the court. In the docket, the clerk shall enter at times of the 1616  
commencement of an action, the names of the parties in full, the 1617  
names of the counsel, and the nature of the proceedings. Under 1618  
proper dates, the clerk shall note the filing of the complaint, 1619  
issuing of summons or other process, returns, and pleadings 1620  
subsequent thereto. The clerk also shall enter all reports, 1621  
verdicts, orders, judgments, and proceedings of the court, clearly 1622  
specifying the relief granted or orders made in each action. The 1623  
court may order an extended record of any of the above to be made 1624  
and entered, under the proper action heading, upon the docket at 1625  
the request of any party to the case, the expense of which may be 1626  
taxed as costs in the case or may be required to be prepaid by the 1627  
party demanding the extended record, upon order of the court. 1628

(C) The clerk of a county court shall receive and collect all 1629  
costs, fees, fines, penalties, bail, and other moneys payable to 1630  
the office or to any officer of the court and issue receipts 1631  
therefor, and shall each month disburse the costs, fees, fines, 1632  
penalties, bail, and other moneys to the proper persons or 1633  
officers and take receipts therefor. Subject to sections 3375.51, 1634  
3375.53, 4511.19, 4511.193, and ~~4511.99~~ 5503.04 of the Revised 1635  
Code and all other statutes that require a different distribution 1636  
of fines, fines received for violations of municipal ordinances 1637  
shall be paid into the treasury of the municipal corporation whose 1638  
ordinance was violated, fines received for violations of township 1639  
resolutions adopted pursuant to Chapter 504. of the Revised Code 1640  
shall be paid into the treasury of the township whose resolution 1641

was violated, and fines collected for the violation of state laws 1642  
shall be paid into the county treasury. Moneys deposited as 1643  
security for costs shall be retained pending the litigation. 1644

The clerk shall keep a separate account of all receipts and 1645  
disbursements in civil and criminal cases. The separate account 1646  
shall be a permanent public record of the office. On the 1647  
expiration of a clerk's term, those records shall be delivered to 1648  
the clerk's successor. 1649

The clerk shall have such other powers and duties as are 1650  
prescribed by rule or order of the court. 1651

(D) All moneys paid into a county court shall be noted on the 1652  
record of the case in which they are paid and shall be deposited 1653  
in a state or national bank selected by the clerk. On the first 1654  
Monday in January of each year, the clerk shall make a list of the 1655  
titles of all cases in the county court that were finally 1656  
determined more than one year past in which there remains 1657  
unclaimed in the possession of the clerk any funds, or any part of 1658  
a deposit for security of costs not consumed by the costs in the 1659  
case. The clerk shall give notice of the moneys to the parties 1660  
entitled to them or to their attorneys of record. All the moneys 1661  
remaining unclaimed on the first day of April of each year shall 1662  
be paid by the clerk to the county treasurer. Any part of the 1663  
moneys shall be paid by the county treasurer at any time to the 1664  
person having the right to them, upon proper certification of the 1665  
clerk. 1666

(E)(1) In county court districts having appointed clerks, 1667  
deputy clerks may be appointed by the board of county 1668  
commissioners. Clerks and deputy clerks shall receive such 1669  
compensation payable in semimonthly installments out of the county 1670  
treasury as the board may prescribe. Each deputy clerk shall take 1671  
an oath of office before entering upon the duties of the deputy 1672  
clerk's office and, when so qualified, may perform the duties 1673

appertaining to the office of the clerk. The clerk may require any 1674  
of the deputy clerks to give bond of not less than three thousand 1675  
dollars, conditioned for the faithful performance of the deputy 1676  
clerk's duties. 1677

(2) A clerk of courts acting as clerk of the county court may 1678  
appoint deputy clerks to perform the duties pertaining to the 1679  
office of clerk of the county court. Each deputy clerk shall take 1680  
an oath of office before entering upon the deputy clerk's duties, 1681  
and the clerk of courts may require the deputy clerk to give bond 1682  
of not less than three thousand dollars, conditioned for the 1683  
faithful performance of the deputy clerk's duties. 1684

(3) The clerk or a deputy clerk of a county court shall be in 1685  
attendance at all sessions of the court, although not necessarily 1686  
in the courtroom, and may administer oaths to witnesses and jurors 1687  
and receive verdicts. 1688

(F)(1) In county court districts having appointed clerks, the 1689  
board of county commissioners may order the establishment of one 1690  
or more branch offices of the clerk and, with the concurrence of 1691  
the county judges, may appoint a special deputy clerk to 1692  
administer each branch office. Each special deputy clerk shall 1693  
take an oath of office before entering upon the duties of the 1694  
deputy clerk's office and, when so qualified, may perform any one 1695  
or more of the duties appertaining to the office of clerk, as the 1696  
board prescribes. Special deputy clerks shall receive such 1697  
compensation payable in semimonthly installments out of the county 1698  
treasury as the board may prescribe. The board may require any of 1699  
the special deputy clerks to give bond of not less than three 1700  
thousand dollars, conditioned for the faithful performance of the 1701  
deputy clerk's duties. 1702

The board of county commissioners may authorize the clerk of 1703  
the county court to operate one or more branch offices, to divide 1704  
the clerk's time between the offices, and to perform duties 1705

appertaining to the office of clerk in locations that the board 1706  
prescribes. 1707

(2) A clerk of courts acting as clerk of the county court may 1708  
establish one or more branch offices for the clerk's duties as 1709  
clerk of the county court and, with the concurrence of the county 1710  
court judges, may appoint a special deputy clerk to administer 1711  
each branch office. Each special deputy clerk shall take an oath 1712  
of office before entering upon the deputy clerk's duties and, when 1713  
so qualified, may perform any of the duties pertaining to the 1714  
office of clerk, as the clerk of courts prescribes. The clerk of 1715  
courts may require any of the special deputy clerks to give bond 1716  
of not less than three thousand dollars, conditioned for the 1717  
faithful performance of the deputy clerk's duties. 1718

(G) The clerk of courts of the county shall fix the 1719  
compensation of deputy clerks and special deputy clerks appointed 1720  
by the clerk pursuant to this section. Those personnel shall be 1721  
paid and be subject to the same requirements as other employees of 1722  
the clerk under the provisions of section 325.17 of the Revised 1723  
Code insofar as that section is applicable. 1724

**Sec. 2151.354.** (A) If the child is adjudicated an unruly 1725  
child, the court may: 1726

(1) Make any of the dispositions authorized under section 1727  
2151.353 of the Revised Code; 1728

(2) Place the child on community control under any sanctions, 1729  
services, and conditions that the court prescribes, as described 1730  
in division (A)(3) of section 2152.19 of the Revised Code, 1731  
provided that, if the court imposes a period of community service 1732  
upon the child, the period of community service shall not exceed 1733  
one hundred seventy-five hours; 1734

(3) Suspend ~~or revoke~~ the driver's license, probationary 1735

driver's license, or temporary instruction permit issued to the 1736  
child for a period of time prescribed by the court and suspend ~~or~~ 1737  
~~revoke~~ the registration of all motor vehicles registered in the 1738  
name of the child for a period of time prescribed by the court. A 1739  
child whose license or permit is so suspended ~~or revoked~~ is 1740  
ineligible for issuance of a license or permit during the period 1741  
of suspension ~~or revocation~~. At the end of the period of 1742  
suspension ~~or revocation~~, the child shall not be reissued a 1743  
license or permit until the child has paid any applicable 1744  
reinstatement fee and complied with all requirements governing 1745  
license reinstatement. 1746

(4) Commit the child to the temporary or permanent custody of 1747  
the court; 1748

(5) Make any further disposition the court finds proper that 1749  
is consistent with sections 2151.312 and 2151.56 to 2151.61 of the 1750  
Revised Code; 1751

(6) If, after making a disposition under division (A)(1), 1752  
(2), or (3) of this section, the court finds upon further hearing 1753  
that the child is not amenable to treatment or rehabilitation 1754  
under that disposition, make a disposition otherwise authorized 1755  
under divisions (A)(1), (3), (4), and (7) of section 2152.19 of 1756  
the Revised Code that is consistent with sections 2151.312 and 1757  
2151.56 to 2151.61 of the Revised Code. 1758

(B) If a child is adjudicated an unruly child for committing 1759  
any act that, if committed by an adult, would be a drug abuse 1760  
offense, as defined in section 2925.01 of the Revised Code, or a 1761  
violation of division (B) of section 2917.11 of the Revised Code, 1762  
~~then,~~ in addition to imposing, in its discretion, any other order 1763  
of disposition authorized by this section, the court shall do both 1764  
of the following: 1765

(1) Require the child to participate in a drug abuse or 1766



alcohol abuse counseling program; 1767

(2) Suspend ~~or revoke~~ the temporary instruction permit, 1768  
probationary driver's license, or driver's license issued to the 1769  
child for a period of time prescribed by the court ~~or, at the~~ 1770  
~~discretion of the court, until. The court, in its discretion, may~~ 1771  
terminate the suspension if the child attends and satisfactorily 1772  
completes a drug abuse or alcohol abuse education, intervention, 1773  
or treatment program specified by the court. During the time the 1774  
child is attending ~~the~~ a program as described in this division, 1775  
the court shall retain ~~any~~ the child's temporary instruction 1776  
permit, probationary driver's license, or driver's license ~~issued~~ 1777  
~~to the child,~~ and the court shall return the permit or license 1778  
~~when the child satisfactorily completes the program~~ if it 1779  
terminates the suspension. 1780

(C)(1) If a child is adjudicated an unruly child for being an 1781  
habitual truant, in addition to or in lieu of imposing any other 1782  
order of disposition authorized by this section, the court may do 1783  
any of the following: 1784

(a) Order the board of education of the child's school 1785  
district or the governing board of the educational service center 1786  
in the child's school district to require the child to attend an 1787  
alternative school if an alternative school has been established 1788  
pursuant to section 3313.533 of the Revised Code in the school 1789  
district in which the child is entitled to attend school; 1790

(b) Require the child to participate in any academic program 1791  
or community service program; 1792

(c) Require the child to participate in a drug abuse or 1793  
alcohol abuse counseling program; 1794

(d) Require that the child receive appropriate medical or 1795  
psychological treatment or counseling; 1796

(e) Make any other order that the court finds proper to 1797

address the child's habitual truancy, including an order requiring 1798  
the child to not be absent without legitimate excuse from the 1799  
public school the child is supposed to attend for five or more 1800  
consecutive days, seven or more school days in one school month, 1801  
or twelve or more school days in a school year and including an 1802  
order requiring the child to participate in a truancy prevention 1803  
mediation program. 1804

(2) If a child is adjudicated an unruly child for being an 1805  
habitual truant and the court determines that the parent, 1806  
guardian, or other person having care of the child has failed to 1807  
cause the child's attendance at school in violation of section 1808  
3321.38 of the Revised Code, in addition to any order of 1809  
disposition authorized by this section, all of the following 1810  
apply: 1811

(a) The court may require the parent, guardian, or other 1812  
person having care of the child to participate in any community 1813  
service program, preferably a community service program that 1814  
requires the involvement of the parent, guardian, or other person 1815  
having care of the child in the school attended by the child. 1816

(b) The court may require the parent, guardian, or other 1817  
person having care of the child to participate in a truancy 1818  
prevention mediation program. 1819

(c) The court shall warn the parent, guardian, or other 1820  
person having care of the child that any subsequent adjudication 1821  
of the child as an unruly or delinquent child for being an 1822  
habitual or chronic truant may result in a criminal charge against 1823  
the parent, guardian, or other person having care of the child for 1824  
a violation of division (C) of section 2919.21 or section 2919.24 1825  
of the Revised Code. 1826

**Sec. 2152.19.** (A) If a child is adjudicated a delinquent 1827  
child, the court may make any of the following orders of 1828

disposition, in addition to any other disposition authorized or 1829  
required by this chapter: 1830

(1) Any order that is authorized by section 2151.353 of the 1831  
Revised Code for the care and protection of an abused, neglected, 1832  
or dependent child; 1833

(2) Commit the child to the temporary custody of any school, 1834  
camp, institution, or other facility operated for the care of 1835  
delinquent children by the county, by a district organized under 1836  
section 2152.41 or 2151.65 of the Revised Code, or by a private 1837  
agency or organization, within or without the state, that is 1838  
authorized and qualified to provide the care, treatment, or 1839  
placement required; 1840

(3) Place the child on community control under any sanctions, 1841  
services, and conditions that the court prescribes. As a condition 1842  
of community control in every case and in addition to any other 1843  
condition that it imposes upon the child, the court shall require 1844  
the child to abide by the law during the period of community 1845  
control. As referred to in this division, community control 1846  
includes, but is not limited to, the following sanctions and 1847  
conditions: 1848

(a) A period of basic probation supervision in which the 1849  
child is required to maintain contact with a person appointed to 1850  
supervise the child in accordance with sanctions imposed by the 1851  
court; 1852

(b) A period of intensive probation supervision in which the 1853  
child is required to maintain frequent contact with a person 1854  
appointed by the court to supervise the child while the child is 1855  
seeking or maintaining employment and participating in training, 1856  
education, and treatment programs as the order of disposition; 1857

(c) A period of day reporting in which the child is required 1858  
each day to report to and leave a center or another approved 1859

reporting location at specified times in order to participate in 1860  
work, education or training, treatment, and other approved 1861  
programs at the center or outside the center; 1862

(d) A period of community service of up to five hundred hours 1863  
for an act that would be a felony or a misdemeanor of the first 1864  
degree if committed by an adult, up to two hundred hours for an 1865  
act that would be a misdemeanor of the second, third, or fourth 1866  
degree if committed by an adult, or up to thirty hours for an act 1867  
that would be a minor misdemeanor if committed by an adult; 1868

(e) A requirement that the child obtain a high school 1869  
diploma, a certificate of high school equivalence, vocational 1870  
training, or employment; 1871

(f) A period of drug and alcohol use monitoring; 1872

(g) A requirement of alcohol or drug assessment or 1873  
counseling, or a period in an alcohol or drug treatment program 1874  
with a level of security for the child as determined necessary by 1875  
the court; 1876

(h) A period in which the court orders the child to observe a 1877  
curfew that may involve daytime or evening hours; 1878

(i) A requirement that the child serve monitored time; 1879

(j) A period of house arrest with or without electronic 1880  
monitoring; 1881

(k) A period of electronic monitoring without house arrest or 1882  
electronically monitored house arrest that does not exceed the 1883  
maximum sentence of imprisonment that could be imposed upon an 1884  
adult who commits the same act. 1885

A period of electronically monitored house arrest imposed 1886  
under this division shall not extend beyond the child's 1887  
twenty-first birthday. If a court imposes a period of 1888  
electronically monitored house arrest upon a child under this 1889

division, it shall require the child: to wear, otherwise have 1890  
attached to the child's person, or otherwise be subject to 1891  
monitoring by a certified electronic monitoring device or to 1892  
participate in the operation of and monitoring by a certified 1893  
electronic monitoring system; to remain in the child's home or 1894  
other specified premises for the entire period of electronically 1895  
monitored house arrest except when the court permits the child to 1896  
leave those premises to go to school or to other specified 1897  
premises; to be monitored by a central system that can determine 1898  
the child's location at designated times; to report periodically 1899  
to a person designated by the court; and to enter into a written 1900  
contract with the court agreeing to comply with all requirements 1901  
imposed by the court, agreeing to pay any fee imposed by the court 1902  
for the costs of the electronically monitored house arrest, and 1903  
agreeing to waive the right to receive credit for any time served 1904  
on electronically monitored house arrest toward the period of any 1905  
other dispositional order imposed upon the child if the child 1906  
violates any of the requirements of the dispositional order of 1907  
electronically monitored house arrest. The court also may impose 1908  
other reasonable requirements upon the child. 1909

Unless ordered by the court, a child shall not receive credit 1910  
for any time served on electronically monitored house arrest 1911  
toward any other dispositional order imposed upon the child for 1912  
the act for which was imposed the dispositional order of 1913  
electronically monitored house arrest. 1914

(1) A suspension of the driver's license, probationary 1915  
driver's license, or temporary instruction permit issued to the 1916  
child for a period of time prescribed by the court, or a 1917  
suspension of the registration of all motor vehicles registered in 1918  
the name of the child for a period of time prescribed by the 1919  
court. A child whose license or permit is so suspended is 1920  
ineligible for issuance of a license or permit during the period 1921

of suspension. At the end of the period of suspension, the child 1922  
shall not be reissued a license or permit until the child has paid 1923  
any applicable reinstatement fee and complied with all 1924  
requirements governing license reinstatement. 1925

(4) Commit the child to the custody of the court; 1926

(5) Require the child to not be absent without legitimate 1927  
excuse from the public school the child is supposed to attend for 1928  
five or more consecutive days, seven or more school days in one 1929  
school month, or twelve or more school days in a school year; 1930

(6)(a) If a child is adjudicated a delinquent child for being 1931  
a chronic truant or an habitual truant who previously has been 1932  
adjudicated an unruly child for being a habitual truant, do either 1933  
or both of the following: 1934

(i) Require the child to participate in a truancy prevention 1935  
mediation program; 1936

(ii) Make any order of disposition as authorized by this 1937  
section, except that the court shall not commit the child to a 1938  
facility described in division (A)(2) of this section unless the 1939  
court determines that the child violated a lawful court order made 1940  
pursuant to division (C)(1)(e) of section 2151.354 of the Revised 1941  
Code or division (A)(5) of this section. 1942

(b) If a child is adjudicated a delinquent child for being a 1943  
chronic truant or a habitual truant who previously has been 1944  
adjudicated an unruly child for being a habitual truant and the 1945  
court determines that the parent, guardian, or other person having 1946  
care of the child has failed to cause the child's attendance at 1947  
school in violation of section 3321.38 of the Revised Code, do 1948  
either or both of the following: 1949

(i) Require the parent, guardian, or other person having care 1950  
of the child to participate in a truancy prevention mediation 1951  
program; 1952

(ii) Require the parent, guardian, or other person having care of the child to participate in any community service program, preferably a community service program that requires the involvement of the parent, guardian, or other person having care of the child in the school attended by the child.

(7) Make any further disposition that the court finds proper, except that the child shall not be placed in any of the following:

(a) A state correctional institution, a county, multicounty, or municipal jail or workhouse, or another place in which an adult convicted of a crime, under arrest, or charged with a crime is held;

(b) A community corrections facility, if the child would be covered by the definition of public safety beds for purposes of sections 5139.41 to 5139.45 of the Revised Code if the court exercised its authority to commit the child to the legal custody of the department of youth services for institutionalization or institutionalization in a secure facility pursuant to this chapter.

(B) If a child is adjudicated a delinquent child, in addition to any order of disposition made under division (A) of this section, the court, in the following situations and for the specified periods of time, shall suspend the child's temporary instruction permit, restricted license, probationary driver's license, or nonresident operating privilege, or suspend the child's ability to obtain such a permit:

(1) ~~The~~ If the child is adjudicated a delinquent child for violating section 2923.122 of the Revised Code, ~~with the suspension and denial being~~ impose a class four suspension of the child's license, permit, or privilege from the range specified in division (A)(4) of section 4510.02 of the Revised Code or deny the

child the issuance of a license or permit in accordance with 1984  
division ~~(E)~~(F)(1)(a), ~~(c)~~, ~~(d)~~, or ~~(e)~~ of section 2923.122 of the 1985  
Revised Code. 1986

(2) ~~The~~ If the child is adjudicated a delinquent child for 1987  
committing an act that if committed by an adult would be a drug 1988  
abuse offense or for violating division (B) of section 2917.11 of 1989  
the Revised Code, ~~with~~ suspend the child's license, permit, or 1990  
privilege for a period of time prescribed by the court. The court, 1991  
in its discretion, may terminate the suspension ~~continuing until~~ 1992  
if the child attends and satisfactorily completes a drug abuse or 1993  
alcohol abuse education, intervention, or treatment program 1994  
specified by the court. During the time the child is attending ~~the~~ 1995  
a program described in this division, the court shall retain ~~any~~ 1996  
the child's temporary instruction permit, probationary driver's 1997  
license, or driver's license ~~issued to the child~~, and the court 1998  
shall return the permit or license ~~when the child satisfactorily~~ 1999  
~~completes the program~~ if it terminates the suspension as described 2000  
in this division. 2001

(C) The court may establish a victim-offender mediation 2002  
program in which victims and their offenders meet to discuss the 2003  
offense and suggest possible restitution. If the court obtains the 2004  
assent of the victim of the delinquent act committed by the child, 2005  
the court may require the child to participate in the program. 2006

(D)(1) If a child is adjudicated a delinquent child for 2008  
committing an act that would be a felony if committed by an adult 2009  
and if the child caused, attempted to cause, threatened to cause, 2010  
or created a risk of physical harm to the victim of the act, the 2011  
court, prior to issuing an order of disposition under this 2012  
section, shall order the preparation of a victim impact statement 2013  
by the probation department of the county in which the victim of 2014  
the act resides, by the court's own probation department, or by a 2015



victim assistance program that is operated by the state, a county, 2016  
a municipal corporation, or another governmental entity. The court 2017  
shall consider the victim impact statement in determining the 2018  
order of disposition to issue for the child. 2019

(2) Each victim impact statement shall identify the victim of 2020  
the act for which the child was adjudicated a delinquent child, 2021  
itemize any economic loss suffered by the victim as a result of 2022  
the act, identify any physical injury suffered by the victim as a 2023  
result of the act and the seriousness and permanence of the 2024  
injury, identify any change in the victim's personal welfare or 2025  
familial relationships as a result of the act and any 2026  
psychological impact experienced by the victim or the victim's 2027  
family as a result of the act, and contain any other information 2028  
related to the impact of the act upon the victim that the court 2029  
requires. 2030

(3) A victim impact statement shall be kept confidential and 2031  
is not a public record. However, the court may furnish copies of 2032  
the statement to the department of youth services if the 2033  
delinquent child is committed to the department or to both the 2034  
adjudicated delinquent child or the adjudicated delinquent child's 2035  
counsel and the prosecuting attorney. The copy of a victim impact 2036  
statement furnished by the court to the department pursuant to 2037  
this section shall be kept confidential and is not a public 2038  
record. If an officer is preparing pursuant to section 2947.06 or 2039  
2951.03 of the Revised Code or Criminal Rule 32.2 a presentence 2040  
investigation report pertaining to a person, the court shall make 2041  
available to the officer, for use in preparing the report, a copy 2042  
of any victim impact statement regarding that person. The copies 2043  
of a victim impact statement that are made available to the 2044  
adjudicated delinquent child or the adjudicated delinquent child's 2045  
counsel and the prosecuting attorney pursuant to this division 2046  
shall be returned to the court by the person to whom they were 2047

made available immediately following the imposition of an order of disposition for the child under this chapter. 2048  
2049

The copy of a victim impact statement that is made available pursuant to this division to an officer preparing a criminal presentence investigation report shall be returned to the court by the officer immediately following its use in preparing the report. 2050  
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(4) The department of youth services shall work with local probation departments and victim assistance programs to develop a standard victim impact statement. 2054  
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(E) If a child is adjudicated a delinquent child for being a chronic truant or an habitual truant who previously has been adjudicated an unruly child for being an habitual truant and the court determines that the parent, guardian, or other person having care of the child has failed to cause the child's attendance at school in violation of section 3321.38 of the Revised Code, in addition to any order of disposition it makes under this section, the court shall warn the parent, guardian, or other person having care of the child that any subsequent adjudication of the child as an unruly or delinquent child for being an habitual or chronic truant may result in a criminal charge against the parent, guardian, or other person having care of the child for a violation of division (C) of section 2919.21 or section 2919.24 of the Revised Code. 2057  
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(F)(1) During the period of a delinquent child's community control granted under this section, authorized probation officers who are engaged within the scope of their supervisory duties or responsibilities may search, with or without a warrant, the person of the delinquent child, the place of residence of the delinquent child, and a motor vehicle, another item of tangible or intangible personal property, or other real property in which the delinquent child has a right, title, or interest or for which the delinquent child has the express or implied permission of a person with a 2071  
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right, title, or interest to use, occupy, or possess if the 2080  
probation officers have reasonable grounds to believe that the 2081  
delinquent child is not abiding by the law or otherwise is not 2082  
complying with the conditions of the delinquent child's community 2083  
control. The court that places a delinquent child on community 2084  
control under this section shall provide the delinquent child with 2085  
a written notice that informs the delinquent child that authorized 2086  
probation officers who are engaged within the scope of their 2087  
supervisory duties or responsibilities may conduct those types of 2088  
searches during the period of community control if they have 2089  
reasonable grounds to believe that the delinquent child is not 2090  
abiding by the law or otherwise is not complying with the 2091  
conditions of the delinquent child's community control. The court 2092  
also shall provide the written notice described in division (E)(2) 2093  
of this section to each parent, guardian, or custodian of the 2094  
delinquent child who is described in that division. 2095

(2) The court that places a child on community control under 2096  
this section shall provide the child's parent, guardian, or other 2097  
custodian with a written notice that informs them that authorized 2098  
probation officers may conduct searches pursuant to division 2099  
(E)(1) of this section. The notice shall specifically state that a 2100  
permissible search might extend to a motor vehicle, another item 2101  
of tangible or intangible personal property, or a place of 2102  
residence or other real property in which a notified parent, 2103  
guardian, or custodian has a right, title, or interest and that 2104  
the parent, guardian, or custodian expressly or impliedly permits 2105  
the child to use, occupy, or possess. 2106

(G) If a juvenile court commits a delinquent child to the 2107  
custody of any person, organization, or entity pursuant to this 2108  
section and if the delinquent act for which the child is so 2109  
committed is a sexually oriented offense, the court in the order 2110  
of disposition shall do one of the following: 2111

(1) Require that the child be provided treatment as described 2112  
in division (A)(2) of section 5139.13 of the Revised Code; 2113

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(2) Inform the person, organization, or entity that it is the 2115  
preferred course of action in this state that the child be 2116

provided treatment as described in division (A)(2) of section 2117

5139.13 of the Revised Code and encourage the person, 2118

organization, or entity to provide that treatment. 2119

**Sec. 2152.21.** (A) Unless division (C) of this section 2120  
applies, if a child is adjudicated a juvenile traffic offender, 2121

the court may make any of the following orders of disposition: 2122

(1) Impose costs and one or more financial sanctions in 2123

accordance with section 2152.20 of the Revised Code; 2124

(2) Suspend the child's driver's license, probationary 2125

driver's license, or temporary instruction permit for a definite 2126

period not exceeding two years or suspend the registration of all 2127

motor vehicles registered in the name of the child for a definite 2128

period not exceeding two years. A child whose license or permit is 2129

so suspended is ineligible for issuance of a license or permit 2130

during the period of suspension. At the end of the period of 2131

suspension, the child shall not be reissued a license or permit 2132

until the child has paid any applicable reinstatement fee and 2133

complied with all requirements governing license reinstatement. 2134

(3) Place the child on community control; 2135

(4) Require the child to make restitution for all damages 2136

caused by the child's traffic violation; 2137

(5)(a) If the child is adjudicated a juvenile traffic 2138

offender for committing a violation of division (A) of section 2139

4511.19 of the Revised Code or of a municipal ordinance that is 2140

substantially equivalent to that division, commit the child, for 2141

not longer than five days, to either of the following: 2142

(i) ~~To the~~ The temporary custody of a detention facility or 2143  
district detention facility established under section 2152.41 of 2144  
the Revised Code; 2145

(ii) ~~To the~~ The temporary custody of any school, camp, 2146  
institution, or other facility for children operated in whole or 2147  
in part for the care of juvenile traffic offenders of that nature 2148  
by the county, by a district organized under section 2152.41 or 2149  
2151.65 of the Revised Code, or by a private agency or 2150  
organization within the state that is authorized and qualified to 2151  
provide the care, treatment, or placement required. 2152

(b) If an order of disposition committing a child to the 2153  
temporary custody of a home, school, camp, institution, or other 2154  
facility of that nature is made under division (A)(5)(a) of this 2155  
section, the length of the commitment shall not be reduced or 2156  
diminished as a credit for any time that the child was held in a 2157  
place of detention or shelter care, or otherwise was detained, 2158  
prior to entry of the order of disposition. 2159

(6) If, after making a disposition under divisions (A)(1) to 2160  
(5) of this section, the court finds upon further hearing that the 2161  
child has failed to comply with the orders of the court and the 2162  
child's operation of a motor vehicle constitutes the child a 2163  
danger to the child and to others, the court may make any 2164  
disposition authorized by divisions (A)(1), (3), (4), and (7) of 2165  
section 2152.19 of the Revised Code, except that the child may not 2166  
be committed to or placed in a secure correctional facility unless 2167  
authorized by division (A)(5) of this section, and commitment to 2168  
or placement in a detention facility may not exceed twenty-four 2169  
hours. 2170

(B) If a child is adjudicated a juvenile traffic offender for 2171  
violating division (A) or (B) of section 4511.19 of the Revised 2172

Code, in addition to any order of disposition made under division 2173  
(A) of this section, the court shall ~~suspend~~ impose a class six 2174  
suspension of the temporary instruction permit, probationary 2175  
driver's license, or driver's license issued to the child ~~for a~~ 2176  
~~definite period of at least three months but not more than two~~ 2177  
~~years or, at the discretion of the court, until~~ from the range 2178  
specified in division (A)(6) of section 4510.02 of the Revised 2179  
Code. The court, in its discretion, may terminate the suspension 2180  
if the child attends and satisfactorily completes a drug abuse or 2181  
alcohol abuse education, intervention, or treatment program 2182  
specified by the court. During the time the child is attending ~~the~~ 2183  
a program as described in this division, the court shall retain 2184  
~~any~~ the child's temporary instruction permit, probationary 2185  
driver's license, or driver's license issued ~~to the child~~, and the 2186  
court shall return the permit or license ~~when the child~~ 2187  
~~satisfactorily completes the program~~ if it terminates the 2188  
suspension as described in this division. 2189

(C) If a child is adjudicated a juvenile traffic offender for 2190  
violating division (B)(1) ~~or (2)~~ of section 4513.263 of the 2191  
Revised Code, the court shall impose the appropriate fine set 2192  
forth in division (G) of that section ~~4513.99 of the Revised Code.~~ 2193  
If a child is adjudicated a juvenile traffic offender for 2194  
violating division (B)(3) of section 4513.263 of the Revised Code 2195  
and if the child is sixteen years of age or older, the court shall 2196  
impose the fine set forth in division (G)(2) of that section 2197  
~~4513.99 of the Revised Code.~~ If a child is adjudicated a juvenile 2198  
traffic offender for violating division (B)(3) of section 4513.263 2199  
of the Revised Code and if the child is under sixteen years of 2200  
age, the court shall not impose a fine but may place the child on 2201  
probation or community control. 2202

(D) A juvenile traffic offender is subject to sections 2203  
4509.01 to 4509.78 of the Revised Code. 2204

**Sec. 2743.191.** (A) There is hereby created in the state 2205  
treasury the reparations fund, which shall be used only for the 2206  
payment of awards of reparations that are granted by the attorney 2207  
general, the compensation of any personnel needed by the attorney 2208  
general to administer sections 2743.51 to 2743.72 of the Revised 2209  
Code, the compensation of witnesses as provided in division (B) of 2210  
section 2743.65 of the Revised Code, other administrative costs of 2211  
hearing and determining claims for an award of reparations by the 2212  
attorney general, the costs of administering sections 2907.28 and 2213  
2969.01 to 2969.06 of the Revised Code, the costs of investigation 2214  
and decision-making as certified by the attorney general, the 2215  
provision of state financial assistance to victim assistance 2216  
programs in accordance with sections 109.91 and 109.92 of the 2217  
Revised Code, the costs of paying the expenses of sex 2218  
offense-related examinations and antibiotics pursuant to section 2219  
2907.28 of the Revised Code, the cost of printing and distributing 2220  
the pamphlet prepared by the attorney general pursuant to section 2221  
109.42 of the Revised Code, and, subject to division (D) of 2222  
section 2743.71 of the Revised Code, the costs associated with the 2223  
printing and providing of information cards or other printed 2224  
materials to law enforcement agencies and prosecuting authorities 2225  
and with publicizing the availability of awards of reparations 2226  
pursuant to section 2743.71 of the Revised Code. All costs paid 2227  
pursuant to section 2743.70 of the Revised Code, the portions of 2228  
license reinstatement fees mandated by division ~~(L)~~(F)(2)(b) of 2229  
section 4511.191 of the Revised Code to be credited to the fund, 2230  
the portions of the proceeds of the sale of a forfeited vehicle 2231  
specified in division ~~(D)~~(C)(2) of section 4503.234 of the Revised 2232  
Code, payments collected by the department of rehabilitation and 2233  
correction from prisoners who voluntarily participate in an 2234  
approved work and training program pursuant to division 2235  
(C)(8)(b)(ii) of section 5145.16 of the Revised Code, and all 2236

moneys collected by the state pursuant to its right of subrogation 2237  
provided in section 2743.72 of the Revised Code shall be deposited 2238  
in the fund. 2239

(B) In making an award of reparations, the attorney general 2240  
shall render the award against the state. The award shall be 2241  
accomplished only through the following procedure, and the 2242  
following procedure may be enforced by writ of mandamus directed 2243  
to the appropriate official: 2244

(1) The attorney general shall provide for payment of the 2245  
claimant or providers in the amount of the award. 2246

(2) The expense shall be charged against all available 2247  
unencumbered moneys in the fund. 2248

(3) If sufficient unencumbered moneys do not exist in the 2249  
fund, the attorney general shall make application for payment of 2250  
the award out of the emergency purposes account or any other 2251  
appropriation for emergencies or contingencies, and payment out of 2252  
this account or other appropriation shall be authorized if there 2253  
are sufficient moneys greater than the sum total of then pending 2254  
emergency purposes account requests or requests for releases from 2255  
the other appropriations. 2256

(4) If sufficient moneys do not exist in the account or any 2257  
other appropriation for emergencies or contingencies to pay the 2258  
award, the attorney general shall request the general assembly to 2259  
make an appropriation sufficient to pay the award, and no payment 2260  
shall be made until the appropriation has been made. The attorney 2261  
general shall make this appropriation request during the current 2262  
biennium and during each succeeding biennium until a sufficient 2263  
appropriation is made. If, prior to the time that an appropriation 2264  
is made by the general assembly pursuant to this division, the 2265  
fund has sufficient unencumbered funds to pay the award or part of 2266  
the award, the available funds shall be used to pay the award or 2267



part of the award, and the appropriation request shall be amended 2268  
to request only sufficient funds to pay that part of the award 2269  
that is unpaid. 2270

(C) The attorney general shall not make payment on a decision 2271  
or order granting an award until all appeals have been determined 2272  
and all rights to appeal exhausted, except as otherwise provided 2273  
in this section. If any party to a claim for an award of 2274  
reparations appeals from only a portion of an award, and a 2275  
remaining portion provides for the payment of money by the state, 2276  
that part of the award calling for the payment of money by the 2277  
state and not a subject of the appeal shall be processed for 2278  
payment as described in this section. 2279

(D) The attorney general shall prepare itemized bills for the 2280  
costs of printing and distributing the pamphlet the attorney 2281  
general prepares pursuant to section 109.42 of the Revised Code. 2282  
The itemized bills shall set forth the name and address of the 2283  
persons owed the amounts set forth in them. 2284

**Sec. 2743.51.** As used in sections 2743.51 to 2743.72 of the 2285  
Revised Code: 2286

(A) "Claimant" means both of the following categories of 2287  
persons: 2288

(1) Any of the following persons who claim an award of 2289  
reparations under sections 2743.51 to 2743.72 of the Revised Code: 2290

(a) A victim who was one of the following at the time of the 2291  
criminally injurious conduct: 2292

(i) A resident of the United States; 2293

(ii) A resident of a foreign country the laws of which permit 2294  
residents of this state to recover compensation as victims of 2295  
offenses committed in that country. 2296

(b) A dependent of a deceased victim who is described in 2297

division (A)(1)(a) of this section;	2298
(c) A third person, other than a collateral source, who	2299
legally assumes or voluntarily pays the obligations of a victim,	2300
or of a dependent of a victim, who is described in division	2301
(A)(1)(a) of this section, which obligations are incurred as a	2302
result of the criminally injurious conduct that is the subject of	2303
the claim and may include, but are not limited to, medical or	2304
burial expenses;	2305
(d) A person who is authorized to act on behalf of any person	2306
who is described in division (A)(1)(a), (b), or (c) of this	2307
section.	2308
(2) Any of the following persons who claim an award of	2309
reparations under sections 2743.51 to 2743.72 of the Revised Code:	2310
(a) A victim who had a permanent place of residence within	2311
this state at the time of the criminally injurious conduct and	2312
who, at the time of the criminally injurious conduct, complied	2313
with any one of the following:	2314
(i) Had a permanent place of employment in this state;	2315
(ii) Was a member of the regular armed forces of the United	2316
States or of the United States coast guard or was a full-time	2317
member of the Ohio organized militia or of the United States army	2318
reserve, naval reserve, or air force reserve;	2319
(iii) Was retired and receiving social security or any other	2320
retirement income;	2321
(iv) Was sixty years of age or older;	2322
(v) Was temporarily in another state for the purpose of	2323
receiving medical treatment;	2324
(vi) Was temporarily in another state for the purpose of	2325
performing employment-related duties required by an employer	2326
located within this state as an express condition of employment or	2327

employee benefits;	2328
(vii) Was temporarily in another state for the purpose of receiving occupational, vocational, or other job-related training or instruction required by an employer located within this state as an express condition of employment or employee benefits;	2329 2330 2331 2332
(viii) Was a full-time student at an academic institution, college, or university located in another state;	2333 2334
(ix) Had not departed the geographical boundaries of this state for a period exceeding thirty days or with the intention of becoming a citizen of another state or establishing a permanent place of residence in another state.	2335 2336 2337 2338
(b) A dependent of a deceased victim who is described in division (A)(2)(a) of this section;	2339 2340
(c) A third person, other than a collateral source, who legally assumes or voluntarily pays the obligations of a victim, or of a dependent of a victim, who is described in division (A)(2)(a) of this section, which obligations are incurred as a result of the criminally injurious conduct that is the subject of the claim and may include, but are not limited to, medical or burial expenses;	2341 2342 2343 2344 2345 2346 2347
(d) A person who is authorized to act on behalf of any person who is described in division (A)(2)(a), (b), or (c) of this section.	2348 2349 2350
(B) "Collateral source" means a source of benefits or advantages for economic loss otherwise reparable that the victim or claimant has received, or that is readily available to the victim or claimant, from any of the following sources:	2351 2352 2353 2354
(1) The offender;	2355
(2) The government of the United States or any of its agencies, a state or any of its political subdivisions, or an	2356 2357

instrumentality of two or more states, unless the law providing	2358
for the benefits or advantages makes them excess or secondary to	2359
benefits under sections 2743.51 to 2743.72 of the Revised Code;	2360
(3) Social security, medicare, and medicaid;	2361
(4) State-required, temporary, nonoccupational disability	2362
insurance;	2363
(5) Workers' compensation;	2364
(6) Wage continuation programs of any employer;	2365
(7) Proceeds of a contract of insurance payable to the victim	2366
for loss that the victim sustained because of the criminally	2367
injurious conduct;	2368
(8) A contract providing prepaid hospital and other health	2369
care services, or benefits for disability;	2370
(9) That portion of the proceeds of all contracts of	2371
insurance payable to the claimant on account of the death of the	2372
victim that exceeds fifty thousand dollars;	2373
(10) Any compensation recovered or recoverable under the laws	2374
of another state, district, territory, or foreign country because	2375
the victim was the victim of an offense committed in that state,	2376
district, territory, or country.	2377
"Collateral source" does not include any money, or the	2378
monetary value of any property, that is subject to sections	2379
2969.01 to 2969.06 of the Revised Code.	2380
(C) "Criminally injurious conduct" means one of the	2381
following:	2382
(1) For the purposes of any person described in division	2383
(A)(1) of this section, any conduct that occurs or is attempted in	2384
this state; poses a substantial threat of personal injury or	2385
death; and is punishable by fine, imprisonment, or death, or would	2386
be so punishable but for the fact that the person engaging in the	2387

conduct lacked capacity to commit the crime under the laws of this 2388  
state. Criminally injurious conduct does not include conduct 2389  
arising out of the ownership, maintenance, or use of a motor 2390  
vehicle, except when any of the following applies: 2391

(a) The person engaging in the conduct intended to cause 2392  
personal injury or death; 2393

(b) The person engaging in the conduct was using the vehicle 2394  
to flee immediately after committing a felony or an act that would 2395  
constitute a felony but for the fact that the person engaging in 2396  
the conduct lacked the capacity to commit the felony under the 2397  
laws of this state; 2398

(c) The person engaging in the conduct was using the vehicle 2399  
in a manner that constitutes an ~~OMVI~~ OVI violation; 2400

(d) The conduct occurred on or after July 25, 1990, and the 2401  
person engaging in the conduct was using the vehicle in a manner 2402  
that constitutes a violation of section 2903.08 of the Revised 2403  
Code. 2404

(2) For the purposes of any person described in division 2405  
(A)(2) of this section, any conduct that occurs or is attempted in 2406  
another state, district, territory, or foreign country; poses a 2407  
substantial threat of personal injury or death; and is punishable 2408  
by fine, imprisonment, or death, or would be so punishable but for 2409  
the fact that the person engaging in the conduct lacked capacity 2410  
to commit the crime under the laws of the state, district, 2411  
territory, or foreign country in which the conduct occurred or was 2412  
attempted. Criminally injurious conduct does not include conduct 2413  
arising out of the ownership, maintenance, or use of a motor 2414  
vehicle, except when any of the following applies: 2415

(a) The person engaging in the conduct intended to cause 2416  
personal injury or death; 2417

(b) The person engaging in the conduct was using the vehicle 2418

to flee immediately after committing a felony or an act that would 2419  
constitute a felony but for the fact that the person engaging in 2420  
the conduct lacked the capacity to commit the felony under the 2421  
laws of the state, district, territory, or foreign country in 2422  
which the conduct occurred or was attempted; 2423

(c) The person engaging in the conduct was using the vehicle 2424  
in a manner that constitutes an ~~OMVI~~ OVI violation; 2425

(d) The conduct occurred on or after July 25, 1990, the 2426  
person engaging in the conduct was using the vehicle in a manner 2427  
that constitutes a violation of any law of the state, district, 2428  
territory, or foreign country in which the conduct occurred, and 2429  
that law is substantially similar to a violation of section 2430  
2903.08 of the Revised Code. 2431

(3) For the purposes of any person described in division 2432  
(A)(1) or (2) of this section, terrorism that occurs within or 2433  
outside the territorial jurisdiction of the United States. 2434

(D) "Dependent" means an individual wholly or partially 2435  
dependent upon the victim for care and support, and includes a 2436  
child of the victim born after the victim's death. 2437

(E) "Economic loss" means economic detriment consisting only 2438  
of allowable expense, work loss, funeral expense, unemployment 2439  
benefits loss, replacement services loss, cost of crime scene 2440  
cleanup, and cost of evidence replacement. If criminally injurious 2441  
conduct causes death, economic loss includes a dependent's 2442  
economic loss and a dependent's replacement services loss. 2443  
Noneconomic detriment is not economic loss; however, economic loss 2444  
may be caused by pain and suffering or physical impairment. 2445

(F)(1) "Allowable expense" means reasonable charges incurred 2447  
for reasonably needed products, services, and accommodations, 2448  
including those for medical care, rehabilitation, rehabilitative 2449

occupational training, and other remedial treatment and care and 2450  
including replacement costs for eyeglasses and other corrective 2451  
lenses. It does not include that portion of a charge for a room in 2452  
a hospital, clinic, convalescent home, nursing home, or any other 2453  
institution engaged in providing nursing care and related services 2454  
in excess of a reasonable and customary charge for semiprivate 2455  
accommodations, unless accommodations other than semiprivate 2456  
accommodations are medically required. 2457

(2) An immediate family member of a victim of criminally 2458  
injurious conduct that consists of a homicide, a sexual assault, 2459  
domestic violence, or a severe and permanent incapacitating injury 2460  
resulting in paraplegia or a similar life-altering condition, who 2461  
requires psychiatric care or counseling as a result of the 2462  
criminally injurious conduct, may be reimbursed for that care or 2463  
counseling as an allowable expense through the victim's 2464  
application. The cumulative allowable expense for care or 2465  
counseling of that nature for each family member of a victim of 2466  
that type shall not exceed two thousand five hundred dollars. 2467

(G) "Work loss" means loss of income from work that the 2468  
injured person would have performed if the person had not been 2469  
injured and expenses reasonably incurred by the person to obtain 2470  
services in lieu of those the person would have performed for 2471  
income, reduced by any income from substitute work actually 2472  
performed by the person, or by income the person would have earned 2473  
in available appropriate substitute work that the person was 2474  
capable of performing but unreasonably failed to undertake. 2475

(H) "Replacement services loss" means expenses reasonably 2476  
incurred in obtaining ordinary and necessary services in lieu of 2477  
those the injured person would have performed, not for income, but 2478  
for the benefit of the person's self or family, if the person had 2479  
not been injured. 2480

(I) "Dependent's economic loss" means loss after a victim's 2481

death of contributions of things of economic value to the victim's 2482  
dependents, not including services they would have received from 2483  
the victim if the victim had not suffered the fatal injury, less 2484  
expenses of the dependents avoided by reason of the victim's 2485  
death. If a minor child of a victim is adopted after the victim's 2486  
death, the minor child continues after the adoption to incur a 2487  
dependent's economic loss as a result of the victim's death. If 2488  
the surviving spouse of a victim remarries, the surviving spouse 2489  
continues after the remarriage to incur a dependent's economic 2490  
loss as a result of the victim's death. 2491

(J) "Dependent's replacement services loss" means loss 2492  
reasonably incurred by dependents after a victim's death in 2493  
obtaining ordinary and necessary services in lieu of those the 2494  
victim would have performed for their benefit if the victim had 2495  
not suffered the fatal injury, less expenses of the dependents 2496  
avoided by reason of the victim's death and not subtracted in 2497  
calculating the dependent's economic loss. If a minor child of a 2498  
victim is adopted after the victim's death, the minor child 2499  
continues after the adoption to incur a dependent's replacement 2500  
services loss as a result of the victim's death. If the surviving 2501  
spouse of a victim remarries, the surviving spouse continues after 2502  
the remarriage to incur a dependent's replacement services loss as 2503  
a result of the victim's death. 2504

(K) "Noneconomic detriment" means pain, suffering, 2505  
inconvenience, physical impairment, or other nonpecuniary damage. 2506

(L) "Victim" means a person who suffers personal injury or 2507  
death as a result of any of the following: 2508

(1) Criminally injurious conduct; 2509

(2) The good faith effort of any person to prevent criminally 2510  
injurious conduct; 2511

(3) The good faith effort of any person to apprehend a person 2512



suspected of engaging in criminally injurious conduct. 2513

(M) "Contributory misconduct" means any conduct of the 2514  
claimant or of the victim through whom the claimant claims an 2515  
award of reparations that is unlawful or intentionally tortious 2516  
and that, without regard to the conduct's proximity in time or 2517  
space to the criminally injurious conduct, has a causal 2518  
relationship to the criminally injurious conduct that is the basis 2519  
of the claim. 2520

(N) "Funeral expense" means any reasonable charges that are 2521  
not in excess of five thousand dollars per funeral and that are 2522  
incurred for expenses directly related to a victim's funeral, 2523  
cremation, or burial. 2524

(O) "Unemployment benefits loss" means a loss of unemployment 2525  
benefits pursuant to Chapter 4141. of the Revised Code when the 2526  
loss arises solely from the inability of a victim to meet the able 2527  
to work, available for suitable work, or the actively seeking 2528  
suitable work requirements of division (A)(4)(a) of section 2529  
4141.29 of the Revised Code. 2530

(P) "~~OMVI~~ OVI violation" means any of the following: 2531

(1) A violation of section 4511.19 of the Revised Code, of 2532  
any municipal ordinance prohibiting the operation of a vehicle 2533  
while under the influence of alcohol, a drug of abuse, or ~~alcohol~~ 2534  
~~and a drug of abuse~~ combination of them, or of any municipal 2535  
ordinance prohibiting the operation of a vehicle with a prohibited 2536  
concentration of alcohol in the whole blood, blood serum or 2537  
plasma, breath, or urine; 2538

(2) A violation of division (A)(1) of section 2903.06 of the 2539  
Revised Code; 2540

(3) A violation of division (A)(2), (3), or (4) of section 2541  
2903.06 of the Revised Code or of a municipal ordinance 2542  
substantially similar to any of those divisions, if the offender 2543

was under the influence of alcohol, a drug of abuse, or ~~alcohol~~ 2544  
~~and a drug of abuse~~ combination of them, at the time of the 2545  
commission of the offense; 2546

(4) For purposes of any person described in division (A)(2) 2547  
of this section, a violation of any law of the state, district, 2548  
territory, or foreign country in which the criminally injurious 2549  
conduct occurred, if that law is substantially similar to a 2550  
violation described in division (P)(1) or (2) of this section or 2551  
if that law is substantially similar to a violation described in 2552  
division (P)(3) of this section and the offender was under the 2553  
influence of alcohol, a drug of abuse, or ~~alcohol and a drug of~~ 2554  
~~abuse~~ combination of them, at the time of the commission of the 2555  
offense. 2556

(Q) "Pendency of the claim" for an original reparations 2557  
application or supplemental reparations application means the 2558  
period of time from the date the criminally injurious conduct upon 2559  
which the application is based occurred until the date a final 2560  
decision, order, or judgment concerning that original reparations 2561  
application or supplemental reparations application is issued. 2562

(R) "Terrorism" means any activity to which all of the 2563  
following apply: 2564

(1) The activity involves a violent act or an act that is 2565  
dangerous to human life. 2566

(2) The act described in division (R)(1) of this section is 2567  
committed within the territorial jurisdiction of the United States 2568  
and is a violation of the criminal laws of the United States, this 2569  
state, or any other state or the act described in division (R)(1) 2570  
of this section is committed outside the territorial jurisdiction 2571  
of the United States and would be a violation of the criminal laws 2572  
of the United States, this state, or any other state if committed 2573  
within the territorial jurisdiction of the United States. 2574

(3) The activity appears to be intended to do any of the following:	2575 2576
(a) Intimidate or coerce a civilian population;	2577
(b) Influence the policy of any government by intimidation or coercion;	2578 2579
(c) Affect the conduct of any government by assassination or kidnapping.	2580 2581
(4) The activity occurs primarily outside the territorial jurisdiction of the United States or transcends the national boundaries of the United States in terms of the means by which the activity is accomplished, the person or persons that the activity appears intended to intimidate or coerce, or the area or locale in which the perpetrator or perpetrators of the activity operate or seek asylum.	2582 2583 2584 2585 2586 2587 2588
(S) "Transcends the national boundaries of the United States" means occurring outside the territorial jurisdiction of the United States in addition to occurring within the territorial jurisdiction of the United States.	2589 2590 2591 2592
(T) "Cost of crime scene cleanup" means reasonable and necessary costs of cleaning the scene where the criminally injurious conduct occurred, not to exceed seven hundred fifty dollars in the aggregate per claim.	2593 2594 2595 2596
(U) "Cost of evidence replacement" means costs for replacement of property confiscated for evidentiary purposes related to the criminally injurious conduct, not to exceed seven hundred fifty dollars in the aggregate per claim.	2597 2598 2599 2600
(V) "Provider" means any person who provides a victim or claimant with a product, service, or accommodations that are an allowable expense or a funeral expense.	2601 2602 2603
(W) "Immediate family member" means an individual who is	2604

related to a victim within the first degree by affinity or 2605  
consanguinity. 2606

**Sec. 2743.52.** (A) The attorney general shall make awards of 2607  
reparations for economic loss arising from criminally injurious 2608  
conduct, if satisfied by a preponderance of the evidence that the 2609  
requirements for an award of reparations have been met. 2610

(B) A court of claims panel of commissioners or a judge of 2611  
the court of claims has appellate jurisdiction to order awards of 2612  
reparations for economic loss arising from criminally injurious 2613  
conduct, if satisfied by a preponderance of the evidence that the 2614  
requirements for an award of reparations have been met. 2615

(C) A decision of the attorney general, an order of a court 2616  
of claims panel of commissioners, or the judgment of a judge of 2617  
the court of claims concerning an ~~OMVI~~ OVI violation shall not be 2618  
used as the basis for any civil or criminal action and shall not 2619  
be admissible as evidence in any civil or criminal proceeding. 2620

**Sec. 2903.04.** (A) No person shall cause the death of another 2621  
or the unlawful termination of another's pregnancy as a proximate 2622  
result of the offender's committing or attempting to commit a 2623  
felony. 2624

(B) No person shall cause the death of another or the 2625  
unlawful termination of another's pregnancy as a proximate result 2626  
of the offender's committing or attempting to commit a misdemeanor 2627  
of any degree, a regulatory offense, or a minor misdemeanor other 2628  
than a violation of any section contained in Title XLV of the 2629  
Revised Code that is a minor misdemeanor and other than a 2630  
violation of an ordinance of a municipal corporation that, 2631  
regardless of the penalty set by ordinance for the violation, is 2632  
substantially equivalent to any section contained in Title XLV of 2633  
the Revised Code that is a minor misdemeanor. 2634

(C) Whoever violates this section is guilty of involuntary manslaughter. Violation of division (A) of this section is a felony of the first degree. Violation of division (B) of this section is a felony of the third degree.

(D) If an offender is convicted of or pleads guilty to a violation of division (A) or (B) of this section and if the felony, misdemeanor, or regulatory offense that the offender committed or attempted to commit, that proximately resulted in the death of the other person or the unlawful termination of another's pregnancy, and that is the basis of the offender's violation of division (A) or (B) of this section was a violation of division (A) or (B) of section 4511.19 of the Revised Code or of a substantially equivalent municipal ordinance or included, as an element of that felony, misdemeanor, or regulatory offense, the offender's operation or participation in the operation of a snowmobile, locomotive, watercraft, or aircraft while the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, both of the following apply:

(1) The court shall ~~permanently revoke~~ impose a class one suspension of the offender's driver's or commercial driver's license or permit or nonresident operating privilege ~~pursuant to as specified in division (A)(1) of section 4507.16~~ 4510.02 of the Revised Code.

(2) The court shall impose a mandatory prison term for the violation of division (A) or (B) of this section from the range of prison terms authorized for the level of the offense under section 2929.14 of the Revised Code.

**Sec. 2903.06.** (A) No person, while operating or participating in the operation of a motor vehicle, motorcycle, snowmobile, locomotive, watercraft, or aircraft, shall cause the death of another or the unlawful termination of another's pregnancy in any

of the following ways: 2666

(1) As the proximate result of committing a violation of 2667  
division (A) of section 4511.19 of the Revised Code or of a 2668  
substantially equivalent municipal ordinance; 2669

(2) Recklessly; 2670

(3) Negligently; 2671

(4) As the proximate result of committing a violation of any 2672  
provision of any section contained in Title XLV of the Revised 2673  
Code that is a minor misdemeanor or of a municipal ordinance that, 2674  
regardless of the penalty set by ordinance for the violation, is 2675  
substantially equivalent to any provision of any section contained 2676  
in Title XLV of the Revised Code that is a minor misdemeanor. 2677

(B)(1) Whoever violates division (A)(1) or (2) of this 2678  
section is guilty of aggravated vehicular homicide and shall be 2679  
punished as provided in divisions (B)(1)(a) and (b) of this 2680  
section. 2681

(a) Except as otherwise provided in this division, aggravated 2682  
vehicular homicide committed in violation of division (A)(1) of 2683  
this section is a felony of the second degree. Aggravated 2684  
vehicular homicide committed in violation of division (A)(1) of 2685  
this section is a felony of the first degree if, at the time of 2686  
the offense, the offender was driving under a suspension imposed 2687  
under Chapter ~~4507~~. 4510. or any other provision of the Revised 2688  
Code or if the offender previously has been convicted of or 2689  
pleaded guilty to a violation of this section; any traffic-related 2690  
homicide, manslaughter, or assault offense; three prior violations 2691  
of section 4511.19 of the Revised Code or of a substantially 2692  
equivalent municipal ordinance within the previous six years; or a 2693  
second or subsequent felony violation of division (A) of section 2694  
4511.19 of the Revised Code. 2695

In addition to any other sanctions imposed, the court shall 2696

~~permanently revoke~~ impose upon the offender a class one suspension 2697  
of the offender's driver's license, commercial driver's license, 2698  
temporary instruction permit, probationary license, or nonresident 2699  
operating privilege ~~pursuant to~~ as specified in division (A)(1) of 2700  
section ~~4507.16~~ 4510.02 of the Revised Code. 2701

(b) Except as otherwise provided in this division, aggravated 2702  
vehicular homicide committed in violation of division (A)(2) of 2703  
this section is a felony of the third degree. Aggravated vehicular 2704  
homicide committed in violation of division (A)(2) of this section 2705  
is a felony of the second degree if, at the time of the offense, 2706  
the offender was driving under a suspension imposed under Chapter 2707  
~~4507. of the Revised Code~~ 4510. or any other provision of the 2708  
Revised Code or if the offender previously has been convicted of 2709  
or pleaded guilty to a violation of this section or any 2710  
traffic-related homicide, manslaughter, or assault offense. 2711

In addition to any other sanctions imposed, the court shall 2712  
~~suspend~~ impose upon the offender a class two suspension of the 2713  
offender's driver's license, commercial driver's license, 2714  
temporary instruction permit, probationary license, or nonresident 2715  
operating privilege ~~for a definite period of three years to life~~ 2716  
~~pursuant to~~ from the range specified in division (A)(2) of section 2717  
~~4507.16~~ 4510.02 of the Revised Code. 2718

(2) Whoever violates division (A)(3) of this section is 2719  
guilty of vehicular homicide. Except as otherwise provided in this 2720  
division, vehicular homicide is a misdemeanor of the first degree. 2721  
Vehicular homicide is a felony of the fourth degree if, at the 2722  
time of the offense, the offender was driving under a suspension 2723  
or revocation imposed under Chapter 4507. or any other provision 2724  
of the Revised Code or if the offender previously has been 2725  
convicted of or pleaded guilty to a violation of this section or 2726  
any traffic-related homicide, manslaughter, or assault offense. 2727

In addition to any other sanctions imposed, the court shall 2728

~~suspend~~ impose upon the offender a class four suspension of the 2729  
offender's driver's license, commercial driver's license, 2730  
temporary instruction permit, probationary license, or nonresident 2731  
operating privilege ~~for a definite period of one to five years~~ 2732  
~~pursuant to~~ from the range specified in division (A)(4) of 2733  
~~4507.16~~ 4510.02 of the Revised Code or, if the offender previously 2734  
has been convicted of or pleaded guilty to a violation of this 2735  
section or any traffic-related homicide, manslaughter, or assault 2736  
offense, ~~for a definite period of two to ten years pursuant to a~~ 2737  
class three suspension of the offender's driver's license, 2738  
commercial driver's license, temporary instruction permit, 2739  
probationary license, or nonresident operating privilege from the 2740  
range specified in division (A)(3) of that section. 2741

(3) Whoever violates division (A)(4) of this section is 2742  
guilty of vehicular manslaughter. Except as otherwise provided in 2743  
this division, vehicular manslaughter is a misdemeanor of the 2744  
second degree. Vehicular manslaughter is a misdemeanor of the 2745  
first degree if, at the time of the offense, the offender was 2746  
driving under a suspension imposed under Chapter ~~4507.~~ 4510. or 2747  
any other provision of the Revised Code or if the offender 2748  
previously has been convicted of or pleaded guilty to a violation 2749  
of this section or any traffic-related homicide, manslaughter, or 2750  
assault offense. 2751

In addition to any other sanctions imposed, the court shall 2752  
~~suspend~~ impose upon the offender a class six suspension of the 2753  
offender's driver's license, commercial driver's license, 2754  
temporary instruction permit, probationary license, or nonresident 2755  
operating privilege ~~for a definite period of three months to two~~ 2756  
~~years pursuant to~~ from the range specified in division (A)(6) of 2757  
section ~~4507.16~~ 4510.02 of the Revised Code or, if the offender 2758  
previously has been convicted of or pleaded guilty to a violation 2759  
of this section or any traffic-related homicide, manslaughter, or 2760



assault offense, ~~for a definite period of one to five years~~ 2761  
~~pursuant to a class four suspension of the offender's driver's~~ 2762  
~~license, commercial driver's license, temporary instruction~~ 2763  
~~permit, probationary license, or nonresident operating privilege~~ 2764  
~~from the range specified in division (A)(4) of that section.~~ 2765

(C) The court shall impose a mandatory prison term on an 2766  
offender who is convicted of or pleads guilty to a violation of 2767  
division (A)(1) of this section. The court shall impose a 2768  
mandatory prison term on an offender who is convicted of or pleads 2769  
guilty to a violation of division (A)(2) or (3) of this section if 2770  
either of the following applies: 2771

(1) The offender previously has been convicted of or pleaded 2772  
guilty to a violation of this section or section 2903.08 of the 2773  
Revised Code. 2774

(2) At the time of the offense, the offender was driving 2775  
under suspension under Chapter ~~4507-~~ 4510. or any other provision 2776  
of the Revised Code. 2777

(D)(1) As used in this section: 2778

(a) "Mandatory prison term" has the same meaning as in 2779  
section 2929.01 of the Revised Code. 2780

(b) "Traffic-related homicide, manslaughter, or assault 2781  
offense" means a violation of section 2903.04 of the Revised Code 2782  
in circumstances in which division (D) of that section applies, a 2783  
violation of section 2903.06 or 2903.08 of the Revised Code, or a 2784  
violation of section 2903.06, 2903.07, or 2903.08 of the Revised 2785  
Code as they existed prior to ~~the effective date of this amendment~~ 2786  
March 23, 2000. 2787

(2) For the purposes of this section, when a penalty or 2788  
suspension is enhanced because of a prior or current violation of 2789  
a specified law or a prior or current specified offense, the 2790  
reference to the violation of the specified law or the specified 2791

offense includes any violation of any substantially equivalent 2792  
municipal ordinance, former law of this state, or current or 2793  
former law of another state or the United States. 2794

**Sec. 2903.08.** (A) No person, while operating or participating 2795  
in the operation of a motor vehicle, motorcycle, snowmobile, 2796  
locomotive, watercraft, or aircraft, shall cause serious physical 2797  
harm to another person or another's unborn in either of the 2798  
following ways: 2799

(1) As the proximate result of committing a violation of 2800  
division (A) of section 4511.19 of the Revised Code or of a 2801  
substantially equivalent municipal ordinance; 2802

(2) Recklessly. 2803

(B)(1) Whoever violates division (A)(1) of this section is 2804  
guilty of aggravated vehicular assault. Except as otherwise 2805  
provided in this division, aggravated vehicular assault is a 2806  
felony of the third degree. Aggravated vehicular assault is a 2807  
felony of the second degree if, at the time of the offense, the 2808  
offender was driving under a suspension imposed under Chapter 2809  
~~4507-~~ 4510. or any other provision of the Revised Code or if the 2810  
offender previously has been convicted of or pleaded guilty to a 2811  
violation of this section; any traffic-related homicide, 2812  
manslaughter, or assault offense; three prior violations of 2813  
section 4511.19 of the Revised Code or a substantially equivalent 2814  
municipal ordinance within the previous six years; or a second or 2815  
subsequent felony violation of division (A) of section 4511.19 of 2816  
the Revised Code. 2817

In addition to any other sanctions imposed, the court shall 2818  
~~suspend~~ impose upon the offender a class three suspension of the 2819  
offender's driver's license, commercial driver's license, 2820  
temporary instruction permit, probationary license, or nonresident 2821  
operating privilege ~~for a definite period of two to ten years~~ 2822

~~pursuant to~~ from the range specified in division (A)(3) of section 2823  
4507.16 4510.02 of the Revised Code or, if the offender previously 2824  
has been convicted of or pleaded guilty to a violation of this 2825  
section or any traffic-related homicide, manslaughter, or assault 2826  
offense, ~~for a definite period of three years to life pursuant to~~ 2827  
a class two suspension of the offender's driver's license, 2828  
commercial driver's license, temporary instruction permit, 2829  
probationary license, or nonresident operating privilege from the 2830  
range specified in division (A)(2) of that section. 2831

(2) Whoever violates division (A)(2) of this section is 2832  
guilty of vehicular assault. Except as otherwise provided in this 2833  
division, vehicular assault is a felony of the fourth degree. 2834  
Vehicular assault is a felony of the third degree if, at the time 2835  
of the offense, the offender was driving under a suspension 2836  
imposed under Chapter ~~4507.~~ 4510. or any other provision of the 2837  
Revised Code or if the offender previously has been convicted of 2838  
or pleaded guilty to a violation of this section or any 2839  
traffic-related homicide, manslaughter, or assault offense. 2840

In addition to any other sanctions imposed, the court shall 2841  
~~suspend~~ impose upon the offender a class four suspension of the 2842  
offender's driver's license, commercial driver's license, 2843  
temporary instruction permit, probationary license, or nonresident 2844  
operating privilege ~~for a definite period of one to five years~~ 2845  
~~pursuant to~~ from the range specified in division (A)(4) of section 2846  
4507.16 4510.02 of the Revised Code or, if the offender previously 2847  
has been convicted of or pleaded guilty to a violation of this 2848  
section or any traffic-related homicide, manslaughter, or assault 2849  
offense, ~~for a definite period of two to ten years pursuant to a~~ 2850  
class three suspension of the offender's driver's license, 2851  
commercial driver's license, temporary instruction permit, 2852  
probationary license, or nonresident operating privilege from the 2853  
range specified in division (A)(3) of that section. 2854

(C) The court shall impose a mandatory prison term on an 2855  
offender who is convicted of or pleads guilty to a violation of 2856  
division (A)(1) of this section. The court shall impose a 2857  
mandatory prison term on an offender who is convicted of or pleads 2858  
guilty to a violation of division (A)(2) of this section if either 2859  
of the following applies: 2860

(1) The offender previously has been convicted of or pleaded 2861  
guilty to a violation of this section or section 2903.06 of the 2862  
Revised Code. 2863

(2) At the time of the offense, the offender was driving 2864  
under suspension under Chapter ~~4507.~~ 4510. or any other provision 2865  
of the Revised Code. 2866

(D) As used in this section: 2867

(1) "Mandatory prison term" has the same meaning as in 2868  
section 2929.01 of the Revised Code. 2869

(2) "Traffic-related homicide, manslaughter, or assault 2870  
offense" has the same meaning as in section 2903.06 of the Revised 2871  
Code. 2872

(E) For the purposes of this section, when a penalty or 2873  
suspension is enhanced because of a prior or current violation of 2874  
a specified law or a prior or current specified offense, the 2875  
reference to the violation of the specified law or the specified 2876  
offense includes any violation of any substantially equivalent 2877  
municipal ordinance, former law of this state, or current or 2878  
former law of another state or the United States. 2879

**Sec. 2907.24.** (A) No person shall solicit another to engage 2880  
with such other person in sexual activity for hire. 2881

(B) No person, with knowledge that the person has tested 2882  
positive as a carrier of a virus that causes acquired 2883  
immunodeficiency syndrome, shall engage in conduct in violation of 2884

division (A) of this section. 2885

(C)(1) Whoever violates division (A) of this section is 2886  
guilty of soliciting, a misdemeanor of the third degree. 2887

(2) Whoever violates division (B) of this section is guilty 2888  
of engaging in solicitation after a positive HIV test. If the 2889  
offender commits the violation prior to July 1, 1996, engaging in 2890  
solicitation after a positive HIV test is a felony of the second 2891  
degree. If the offender commits the violation on or after July 1, 2892  
1996, engaging in solicitation after a positive HIV test is a 2893  
felony of the third degree. 2894

(D) If a person is convicted of or pleads guilty to a 2895  
violation of any provision of this section, an attempt to commit a 2896  
violation of any provision of this section, or a violation of or 2897  
an attempt to commit a violation of a municipal ordinance that is 2898  
substantially equivalent to any provision of this section and if 2899  
the person, in committing or attempting to commit the violation, 2900  
was in, was on, or used a motor vehicle, the court, in addition to 2901  
or independent of all other penalties imposed for the violation, 2902  
shall impose upon the offender a class six suspension of the 2903  
person's driver's license, commercial driver's license, temporary 2904  
instruction permit, probationary license, or nonresident operating 2905  
privilege from the range specified in division (A)(6) of section 2906  
4510.02 of the Revised Code. 2907

**Sec. 2919.22.** (A) No person, who is the parent, guardian, 2908  
custodian, person having custody or control, or person in loco 2909  
parentis of a child under eighteen years of age or a mentally or 2910  
physically handicapped child under twenty-one years of age, shall 2911  
create a substantial risk to the health or safety of the child, by 2912  
violating a duty of care, protection, or support. It is not a 2913  
violation of a duty of care, protection, or support under this 2914  
division when the parent, guardian, custodian, or person having 2915

custody or control of a child treats the physical or mental 2916  
illness or defect of the child by spiritual means through prayer 2917  
alone, in accordance with the tenets of a recognized religious 2918  
body. 2919

(B) No person shall do any of the following to a child under 2920  
eighteen years of age or a mentally or physically handicapped 2921  
child under twenty-one years of age: 2922

(1) Abuse the child; 2923

(2) Torture or cruelly abuse the child; 2924

(3) Administer corporal punishment or other physical 2925  
disciplinary measure, or physically restrain the child in a cruel 2926  
manner or for a prolonged period, which punishment, discipline, or 2927  
restraint is excessive under the circumstances and creates a 2928  
substantial risk of serious physical harm to the child; 2929

(4) Repeatedly administer unwarranted disciplinary measures 2930  
to the child, when there is a substantial risk that such conduct, 2931  
if continued, will seriously impair or retard the child's mental 2932  
health or development; 2933

(5) Entice, coerce, permit, encourage, compel, hire, employ, 2934  
use, or allow the child to act, model, or in any other way 2935  
participate in, or be photographed for, the production, 2936  
presentation, dissemination, or advertisement of any material or 2937  
performance that the offender knows or reasonably should know is 2938  
obscene, is sexually oriented matter, or is nudity-oriented 2939  
matter. 2940

(C)(1) No person shall operate a vehicle, streetcar, or 2941  
trackless trolley within this state in violation of division (A) 2942  
of section 4511.19 of the Revised Code when one or more children 2943  
under eighteen years of age are in the vehicle, streetcar, or 2944  
trackless trolley. Notwithstanding any other provision of law, a 2945  
person may be convicted at the same trial or proceeding of a 2946

violation of this division and a violation of division (A) of 2947  
section 4511.19 of the Revised Code that constitutes the basis of 2948  
the charge of the violation of this division. For purposes of 2949  
~~section~~ sections 4511.191 to 4511.197 of the Revised Code and all 2950  
related provisions of law, a person arrested for a violation of 2951  
this division shall be considered to be under arrest for operating 2952  
a vehicle while under the influence of alcohol, a drug of abuse, 2953  
or ~~alcohol and a drug of abuse~~ a combination of them or for 2954  
operating a vehicle with a prohibited concentration of alcohol in 2955  
the whole blood, blood serum or plasma, breath, or urine. 2956

(2) As used in division (C)(1) of this section, "vehicle," 2957  
"streetcar," and "trackless trolley" have the same meanings as in 2958  
section 4511.01 of the Revised Code. 2959

(D)(1) Division (B)(5) of this section does not apply to any 2960  
material or performance that is produced, presented, or 2961  
disseminated for a bona fide medical, scientific, educational, 2962  
religious, governmental, judicial, or other proper purpose, by or 2963  
to a physician, psychologist, sociologist, scientist, teacher, 2964  
person pursuing bona fide studies or research, librarian, member 2965  
of the clergy, prosecutor, judge, or other person having a proper 2966  
interest in the material or performance. 2967

(2) Mistake of age is not a defense to a charge under 2968  
division (B)(5) of this section. 2969

(3) In a prosecution under division (B)(5) of this section, 2970  
the trier of fact may infer that an actor, model, or participant 2971  
in the material or performance involved is a juvenile if the 2972  
material or performance, through its title, text, visual 2973  
representation, or otherwise, represents or depicts the actor, 2974  
model, or participant as a juvenile. 2975

(4) As used in this division and division (B)(5) of this 2976  
section: 2977

(a) "Material," "performance," "obscene," and "sexual activity" have the same meanings as in section 2907.01 of the Revised Code. 2978  
2979  
2980

(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. 2981  
2982  
2983  
2984

(c) "Sexually oriented matter" means any material or performance that shows a minor participating or engaging in sexual activity, masturbation, or bestiality. 2985  
2986  
2987

(E)(1) Whoever violates this section is guilty of endangering children. 2988  
2989

(2) If the offender violates division (A) or (B)(1) of this section, endangering children is one of the following: 2990  
2991

(a) Except as otherwise provided in division (E)(2)(b), (c), or (d) of this section, a misdemeanor of the first degree; 2992  
2993

(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) or (d) of this section, a felony of the fourth degree; 2994  
2995  
2996  
2997  
2998

(c) If the violation is a violation of division (A) of this section and results in serious physical harm to the child involved, a felony of the third degree; 2999  
3000  
3001

(d) If the violation is a violation of division (B)(1) of this section and results in serious physical harm to the child involved, a felony of the second degree. 3002  
3003  
3004

(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 3005  
3006  
3007



violation results in serious physical harm to the child involved, 3008  
or if the offender previously has been convicted of an offense 3009  
under this section or of any offense involving neglect, 3010  
abandonment, contributing to the delinquency of, or physical abuse 3011  
of a child, endangering children is a felony of the second degree. 3012

(4) If the offender violates division (B)(5) of this section, 3013  
endangering children is a felony of the second degree. 3014

(5) If the offender violates division (C) of this section, 3015  
the offender shall be punished as follows: 3016

(a) Except as otherwise provided in division (E)(5)(b) or (c) 3017  
of this section, endangering children in violation of division (C) 3018  
of this section is a misdemeanor of the first degree. 3019

(b) If the violation results in serious physical harm to the 3020  
child involved or the offender previously has been convicted of an 3021  
offense under this section or any offense involving neglect, 3022  
abandonment, contributing to the delinquency of, or physical abuse 3023  
of a child, except as otherwise provided in division (E)(5)(c) of 3024  
this section, endangering children in violation of division (C) of 3025  
this section is a felony of the fifth degree. 3026

(c) If the violation results in serious physical harm to the 3027  
child involved and if the offender previously has been convicted 3028  
of a violation of division (C) of this section, section 2903.06 or 3029  
2903.08 of the Revised Code, section 2903.07 of the Revised Code 3030  
as it existed prior to March 23, 2000, or section 2903.04 of the 3031  
Revised Code in a case in which the offender was subject to the 3032  
sanctions described in division (D) of that section, endangering 3033  
children in violation of division (C) of this section is a felony 3034  
of the fourth degree. 3035

(d) In addition to any term of imprisonment, fine, or other 3036  
sentence, penalty, or sanction it imposes upon the offender 3037  
pursuant to division (E)(5)(a), (b), or (c) of this section or 3038

pursuant to any other provision of law, ~~the court also may impose~~ 3039  
~~upon the offender one or both of the following sanctions:~~ 3040

~~(i) It may require the offender, as part of the offender's~~ 3041  
~~sentence and in the manner described in division (F) of this~~ 3042  
~~section, to perform not more than two hundred hours of supervised~~ 3043  
~~community service work under the authority of any agency,~~ 3044  
~~political subdivision, or charitable organization of the type~~ 3045  
~~described in division (F)(1) of section 2951.02 of the Revised~~ 3046  
~~Code, provided that the court shall not require the offender to~~ 3047  
~~perform supervised community service work under this division~~ 3048  
~~unless the offender agrees to perform the supervised community~~ 3049  
~~service work.~~ 3050

~~(ii) It may suspend the driver's or commercial driver's~~ 3051  
~~license or permit or nonresident operating privilege of the~~ 3052  
~~offender for up to ninety days, and in addition to any suspension~~ 3053  
~~or revocation of the offender's driver's or commercial driver's~~ 3054  
~~license or permit or nonresident operating privilege under Chapter~~ 3055  
~~4506., 4507., 4509., 4510., or 4511. of the Revised Code or under~~ 3056  
~~any other provision of law, the court also may impose upon the~~ 3057  
~~offender a class seven suspension of the offender's driver's or~~ 3058  
~~commercial driver's license or permit or nonresident operating~~ 3059  
~~privilege from the range specified in division (A)(7) of section~~ 3060  
~~4510.02 of the Revised Code.~~ 3061

(e) In addition to any term of imprisonment, fine, or other 3062  
sentence, penalty, or sanction imposed upon the offender pursuant 3063  
to division (E)(5)(a), (b), (c), or (d) of this section or 3064  
pursuant to any other provision of law for the violation of 3065  
division (C) of this section, if as part of the same trial or 3066  
proceeding the offender also is convicted of or pleads guilty to a 3067  
separate charge charging the violation of division (A) of section 3068  
4511.19 of the Revised Code that was the basis of the charge of 3069  
the violation of division (C) of this section, the offender also 3070

shall be sentenced, in accordance with section ~~4511.99~~ 4511.19 of 3071  
the Revised Code, for that violation of division (A) of section 3072  
4511.19 of the Revised Code ~~and also shall be subject to all other~~ 3073  
~~sanctions that are required or authorized by any provision of law~~ 3074  
~~for that violation of division (A) of section 4511.19 of the~~ 3075  
~~Revised Code.~~ 3076

(F)(1)(a) ~~If a A court, pursuant to division (E)(5)(d)(i) of~~ 3077  
~~this section, requires~~ may require an offender to perform not more 3078  
than two hundred hours of supervised community service work under 3079  
the authority of an agency, subdivision, or charitable 3080  
organization, if the offender agrees to perform the supervised 3081  
community service work. The requirement shall be part of the 3082  
community control sanction or sentence of the offender, and the 3083  
court shall impose the community service in accordance with and 3084  
subject to divisions (F)(1)(a) and (b) of this section. The court 3085  
may require an offender whom it requires to perform supervised 3086  
community service work as part of the offender's community control 3087  
sanction or sentence to pay the court a reasonable fee to cover 3088  
the costs of the offender's participation in the work, including, 3089  
but not limited to, the costs of procuring a policy or policies of 3090  
liability insurance to cover the period during which the offender 3091  
will perform the work. If the court requires the offender to 3092  
perform supervised community service work as part of the 3093  
offender's community control sanction or sentence, the court shall 3094  
do so in accordance with the following limitations and criteria: 3095

(i) The court shall require that the community service work 3096  
be performed after completion of the term of imprisonment imposed 3097  
upon the offender for the violation of division (C) of this 3098  
section, if applicable. 3099

(ii) The supervised community service work shall be subject 3100  
to the limitations set forth in divisions (F)(1)(a) to (c) of 3101  
section 2951.02 of the Revised Code. 3102

(iii) The community service work shall be supervised in the 3103  
manner described in division (F)(1)(d) of section 2951.02 of the 3104  
Revised Code by an official or person with the qualifications 3105  
described in that division. The official or person periodically 3106  
shall report in writing to the court concerning the conduct of the 3107  
offender in performing the work. 3108

(iv) The court shall inform the offender in writing that if 3109  
the offender does not adequately perform, as determined by the 3110  
court, all of the required community service work, the court may 3111  
order that the offender be committed to a jail or workhouse for a 3112  
period of time that does not exceed the term of imprisonment that 3113  
the court could have imposed upon the offender for the violation 3114  
of division (C) of this section, reduced by the total amount of 3115  
time that the offender actually was imprisoned under the sentence 3116  
or term that was imposed upon the offender for that violation and 3117  
by the total amount of time that the offender was confined for any 3118  
reason arising out of the offense for which the offender was 3119  
convicted and sentenced as described in sections 2949.08 and 3120  
2967.191 of the Revised Code, and that, if the court orders that 3121  
the offender be so committed, the court is authorized, but not 3122  
required, to grant the offender credit upon the period of the 3123  
commitment for the community service work that the offender 3124  
adequately performed. 3125

(b) If a court, pursuant to ~~this division and~~ division 3126  
~~(E)(5)(d)(i)~~(F)(1)(a) of this section, orders an offender to 3127  
perform community service work as part of the offender's community 3128  
control sanction or sentence and if the offender does not 3129  
adequately perform all of the required community service work, as 3130  
determined by the court, the court may order that the offender be 3131  
committed to a jail or workhouse for a period of time that does 3132  
not exceed the term of imprisonment that the court could have 3133  
imposed upon the offender for the violation of division (C) of 3134

this section, reduced by the total amount of time that the 3135  
offender actually was imprisoned under the sentence or term that 3136  
was imposed upon the offender for that violation and by the total 3137  
amount of time that the offender was confined for any reason 3138  
arising out of the offense for which the offender was convicted 3139  
and sentenced as described in sections 2949.08 and 2967.191 of the 3140  
Revised Code. The court may order that a person committed pursuant 3141  
to this division shall receive hour-for-hour credit upon the 3142  
period of the commitment for the community service work that the 3143  
offender adequately performed. No commitment pursuant to this 3144  
division shall exceed the period of the term of imprisonment that 3145  
the sentencing court could have imposed upon the offender for the 3146  
violation of division (C) of this section, reduced by the total 3147  
amount of time that the offender actually was imprisoned under 3148  
that sentence or term and by the total amount of time that the 3149  
offender was confined for any reason arising out of the offense 3150  
for which the offender was convicted and sentenced as described in 3151  
sections 2949.08 and 2967.191 of the Revised Code. 3152

(2) ~~Divisions (E)(5)(d)(i) and Division~~ (F)(1) of this 3153  
section ~~do~~ does not limit or affect the authority of the court to 3154  
suspend the sentence imposed upon a misdemeanor offender and place 3155  
the offender on probation or otherwise suspend the sentence 3156  
pursuant to sections 2929.51 and 2951.02 of the Revised Code, to 3157  
require the misdemeanor offender, as a condition of the offender's 3158  
probation or of otherwise suspending the offender's sentence, to 3159  
perform supervised community service work in accordance with 3160  
division (F) of section 2951.02 of the Revised Code, or to place a 3161  
felony offender under a community control sanction. 3162

(G)(1) If a court suspends an offender's driver's or 3163  
commercial driver's license or permit or nonresident operating 3164  
privilege under division (E)(5)(d)~~(ii)~~ of this section, the period 3165  
of the suspension shall be consecutive to, and commence after, the 3166

period of suspension ~~or revocation~~ of the offender's driver's or 3167  
commercial driver's license or permit or nonresident operating 3168  
privilege that is imposed under Chapter 4506., ~~4507.,~~ 4509., 3169  
4510., or 4511. of the Revised Code or under any other provision 3170  
of law in relation to the violation of division (C) of this 3171  
section that is the basis of the suspension under division 3172  
(E)(5)(d)~~(ii)~~ of this section or in relation to the violation of 3173  
division (A) of section 4511.19 of the Revised Code that is the 3174  
basis for that violation of division (C) of this section. 3175

(2) An offender is not entitled to request, and the court 3176  
shall not grant to the offender, ~~occupational~~ limited driving 3177  
privileges ~~under division (C) of this section~~ if the offender's 3178  
license, permit, or privilege has been suspended under division 3179  
(E)(5)(d)~~(ii)~~ of this section and the offender, within the 3180  
preceding ~~seven~~ six years, has been convicted of or pleaded guilty 3181  
to three or more violations of one or more of the following: 3182

(a) Division (C) of this section; 3183

(b) ~~Division (A) or (B) of section 4511.19 of the Revised~~ 3184  
~~Code;~~ 3185

~~(c) A municipal ordinance relating to operating a vehicle~~ 3186  
~~while under the influence of alcohol, a drug of abuse, or alcohol~~ 3187  
~~and a drug of abuse;~~ 3188

~~(d) A municipal ordinance relating to operating a vehicle~~ 3189  
~~with a prohibited concentration of alcohol in the blood, breath,~~ 3190  
~~or urine;~~ 3191

~~(e) Section 2903.04 of the Revised Code in a case in which~~ 3192  
~~the offender was subject to the sanctions described in division~~ 3193  
~~(D) of that section;~~ 3194

~~(f) Division (A)(1) of section 2903.06 or division (A)(1) of~~ 3195  
~~section 2903.08 of the Revised Code or a municipal ordinance that~~ 3196  
~~is substantially similar to either of those divisions;~~ 3197

~~(g) Division (A)(2), (3), or (4) of section 2903.06, division 3198  
(A)(2) of section 2903.08, or former section 2903.07 of the 3199  
Revised Code, or a municipal ordinance that is substantially 3200  
similar to any of those divisions or that former section, in a 3201  
case in which the jury or judge found that the offender was under 3202  
the influence of alcohol, a drug of abuse, or alcohol and a drug 3203  
of abuse; 3204~~

~~(h) A statute of the United States or of any other state or a 3205  
municipal ordinance of a municipal corporation located in any 3206  
other state that is substantially similar to division (A) or (B) 3207  
of section 4511.19 Any equivalent offense, as defined in section 3208  
4511.181 of the Revised Code. 3209~~

~~(3) Any other offender who is not described in division 3210  
(C)(2) of this section and whose license, permit, or nonresident 3211  
operating privilege has been suspended under division 3212  
(E)(5)(d)(ii) of this section may file with the sentencing court a 3213  
petition alleging that the suspension would seriously affect the 3214  
offender's ability to continue employment. Upon satisfactory proof 3215  
that there is reasonable cause to believe that the suspension 3216  
would seriously affect the offender's ability to continue 3217  
employment, the court may grant the offender occupational driving 3218  
privileges during the period during which the suspension otherwise 3219  
would be imposed, except that the court shall not grant 3220  
occupational driving privileges for employment as a driver of 3221  
commercial motor vehicles to any person who is disqualified from 3222  
operating a commercial motor vehicle under section 3123.611 or 3223  
4506.16 of the Revised Code or whose commercial driver's license 3224  
or commercial driver's temporary instruction permit has been 3225  
suspended under section 3123.58 of the Revised Code. 3226~~

~~(H)(1) If a person violates division (C) of this section and 3227  
if, at the time of the violation, there were two or more children 3228  
under eighteen years of age in the motor vehicle involved in the 3229~~

violation, the offender may be convicted of a violation of 3230  
division (C) of this section for each of the children, but the 3231  
court may sentence the offender for only one of the violations. 3232

(2)(a) If a person is convicted of or pleads guilty to a 3233  
violation of division (C) of this section but the person is not 3234  
also convicted of and does not also plead guilty to a separate 3235  
charge charging the violation of division (A) of section 4511.19 3236  
of the Revised Code that was the basis of the charge of the 3237  
violation of division (C) of this section, both of the following 3238  
apply: 3239

(i) For purposes of the provisions of section ~~4511.99~~ 4511.19 3240  
of the Revised Code that set forth the penalties and sanctions for 3241  
a violation of division (A) of section 4511.19 of the Revised 3242  
Code, the conviction of or plea of guilty to the violation of 3243  
division (C) of this section shall not constitute a violation of 3244  
division (A) of section 4511.19 of the Revised Code; 3245

(ii) For purposes of any provision of law that refers to a 3246  
conviction of or plea of guilty to a violation of division (A) of 3247  
section 4511.19 of the Revised Code and that is not described in 3248  
division (H)(2)(a)(i) of this section, the conviction of or plea 3249  
of guilty to the violation of division (C) of this section shall 3250  
constitute a conviction of or plea of guilty to a violation of 3251  
division (A) of section 4511.19 of the Revised Code. 3252

(b) If a person is convicted of or pleads guilty to a 3253  
violation of division (C) of this section and the person also is 3254  
convicted of or pleads guilty to a separate charge charging the 3255  
violation of division (A) of section 4511.19 of the Revised Code 3256  
that was the basis of the charge of the violation of division (C) 3257  
of this section, the conviction of or plea of guilty to the 3258  
violation of division (C) of this section shall not constitute, 3259  
for purposes of any provision of law that refers to a conviction 3260  
of or plea of guilty to a violation of division (A) of section 3261



4511.19 of the Revised Code, a conviction of or plea of guilty to 3262  
a violation of division (A) of section 4511.19 of the Revised 3263  
Code. 3264

(I) As used in this section, ~~"community:~~ 3265

(1) "Community control sanction" has the same meaning as in 3266  
section 2929.01 of the Revised Code; 3267

(2) "Limited driving privileges" has the same meaning as in 3268  
section 4501.01 of the Revised Code. 3269

**Sec. 2921.331.** (A) No person shall fail to comply with any 3270  
lawful order or direction of any police officer invested with 3271  
authority to direct, control, or regulate traffic. 3272

(B) No person shall operate a motor vehicle so as willfully 3273  
to elude or flee a police officer after receiving a visible or 3274  
audible signal from a police officer to bring the person's motor 3275  
vehicle to a stop. 3276

(C)(1) Whoever violates this section is guilty of failure to 3277  
comply with an order or signal of a police officer. 3278

(2) A violation of division (A) of this section is a 3279  
misdemeanor of the first degree. 3280

(3) Except as provided in divisions (C)(4) and (5) of this 3281  
section, a violation of division (B) of this section is a 3282  
misdemeanor of the first degree. 3283

(4) Except as provided in division (C)(5) of this section, a 3284  
violation of division (B) of this section is a felony of the 3285  
fourth degree if the jury or judge as trier of fact finds by proof 3286  
beyond a reasonable doubt that, in committing the offense, the 3287  
offender was fleeing immediately after the commission of a felony. 3288

(5)(a) A violation of division (B) of this section is a 3289  
felony of the third degree if the jury or judge as trier of fact 3290

finds any of the following by proof beyond a reasonable doubt:	3291
(i) The operation of the motor vehicle by the offender was a proximate cause of serious physical harm to persons or property.	3292 3293
(ii) The operation of the motor vehicle by the offender caused a substantial risk of serious physical harm to persons or property.	3294 3295 3296
(b) If a police officer pursues an offender who is violating division (B) of this section and division (C)(5)(a) of this section applies, the sentencing court, in determining the seriousness of an offender's conduct for purposes of sentencing the offender for a violation of division (B) of this section, shall consider, along with the factors set forth in sections 2929.12 and 2929.13 of the Revised Code that are required to be considered, all of the following:	3297 3298 3299 3300 3301 3302 3303 3304
(i) The duration of the pursuit;	3305
(ii) The distance of the pursuit;	3306
(iii) The rate of speed at which the offender operated the motor vehicle during the pursuit;	3307 3308
(iv) Whether the offender failed to stop for traffic lights or stop signs during the pursuit;	3309 3310
(v) The number of traffic lights or stop signs for which the offender failed to stop during the pursuit;	3311 3312
(vi) Whether the offender operated the motor vehicle during the pursuit without lighted lights during a time when lighted lights are required;	3313 3314 3315
(vii) Whether the offender committed a moving violation during the pursuit;	3316 3317
(viii) The number of moving violations the offender committed during the pursuit;	3318 3319

(ix) Any other relevant factors indicating that the offender's conduct is more serious than conduct normally constituting the offense.

(D) If an offender is sentenced pursuant to division (C)(4) or (5) of this section for a violation of division (B) of this section, and if the offender is sentenced to a prison term for that violation, the offender shall serve the prison term consecutively to any other prison term or mandatory prison term imposed upon the offender.

(E) In addition to any other sanction imposed for a violation of this section, the court shall impose a class two suspension from the range specified in division (A)(2) of section 4510.02 of the Revised Code. If the offender previously has been found guilty of an offense under this section, the court shall impose a class one suspension as described in division (A)(1) of that section. The court shall not grant limited driving privileges to the offender. No judge shall suspend the first three years of suspension under a class two suspension of an offender's license, permit, or privilege required by this division on any portion of the suspension under a class one suspension of an offender's license, permit, or privilege required by this division.

(F) As used in this section:

(1) "Moving violation" has the same meaning as in section 2743.70 of the Revised Code.

(2) "Police officer" has the same meaning as in section 4511.01 of the Revised Code.

**Sec. 2923.01.** (A) No person, with purpose to commit or to promote or facilitate the commission of aggravated murder, murder, kidnapping, compelling prostitution, promoting prostitution, aggravated arson, arson, aggravated robbery, robbery, aggravated

burglary, burglary, engaging in a pattern of corrupt activity, 3350  
corrupting another with drugs, a felony drug trafficking, 3351  
manufacturing, processing, or possession offense, theft of drugs, 3352  
or illegal processing of drug documents, the commission of a 3353  
felony offense of unauthorized use of a vehicle, or the commission 3354  
of a violation of any provision of Chapter 3734. of the Revised 3355  
Code, other than section 3734.18 of the Revised Code, that relates 3356  
to hazardous wastes, shall do either of the following: 3357

(1) With another person or persons, plan or aid in planning 3358  
the commission of any of the specified offenses; 3359

(2) Agree with another person or persons that one or more of 3360  
them will engage in conduct that facilitates the commission of any 3361  
of the specified offenses. 3362

(B) No person shall be convicted of conspiracy unless a 3363  
substantial overt act in furtherance of the conspiracy is alleged 3364  
and proved to have been done by the accused or a person with whom 3365  
the accused conspired, subsequent to the accused's entrance into 3366  
the conspiracy. For purposes of this section, an overt act is 3367  
substantial when it is of a character that manifests a purpose on 3368  
the part of the actor that the object of the conspiracy should be 3369  
completed. 3370

(C) When the offender knows or has reasonable cause to 3371  
believe that a person with whom the offender conspires also has 3372  
conspired or is conspiring with another to commit the same 3373  
offense, the offender is guilty of conspiring with that other 3374  
person, even though the other person's identity may be unknown to 3375  
the offender. 3376

(D) It is no defense to a charge under this section that, in 3377  
retrospect, commission of the offense that was the object of the 3378  
conspiracy was impossible under the circumstances. 3379

(E) A conspiracy terminates when the offense or offenses that 3380

are its objects are committed or when it is abandoned by all 3381  
conspirators. In the absence of abandonment, it is no defense to a 3382  
charge under this section that no offense that was the object of 3383  
the conspiracy was committed. 3384

(F) A person who conspires to commit more than one offense is 3385  
guilty of only one conspiracy, when the offenses are the object of 3386  
the same agreement or continuous conspiratorial relationship. 3387

(G) When a person is convicted of committing or attempting to 3388  
commit a specific offense or of complicity in the commission of or 3389  
attempt to commit the specific offense, the person shall not be 3390  
convicted of conspiracy involving the same offense. 3391

(H)(1) No person shall be convicted of conspiracy upon the 3392  
testimony of a person with whom the defendant conspired, 3393  
unsupported by other evidence. 3394

(2) If a person with whom the defendant allegedly has 3395  
conspired testifies against the defendant in a case in which the 3396  
defendant is charged with conspiracy and if the testimony is 3397  
supported by other evidence, the court, when it charges the jury, 3398  
shall state substantially the following: 3399

"The testimony of an accomplice that is supported by other 3400  
evidence does not become inadmissible because of the accomplice's 3401  
complicity, moral turpitude, or self-interest, but the admitted or 3402  
claimed complicity of a witness may affect the witness' 3403  
credibility and make the witness' testimony subject to grave 3404  
suspicion, and require that it be weighed with great caution. 3405

It is for you, as jurors, in the light of all the facts 3406  
presented to you from the witness stand, to evaluate such 3407  
testimony and to determine its quality and worth or its lack of 3408  
quality and worth." 3409

(3) "Conspiracy," as used in division (H)(1) of this section, 3410  
does not include any conspiracy that results in an attempt to 3411

commit an offense or in the commission of an offense. 3412

(I) The following are affirmative defenses to a charge of 3413  
conspiracy: 3414

(1) After conspiring to commit an offense, the actor thwarted 3415  
the success of the conspiracy under circumstances manifesting a 3416  
complete and voluntary renunciation of the actor's criminal 3417  
purpose. 3418

(2) After conspiring to commit an offense, the actor 3419  
abandoned the conspiracy prior to the commission of or attempt to 3420  
commit any offense that was the object of the conspiracy, either 3421  
by advising all other conspirators of the actor's abandonment, or 3422  
by informing any law enforcement authority of the existence of the 3423  
conspiracy and of the actor's participation in the conspiracy. 3424

(J) Whoever violates this section is guilty of conspiracy, 3425  
which is one of the following: 3426

(1) A felony of the first degree, when one of the objects of 3427  
the conspiracy is aggravated murder, murder, or an offense for 3428  
which the maximum penalty is imprisonment for life; 3429

(2) A felony of the next lesser degree than the most serious 3430  
offense that is the object of the conspiracy, when the most 3431  
serious offense that is the object of the conspiracy is a felony 3432  
of the first, second, third, or fourth degree; 3433

(3) A felony punishable by a fine of not more than 3434  
twenty-five thousand dollars or imprisonment for not more than 3435  
eighteen months, or both, when the offense that is the object of 3436  
the conspiracy is a violation of any provision of Chapter 3734. of 3437  
the Revised Code, other than section 3734.18 of the Revised Code, 3438  
that relates to hazardous wastes; 3439

(4) A misdemeanor of the first degree, when the most serious 3440  
offense that is the object of the conspiracy is a felony of the 3441

fifth degree. 3442

(K) This section does not define a separate conspiracy 3443  
offense or penalty where conspiracy is defined as an offense by 3444  
one or more sections of the Revised Code, other than this section. 3445  
In such a case, however: 3446

(1) With respect to the offense specified as the object of 3447  
the conspiracy in the other section or sections, division (A) of 3448  
this section defines the voluntary act or acts and culpable mental 3449  
state necessary to constitute the conspiracy; 3450

(2) Divisions (B) to (I) of this section are incorporated by 3451  
reference in the conspiracy offense defined by the other section 3452  
or sections of the Revised Code. 3453

(L)(1) In addition to the penalties that otherwise are 3454  
imposed for conspiracy, a person who is found guilty of conspiracy 3455  
to engage in a pattern of corrupt activity is subject to divisions 3456  
(B)(2), (3), (4), and (5) of section 2923.32 of the Revised Code. 3457

(2) If a person is convicted of or pleads guilty to 3458  
conspiracy and if the most serious offense that is the object of 3459  
the conspiracy is a felony drug trafficking, manufacturing, 3460  
processing, or possession offense, in addition to the penalties or 3461  
sanctions that may be imposed for the conspiracy under division 3462  
(J)(2) or (4) of this section and Chapter 2929. of the Revised 3463  
Code, both of the following apply: 3464

(a) The provisions of divisions (D), (F), and (G) of section 3465  
2925.03, division (D) of section 2925.04, division (D) of section 3466  
2925.05, division (D) of section 2925.06, and division (E) of 3467  
section 2925.11 of the Revised Code that pertain to mandatory and 3468  
additional fines, driver's or commercial driver's license or 3469  
permit ~~revocations or~~ suspensions, and professionally licensed 3470  
persons ~~or persons who have been admitted to the bar by order of~~ 3471  
~~the supreme court~~ and that would apply under the appropriate 3472

provisions of those divisions to a person who is convicted of or 3473  
pleads guilty to the felony drug trafficking, manufacturing, 3474  
processing, or possession offense that is the most serious offense 3475  
that is the basis of the conspiracy shall apply to the person who 3476  
is convicted of or pleads guilty to the conspiracy as if the 3477  
person had been convicted of or pleaded guilty to the felony drug 3478  
trafficking, manufacturing, processing, or possession offense that 3479  
is the most serious offense that is the basis of the conspiracy. 3480

(b) The court that imposes sentence upon the person who is 3481  
convicted of or pleads guilty to the conspiracy shall comply with 3482  
the provisions identified as being applicable under division 3483  
(L)(2) of this section, in addition to any other penalty or 3484  
sanction that it imposes for the conspiracy under division (J)(2) 3485  
or (4) of this section and Chapter 2929. of the Revised Code. 3486

(M) As used in this section:

(1) "~~felony~~ Felony drug trafficking, manufacturing, 3488  
processing, or possession offense" means any of the following that 3489  
is a felony: 3490

~~(1)~~(a) A violation of section 2925.03, 2925.04, 2925.05, or 3491  
2925.06 of the Revised Code; 3492

~~(2)~~(b) A violation of section 2925.11 of the Revised Code 3493  
that is not a minor drug possession offense. 3494

(2) "Minor drug possession offense" has the same meaning as 3495  
~~defined~~ in section 2925.01 of the Revised Code. 3496

**Sec. 2923.122.** (A) No person shall knowingly convey, or 3497  
attempt to convey, a deadly weapon or dangerous ordnance into a 3498  
school safety zone. 3499

(B) No person shall knowingly possess a deadly weapon or 3500  
dangerous ordnance in a school safety zone. 3501

(C) No person shall knowingly possess an object in a school 3502



safety zone if both of the following apply: 3503

(1) The object is indistinguishable from a firearm, whether 3504  
or not the object is capable of being fired. 3505

(2) The person indicates that the person possesses the object 3506  
and that it is a firearm, or the person knowingly displays or 3507  
brandishes the object and indicates that it is a firearm. 3508

(D) This section does not apply to officers, agents, or 3509  
employees of this or any other state or the United States, or to 3510  
law enforcement officers, authorized to carry deadly weapons or 3511  
dangerous ordnance and acting within the scope of their duties, to 3512  
any security officer employed by a board of education or governing 3513  
body of a school during the time that the security officer is on 3514  
duty pursuant to that contract of employment, or to any other 3515  
person who has written authorization from the board of education 3516  
or governing body of a school to convey deadly weapons or 3517  
dangerous ordnance into a school safety zone or to possess a 3518  
deadly weapon or dangerous ordnance in a school safety zone and 3519  
who conveys or possesses the deadly weapon or dangerous ordnance 3520  
in accordance with that authorization. 3521

Division (C) of this section does not apply to premises upon 3522  
which home schooling is conducted. Division (C) of this section 3523  
also does not apply to a school administrator, teacher, or 3524  
employee who possesses an object that is indistinguishable from a 3525  
firearm for legitimate school purposes during the course of 3526  
employment, a student who uses an object that is indistinguishable 3527  
from a firearm under the direction of a school administrator, 3528  
teacher, or employee, or any other person who with the express 3529  
prior approval of a school administrator possesses an object that 3530  
is indistinguishable from a firearm for a legitimate purpose, 3531  
including the use of the object in a ceremonial activity, a play, 3532  
reenactment, or other dramatic presentation, or a ROTC activity or 3533  
another similar use of the object. 3534

(E)(1) Whoever violates division (A) or (B) of this section 3535  
is guilty of illegal conveyance or possession of a deadly weapon 3536  
or dangerous ordnance in a school safety zone. Except as otherwise 3537  
provided in this division, illegal conveyance or possession of a 3538  
deadly weapon or dangerous ordnance in a school safety zone is a 3539  
felony of the fifth degree. If the offender previously has been 3540  
convicted of a violation of this section, illegal conveyance or 3541  
possession of a deadly weapon or dangerous ordnance in a school 3542  
safety zone is a felony of the fourth degree. 3543

(2) Whoever violates division (C) of this section is guilty 3544  
of illegal possession of an object indistinguishable from a 3545  
firearm in a school safety zone. Except as otherwise provided in 3546  
this division, illegal possession of an object indistinguishable 3547  
from a firearm in a school safety zone is a misdemeanor of the 3548  
first degree. If the offender previously has been convicted of a 3549  
violation of this section, illegal possession of an object 3550  
indistinguishable from a firearm in a school safety zone is a 3551  
felony of the fifth degree. 3552

(F)(1) In addition to any other penalty imposed upon a person 3553  
who is convicted of or pleads guilty to a violation of this 3554  
section and subject to division (F)(2) of this section, if the 3555  
offender has not attained nineteen years of age, regardless of 3556  
whether the offender is attending or is enrolled in a school 3557  
operated by a board of education or for which the state board of 3558  
education prescribes minimum standards under section 3301.07 of 3559  
the Revised Code, the court shall impose upon the offender 3560  
~~whichever of the following penalties applies:~~ 3561

~~(a) If the offender has been issued a class four suspension 3562  
of the offender's probationary driver's license, restricted 3563  
license, driver's license, commercial driver's license, temporary 3564  
instruction permit, or probationary commercial driver's license 3565  
that then is in effect, ~~the court shall suspend for a period of~~ 3566~~

~~not less than twelve months and not more than thirty six months~~ 3567  
~~that license of the offender.~~ 3568

~~(b) If the offender has been issued a temporary instruction~~ 3569  
~~permit that then is in effect, the court shall revoke it and deny~~ 3570  
~~the offender the issuance of another temporary instruction permit,~~ 3571  
~~and the period of denial shall be for not less than twelve months~~ 3572  
~~and not more than thirty six months.~~ 3573

~~(c) If the offender has been issued a commercial driver's~~ 3574  
~~license temporary instruction permit that then is in effect, the~~ 3575  
~~court shall suspend the offender's driver's license, revoke the~~ 3576  
~~commercial driver's license temporary instruction permit, and deny~~ 3577  
~~the offender the issuance of another commercial driver's license~~ 3578  
~~temporary instruction permit, and the period of suspension plus~~ 3579  
~~the period of denial shall total not less than twelve months and~~ 3580  
~~not more than thirty six months.~~ 3581

~~(d) If, on the date the court imposes sentence upon the~~ 3582  
~~offender for a violation of this section, the offender has not~~ 3583  
~~been issued any type of license that then is in effect to operate~~ 3584  
~~a motor vehicle in this state or a temporary instruction permit~~ 3585  
~~that then is in effect, the court from the range specified in~~ 3586  
~~division (A)(4) of section 4510.02 of the Revised Code and shall~~ 3587  
~~deny the offender the issuance of a temporary instruction any~~ 3588  
~~permit for a or license of that type during the period of not less~~ 3589  
~~than twelve months and not more than thirty six months the~~ 3590  
~~suspension.~~ 3591

~~(e) If the offender is not a resident of this state, the~~ 3592  
~~court shall suspend for a period of not less than twelve months~~ 3593  
~~and not more than thirty six months impose a class four suspension~~ 3594  
~~of the nonresident operating privilege of the offender from the~~ 3595  
~~range specified in division (A)(4) of section 4510.02 of the~~ 3596  
~~Revised Code.~~ 3597

(2) If the offender shows good cause why the court should not suspend ~~or revoke~~ one of the types of licenses, permits, or privileges specified in division (F)(1) of this section or deny the issuance of one of the temporary instruction permits specified in that division, the court in its discretion may choose not to impose the suspension, revocation, or denial required in that division.

(G) As used in this section, "object that is indistinguishable from a firearm" means an object made, constructed, or altered so that, to a reasonable person without specialized training in firearms, the object appears to be a firearm.

**Sec. 2925.01.** As used in this chapter:

(A) "Administer," "controlled substance," "dispense," "distribute," "hypodermic," "manufacturer," "official written order," "person," "pharmacist," "pharmacy," "sale," "schedule I," "schedule II," "schedule III," "schedule IV," "schedule V," and "wholesaler" have the same meanings as in section 3719.01 of the Revised Code.

(B) "Drug dependent person" and "drug of abuse" have the same meanings as in section 3719.011 of the Revised Code.

(C) "Drug," "dangerous drug," "licensed health professional authorized to prescribe drugs," and "prescription" have the same meanings as in section 4729.01 of the Revised Code.

(D) "Bulk amount" of a controlled substance means any of the following:

(1) For any compound, mixture, preparation, or substance included in schedule I, schedule II, or schedule III, with the exception of marihuana, cocaine, L.S.D., heroin, and hashish and except as provided in division (D)(2) or (5) of this section,

whichever of the following is applicable: 3628

(a) An amount equal to or exceeding ten grams or twenty-five 3629  
unit doses of a compound, mixture, preparation, or substance that 3630  
is or contains any amount of a schedule I opiate or opium 3631  
derivative; 3632

(b) An amount equal to or exceeding ten grams of a compound, 3633  
mixture, preparation, or substance that is or contains any amount 3634  
of raw or gum opium; 3635

(c) An amount equal to or exceeding thirty grams or ten unit 3636  
doses of a compound, mixture, preparation, or substance that is or 3637  
contains any amount of a schedule I hallucinogen other than 3638  
tetrahydrocannabinol or lysergic acid amide, or a schedule I 3639  
stimulant or depressant; 3640

(d) An amount equal to or exceeding twenty grams or five 3641  
times the maximum daily dose in the usual dose range specified in 3642  
a standard pharmaceutical reference manual of a compound, mixture, 3643  
preparation, or substance that is or contains any amount of a 3644  
schedule II opiate or opium derivative; 3645

(e) An amount equal to or exceeding five grams or ten unit 3646  
doses of a compound, mixture, preparation, or substance that is or 3647  
contains any amount of phencyclidine; 3648

(f) An amount equal to or exceeding one hundred twenty grams 3649  
or thirty times the maximum daily dose in the usual dose range 3650  
specified in a standard pharmaceutical reference manual of a 3651  
compound, mixture, preparation, or substance that is or contains 3652  
any amount of a schedule II stimulant that is in a final dosage 3653  
form manufactured by a person authorized by the "Federal Food, 3654  
Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as 3655  
amended, and the federal drug abuse control laws, as defined in 3656  
section 3719.01 of the Revised Code, that is or contains any 3657  
amount of a schedule II depressant substance or a schedule II 3658

hallucinogenic substance; 3659

(g) An amount equal to or exceeding three grams of a 3660  
compound, mixture, preparation, or substance that is or contains 3661  
any amount of a schedule II stimulant, or any of its salts or 3662  
isomers, that is not in a final dosage form manufactured by a 3663  
person authorized by the Federal Food, Drug, and Cosmetic Act and 3664  
the federal drug abuse control laws. 3665

(2) An amount equal to or exceeding one hundred twenty grams 3666  
or thirty times the maximum daily dose in the usual dose range 3667  
specified in a standard pharmaceutical reference manual of a 3668  
compound, mixture, preparation, or substance that is or contains 3669  
any amount of a schedule III or IV substance other than an 3670  
anabolic steroid or a schedule III opiate or opium derivative; 3671

(3) An amount equal to or exceeding twenty grams or five 3672  
times the maximum daily dose in the usual dose range specified in 3673  
a standard pharmaceutical reference manual of a compound, mixture, 3674  
preparation, or substance that is or contains any amount of a 3675  
schedule III opiate or opium derivative; 3676

(4) An amount equal to or exceeding two hundred fifty 3677  
milliliters or two hundred fifty grams of a compound, mixture, 3678  
preparation, or substance that is or contains any amount of a 3679  
schedule V substance; 3680

(5) An amount equal to or exceeding two hundred solid dosage 3681  
units, sixteen grams, or sixteen milliliters of a compound, 3682  
mixture, preparation, or substance that is or contains any amount 3683  
of a schedule III anabolic steroid. 3684

(E) "Unit dose" means an amount or unit of a compound, 3685  
mixture, or preparation containing a controlled substance that is 3686  
separately identifiable and in a form that indicates that it is 3687  
the amount or unit by which the controlled substance is separately 3688  
administered to or taken by an individual. 3689

(F) "Cultivate" includes planting, watering, fertilizing, or tilling. 3690  
3691

(G) "Drug abuse offense" means any of the following: 3692

(1) A violation of division (A) of section 2913.02 that 3693  
constitutes theft of drugs, or a violation of section 2925.02, 3694  
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 3695  
2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, or 3696  
2925.37 of the Revised Code; 3697

(2) A violation of an existing or former law of this or any 3698  
other state or of the United States that is substantially 3699  
equivalent to any section listed in division (G)(1) of this 3700  
section; 3701

(3) An offense under an existing or former law of this or any 3702  
other state, or of the United States, of which planting, 3703  
cultivating, harvesting, processing, making, manufacturing, 3704  
producing, shipping, transporting, delivering, acquiring, 3705  
possessing, storing, distributing, dispensing, selling, inducing 3706  
another to use, administering to another, using, or otherwise 3707  
dealing with a controlled substance is an element; 3708

(4) A conspiracy to commit, attempt to commit, or complicity 3709  
in committing or attempting to commit any offense under division 3710  
(G)(1), (2), or (3) of this section. 3711

(H) "Felony drug abuse offense" means any drug abuse offense 3712  
that would constitute a felony under the laws of this state, any 3713  
other state, or the United States. 3714

(I) "Harmful intoxicant" does not include beer or 3715  
intoxicating liquor but means any of the following: 3716

(1) Any compound, mixture, preparation, or substance the gas, 3717  
fumes, or vapor of which when inhaled can induce intoxication, 3718  
excitement, giddiness, irrational behavior, depression, 3719

stupefaction, paralysis, unconsciousness, asphyxiation, or other	3720
harmful physiological effects, and includes, but is not limited	3721
to, any of the following:	3722
(a) Any volatile organic solvent, plastic cement, model	3723
cement, fingernail polish remover, lacquer thinner, cleaning	3724
fluid, gasoline, or other preparation containing a volatile	3725
organic solvent;	3726
(b) Any aerosol propellant;	3727
(c) Any fluorocarbon refrigerant;	3728
(d) Any anesthetic gas.	3729
(2) Gamma Butyrolactone;	3730
(3) 1,4 Butanediol.	3731
(J) "Manufacture" means to plant, cultivate, harvest,	3732
process, make, prepare, or otherwise engage in any part of the	3733
production of a drug, by propagation, extraction, chemical	3734
synthesis, or compounding, or any combination of the same, and	3735
includes packaging, repackaging, labeling, and other activities	3736
incident to production.	3737
(K) "Possess" or "possession" means having control over a	3738
thing or substance, but may not be inferred solely from mere	3739
access to the thing or substance through ownership or occupation	3740
of the premises upon which the thing or substance is found.	3741
(L) "Sample drug" means a drug or pharmaceutical preparation	3742
that would be hazardous to health or safety if used without the	3743
supervision of a licensed health professional authorized to	3744
prescribe drugs, or a drug of abuse, and that, at one time, had	3745
been placed in a container plainly marked as a sample by a	3746
manufacturer.	3747
(M) "Standard pharmaceutical reference manual" means the	3748
current edition, with cumulative changes if any, of any of the	3749



following reference works:	3750
(1) "The National Formulary";	3751
(2) "The United States Pharmacopeia," prepared by authority of the United States Pharmacopeial Convention, Inc.;	3752 3753
(3) Other standard references that are approved by the state board of pharmacy.	3754 3755
(N) "Juvenile" means a person under eighteen years of age.	3756
(O) "Counterfeit controlled substance" means any of the following:	3757 3758
(1) Any drug that bears, or whose container or label bears, a trademark, trade name, or other identifying mark used without authorization of the owner of rights to that trademark, trade name, or identifying mark;	3759 3760 3761 3762
(2) Any unmarked or unlabeled substance that is represented to be a controlled substance manufactured, processed, packed, or distributed by a person other than the person that manufactured, processed, packed, or distributed it;	3763 3764 3765 3766
(3) Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance;	3767 3768 3769
(4) Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance because of its similarity in shape, size, and color, or its markings, labeling, packaging, distribution, or the price for which it is sold or offered for sale.	3770 3771 3772 3773 3774
(P) An offense is "committed in the vicinity of a school" if the offender commits the offense on school premises, in a school building, or within one thousand feet of the boundaries of any school premises.	3775 3776 3777 3778
(Q) "School" means any school operated by a board of	3779

education or any school for which the state board of education 3780  
prescribes minimum standards under section 3301.07 of the Revised 3781  
Code, whether or not any instruction, extracurricular activities, 3782  
or training provided by the school is being conducted at the time 3783  
a criminal offense is committed. 3784

(R) "School premises" means either of the following: 3785

(1) The parcel of real property on which any school is 3786  
situated, whether or not any instruction, extracurricular 3787  
activities, or training provided by the school is being conducted 3788  
on the premises at the time a criminal offense is committed; 3789

(2) Any other parcel of real property that is owned or leased 3790  
by a board of education of a school or the governing body of a 3791  
school for which the state board of education prescribes minimum 3792  
standards under section 3301.07 of the Revised Code and on which 3793  
some of the instruction, extracurricular activities, or training 3794  
of the school is conducted, whether or not any instruction, 3795  
extracurricular activities, or training provided by the school is 3796  
being conducted on the parcel of real property at the time a 3797  
criminal offense is committed. 3798

(S) "School building" means any building in which any of the 3799  
instruction, extracurricular activities, or training provided by a 3800  
school is conducted, whether or not any instruction, 3801  
extracurricular activities, or training provided by the school is 3802  
being conducted in the school building at the time a criminal 3803  
offense is committed. 3804

(T) "Disciplinary counsel" means the disciplinary counsel 3805  
appointed by the board of commissioners on grievances and 3806  
discipline of the supreme court under the Rules for the Government 3807  
of the Bar of Ohio. 3808

(U) "Certified grievance committee" means a duly constituted 3809  
and organized committee of the Ohio state bar association or of 3810

one or more local bar associations of the state of Ohio that 3811  
complies with the criteria set forth in Rule V, section 6 of the 3812  
Rules for the Government of the Bar of Ohio. 3813

(V) "Professional license" means any license, permit, 3814  
certificate, registration, qualification, admission, temporary 3815  
license, temporary permit, temporary certificate, or temporary 3816  
registration that is described in divisions (W)(1) to ~~(35)~~(36) of 3817  
this section and that qualifies a person as a professionally 3818  
licensed person. 3819

(W) "Professionally licensed person" means any of the 3820  
following: 3821

(1) A person who has obtained a license as a manufacturer of 3822  
controlled substances or a wholesaler of controlled substances 3823  
under Chapter 3719. of the Revised Code; 3824

(2) A person who has received a certificate or temporary 3825  
certificate as a certified public accountant or who has registered 3826  
as a public accountant under Chapter 4701. of the Revised Code and 3827  
who holds an Ohio permit issued under that chapter; 3828

(3) A person who holds a certificate of qualification to 3829  
practice architecture issued or renewed and registered under 3830  
Chapter 4703. of the Revised Code; 3831

(4) A person who is registered as a landscape architect under 3832  
Chapter 4703. of the Revised Code or who holds a permit as a 3833  
landscape architect issued under that chapter; 3834

(5) A person licensed as an auctioneer or apprentice 3835  
auctioneer or licensed to operate an auction company under Chapter 3836  
4707. of the Revised Code; 3837

(6) A person who has been issued a certificate of 3838  
registration as a registered barber under Chapter 4709. of the 3839  
Revised Code; 3840

(7) A person licensed and regulated to engage in the business	3841
of a debt pooling company by a legislative authority, under	3842
authority of Chapter 4710. of the Revised Code;	3843
(8) A person who has been issued a cosmetologist's license,	3844
manicurist's license, esthetician's license, managing	3845
cosmetologist's license, managing manicurist's license, managing	3846
esthetician's license, cosmetology instructor's license,	3847
manicurist instructor's license, esthetician instructor's license,	3848
or tanning facility permit under Chapter 4713. of the Revised	3849
Code;	3850
(9) A person who has been issued a license to practice	3851
dentistry, a general anesthesia permit, a conscious intravenous	3852
sedation permit, a limited resident's license, a limited teaching	3853
license, a dental hygienist's license, or a dental hygienist's	3854
teacher's certificate under Chapter 4715. of the Revised Code;	3855
(10) A person who has been issued an embalmer's license, a	3856
funeral director's license, a funeral home license, or a crematory	3857
license, or who has been registered for an embalmer's or funeral	3858
director's apprenticeship under Chapter 4717. of the Revised Code;	3859
(11) A person who has been licensed as a registered nurse or	3860
practical nurse, or who has been issued a certificate for the	3861
practice of nurse-midwifery under Chapter 4723. of the Revised	3862
Code;	3863
(12) A person who has been licensed to practice optometry or	3864
to engage in optical dispensing under Chapter 4725. of the Revised	3865
Code;	3866
(13) A person licensed to act as a pawnbroker under Chapter	3867
4727. of the Revised Code;	3868
(14) A person licensed to act as a precious metals dealer	3869
under Chapter 4728. of the Revised Code;	3870

(15) A person licensed as a pharmacist, a pharmacy intern, a wholesale distributor of dangerous drugs, or a terminal distributor of dangerous drugs under Chapter 4729. of the Revised Code;	3871 3872 3873 3874
(16) A person who is authorized to practice as a physician assistant under Chapter 4730. of the Revised Code;	3875 3876
(17) A person who has been issued a certificate to practice medicine and surgery, osteopathic medicine and surgery, a limited branch of medicine, or podiatry under Chapter 4731. of the Revised Code;	3877 3878 3879 3880
(18) A person licensed as a psychologist or school psychologist under Chapter 4732. of the Revised Code;	3881 3882
(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;	3883 3884
(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;	3885 3886
(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;	3887 3888
(22) A person registered as a registered sanitarian under Chapter 4736. of the Revised Code;	3889 3890
(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;	3891 3892
(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;	3893 3894
(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;	3895 3896
(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter	3897 3898 3899

4741. of the Revised Code;	3900
(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;	3901 3902 3903
(28) A person who has been issued a class A, class B, or class C license or who has been registered as an investigator or security guard employee under Chapter 4749. of the Revised Code;	3904 3905 3906
(29) A person licensed and registered to practice as a nursing home administrator under Chapter 4751. of the Revised Code;	3907 3908 3909
(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;	3910 3911 3912
(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;	3913 3914
(32) A person who is licensed as a professional clinical counselor or professional counselor, licensed as a social worker or independent social worker, or registered as a social work assistant under Chapter 4757. of the Revised Code;	3915 3916 3917 3918
(33) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;	3919 3920
(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;	3921 3922 3923
(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;	3924 3925
<u>(36) A person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules.</u>	3926 3927 3928
(X) "Cocaine" means any of the following:	3929

(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;	3930 3931
(2) Coca leaves or a salt, compound, derivative, or preparation of coca leaves, including ecgonine, a salt, isomer, or derivative of ecgonine, or a salt of an isomer or derivative of ecgonine;	3932 3933 3934 3935
(3) A salt, compound, derivative, or preparation of a substance identified in division (X)(1) or (2) of this section that is chemically equivalent to or identical with any of those substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves if the extractions do not contain cocaine or ecgonine.	3936 3937 3938 3939 3940 3941
(Y) "L.S.D." means lysergic acid diethylamide.	3942
(Z) "Hashish" means the resin or a preparation of the resin contained in marihuana, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.	3943 3944 3945
(AA) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code, except that it does not include hashish.	3946 3947
(BB) An offense is "committed in the vicinity of a juvenile" if the offender commits the offense within one hundred feet of a juvenile or within the view of a juvenile, regardless of whether the offender knows the age of the juvenile, whether the offender knows the offense is being committed within one hundred feet of or within view of the juvenile, or whether the juvenile actually views the commission of the offense.	3948 3949 3950 3951 3952 3953 3954
(CC) "Presumption for a prison term" or "presumption that a prison term shall be imposed" means a presumption, as described in division (D) of section 2929.13 of the Revised Code, that a prison term is a necessary sanction for a felony in order to comply with the purposes and principles of sentencing under section 2929.11 of	3955 3956 3957 3958 3959

the Revised Code. 3960

(DD) "Major drug offender" has the same meaning as in section 3961  
2929.01 of the Revised Code. 3962

(EE) "Minor drug possession offense" means either of the 3963  
following: 3964

(1) A violation of section 2925.11 of the Revised Code as it 3965  
existed prior to July 1, 1996; 3966

(2) A violation of section 2925.11 of the Revised Code as it 3967  
exists on and after July 1, 1996, that is a misdemeanor or a 3968  
felony of the fifth degree. 3969

(FF) "Mandatory prison term" has the same meaning as in 3970  
section 2929.01 of the Revised Code. 3971

(GG) "Crack cocaine" means a compound, mixture, preparation, 3972  
or substance that is or contains any amount of cocaine that is 3973  
analytically identified as the base form of cocaine or that is in 3974  
a form that resembles rocks or pebbles generally intended for 3975  
individual use. 3976

(HH) "Adulterate" means to cause a drug to be adulterated as 3977  
described in section 3715.63 of the Revised Code. 3978

(II) "Public premises" means any hotel, restaurant, tavern, 3979  
store, arena, hall, or other place of public accommodation, 3980  
business, amusement, or resort. 3981

**Sec. 2925.02.** (A) No person shall knowingly do any of the 3982  
following: 3983

(1) By force, threat, or deception, administer to another or 3984  
induce or cause another to use a controlled substance; 3985

(2) By any means, administer or furnish to another or induce 3986  
or cause another to use a controlled substance with purpose to 3987  
cause serious physical harm to the other person, or with purpose 3988



to cause the other person to become drug dependent; 3989

(3) By any means, administer or furnish to another or induce 3990  
or cause another to use a controlled substance, and thereby cause 3991  
serious physical harm to the other person, or cause the other 3992  
person to become drug dependent; 3993

(4) By any means, do any of the following: 3994

(a) Furnish or administer a controlled substance to a 3995  
juvenile who is at least two years the offender's junior, when the 3996  
offender knows the age of the juvenile or is reckless in that 3997  
regard; 3998

(b) Induce or cause a juvenile who is at least two years the 3999  
offender's junior to use a controlled substance, when the offender 4000  
knows the age of the juvenile or is reckless in that regard; 4001

(c) Induce or cause a juvenile who is at least two years the 4002  
offender's junior to commit a felony drug abuse offense, when the 4003  
offender knows the age of the juvenile or is reckless in that 4004  
regard; 4005

(d) Use a juvenile, whether or not the offender knows the age 4006  
of the juvenile, to perform any surveillance activity that is 4007  
intended to prevent the detection of the offender or any other 4008  
person in the commission of a felony drug abuse offense or to 4009  
prevent the arrest of the offender or any other person for the 4010  
commission of a felony drug abuse offense. 4011

(B) Division (A)(1), (3), or (4) of this section does not 4012  
apply to manufacturers, wholesalers, licensed health professionals 4013  
authorized to prescribe drugs, pharmacists, owners of pharmacies, 4014  
and other persons whose conduct is in accordance with Chapters 4015  
3719., 4715., 4723., 4729., 4731., and 4741. of the Revised Code. 4016

(C) Whoever violates this section is guilty of corrupting 4017  
another with drugs. The penalty for the offense shall be 4018

determined as follows: 4019

(1) Except as otherwise provided in this division, if the 4020  
drug involved is any compound, mixture, preparation, or substance 4021  
included in schedule I or II, with the exception of marihuana, 4022  
corrupting another with drugs is a felony of the second degree, 4023  
and, subject to division (E) of this section, the court shall 4024  
impose as a mandatory prison term one of the prison terms 4025  
prescribed for a felony of the second degree. If the drug involved 4026  
is any compound, mixture, preparation, or substance included in 4027  
schedule I or II, with the exception of marihuana, and if the 4028  
offense was committed in the vicinity of a school, corrupting 4029  
another with drugs is a felony of the first degree, and, subject 4030  
to division (E) of this section, the court shall impose as a 4031  
mandatory prison term one of the prison terms prescribed for a 4032  
felony of the first degree. 4033

(2) Except as otherwise provided in this division, if the 4034  
drug involved is any compound, mixture, preparation, or substance 4035  
included in schedule III, IV, or V, corrupting another with drugs 4036  
is a felony of the second degree, and there is a presumption for a 4037  
prison term for the offense. If the drug involved is any compound, 4038  
mixture, preparation, or substance included in schedule III, IV, 4039  
or V and if the offense was committed in the vicinity of a school, 4040  
corrupting another with drugs is a felony of the second degree, 4041  
and the court shall impose as a mandatory prison term one of the 4042  
prison terms prescribed for a felony of the second degree. 4043

(3) Except as otherwise provided in this division, if the 4044  
drug involved is marihuana, corrupting another with drugs is a 4045  
felony of the fourth degree, and division (C) of section 2929.13 4046  
of the Revised Code applies in determining whether to impose a 4047  
prison term on the offender. If the drug involved is marihuana and 4048  
if the offense was committed in the vicinity of a school, 4049  
corrupting another with drugs is a felony of the third degree, and 4050

division (C) of section 2929.13 of the Revised Code applies in 4051  
determining whether to impose a prison term on the offender. 4052

(D) In addition to any prison term authorized or required by 4053  
division (C) or (E) of this section and sections 2929.13 and 4054  
2929.14 of the Revised Code and in addition to any other sanction 4055  
imposed for the offense under this section or sections 2929.11 to 4056  
2929.18 of the Revised Code, the court that sentences an offender 4057  
who is convicted of or pleads guilty to a violation of division 4058  
(A) of this section or the clerk of that court shall do all of the 4059  
following that are applicable regarding the offender: 4060

(1)(a) If the violation is a felony of the first, second, or 4061  
third degree, the court shall impose upon the offender the 4062  
mandatory fine specified for the offense under division (B)(1) of 4063  
section 2929.18 of the Revised Code unless, as specified in that 4064  
division, the court determines that the offender is indigent. 4065

(b) Notwithstanding any contrary provision of section 3719.21 4066  
of the Revised Code, any mandatory fine imposed pursuant to 4067  
division (D)(1)(a) of this section and any fine imposed for a 4068  
violation of this section pursuant to division (A) of section 4069  
2929.18 of the Revised Code shall be paid by the clerk of the 4070  
court in accordance with and subject to the requirements of, and 4071  
shall be used as specified in, division (F) of section 2925.03 of 4072  
the Revised Code. 4073

(c) If a person is charged with any violation of this section 4074  
that is a felony of the first, second, or third degree, posts 4075  
bail, and forfeits the bail, the forfeited bail shall be paid by 4076  
the clerk of the court pursuant to division (D)(1)(b) of this 4077  
section as if it were a fine imposed for a violation of this 4078  
section. 4079

(2) The court ~~either shall revoke or, if it does not revoke,~~ 4080  
~~shall suspend for not less than six months or more than five~~ 4081

~~years, the driver's or commercial driver's license or permit of~~ 4082  
~~any person who is convicted of or pleads guilty to a violation of~~ 4083  
~~this section that is a felony of the first degree and shall~~ 4084  
suspend for not less than six months nor more than five years the 4085  
offender's driver's or commercial driver's license or permit ~~of~~ 4086  
~~any person who is convicted of or pleads guilty to any other~~ 4087  
~~violation of this section.~~ If an offender's driver's or commercial 4088  
driver's license or permit is ~~revoked~~ suspended pursuant to this 4089  
division, the offender, at any time after the expiration of two 4090  
years from the day on which the offender's sentence was imposed or 4091  
from the day on which the offender finally was released from a 4092  
prison term under the sentence, whichever is later, may file a 4093  
motion with the sentencing court requesting termination of the 4094  
~~revocation~~ suspension. Upon the filing of the motion and the 4095  
court's finding of good cause for the termination, the court may 4096  
terminate the ~~revocation~~ suspension. 4097

(3) If the offender is a professionally licensed person ~~or a~~ 4098  
~~person who has been admitted to the bar by order of the supreme~~ 4099  
~~court in compliance with its prescribed and published rules,~~ in 4100  
addition to any other sanction imposed for a violation of this 4101  
section, the court ~~forthwith~~ immediately shall comply with section 4102  
2925.38 of the Revised Code. 4103

(E) Notwithstanding the prison term otherwise authorized or 4104  
required for the offense under division (C) of this section and 4105  
sections 2929.13 and 2929.14 of the Revised Code, if the violation 4106  
of division (A) of this section involves the sale, offer to sell, 4107  
or possession of a schedule I or II controlled substance, with the 4108  
exception of marihuana, and if the court imposing sentence upon 4109  
the offender finds that the offender as a result of the violation 4110  
is a major drug offender and is guilty of a specification of the 4111  
type described in section 2941.1410 of the Revised Code, the 4112  
court, in lieu of the prison term that otherwise is authorized or 4113

required, shall impose upon the offender the mandatory prison term 4114  
specified in division (D)(3)(a) of section 2929.14 of the Revised 4115  
Code and may impose an additional prison term under division 4116  
(D)(3)(b) of that section. 4117

**Sec. 2925.03.** (A) No person shall knowingly do any of the 4118  
following: 4119

(1) Sell or offer to sell a controlled substance; 4120

(2) Prepare for shipment, ship, transport, deliver, prepare 4121  
for distribution, or distribute a controlled substance, when the 4122  
offender knows or has reasonable cause to believe that the 4123  
controlled substance is intended for sale or resale by the 4124  
offender or another person. 4125

(B) This section does not apply to any of the following: 4126

(1) Manufacturers, licensed health professionals authorized 4127  
to prescribe drugs, pharmacists, owners of pharmacies, and other 4128  
persons whose conduct is in accordance with Chapters 3719., 4715., 4129  
4723., 4729., 4731., and 4741. of the Revised Code; 4130

(2) If the offense involves an anabolic steroid, any person 4131  
who is conducting or participating in a research project involving 4132  
the use of an anabolic steroid if the project has been approved by 4133  
the United States food and drug administration; 4134

(3) Any person who sells, offers for sale, prescribes, 4135  
dispenses, or administers for livestock or other nonhuman species 4136  
an anabolic steroid that is expressly intended for administration 4137  
through implants to livestock or other nonhuman species and 4138  
approved for that purpose under the "Federal Food, Drug, and 4139  
Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, 4140  
and is sold, offered for sale, prescribed, dispensed, or 4141  
administered for that purpose in accordance with that act. 4142

(C) Whoever violates division (A) of this section is guilty 4143

of one of the following: 4144

(1) If the drug involved in the violation is any compound, 4145  
mixture, preparation, or substance included in schedule I or 4146  
schedule II, with the exception of marihuana, cocaine, L.S.D., 4147  
heroin, and hashish, whoever violates division (A) of this section 4148  
is guilty of aggravated trafficking in drugs. The penalty for the 4149  
offense shall be determined as follows: 4150

(a) Except as otherwise provided in division (C)(1)(b), (c), 4151  
(d), (e), or (f) of this section, aggravated trafficking in drugs 4152  
is a felony of the fourth degree, and division (C) of section 4153  
2929.13 of the Revised Code applies in determining whether to 4154  
impose a prison term on the offender. 4155

(b) Except as otherwise provided in division (C)(1)(c), (d), 4156  
(e), or (f) of this section, if the offense was committed in the 4157  
vicinity of a school or in the vicinity of a juvenile, aggravated 4158  
trafficking in drugs is a felony of the third degree, and division 4159  
(C) of section 2929.13 of the Revised Code applies in determining 4160  
whether to impose a prison term on the offender. 4161

(c) Except as otherwise provided in this division, if the 4162  
amount of the drug involved equals or exceeds the bulk amount but 4163  
is less than five times the bulk amount, aggravated trafficking in 4164  
drugs is a felony of the third degree, and the court shall impose 4165  
as a mandatory prison term one of the prison terms prescribed for 4166  
a felony of the third degree. If the amount of the drug involved 4167  
is within that range and if the offense was committed in the 4168  
vicinity of a school or in the vicinity of a juvenile, aggravated 4169  
trafficking in drugs is a felony of the second degree, and the 4170  
court shall impose as a mandatory prison term one of the prison 4171  
terms prescribed for a felony of the second degree. 4172

(d) Except as otherwise provided in this division, if the 4173  
amount of the drug involved equals or exceeds five times the bulk 4174

amount but is less than fifty times the bulk amount, aggravated 4175  
trafficking in drugs is a felony of the second degree, and the 4176  
court shall impose as a mandatory prison term one of the prison 4177  
terms prescribed for a felony of the second degree. If the amount 4178  
of the drug involved is within that range and if the offense was 4179  
committed in the vicinity of a school or in the vicinity of a 4180  
juvenile, aggravated trafficking in drugs is a felony of the first 4181  
degree, and the court shall impose as a mandatory prison term one 4182  
of the prison terms prescribed for a felony of the first degree. 4183

(e) If the amount of the drug involved equals or exceeds 4184  
fifty times the bulk amount but is less than one hundred times the 4185  
bulk amount and regardless of whether the offense was committed in 4186  
the vicinity of a school or in the vicinity of a juvenile, 4187  
aggravated trafficking in drugs is a felony of the first degree, 4188  
and the court shall impose as a mandatory prison term one of the 4189  
prison terms prescribed for a felony of the first degree. 4190

(f) If the amount of the drug involved equals or exceeds one 4191  
hundred times the bulk amount and regardless of whether the 4192  
offense was committed in the vicinity of a school or in the 4193  
vicinity of a juvenile, aggravated trafficking in drugs is a 4194  
felony of the first degree, the offender is a major drug offender, 4195  
and the court shall impose as a mandatory prison term the maximum 4196  
prison term prescribed for a felony of the first degree and may 4197  
impose an additional prison term prescribed for a major drug 4198  
offender under division (D)(3)(b) of section 2929.14 of the 4199  
Revised Code. 4200

(2) If the drug involved in the violation is any compound, 4201  
mixture, preparation, or substance included in schedule III, IV, 4202  
or V, whoever violates division (A) of this section is guilty of 4203  
trafficking in drugs. The penalty for the offense shall be 4204  
determined as follows: 4205

(a) Except as otherwise provided in division (C)(2)(b), (c), 4206

(d), or (e) of this section, trafficking in drugs is a felony of 4207  
the fifth degree, and division (C) of section 2929.13 of the 4208  
Revised Code applies in determining whether to impose a prison 4209  
term on the offender. 4210

(b) Except as otherwise provided in division (C)(2)(c), (d), 4211  
or (e) of this section, if the offense was committed in the 4212  
vicinity of a school or in the vicinity of a juvenile, trafficking 4213  
in drugs is a felony of the fourth degree, and division (C) of 4214  
section 2929.13 of the Revised Code applies in determining whether 4215  
to impose a prison term on the offender. 4216

(c) Except as otherwise provided in this division, if the 4217  
amount of the drug involved equals or exceeds the bulk amount but 4218  
is less than five times the bulk amount, trafficking in drugs is a 4219  
felony of the fourth degree, and there is a presumption for a 4220  
prison term for the offense. If the amount of the drug involved is 4221  
within that range and if the offense was committed in the vicinity 4222  
of a school or in the vicinity of a juvenile, trafficking in drugs 4223  
is a felony of the third degree, and there is a presumption for a 4224  
prison term for the offense. 4225

(d) Except as otherwise provided in this division, if the 4226  
amount of the drug involved equals or exceeds five times the bulk 4227  
amount but is less than fifty times the bulk amount, trafficking 4228  
in drugs is a felony of the third degree, and there is a 4229  
presumption for a prison term for the offense. If the amount of 4230  
the drug involved is within that range and if the offense was 4231  
committed in the vicinity of a school or in the vicinity of a 4232  
juvenile, trafficking in drugs is a felony of the second degree, 4233  
and there is a presumption for a prison term for the offense. 4234

(e) Except as otherwise provided in this division, if the 4235  
amount of the drug involved equals or exceeds fifty times the bulk 4236  
amount, trafficking in drugs is a felony of the second degree, and 4237  
the court shall impose as a mandatory prison term one of the 4238



prison terms prescribed for a felony of the second degree. If the amount of the drug involved equals or exceeds fifty times the bulk amount and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in drugs is a felony of the first degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree.

(3) If the drug involved in the violation is marihuana or a compound, mixture, preparation, or substance containing marihuana other than hashish, whoever violates division (A) of this section is guilty of trafficking in marihuana. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C)(3)(b), (c), (d), (e), (f), or (g) of this section, trafficking in marihuana is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(b) Except as otherwise provided in division (C)(3)(c), (d), (e), (f), or (g) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in marihuana is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds two hundred grams but is less than one thousand grams, trafficking in marihuana is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in marihuana is a felony of the third degree, and division (C) of

section 2929.13 of the Revised Code applies in determining whether 4271  
to impose a prison term on the offender. 4272

(d) Except as otherwise provided in this division, if the 4273  
amount of the drug involved equals or exceeds one thousand grams 4274  
but is less than five thousand grams, trafficking in marihuana is 4275  
a felony of the third degree, and division (C) of section 2929.13 4276  
of the Revised Code applies in determining whether to impose a 4277  
prison term on the offender. If the amount of the drug involved is 4278  
within that range and if the offense was committed in the vicinity 4279  
of a school or in the vicinity of a juvenile, trafficking in 4280  
marihuana is a felony of the second degree, and there is a 4281  
presumption that a prison term shall be imposed for the offense. 4282

(e) Except as otherwise provided in this division, if the 4283  
amount of the drug involved equals or exceeds five thousand grams 4284  
but is less than twenty thousand grams, trafficking in marihuana 4285  
is a felony of the third degree, and there is a presumption that a 4286  
prison term shall be imposed for the offense. If the amount of the 4287  
drug involved is within that range and if the offense was 4288  
committed in the vicinity of a school or in the vicinity of a 4289  
juvenile, trafficking in marihuana is a felony of the second 4290  
degree, and there is a presumption that a prison term shall be 4291  
imposed for the offense. 4292

(f) Except as otherwise provided in this division, if the 4293  
amount of the drug involved equals or exceeds twenty thousand 4294  
grams, trafficking in marihuana is a felony of the second degree, 4295  
and the court shall impose as a mandatory prison term the maximum 4296  
prison term prescribed for a felony of the second degree. If the 4297  
amount of the drug involved equals or exceeds twenty thousand 4298  
grams and if the offense was committed in the vicinity of a school 4299  
or in the vicinity of a juvenile, trafficking in marihuana is a 4300  
felony of the first degree, and the court shall impose as a 4301  
mandatory prison term the maximum prison term prescribed for a 4302

felony of the first degree. 4303

(g) Except as otherwise provided in this division, if the 4304  
offense involves a gift of twenty grams or less of marihuana, 4305  
trafficking in marihuana is a minor misdemeanor upon a first 4306  
offense and a misdemeanor of the third degree upon a subsequent 4307  
offense. If the offense involves a gift of twenty grams or less of 4308  
marihuana and if the offense was committed in the vicinity of a 4309  
school or in the vicinity of a juvenile, trafficking in marihuana 4310  
is a misdemeanor of the third degree. 4311

(4) If the drug involved in the violation is cocaine or a 4312  
compound, mixture, preparation, or substance containing cocaine, 4313  
whoever violates division (A) of this section is guilty of 4314  
trafficking in cocaine. The penalty for the offense shall be 4315  
determined as follows: 4316

(a) Except as otherwise provided in division (C)(4)(b), (c), 4317  
(d), (e), (f), or (g) of this section, trafficking in cocaine is a 4318  
felony of the fifth degree, and division (C) of section 2929.13 of 4319  
the Revised Code applies in determining whether to impose a prison 4320  
term on the offender. 4321

(b) Except as otherwise provided in division (C)(4)(c), (d), 4322  
(e), (f), or (g) of this section, if the offense was committed in 4323  
the vicinity of a school or in the vicinity of a juvenile, 4324  
trafficking in cocaine is a felony of the fourth degree, and 4325  
division (C) of section 2929.13 of the Revised Code applies in 4326  
determining whether to impose a prison term on the offender. 4327

(c) Except as otherwise provided in this division, if the 4328  
amount of the drug involved equals or exceeds five grams but is 4329  
less than ten grams of cocaine that is not crack cocaine or equals 4330  
or exceeds one gram but is less than five grams of crack cocaine, 4331  
trafficking in cocaine is a felony of the fourth degree, and there 4332  
is a presumption for a prison term for the offense. If the amount 4333

of the drug involved is within one of those ranges and if the 4334  
offense was committed in the vicinity of a school or in the 4335  
vicinity of a juvenile, trafficking in cocaine is a felony of the 4336  
third degree, and there is a presumption for a prison term for the 4337  
offense. 4338

(d) Except as otherwise provided in this division, if the 4339  
amount of the drug involved equals or exceeds ten grams but is 4340  
less than one hundred grams of cocaine that is not crack cocaine 4341  
or equals or exceeds five grams but is less than ten grams of 4342  
crack cocaine, trafficking in cocaine is a felony of the third 4343  
degree, and the court shall impose as a mandatory prison term one 4344  
of the prison terms prescribed for a felony of the third degree. 4345  
If the amount of the drug involved is within one of those ranges 4346  
and if the offense was committed in the vicinity of a school or in 4347  
the vicinity of a juvenile, trafficking in cocaine is a felony of 4348  
the second degree, and the court shall impose as a mandatory 4349  
prison term one of the prison terms prescribed for a felony of the 4350  
second degree. 4351

(e) Except as otherwise provided in this division, if the 4352  
amount of the drug involved equals or exceeds one hundred grams 4353  
but is less than five hundred grams of cocaine that is not crack 4354  
cocaine or equals or exceeds ten grams but is less than 4355  
twenty-five grams of crack cocaine, trafficking in cocaine is a 4356  
felony of the second degree, and the court shall impose as a 4357  
mandatory prison term one of the prison terms prescribed for a 4358  
felony of the second degree. If the amount of the drug involved is 4359  
within one of those ranges and if the offense was committed in the 4360  
vicinity of a school or in the vicinity of a juvenile, trafficking 4361  
in cocaine is a felony of the first degree, and the court shall 4362  
impose as a mandatory prison term one of the prison terms 4363  
prescribed for a felony of the first degree. 4364

(f) If the amount of the drug involved equals or exceeds five 4365

hundred grams but is less than one thousand grams of cocaine that 4366  
is not crack cocaine or equals or exceeds twenty-five grams but is 4367  
less than one hundred grams of crack cocaine and regardless of 4368  
whether the offense was committed in the vicinity of a school or 4369  
in the vicinity of a juvenile, trafficking in cocaine is a felony 4370  
of the first degree, and the court shall impose as a mandatory 4371  
prison term one of the prison terms prescribed for a felony of the 4372  
first degree. 4373

(g) If the amount of the drug involved equals or exceeds one 4374  
thousand grams of cocaine that is not crack cocaine or equals or 4375  
exceeds one hundred grams of crack cocaine and regardless of 4376  
whether the offense was committed in the vicinity of a school or 4377  
in the vicinity of a juvenile, trafficking in cocaine is a felony 4378  
of the first degree, the offender is a major drug offender, and 4379  
the court shall impose as a mandatory prison term the maximum 4380  
prison term prescribed for a felony of the first degree and may 4381  
impose an additional mandatory prison term prescribed for a major 4382  
drug offender under division (D)(3)(b) of section 2929.14 of the 4383  
Revised Code. 4384

(5) If the drug involved in the violation is L.S.D. or a 4385  
compound, mixture, preparation, or substance containing L.S.D., 4386  
whoever violates division (A) of this section is guilty of 4387  
trafficking in L.S.D. The penalty for the offense shall be 4388  
determined as follows: 4389

(a) Except as otherwise provided in division (C)(5)(b), (c), 4390  
(d), (e), (f), or (g) of this section, trafficking in L.S.D. is a 4391  
felony of the fifth degree, and division (C) of section 2929.13 of 4392  
the Revised Code applies in determining whether to impose a prison 4393  
term on the offender. 4394

(b) Except as otherwise provided in division (C)(5)(c), (d), 4395  
(e), (f), or (g) of this section, if the offense was committed in 4396  
the vicinity of a school or in the vicinity of a juvenile, 4397

trafficking in L.S.D. is a felony of the fourth degree, and 4398  
division (C) of section 2929.13 of the Revised Code applies in 4399  
determining whether to impose a prison term on the offender. 4400

(c) Except as otherwise provided in this division, if the 4401  
amount of the drug involved equals or exceeds ten unit doses but 4402  
is less than fifty unit doses of L.S.D. in a solid form or equals 4403  
or exceeds one gram but is less than five grams of L.S.D. in a 4404  
liquid concentrate, liquid extract, or liquid distillate form, 4405  
trafficking in L.S.D. is a felony of the fourth degree, and there 4406  
is a presumption for a prison term for the offense. If the amount 4407  
of the drug involved is within that range and if the offense was 4408  
committed in the vicinity of a school or in the vicinity of a 4409  
juvenile, trafficking in L.S.D. is a felony of the third degree, 4410  
and there is a presumption for a prison term for the offense. 4411

(d) Except as otherwise provided in this division, if the 4412  
amount of the drug involved equals or exceeds fifty unit doses but 4413  
is less than two hundred fifty unit doses of L.S.D. in a solid 4414  
form or equals or exceeds five grams but is less than twenty-five 4415  
grams of L.S.D. in a liquid concentrate, liquid extract, or liquid 4416  
distillate form, trafficking in L.S.D. is a felony of the third 4417  
degree, and the court shall impose as a mandatory prison term one 4418  
of the prison terms prescribed for a felony of the third degree. 4419  
If the amount of the drug involved is within that range and if the 4420  
offense was committed in the vicinity of a school or in the 4421  
vicinity of a juvenile, trafficking in L.S.D. is a felony of the 4422  
second degree, and the court shall impose as a mandatory prison 4423  
term one of the prison terms prescribed for a felony of the second 4424  
degree. 4425

(e) Except as otherwise provided in this division, if the 4426  
amount of the drug involved equals or exceeds two hundred fifty 4427  
unit doses but is less than one thousand unit doses of L.S.D. in a 4428  
solid form or equals or exceeds twenty-five grams but is less than 4429

one hundred grams of L.S.D. in a liquid concentrate, liquid 4430  
extract, or liquid distillate form, trafficking in L.S.D. is a 4431  
felony of the second degree, and the court shall impose as a 4432  
mandatory prison term one of the prison terms prescribed for a 4433  
felony of the second degree. If the amount of the drug involved is 4434  
within that range and if the offense was committed in the vicinity 4435  
of a school or in the vicinity of a juvenile, trafficking in 4436  
L.S.D. is a felony of the first degree, and the court shall impose 4437  
as a mandatory prison term one of the prison terms prescribed for 4438  
a felony of the first degree. 4439

(f) If the amount of the drug involved equals or exceeds one 4440  
thousand unit doses but is less than five thousand unit doses of 4441  
L.S.D. in a solid form or equals or exceeds one hundred grams but 4442  
is less than five hundred grams of L.S.D. in a liquid concentrate, 4443  
liquid extract, or liquid distillate form and regardless of 4444  
whether the offense was committed in the vicinity of a school or 4445  
in the vicinity of a juvenile, trafficking in L.S.D. is a felony 4446  
of the first degree, and the court shall impose as a mandatory 4447  
prison term one of the prison terms prescribed for a felony of the 4448  
first degree. 4449

(g) If the amount of the drug involved equals or exceeds five 4450  
thousand unit doses of L.S.D. in a solid form or equals or exceeds 4451  
five hundred grams of L.S.D. in a liquid concentrate, liquid 4452  
extract, or liquid distillate form and regardless of whether the 4453  
offense was committed in the vicinity of a school or in the 4454  
vicinity of a juvenile, trafficking in L.S.D. is a felony of the 4455  
first degree, the offender is a major drug offender, and the court 4456  
shall impose as a mandatory prison term the maximum prison term 4457  
prescribed for a felony of the first degree and may impose an 4458  
additional mandatory prison term prescribed for a major drug 4459  
offender under division (D)(3)(b) of section 2929.14 of the 4460  
Revised Code. 4461

(6) If the drug involved in the violation is heroin or a compound, mixture, preparation, or substance containing heroin, whoever violates division (A) of this section is guilty of trafficking in heroin. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C)(6)(b), (c), (d), (e), (f), or (g) of this section, trafficking in heroin is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(b) Except as otherwise provided in division (C)(6)(c), (d), (e), (f), or (g) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in heroin is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.

(c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten unit doses but is less than fifty unit doses or equals or exceeds one gram but is less than five grams, trafficking in heroin is a felony of the fourth degree, and there is a presumption for a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in heroin is a felony of the third degree, and there is a presumption for a prison term for the offense.

(d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds fifty unit doses but is less than one hundred unit doses or equals or exceeds five grams but is less than ten grams, trafficking in heroin is a felony of the third degree, and there is a presumption for a



prison term for the offense. If the amount of the drug involved is 4493  
within that range and if the offense was committed in the vicinity 4494  
of a school or in the vicinity of a juvenile, trafficking in 4495  
heroin is a felony of the second degree, and there is a 4496  
presumption for a prison term for the offense. 4497

(e) Except as otherwise provided in this division, if the 4498  
amount of the drug involved equals or exceeds one hundred unit 4499  
doses but is less than five hundred unit doses or equals or 4500  
exceeds ten grams but is less than fifty grams, trafficking in 4501  
heroin is a felony of the second degree, and the court shall 4502  
impose as a mandatory prison term one of the prison terms 4503  
prescribed for a felony of the second degree. If the amount of the 4504  
drug involved is within that range and if the offense was 4505  
committed in the vicinity of a school or in the vicinity of a 4506  
juvenile, trafficking in heroin is a felony of the first degree, 4507  
and the court shall impose as a mandatory prison term one of the 4508  
prison terms prescribed for a felony of the first degree. 4509

(f) If the amount of the drug involved equals or exceeds five 4510  
hundred unit doses but is less than two thousand five hundred unit 4511  
doses or equals or exceeds fifty grams but is less than two 4512  
hundred fifty grams and regardless of whether the offense was 4513  
committed in the vicinity of a school or in the vicinity of a 4514  
juvenile, trafficking in heroin is a felony of the first degree, 4515  
and the court shall impose as a mandatory prison term one of the 4516  
prison terms prescribed for a felony of the first degree. 4517

(g) If the amount of the drug involved equals or exceeds two 4518  
thousand five hundred unit doses or equals or exceeds two hundred 4519  
fifty grams and regardless of whether the offense was committed in 4520  
the vicinity of a school or in the vicinity of a juvenile, 4521  
trafficking in heroin is a felony of the first degree, the 4522  
offender is a major drug offender, and the court shall impose as a 4523  
mandatory prison term the maximum prison term prescribed for a 4524

felony of the first degree and may impose an additional mandatory 4525  
prison term prescribed for a major drug offender under division 4526  
(D)(3)(b) of section 2929.14 of the Revised Code. 4527

(7) If the drug involved in the violation is hashish or a 4528  
compound, mixture, preparation, or substance containing hashish, 4529  
whoever violates division (A) of this section is guilty of 4530  
trafficking in hashish. The penalty for the offense shall be 4531  
determined as follows: 4532

(a) Except as otherwise provided in division (C)(7)(b), (c), 4533  
(d), (e), or (f) of this section, trafficking in hashish is a 4534  
felony of the fifth degree, and division (C) of section 2929.13 of 4535  
the Revised Code applies in determining whether to impose a prison 4536  
term on the offender. 4537

(b) Except as otherwise provided in division (C)(7)(c), (d), 4538  
(e), or (f) of this section, if the offense was committed in the 4539  
vicinity of a school or in the vicinity of a juvenile, trafficking 4540  
in hashish is a felony of the fourth degree, and division (C) of 4541  
section 2929.13 of the Revised Code applies in determining whether 4542  
to impose a prison term on the offender. 4543

(c) Except as otherwise provided in this division, if the 4544  
amount of the drug involved equals or exceeds ten grams but is 4545  
less than fifty grams of hashish in a solid form or equals or 4546  
exceeds two grams but is less than ten grams of hashish in a 4547  
liquid concentrate, liquid extract, or liquid distillate form, 4548  
trafficking in hashish is a felony of the fourth degree, and 4549  
division (C) of section 2929.13 of the Revised Code applies in 4550  
determining whether to impose a prison term on the offender. If 4551  
the amount of the drug involved is within that range and if the 4552  
offense was committed in the vicinity of a school or in the 4553  
vicinity of a juvenile, trafficking in hashish is a felony of the 4554  
third degree, and division (C) of section 2929.13 of the Revised 4555  
Code applies in determining whether to impose a prison term on the 4556

offender. 4557

(d) Except as otherwise provided in this division, if the 4558  
amount of the drug involved equals or exceeds fifty grams but is 4559  
less than two hundred fifty grams of hashish in a solid form or 4560  
equals or exceeds ten grams but is less than fifty grams of 4561  
hashish in a liquid concentrate, liquid extract, or liquid 4562  
distillate form, trafficking in hashish is a felony of the third 4563  
degree, and division (C) of section 2929.13 of the Revised Code 4564  
applies in determining whether to impose a prison term on the 4565  
offender. If the amount of the drug involved is within that range 4566  
and if the offense was committed in the vicinity of a school or in 4567  
the vicinity of a juvenile, trafficking in hashish is a felony of 4568  
the second degree, and there is a presumption that a prison term 4569  
shall be imposed for the offense. 4570

(e) Except as otherwise provided in this division, if the 4571  
amount of the drug involved equals or exceeds two hundred fifty 4572  
grams but is less than one thousand grams of hashish in a solid 4573  
form or equals or exceeds fifty grams but is less than two hundred 4574  
grams of hashish in a liquid concentrate, liquid extract, or 4575  
liquid distillate form, trafficking in hashish is a felony of the 4576  
third degree, and there is a presumption that a prison term shall 4577  
be imposed for the offense. If the amount of the drug involved is 4578  
within that range and if the offense was committed in the vicinity 4579  
of a school or in the vicinity of a juvenile, trafficking in 4580  
hashish is a felony of the second degree, and there is a 4581  
presumption that a prison term shall be imposed for the offense. 4582

(f) Except as otherwise provided in this division, if the 4583  
amount of the drug involved equals or exceeds one thousand grams 4584  
of hashish in a solid form or equals or exceeds two hundred grams 4585  
of hashish in a liquid concentrate, liquid extract, or liquid 4586  
distillate form, trafficking in hashish is a felony of the second 4587  
degree, and the court shall impose as a mandatory prison term the 4588

maximum prison term prescribed for a felony of the second degree. 4589  
If the amount of the drug involved is within that range and if the 4590  
offense was committed in the vicinity of a school or in the 4591  
vicinity of a juvenile, trafficking in hashish is a felony of the 4592  
first degree, and the court shall impose as a mandatory prison 4593  
term the maximum prison term prescribed for a felony of the first 4594  
degree. 4595

(D) In addition to any prison term authorized or required by 4596  
division (C) of this section and sections 2929.13 and 2929.14 of 4597  
the Revised Code, and in addition to any other sanction imposed 4598  
for the offense under this section or sections 2929.11 to 2929.18 4599  
of the Revised Code, the court that sentences an offender who is 4600  
convicted of or pleads guilty to a violation of division (A) of 4601  
this section shall do all of the following that are applicable 4602  
regarding the offender: 4603

(1) If the violation of division (A) of this section is a 4604  
felony of the first, second, or third degree, the court shall 4605  
impose upon the offender the mandatory fine specified for the 4606  
offense under division (B)(1) of section 2929.18 of the Revised 4607  
Code unless, as specified in that division, the court determines 4608  
that the offender is indigent. Except as otherwise provided in 4609  
division (H)(1) of this section, a mandatory fine or any other 4610  
fine imposed for a violation of this section is subject to 4611  
division (F) of this section. If a person is charged with a 4612  
violation of this section that is a felony of the first, second, 4613  
or third degree, posts bail, and forfeits the bail, the clerk of 4614  
the court shall pay the forfeited bail pursuant to divisions 4615  
(D)(1) and (F) of this section, as if the forfeited bail was a 4616  
fine imposed for a violation of this section. If any amount of the 4617  
forfeited bail remains after that payment and if a fine is imposed 4618  
under division (H)(1) of this section, the clerk of the court 4619  
shall pay the remaining amount of the forfeited bail pursuant to 4620

divisions (H)(2) and (3) of this section, as if that remaining amount was a fine imposed under division (H)(1) of this section.

(2) The court shall ~~revoke or~~ suspend the driver's or commercial driver's license or permit of the offender in accordance with division (G) of this section.

(3) If the offender is a professionally licensed person ~~or a person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules,~~ the court ~~forthwith~~ immediately shall comply with section 2925.38 of the Revised Code.

(E) When a person is charged with the sale of or offer to sell a bulk amount or a multiple of a bulk amount of a controlled substance, the jury, or the court trying the accused, shall determine the amount of the controlled substance involved at the time of the offense and, if a guilty verdict is returned, shall return the findings as part of the verdict. In any such case, it is unnecessary to find and return the exact amount of the controlled substance involved, and it is sufficient if the finding and return is to the effect that the amount of the controlled substance involved is the requisite amount, or that the amount of the controlled substance involved is less than the requisite amount.

(F)(1) Notwithstanding any contrary provision of section 3719.21 of the Revised Code and except as provided in division (H) of this section, the clerk of the court shall pay any mandatory fine imposed pursuant to division (D)(1) of this section and any fine other than a mandatory fine that is imposed for a violation of this section pursuant to division (A) or (B)(5) of section 2929.18 of the Revised Code to the county, township, municipal corporation, park district, as created pursuant to section 511.18 or 1545.04 of the Revised Code, or state law enforcement agencies

in this state that primarily were responsible for or involved in 4653  
making the arrest of, and in prosecuting, the offender. However, 4654  
the clerk shall not pay a mandatory fine so imposed to a law 4655  
enforcement agency unless the agency has adopted a written 4656  
internal control policy under division (F)(2) of this section that 4657  
addresses the use of the fine moneys that it receives. Each agency 4658  
shall use the mandatory fines so paid to subsidize the agency's 4659  
law enforcement efforts that pertain to drug offenses, in 4660  
accordance with the written internal control policy adopted by the 4661  
recipient agency under division (F)(2) of this section. 4662

(2)(a) Prior to receiving any fine moneys under division 4663  
(F)(1) of this section or division (B)(5) of section 2925.42 of 4664  
the Revised Code, a law enforcement agency shall adopt a written 4665  
internal control policy that addresses the agency's use and 4666  
disposition of all fine moneys so received and that provides for 4667  
the keeping of detailed financial records of the receipts of those 4668  
fine moneys, the general types of expenditures made out of those 4669  
fine moneys, and the specific amount of each general type of 4670  
expenditure. The policy shall not provide for or permit the 4671  
identification of any specific expenditure that is made in an 4672  
ongoing investigation. All financial records of the receipts of 4673  
those fine moneys, the general types of expenditures made out of 4674  
those fine moneys, and the specific amount of each general type of 4675  
expenditure by an agency are public records open for inspection 4676  
under section 149.43 of the Revised Code. Additionally, a written 4677  
internal control policy adopted under this division is such a 4678  
public record, and the agency that adopted it shall comply with 4679  
it. 4680

(b) Each law enforcement agency that receives in any calendar 4681  
year any fine moneys under division (F)(1) of this section or 4682  
division (B)(5) of section 2925.42 of the Revised Code shall 4683  
prepare a report covering the calendar year that cumulates all of 4684

the information contained in all of the public financial records 4685  
kept by the agency pursuant to division (F)(2)(a) of this section 4686  
for that calendar year, and shall send a copy of the cumulative 4687  
report, no later than the first day of March in the calendar year 4688  
following the calendar year covered by the report, to the attorney 4689  
general. Each report received by the attorney general is a public 4690  
record open for inspection under section 149.43 of the Revised 4691  
Code. Not later than the fifteenth day of April in the calendar 4692  
year in which the reports are received, the attorney general shall 4693  
send to the president of the senate and the speaker of the house 4694  
of representatives a written notification that does all of the 4695  
following: 4696

(i) Indicates that the attorney general has received from law 4697  
enforcement agencies reports of the type described in this 4698  
division that cover the previous calendar year and indicates that 4699  
the reports were received under this division; 4700

(ii) Indicates that the reports are open for inspection under 4701  
section 149.43 of the Revised Code; 4702

(iii) Indicates that the attorney general will provide a copy 4703  
of any or all of the reports to the president of the senate or the 4704  
speaker of the house of representatives upon request. 4705

(3) As used in division (F) of this section: 4706

(a) "Law enforcement agencies" includes, but is not limited 4707  
to, the state board of pharmacy and the office of a prosecutor. 4708

(b) "Prosecutor" has the same meaning as in section 2935.01 4709  
of the Revised Code. 4710

(G) When required under division (D)(2) of this section or 4711  
any other provision of this chapter, the court ~~either shall revoke~~ 4712  
~~or, if it does not revoke, shall suspend for not less than six~~ 4713  
~~months or more than five years, the driver's or commercial~~ 4714  
~~driver's license or permit of any person who is convicted of or~~ 4715

~~pleads guilty to a violation of this section that is a felony of~~ 4716  
~~the first degree and shall suspend for not less than six months or~~ 4717  
more than five years the driver's or commercial driver's license 4718  
or permit of any person who is convicted of or pleads guilty to 4719  
any ~~other~~ violation of this section or any other specified 4720  
provision of this chapter. If an offender's driver's or commercial 4721  
driver's license or permit is ~~revoked~~ suspended pursuant to this 4722  
division, the offender, at any time after the expiration of two 4723  
years from the day on which the offender's sentence was imposed or 4724  
from the day on which the offender finally was released from a 4725  
prison term under the sentence, whichever is later, may file a 4726  
motion with the sentencing court requesting termination of the 4727  
~~revocation~~ suspension; upon the filing of such a motion and the 4728  
court's finding of good cause for the termination, the court may 4729  
terminate the ~~revocation~~ suspension. 4730

(H)(1) In addition to any prison term authorized or required 4731  
by division (C) of this section and sections 2929.13 and 2929.14 4732  
of the Revised Code, in addition to any other penalty or sanction 4733  
imposed for the offense under this section or sections 2929.11 to 4734  
2929.18 of the Revised Code, and in addition to the forfeiture of 4735  
property in connection with the offense as prescribed in sections 4736  
2925.42 to 2925.45 of the Revised Code, the court that sentences 4737  
an offender who is convicted of or pleads guilty to a violation of 4738  
division (A) of this section may impose upon the offender an 4739  
additional fine specified for the offense in division (B)(4) of 4740  
section 2929.18 of the Revised Code. A fine imposed under division 4741  
(H)(1) of this section is not subject to division (F) of this 4742  
section and shall be used solely for the support of one or more 4743  
eligible alcohol and drug addiction programs in accordance with 4744  
divisions (H)(2) and (3) of this section. 4745

(2) The court that imposes a fine under division (H)(1) of 4746  
this section shall specify in the judgment that imposes the fine 4747



one or more eligible alcohol and drug addiction programs for the 4748  
support of which the fine money is to be used. No alcohol and drug 4749  
addiction program shall receive or use money paid or collected in 4750  
satisfaction of a fine imposed under division (H)(1) of this 4751  
section unless the program is specified in the judgment that 4752  
imposes the fine. No alcohol and drug addiction program shall be 4753  
specified in the judgment unless the program is an eligible 4754  
alcohol and drug addiction program and, except as otherwise 4755  
provided in division (H)(2) of this section, unless the program is 4756  
located in the county in which the court that imposes the fine is 4757  
located or in a county that is immediately contiguous to the 4758  
county in which that court is located. If no eligible alcohol and 4759  
drug addiction program is located in any of those counties, the 4760  
judgment may specify an eligible alcohol and drug addiction 4761  
program that is located anywhere within this state. 4762

(3) Notwithstanding any contrary provision of section 3719.21 4763  
of the Revised Code, the clerk of the court shall pay any fine 4764  
imposed under division (H)(1) of this section to the eligible 4765  
alcohol and drug addiction program specified pursuant to division 4766  
(H)(2) of this section in the judgment. The eligible alcohol and 4767  
drug addiction program that receives the fine moneys shall use the 4768  
moneys only for the alcohol and drug addiction services identified 4769  
in the application for certification under section 3793.06 of the 4770  
Revised Code or in the application for a license under section 4771  
3793.11 of the Revised Code filed with the department of alcohol 4772  
and drug addiction services by the alcohol and drug addiction 4773  
program specified in the judgment. 4774

(4) Each alcohol and drug addiction program that receives in 4775  
a calendar year any fine moneys under division (H)(3) of this 4776  
section shall file an annual report covering that calendar year 4777  
with the court of common pleas and the board of county 4778  
commissioners of the county in which the program is located, with 4779

the court of common pleas and the board of county commissioners of 4780  
each county from which the program received the moneys if that 4781  
county is different from the county in which the program is 4782  
located, and with the attorney general. The alcohol and drug 4783  
addiction program shall file the report no later than the first 4784  
day of March in the calendar year following the calendar year in 4785  
which the program received the fine moneys. The report shall 4786  
include statistics on the number of persons served by the alcohol 4787  
and drug addiction program, identify the types of alcohol and drug 4788  
addiction services provided to those persons, and include a 4789  
specific accounting of the purposes for which the fine moneys 4790  
received were used. No information contained in the report shall 4791  
identify, or enable a person to determine the identity of, any 4792  
person served by the alcohol and drug addiction program. Each 4793  
report received by a court of common pleas, a board of county 4794  
commissioners, or the attorney general is a public record open for 4795  
inspection under section 149.43 of the Revised Code. 4796

(5) As used in divisions (H)(1) to (5) of this section: 4797

(a) "Alcohol and drug addiction program" and "alcohol and 4798  
drug addiction services" have the same meanings as in section 4799  
3793.01 of the Revised Code. 4800

(b) "Eligible alcohol and drug addiction program" means an 4801  
alcohol and drug addiction program that is certified under section 4802  
3793.06 of the Revised Code or licensed under section 3793.11 of 4803  
the Revised Code by the department of alcohol and drug addiction 4804  
services. 4805

**Sec. 2925.04.** (A) No person shall knowingly cultivate 4806  
marihuana or knowingly manufacture or otherwise engage in any part 4807  
of the production of a controlled substance. 4808

(B) This section does not apply to any person listed in 4809  
division (B)(1), (2), or (3) of section 2925.03 of the Revised 4810

Code to the extent and under the circumstances described in those 4811  
divisions. 4812

(C)(1) Whoever commits a violation of division (A) of this 4813  
section that involves any drug other than marihuana is guilty of 4814  
illegal manufacture of drugs, and whoever commits a violation of 4815  
division (A) of this section that involves marihuana is guilty of 4816  
illegal cultivation of marihuana. 4817

(2) Except as otherwise provided in this division, if the 4818  
drug involved in the violation of division (A) of this section is 4819  
any compound, mixture, preparation, or substance included in 4820  
schedule I or II, with the exception of marihuana, illegal 4821  
manufacture of drugs is a felony of the second degree, and, 4822  
subject to division (E) of this section, the court shall impose as 4823  
a mandatory prison term one of the prison terms prescribed for a 4824  
felony of the second degree. If the drug involved in the violation 4825  
is methamphetamine, any salt, isomer, or salt of an isomer of 4826  
methamphetamine, or any compound, mixture, preparation, or 4827  
substance containing methamphetamine or any salt, isomer, or salt 4828  
of an isomer of methamphetamine and if the offense was committed 4829  
in the vicinity of a juvenile, in the vicinity of a school, or on 4830  
public premises, illegal manufacture of drugs is a felony of the 4831  
first degree, and, subject to division (E) of this section, the 4832  
court shall impose as a mandatory prison term one of the prison 4833  
terms prescribed for a felony of the first degree. 4834

(3) If the drug involved in the violation of division (A) of 4835  
this section is any compound, mixture, preparation, or substance 4836  
included in schedule III, IV, or V, illegal manufacture of drugs 4837  
is a felony of the third degree, and there is a presumption for a 4838  
prison term for the offense. 4839

(4) If the drug involved in the violation is marihuana, the 4840  
penalty for the offense shall be determined as follows: 4841

(a) Except as otherwise provided in division (C)(4)(b), (c), 4842  
(d), (e), or (f) of this section, illegal cultivation of marihuana 4843  
is a minor misdemeanor. 4844

(b) If the amount of marihuana involved equals or exceeds one 4845  
hundred grams but is less than two hundred grams, illegal 4846  
cultivation of marihuana is a misdemeanor of the fourth degree. 4847

(c) If the amount of marihuana involved equals or exceeds two 4848  
hundred grams but is less than one thousand grams, illegal 4849  
cultivation of marihuana is a felony of the fifth degree, and 4850  
division (B) of section 2929.13 of the Revised Code applies in 4851  
determining whether to impose a prison term on the offender. 4852

(d) If the amount of marihuana involved equals or exceeds one 4853  
thousand grams but is less than five thousand grams, illegal 4854  
cultivation of marihuana is a felony of the third degree, and 4855  
division (C) of section 2929.13 of the Revised Code applies in 4856  
determining whether to impose a prison term on the offender. 4857

(e) If the amount of marihuana involved equals or exceeds 4858  
five thousand grams but is less than twenty thousand grams, 4859  
illegal cultivation of marihuana is a felony of the third degree, 4860  
and there is a presumption for a prison term for the offense. 4861

(f) If the amount of marihuana involved equals or exceeds 4862  
twenty thousand grams, illegal cultivation of marihuana is a 4863  
felony of the second degree, and the court shall impose as a 4864  
mandatory prison term the maximum prison term prescribed for a 4865  
felony of the second degree. 4866

(D) In addition to any prison term authorized or required by 4867  
division (C) or (E) of this section and sections 2929.13 and 4868  
2929.14 of the Revised Code and in addition to any other sanction 4869  
imposed for the offense under this section or sections 2929.11 to 4870  
2929.18 of the Revised Code, the court that sentences an offender 4871  
who is convicted of or pleads guilty to a violation of division 4872

(A) of this section shall do all of the following that are 4873  
applicable regarding the offender: 4874

(1) If the violation of division (A) of this section is a 4875  
felony of the first, second, or third degree, the court shall 4876  
impose upon the offender the mandatory fine specified for the 4877  
offense under division (B)(1) of section 2929.18 of the Revised 4878  
Code unless, as specified in that division, the court determines 4879  
that the offender is indigent. The clerk of the court shall pay a 4880  
mandatory fine or other fine imposed for a violation of this 4881  
section pursuant to division (A) of section 2929.18 of the Revised 4882  
Code in accordance with and subject to the requirements of 4883  
division (F) of section 2925.03 of the Revised Code. The agency 4884  
that receives the fine shall use the fine as specified in division 4885  
(F) of section 2925.03 of the Revised Code. If a person is charged 4886  
with a violation of this section that is a felony of the first, 4887  
second, or third degree, posts bail, and forfeits the bail, the 4888  
clerk shall pay the forfeited bail as if the forfeited bail were a 4889  
fine imposed for a violation of this section. 4890

(2) The court shall ~~revoke or~~ suspend the offender's driver's 4891  
or commercial driver's license or permit in accordance with 4892  
division (G) of section 2925.03 of the Revised Code. If an 4893  
offender's driver's or commercial driver's license or permit is 4894  
~~revoked~~ suspended in accordance with that division, the offender 4895  
may request termination of, and the court may terminate, the 4896  
~~revocation~~ suspension in accordance with that division. 4897

(3) If the offender is a professionally licensed person ~~or a~~ 4898  
~~person who has been admitted to the bar by order of the supreme~~ 4899  
~~court in compliance with its prescribed and published rules,~~ the 4900  
court immediately shall comply with section 2925.38 of the Revised 4901  
Code. 4902

(E) Notwithstanding the prison term otherwise authorized or 4903  
required for the offense under division (C) of this section and 4904

sections 2929.13 and 2929.14 of the Revised Code, if the violation 4905  
of division (A) of this section involves the sale, offer to sell, 4906  
or possession of a schedule I or II controlled substance, with the 4907  
exception of marihuana, and if the court imposing sentence upon 4908  
the offender finds that the offender as a result of the violation 4909  
is a major drug offender and is guilty of a specification of the 4910  
type described in section 2941.1410 of the Revised Code, the 4911  
court, in lieu of the prison term otherwise authorized or 4912  
required, shall impose upon the offender the mandatory prison term 4913  
specified in division (D)(3)(a) of section 2929.14 of the Revised 4914  
Code and may impose an additional prison term under division 4915  
(D)(3)(b) of that section. 4916

(F) It is an affirmative defense, as provided in section 4917  
2901.05 of the Revised Code, to a charge under this section for a 4918  
fifth degree felony violation of illegal cultivation of marihuana 4919  
that the marihuana that gave rise to the charge is in an amount, 4920  
is in a form, is prepared, compounded, or mixed with substances 4921  
that are not controlled substances in a manner, or is possessed or 4922  
cultivated under any other circumstances that indicate that the 4923  
marihuana was solely for personal use. 4924

Notwithstanding any contrary provision of division (F) of 4925  
this section, if, in accordance with section 2901.05 of the 4926  
Revised Code, a person who is charged with a violation of illegal 4927  
cultivation of marihuana that is a felony of the fifth degree 4928  
sustains the burden of going forward with evidence of and 4929  
establishes by a preponderance of the evidence the affirmative 4930  
defense described in this division, the person may be prosecuted 4931  
for and may be convicted of or plead guilty to a misdemeanor 4932  
violation of illegal cultivation of marihuana. 4933

(G) Arrest or conviction for a minor misdemeanor violation of 4934  
this section does not constitute a criminal record and need not be 4935  
reported by the person so arrested or convicted in response to any 4936

inquiries about the person's criminal record, including any 4937  
inquiries contained in an application for employment, a license, 4938  
or any other right or privilege or made in connection with the 4939  
person's appearance as a witness. 4940

**Sec. 2925.05.** (A) No person shall knowingly provide money or 4941  
other items of value to another person with the purpose that the 4942  
recipient of the money or items of value use them to obtain any 4943  
controlled substance for the purpose of violating section 2925.04 4944  
of the Revised Code or for the purpose of selling or offering to 4945  
sell the controlled substance in the following amount: 4946

(1) If the drug to be sold or offered for sale is any 4947  
compound, mixture, preparation, or substance included in schedule 4948  
I or II, with the exception of marihuana, cocaine, L.S.D., heroin, 4949  
and hashish, or schedule III, IV, or V, an amount of the drug that 4950  
equals or exceeds the bulk amount of the drug; 4951

(2) If the drug to be sold or offered for sale is marihuana 4952  
or a compound, mixture, preparation, or substance other than 4953  
hashish containing marihuana, an amount of the marihuana that 4954  
equals or exceeds two hundred grams; 4955

(3) If the drug to be sold or offered for sale is cocaine or 4956  
a compound, mixture, preparation, or substance containing cocaine, 4957  
an amount of the cocaine that equals or exceeds five grams if the 4958  
cocaine is not crack cocaine or equals or exceeds one gram if the 4959  
cocaine is crack cocaine; 4960

(4) If the drug to be sold or offered for sale is L.S.D. or a 4961  
compound, mixture, preparation, or substance containing L.S.D., an 4962  
amount of the L.S.D. that equals or exceeds ten unit doses if the 4963  
L.S.D. is in a solid form or equals or exceeds one gram if the 4964  
L.S.D. is in a liquid concentrate, liquid extract, or liquid 4965  
distillate form; 4966

(5) If the drug to be sold or offered for sale is heroin or a compound, mixture, preparation, or substance containing heroin, an amount of the heroin that equals or exceeds ten unit doses or equals or exceeds one gram;

(6) If the drug to be sold or offered for sale is hashish or a compound, mixture, preparation, or substance containing hashish, an amount of the hashish that equals or exceeds ten grams if the hashish is in a solid form or equals or exceeds two grams if the hashish is in a liquid concentrate, liquid extract, or liquid distillate form.

(B) This section does not apply to any person listed in division (B)(1), (2), or (3) of section 2925.03 of the Revised Code to the extent and under the circumstances described in those divisions.

(C)(1) If the drug involved in the violation is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, whoever violates division (A) of this section is guilty of aggravated funding of drug trafficking, a felony of the first degree, and, subject to division (E) of this section, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree.

(2) If the drug involved in the violation is any compound, mixture, preparation, or substance included in schedule III, IV, or V, whoever violates division (A) of this section is guilty of funding of drug trafficking, a felony of the second degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the second degree.

(3) If the drug involved in the violation is marihuana, whoever violates division (A) of this section is guilty of funding of marihuana trafficking, a felony of the third degree, and the



court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree. 4998  
4999

(D) In addition to any prison term authorized or required by division (C) or (E) of this section and sections 2929.13 and 2929.14 of the Revised Code and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of division (A) of this section shall do all of the following that are applicable regarding the offender: 5000  
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(1) The court shall impose the mandatory fine specified for the offense under division (B)(1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. The clerk of the court shall pay a mandatory fine or other fine imposed for a violation of this section pursuant to division (A) of section 2929.18 of the Revised Code in accordance with and subject to the requirements of division (F) of section 2925.03 of the Revised Code. The agency that receives the fine shall use the fine in accordance with division (F) of section 2925.03 of the Revised Code. If a person is charged with a violation of this section, posts bail, and forfeits the bail, the forfeited bail shall be paid as if the forfeited bail were a fine imposed for a violation of this section. 5008  
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(2) The court shall ~~revoke or~~ suspend the offender's driver's or commercial driver's license or permit in accordance with division (G) of section 2925.03 of the Revised Code. If an offender's driver's or commercial driver's license or permit is ~~revoked~~ suspended in accordance with that division, the offender may request termination of, and the court may terminate, the ~~revocation~~ suspension in accordance with that division. 5022  
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(3) If the offender is a professionally licensed person ~~or a~~ 5029

~~person who has been admitted to the bar by order of the supreme~~ 5030  
~~court in compliance with its prescribed and published rules, the~~ 5031  
~~court immediately shall comply with section 2925.38 of the Revised~~ 5032  
~~Code.~~ 5033

(E) Notwithstanding the prison term otherwise authorized or 5034  
required for the offense under division (C) of this section and 5035  
sections 2929.13 and 2929.14 of the Revised Code, if the violation 5036  
of division (A) of this section involves the sale, offer to sell, 5037  
or possession of a schedule I or II controlled substance, with the 5038  
exception of marihuana, and if the court imposing sentence upon 5039  
the offender finds that the offender as a result of the violation 5040  
is a major drug offender and is guilty of a specification of the 5041  
type described in section 2941.1410 of the Revised Code, the 5042  
court, in lieu of the prison term otherwise authorized or 5043  
required, shall impose upon the offender the mandatory prison term 5044  
specified in division (D)(3)(a) of section 2929.14 of the Revised 5045  
Code and may impose an additional prison term under division 5046  
(D)(3)(b) of that section. 5047

**Sec. 2925.06.** (A) No person shall knowingly administer to a 5048  
human being, or prescribe or dispense for administration to a 5049  
human being, any anabolic steroid not approved by the United 5050  
States food and drug administration for administration to human 5051  
beings. 5052

(B) This section does not apply to any person listed in 5053  
division (B)(1), (2), or (3) of section 2925.03 of the Revised 5054  
Code to the extent and under the circumstances described in those 5055  
divisions. 5056

(C) Whoever violates division (A) of this section is guilty 5057  
of illegal administration or distribution of anabolic steroids, a 5058  
felony of the fourth degree, and division (C) of section 2929.13 5059  
of the Revised Code applies in determining whether to impose a 5060

prison term on the offender. 5061

(D) In addition to any prison term authorized or required by 5062  
division (C) of this section and sections 2929.13 and 2929.14 of 5063  
the Revised Code and in addition to any other sanction imposed for 5064  
the offense under this section or sections 2929.11 to 2929.18 of 5065  
the Revised Code, the court that sentences an offender who is 5066  
convicted of or pleads guilty to a violation of division (A) of 5067  
this section shall do both of the following: 5068

(1) The court shall ~~revoke or~~ suspend the offender's driver's 5069  
or commercial driver's license or permit in accordance with 5070  
division (G) of section 2925.03 of the Revised Code. If an 5071  
offender's driver's or commercial driver's license or permit is 5072  
~~revoked~~ suspended in accordance with that division, the offender 5073  
may request termination of, and the court may terminate, the 5074  
~~revocation~~ suspension in accordance with that division. 5075

(2) If the offender is a professionally licensed person ~~or a~~ 5076  
~~person who has been admitted to the bar by order of the supreme~~ 5077  
~~court in compliance with its prescribed and published rules,~~ the 5078  
court immediately shall comply with section 2925.38 of the Revised 5079  
Code. 5080

(E) If a person commits any act that constitutes a violation 5081  
of division (A) of this section and that also constitutes a 5082  
violation of any other provision of the Revised Code, the 5083  
prosecutor, as defined in section 2935.01 of the Revised Code, 5084  
using customary prosecutorial discretion, may prosecute the person 5085  
for a violation of the appropriate provision of the Revised Code. 5086

**Sec. 2925.11.** (A) No person shall knowingly obtain, possess, 5087  
or use a controlled substance. 5088

(B) This section does not apply to any of the following: 5089

(1) Manufacturers, licensed health professionals authorized 5090

to prescribe drugs, pharmacists, owners of pharmacies, and other 5091  
persons whose conduct was in accordance with Chapters 3719., 5092  
4715., 4723., 4729., 4731., and 4741. of the Revised Code; 5093

(2) If the offense involves an anabolic steroid, any person 5094  
who is conducting or participating in a research project involving 5095  
the use of an anabolic steroid if the project has been approved by 5096  
the United States food and drug administration; 5097

(3) Any person who sells, offers for sale, prescribes, 5098  
dispenses, or administers for livestock or other nonhuman species 5099  
an anabolic steroid that is expressly intended for administration 5100  
through implants to livestock or other nonhuman species and 5101  
approved for that purpose under the "Federal Food, Drug, and 5102  
Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, 5103  
and is sold, offered for sale, prescribed, dispensed, or 5104  
administered for that purpose in accordance with that act; 5105

(4) Any person who obtained the controlled substance pursuant 5106  
to a prescription issued by a licensed health professional 5107  
authorized to prescribe drugs. 5108

(C) Whoever violates division (A) of this section is guilty 5109  
of one of the following: 5110

(1) If the drug involved in the violation is a compound, 5111  
mixture, preparation, or substance included in schedule I or II, 5112  
with the exception of marihuana, cocaine, L.S.D., heroin, and 5113  
hashish, whoever violates division (A) of this section is guilty 5114  
of aggravated possession of drugs. The penalty for the offense 5115  
shall be determined as follows: 5116

(a) Except as otherwise provided in division (C)(1)(b), (c), 5117  
(d), or (e) of this section, aggravated possession of drugs is a 5118  
felony of the fifth degree, and division (B) of section 2929.13 of 5119  
the Revised Code applies in determining whether to impose a prison 5120  
term on the offender. 5121

(b) If the amount of the drug involved equals or exceeds the bulk amount but is less than five times the bulk amount, aggravated possession of drugs is a felony of the third degree, and there is a presumption for a prison term for the offense.

(c) If the amount of the drug involved equals or exceeds five times the bulk amount but is less than fifty times the bulk amount, aggravated possession of drugs is a felony of the second degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the second degree.

(d) If the amount of the drug involved equals or exceeds fifty times the bulk amount but is less than one hundred times the bulk amount, aggravated possession of drugs is a felony of the first degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree.

(e) If the amount of the drug involved equals or exceeds one hundred times the bulk amount, aggravated possession of drugs is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the first degree and may impose an additional mandatory prison term prescribed for a major drug offender under division (D)(3)(b) of section 2929.14 of the Revised Code.

(2) If the drug involved in the violation is a compound, mixture, preparation, or substance included in schedule III, IV, or V, whoever violates division (A) of this section is guilty of possession of drugs. The penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C)(2)(b), (c), or (d) of this section, possession of drugs is a misdemeanor of the third degree or, if the offender previously has been convicted

of a drug abuse offense, a misdemeanor of the second degree. If 5153  
the drug involved in the violation is an anabolic steroid included 5154  
in schedule III and if the offense is a misdemeanor of the third 5155  
degree under this division, in lieu of sentencing the offender to 5156  
a term of imprisonment in a detention facility, the court may 5157  
place the offender on conditional probation pursuant to division 5158  
(F) of section 2951.02 of the Revised Code. 5159

(b) If the amount of the drug involved equals or exceeds the 5160  
bulk amount but is less than five times the bulk amount, 5161  
possession of drugs is a felony of the fourth degree, and division 5162  
(C) of section 2929.13 of the Revised Code applies in determining 5163  
whether to impose a prison term on the offender. 5164

(c) If the amount of the drug involved equals or exceeds five 5165  
times the bulk amount but is less than fifty times the bulk 5166  
amount, possession of drugs is a felony of the third degree, and 5167  
there is a presumption for a prison term for the offense. 5168

(d) If the amount of the drug involved equals or exceeds 5169  
fifty times the bulk amount, possession of drugs is a felony of 5170  
the second degree, and the court shall impose upon the offender as 5171  
a mandatory prison term one of the prison terms prescribed for a 5172  
felony of the second degree. 5173

(3) If the drug involved in the violation is marihuana or a 5174  
compound, mixture, preparation, or substance containing marihuana 5175  
other than hashish, whoever violates division (A) of this section 5176  
is guilty of possession of marihuana. The penalty for the offense 5177  
shall be determined as follows: 5178

(a) Except as otherwise provided in division (C)(3)(b), (c), 5179  
(d), (e), or (f) of this section, possession of marihuana is a 5180  
minor misdemeanor. 5181

(b) If the amount of the drug involved equals or exceeds one 5182  
hundred grams but is less than two hundred grams, possession of 5183

marihuana is a misdemeanor of the fourth degree. 5184

(c) If the amount of the drug involved equals or exceeds two 5185  
hundred grams but is less than one thousand grams, possession of 5186  
marihuana is a felony of the fifth degree, and division (B) of 5187  
section 2929.13 of the Revised Code applies in determining whether 5188  
to impose a prison term on the offender. 5189

(d) If the amount of the drug involved equals or exceeds one 5190  
thousand grams but is less than five thousand grams, possession of 5191  
marihuana is a felony of the third degree, and division (C) of 5192  
section 2929.13 of the Revised Code applies in determining whether 5193  
to impose a prison term on the offender. 5194

(e) If the amount of the drug involved equals or exceeds five 5195  
thousand grams but is less than twenty thousand grams, possession 5196  
of marihuana is a felony of the third degree, and there is a 5197  
presumption that a prison term shall be imposed for the offense. 5198  
5199

(f) If the amount of the drug involved equals or exceeds 5200  
twenty thousand grams, possession of marihuana is a felony of the 5201  
second degree, and the court shall impose as a mandatory prison 5202  
term the maximum prison term prescribed for a felony of the second 5203  
degree. 5204

(4) If the drug involved in the violation is cocaine or a 5205  
compound, mixture, preparation, or substance containing cocaine, 5206  
whoever violates division (A) of this section is guilty of 5207  
possession of cocaine. The penalty for the offense shall be 5208  
determined as follows: 5209

(a) Except as otherwise provided in division (C)(4)(b), (c), 5210  
(d), (e), or (f) of this section, possession of cocaine is a 5211  
felony of the fifth degree, and division (B) of section 2929.13 of 5212  
the Revised Code applies in determining whether to impose a prison 5213  
term on the offender. 5214

(b) If the amount of the drug involved equals or exceeds five 5215  
grams but is less than twenty-five grams of cocaine that is not 5216  
crack cocaine or equals or exceeds one gram but is less than five 5217  
grams of crack cocaine, possession of cocaine is a felony of the 5218  
fourth degree, and there is a presumption for a prison term for 5219  
the offense. 5220

(c) If the amount of the drug involved equals or exceeds 5221  
twenty-five grams but is less than one hundred grams of cocaine 5222  
that is not crack cocaine or equals or exceeds five grams but is 5223  
less than ten grams of crack cocaine, possession of cocaine is a 5224  
felony of the third degree, and the court shall impose as a 5225  
mandatory prison term one of the prison terms prescribed for a 5226  
felony of the third degree. 5227

(d) If the amount of the drug involved equals or exceeds one 5228  
hundred grams but is less than five hundred grams of cocaine that 5229  
is not crack cocaine or equals or exceeds ten grams but is less 5230  
than twenty-five grams of crack cocaine, possession of cocaine is 5231  
a felony of the second degree, and the court shall impose as a 5232  
mandatory prison term one of the prison terms prescribed for a 5233  
felony of the second degree. 5234

(e) If the amount of the drug involved equals or exceeds five 5235  
hundred grams but is less than one thousand grams of cocaine that 5236  
is not crack cocaine or equals or exceeds twenty-five grams but is 5237  
less than one hundred grams of crack cocaine, possession of 5238  
cocaine is a felony of the first degree, and the court shall 5239  
impose as a mandatory prison term one of the prison terms 5240  
prescribed for a felony of the first degree. 5241

(f) If the amount of the drug involved equals or exceeds one 5242  
thousand grams of cocaine that is not crack cocaine or equals or 5243  
exceeds one hundred grams of crack cocaine, possession of cocaine 5244  
is a felony of the first degree, the offender is a major drug 5245



offender, and the court shall impose as a mandatory prison term 5246  
the maximum prison term prescribed for a felony of the first 5247  
degree and may impose an additional mandatory prison term 5248  
prescribed for a major drug offender under division (D)(3)(b) of 5249  
section 2929.14 of the Revised Code. 5250

(5) If the drug involved in the violation is L.S.D., whoever 5251  
violates division (A) of this section is guilty of possession of 5252  
L.S.D. The penalty for the offense shall be determined as follows: 5253  
5254

(a) Except as otherwise provided in division (C)(5)(b), (c), 5255  
(d), (e), or (f) of this section, possession of L.S.D. is a felony 5256  
of the fifth degree, and division (B) of section 2929.13 of the 5257  
Revised Code applies in determining whether to impose a prison 5258  
term on the offender. 5259

(b) If the amount of L.S.D. involved equals or exceeds ten 5260  
unit doses but is less than fifty unit doses of L.S.D. in a solid 5261  
form or equals or exceeds one gram but is less than five grams of 5262  
L.S.D. in a liquid concentrate, liquid extract, or liquid 5263  
distillate form, possession of L.S.D. is a felony of the fourth 5264  
degree, and division (C) of section 2929.13 of the Revised Code 5265  
applies in determining whether to impose a prison term on the 5266  
offender. 5267

(c) If the amount of L.S.D. involved equals or exceeds fifty 5268  
unit doses, but is less than two hundred fifty unit doses of 5269  
L.S.D. in a solid form or equals or exceeds five grams but is less 5270  
than twenty-five grams of L.S.D. in a liquid concentrate, liquid 5271  
extract, or liquid distillate form, possession of L.S.D. is a 5272  
felony of the third degree, and there is a presumption for a 5273  
prison term for the offense. 5274

(d) If the amount of L.S.D. involved equals or exceeds two 5275  
hundred fifty unit doses but is less than one thousand unit doses 5276

of L.S.D. in a solid form or equals or exceeds twenty-five grams 5277  
but is less than one hundred grams of L.S.D. in a liquid 5278  
concentrate, liquid extract, or liquid distillate form, possession 5279  
of L.S.D. is a felony of the second degree, and the court shall 5280  
impose as a mandatory prison term one of the prison terms 5281  
prescribed for a felony of the second degree. 5282

(e) If the amount of L.S.D. involved equals or exceeds one 5283  
thousand unit doses but is less than five thousand unit doses of 5284  
L.S.D. in a solid form or equals or exceeds one hundred grams but 5285  
is less than five hundred grams of L.S.D. in a liquid concentrate, 5286  
liquid extract, or liquid distillate form, possession of L.S.D. is 5287  
a felony of the first degree, and the court shall impose as a 5288  
mandatory prison term one of the prison terms prescribed for a 5289  
felony of the first degree. 5290

(f) If the amount of L.S.D. involved equals or exceeds five 5291  
thousand unit doses of L.S.D. in a solid form or equals or exceeds 5292  
five hundred grams of L.S.D. in a liquid concentrate, liquid 5293  
extract, or liquid distillate form, possession of L.S.D. is a 5294  
felony of the first degree, the offender is a major drug offender, 5295  
and the court shall impose as a mandatory prison term the maximum 5296  
prison term prescribed for a felony of the first degree and may 5297  
impose an additional mandatory prison term prescribed for a major 5298  
drug offender under division (D)(3)(b) of section 2929.14 of the 5299  
Revised Code. 5300

(6) If the drug involved in the violation is heroin or a 5301  
compound, mixture, preparation, or substance containing heroin, 5302  
whoever violates division (A) of this section is guilty of 5303  
possession of heroin. The penalty for the offense shall be 5304  
determined as follows: 5305

(a) Except as otherwise provided in division (C)(6)(b), (c), 5306  
(d), (e), or (f) of this section, possession of heroin is a felony 5307  
of the fifth degree, and division (B) of section 2929.13 of the 5308

Revised Code applies in determining whether to impose a prison 5309  
term on the offender. 5310

(b) If the amount of the drug involved equals or exceeds ten 5311  
unit doses but is less than fifty unit doses or equals or exceeds 5312  
one gram but is less than five grams, possession of heroin is a 5313  
felony of the fourth degree, and division (C) of section 2929.13 5314  
of the Revised Code applies in determining whether to impose a 5315  
prison term on the offender. 5316

(c) If the amount of the drug involved equals or exceeds 5317  
fifty unit doses but is less than one hundred unit doses or equals 5318  
or exceeds five grams but is less than ten grams, possession of 5319  
heroin is a felony of the third degree, and there is a presumption 5320  
for a prison term for the offense. 5321

(d) If the amount of the drug involved equals or exceeds one 5322  
hundred unit doses but is less than five hundred unit doses or 5323  
equals or exceeds ten grams but is less than fifty grams, 5324  
possession of heroin is a felony of the second degree, and the 5325  
court shall impose as a mandatory prison term one of the prison 5326  
terms prescribed for a felony of the second degree. 5327

(e) If the amount of the drug involved equals or exceeds five 5328  
hundred unit doses but is less than two thousand five hundred unit 5329  
doses or equals or exceeds fifty grams but is less than two 5330  
hundred fifty grams, possession of heroin is a felony of the first 5331  
degree, and the court shall impose as a mandatory prison term one 5332  
of the prison terms prescribed for a felony of the first degree. 5333

(f) If the amount of the drug involved equals or exceeds two 5334  
thousand five hundred unit doses or equals or exceeds two hundred 5335  
fifty grams, possession of heroin is a felony of the first degree, 5336  
the offender is a major drug offender, and the court shall impose 5337  
as a mandatory prison term the maximum prison term prescribed for 5338  
a felony of the first degree and may impose an additional 5339

mandatory prison term prescribed for a major drug offender under 5340  
division (D)(3)(b) of section 2929.14 of the Revised Code. 5341

(7) If the drug involved in the violation is hashish or a 5342  
compound, mixture, preparation, or substance containing hashish, 5343  
whoever violates division (A) of this section is guilty of 5344  
possession of hashish. The penalty for the offense shall be 5345  
determined as follows: 5346

(a) Except as otherwise provided in division (C)(7)(b), (c), 5347  
(d), (e), or (f) of this section, possession of hashish is a minor 5348  
misdemeanor. 5349

(b) If the amount of the drug involved equals or exceeds five 5350  
grams but is less than ten grams of hashish in a solid form or 5351  
equals or exceeds one gram but is less than two grams of hashish 5352  
in a liquid concentrate, liquid extract, or liquid distillate 5353  
form, possession of hashish is a misdemeanor of the fourth degree. 5354  
5355

(c) If the amount of the drug involved equals or exceeds ten 5356  
grams but is less than fifty grams of hashish in a solid form or 5357  
equals or exceeds two grams but is less than ten grams of hashish 5358  
in a liquid concentrate, liquid extract, or liquid distillate 5359  
form, possession of hashish is a felony of the fifth degree, and 5360  
division (B) of section 2929.13 of the Revised Code applies in 5361  
determining whether to impose a prison term on the offender. 5362

(d) If the amount of the drug involved equals or exceeds 5363  
fifty grams but is less than two hundred fifty grams of hashish in 5364  
a solid form or equals or exceeds ten grams but is less than fifty 5365  
grams of hashish in a liquid concentrate, liquid extract, or 5366  
liquid distillate form, possession of hashish is a felony of the 5367  
third degree, and division (C) of section 2929.13 of the Revised 5368  
Code applies in determining whether to impose a prison term on the 5369  
offender. 5370

(e) If the amount of the drug involved equals or exceeds two hundred fifty grams but is less than one thousand grams of hashish in a solid form or equals or exceeds fifty grams but is less than two hundred grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a felony of the third degree, and there is a presumption that a prison term shall be imposed for the offense.

(f) If the amount of the drug involved equals or exceeds one thousand grams of hashish in a solid form or equals or exceeds two hundred grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a felony of the second degree, and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the second degree.

(D) Arrest or conviction for a minor misdemeanor violation of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries about the person's criminal record, including any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness.

(E) In addition to any prison term authorized or required by division (C) of this section and sections 2929.13 and 2929.14 of the Revised Code and in addition to any other sanction that is imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of division (A) of this section shall do all of the following that are applicable regarding the offender:

(1)(a) If the violation is a felony of the first, second, or third degree, the court shall impose upon the offender the

mandatory fine specified for the offense under division (B)(1) of 5402  
section 2929.18 of the Revised Code unless, as specified in that 5403  
division, the court determines that the offender is indigent. 5404

(b) Notwithstanding any contrary provision of section 3719.21 5405  
of the Revised Code, the clerk of the court shall pay a mandatory 5406  
fine or other fine imposed for a violation of this section 5407  
pursuant to division (A) of section 2929.18 of the Revised Code in 5408  
accordance with and subject to the requirements of division (F) of 5409  
section 2925.03 of the Revised Code. The agency that receives the 5410  
fine shall use the fine as specified in division (F) of section 5411  
2925.03 of the Revised Code. 5412

(c) If a person is charged with a violation of this section 5413  
that is a felony of the first, second, or third degree, posts 5414  
bail, and forfeits the bail, the clerk shall pay the forfeited 5415  
bail pursuant to division (E)(1)(b) of this section as if it were 5416  
a mandatory fine imposed under division (E)(1)(a) of this section. 5417

(2) The court shall suspend for not less than six months or 5418  
more than five years the offender's driver's or commercial 5419  
driver's license or permit ~~of any person who is convicted of or~~ 5420  
~~has pleaded guilty to a violation of this section.~~ 5421

(3) If the offender is a professionally licensed person ~~or a~~ 5422  
~~person who has been admitted to the bar by order of the supreme~~ 5423  
~~court in compliance with its prescribed and published rules,~~ in 5424  
addition to any other sanction imposed for a violation of this 5425  
section, the court ~~forthwith~~ immediately shall comply with section 5426  
2925.38 of the Revised Code. 5427

(F) It is an affirmative defense, as provided in section 5428  
2901.05 of the Revised Code, to a charge of a fourth degree felony 5429  
violation under this section that the controlled substance that 5430  
gave rise to the charge is in an amount, is in a form, is 5431  
prepared, compounded, or mixed with substances that are not 5432

controlled substances in a manner, or is possessed under any other 5433  
circumstances, that indicate that the substance was possessed 5434  
solely for personal use. Notwithstanding any contrary provision of 5435  
this section, if, in accordance with section 2901.05 of the 5436  
Revised Code, an accused who is charged with a fourth degree 5437  
felony violation of division (C)(2), (4), (5), or (6) of this 5438  
section sustains the burden of going forward with evidence of and 5439  
establishes by a preponderance of the evidence the affirmative 5440  
defense described in this division, the accused may be prosecuted 5441  
for and may plead guilty to or be convicted of a misdemeanor 5442  
violation of division (C)(2) of this section or a fifth degree 5443  
felony violation of division (C)(4), (5), or (6) of this section 5444  
respectively. 5445

(G) When a person is charged with possessing a bulk amount or 5446  
multiple of a bulk amount, division (E) of section 2925.03 of the 5447  
Revised Code applies regarding the determination of the amount of 5448  
the controlled substance involved at the time of the offense. 5449

**Sec. 2925.12.** (A) No person shall knowingly make, obtain, 5450  
possess, or use any instrument, article, or thing the customary 5451  
and primary purpose of which is for the administration or use of a 5452  
dangerous drug, other than marihuana, when the instrument involved 5453  
is a hypodermic or syringe, whether or not of crude or 5454  
extemporized manufacture or assembly, and the instrument, article, 5455  
or thing involved has been used by the offender to unlawfully 5456  
administer or use a dangerous drug, other than marihuana, or to 5457  
prepare a dangerous drug, other than marihuana, for unlawful 5458  
administration or use. 5459

(B) This section does not apply to manufacturers, licensed 5460  
health professionals authorized to prescribe drugs, pharmacists, 5461  
owners of pharmacies, and other persons whose conduct was in 5462  
accordance with Chapters 3719., 4715., 4723., 4729., 4731., and 5463

4741. of the Revised Code. 5464

(C) Whoever violates this section is guilty of possessing 5465  
drug abuse instruments, a misdemeanor of the second degree. If the 5466  
offender previously has been convicted of a drug abuse offense, a 5467  
violation of this section is a misdemeanor of the first degree. 5468  
5469

(D) In addition to any other sanction imposed upon an 5470  
offender for a violation of this section, the court shall suspend 5471  
for not less than six months or more than five years the 5472  
offender's driver's or commercial driver's license or permit ~~of~~ 5473  
~~any person who is convicted of or has pleaded guilty to a~~ 5474  
~~violation of this section.~~ If the offender is a professionally 5475  
licensed person ~~or a person who has been admitted to the bar by~~ 5476  
~~order of the supreme court in compliance with its prescribed and~~ 5477  
~~published rules,~~ in addition to any other sanction imposed for a 5478  
violation of this section, the court ~~forthwith~~ immediately shall 5479  
comply with section 2925.38 of the Revised Code. 5480

**Sec. 2925.13.** (A) No person who is the owner, operator, or 5481  
person in charge of a locomotive, watercraft, aircraft, or other 5482  
vehicle, as defined in division (A) of section 4501.01 of the 5483  
Revised Code, shall knowingly permit the vehicle to be used for 5484  
the commission of a felony drug abuse offense. 5485

(B) No person who is the owner, lessee, or occupant, or who 5486  
has custody, control, or supervision, of premises or real estate, 5487  
including vacant land, shall knowingly permit the premises or real 5488  
estate, including vacant land, to be used for the commission of a 5489  
felony drug abuse offense by another person. 5490

(C)(1) Whoever violates this section is guilty of permitting 5491  
drug abuse. 5492

(2) Except as provided in division (C)(3) of this section, 5493



permitting drug abuse is a misdemeanor of the first degree. 5494

(3) Permitting drug abuse is a felony of the fifth degree, 5495  
and division (C) of section 2929.13 of the Revised Code applies in 5496  
determining whether to impose a prison term on the offender, if 5497  
the felony drug abuse offense in question is a violation of 5498  
section 2925.02 or 2925.03 of the Revised Code. 5499

(D) In addition to any prison term authorized or required by 5500  
division (C) of this section and sections 2929.13 and 2929.14 of 5501  
the Revised Code and in addition to any other sanction imposed for 5502  
the offense under this section or sections 2929.11 to 2929.18 of 5503  
the Revised Code, the court that sentences a person who is 5504  
convicted of or pleads guilty to a violation of division (A) of 5505  
this section shall do all of the following that are applicable 5506  
regarding the offender: 5507

(1) The court shall suspend for not less than six months or 5508  
more than five years the offender's driver's or commercial 5509  
driver's license or permit ~~of the offender~~. 5510

(2) If the offender is a professionally licensed person ~~or a~~ 5511  
~~person who has been admitted to the bar by order of the supreme~~ 5512  
~~court in compliance with its prescribed and published rules,~~ in 5513  
addition to any other sanction imposed for a violation of this 5514  
section, the court ~~forthwith~~ immediately shall comply with section 5515  
2925.38 of the Revised Code. 5516

(E) Notwithstanding any contrary provision of section 3719.21 5517  
of the Revised Code, the clerk of the court shall pay a fine 5518  
imposed for a violation of this section pursuant to division (A) 5519  
of section 2929.18 of the Revised Code in accordance with and 5520  
subject to the requirements of division (F) of section 2925.03 of 5521  
the Revised Code. The agency that receives the fine shall use the 5522  
fine as specified in division (F) of section 2925.03 of the 5523  
Revised Code. 5524

(F) Any premises or real estate that is permitted to be used 5525  
in violation of division (B) of this section constitutes a 5526  
nuisance subject to abatement pursuant to Chapter 3767. of the 5527  
Revised Code. 5528

**Sec. 2925.14.** (A) As used in this section, "drug 5529  
paraphernalia" means any equipment, product, or material of any 5530  
kind that is used by the offender, intended by the offender for 5531  
use, or designed for use, in propagating, cultivating, growing, 5532  
harvesting, manufacturing, compounding, converting, producing, 5533  
processing, preparing, testing, analyzing, packaging, repackaging, 5534  
storing, containing, concealing, injecting, ingesting, inhaling, 5535  
or otherwise introducing into the human body, a controlled 5536  
substance in violation of this chapter. "Drug paraphernalia" 5537  
includes, but is not limited to, any of the following equipment, 5538  
products, or materials that are used by the offender, intended by 5539  
the offender for use, or designed by the offender for use, in any 5540  
of the following manners: 5541

(1) A kit for propagating, cultivating, growing, or 5542  
harvesting any species of a plant that is a controlled substance 5543  
or from which a controlled substance can be derived; 5544

(2) A kit for manufacturing, compounding, converting, 5545  
producing, processing, or preparing a controlled substance; 5546

(3) Any object, instrument, or device for manufacturing, 5547  
compounding, converting, producing, processing, or preparing 5548  
methamphetamine or any salt, isomer, or salt of an isomer of 5549  
methamphetamine; 5550

(4) An isomerization device for increasing the potency of any 5551  
species of a plant that is a controlled substance; 5552

(5) Testing equipment for identifying, or analyzing the 5553  
strength, effectiveness, or purity of, a controlled substance; 5554

- (6) A scale or balance for weighing or measuring a controlled substance; 5555  
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- (7) A diluent or adulterant, such as quinine hydrochloride, mannitol, mannite, dextrose, or lactose, for cutting a controlled substance; 5557  
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- (8) A separation gin or sifter for removing twigs and seeds from, or otherwise cleaning or refining, marihuana; 5560  
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- (9) A blender, bowl, container, spoon, or mixing device for compounding a controlled substance; 5562  
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- (10) A capsule, balloon, envelope, or container for packaging small quantities of a controlled substance; 5564  
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- (11) A container or device for storing or concealing a controlled substance; 5566  
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- (12) A hypodermic syringe, needle, or instrument for parenterally injecting a controlled substance into the human body; 5568  
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- (13) An object, instrument, or device for ingesting, inhaling, or otherwise introducing into the human body, marihuana, cocaine, hashish, or hashish oil, such as a metal, wooden, acrylic, glass, stone, plastic, or ceramic pipe, with or without a screen, permanent screen, hashish head, or punctured metal bowl; water pipe; carburetion tube or device; smoking or carburetion mask; roach clip or similar object used to hold burning material, such as a marihuana cigarette, that has become too small or too short to be held in the hand; miniature cocaine spoon, or cocaine vial; chamber pipe; carburetor pipe; electric pipe; air driver pipe; chillum; bong; or ice pipe or chiller. 5570  
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- (B) In determining if any equipment, product, or material is drug paraphernalia, a court or law enforcement officer shall consider, in addition to other relevant factors, the following: 5581  
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- (1) Any statement by the owner, or by anyone in control, of 5584

the equipment, product, or material, concerning its use;	5585
(2) The proximity in time or space of the equipment, product, or material, or of the act relating to the equipment, product, or material, to a violation of any provision of this chapter;	5586 5587 5588
(3) The proximity of the equipment, product, or material to any controlled substance;	5589 5590 5591
(4) The existence of any residue of a controlled substance on the equipment, product, or material;	5592 5593
(5) Direct or circumstantial evidence of the intent of the owner, or of anyone in control, of the equipment, product, or material, to deliver it to any person whom the owner or person in control of the equipment, product, or material knows intends to use the object to facilitate a violation of any provision of this chapter. A finding that the owner, or anyone in control, of the equipment, product, or material, is not guilty of a violation of any other provision of this chapter does not prevent a finding that the equipment, product, or material was intended or designed by the offender for use as drug paraphernalia.	5594 5595 5596 5597 5598 5599 5600 5601 5602 5603
(6) Any oral or written instruction provided with the equipment, product, or material concerning its use;	5604 5605
(7) Any descriptive material accompanying the equipment, product, or material and explaining or depicting its use;	5606 5607
(8) National or local advertising concerning the use of the equipment, product, or material;	5608 5609
(9) The manner and circumstances in which the equipment, product, or material is displayed for sale;	5610 5611
(10) Direct or circumstantial evidence of the ratio of the sales of the equipment, product, or material to the total sales of the business enterprise;	5612 5613 5614

(11) The existence and scope of legitimate uses of the equipment, product, or material in the community; 5615  
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(12) Expert testimony concerning the use of the equipment, product, or material. 5617  
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(C)(1) No person shall knowingly use, or possess with purpose to use, drug paraphernalia. 5619  
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(2) No person shall knowingly sell, or possess or manufacture with purpose to sell, drug paraphernalia, if the person knows or reasonably should know that the equipment, product, or material will be used as drug paraphernalia. 5621  
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(3) No person shall place an advertisement in any newspaper, magazine, handbill, or other publication that is published and printed and circulates primarily within this state, if the person knows that the purpose of the advertisement is to promote the illegal sale in this state of the equipment, product, or material that the offender intended or designed for use as drug paraphernalia. 5625  
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(D) This section does not apply to manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies, and other persons whose conduct is in accordance with Chapters 3719., 4715., 4723., 4729., 4731., and 4741. of the Revised Code. This section shall not be construed to prohibit the possession or use of a hypodermic as authorized by section 3719.172 of the Revised Code. 5632  
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(E) Notwithstanding sections 2933.42 and 2933.43 of the Revised Code, any drug paraphernalia that was used, possessed, sold, or manufactured in a violation of this section shall be seized, after a conviction for that violation shall be forfeited, and upon forfeiture shall be disposed of pursuant to division (D)(8) of section 2933.41 of the Revised Code. 5639  
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(F)(1) Whoever violates division (C)(1) of this section is 5645  
guilty of illegal use or possession of drug paraphernalia, a 5646  
misdemeanor of the fourth degree. 5647

(2) Except as provided in division (F)(3) of this section, 5648  
whoever violates division (C)(2) of this section is guilty of 5649  
dealing in drug paraphernalia, a misdemeanor of the second degree. 5650

(3) Whoever violates division (C)(2) of this section by 5651  
selling drug paraphernalia to a juvenile is guilty of selling drug 5652  
paraphernalia to juveniles, a misdemeanor of the first degree. 5653

(4) Whoever violates division (C)(3) of this section is 5654  
guilty of illegal advertising of drug paraphernalia, a misdemeanor 5655  
of the second degree. 5656

(G) In addition to any other sanction imposed upon an 5657  
offender for a violation of this section, the court shall suspend 5658  
for not less than six months or more than five years the 5659  
offender's driver's or commercial driver's license or permit ~~of~~ 5660  
~~any person who is convicted of or has pleaded guilty to a~~ 5661  
~~violation of this section.~~ If the offender is a professionally 5662  
licensed person ~~or a person who has been admitted to the bar by~~ 5663  
~~order of the supreme court in compliance with its prescribed and~~ 5664  
~~published rules,~~ in addition to any other sanction imposed for a 5665  
violation of this section, the court ~~forthwith~~ immediately shall 5666  
comply with section 2925.38 of the Revised Code. 5667

**Sec. 2925.22.** (A) No person, by deception, as defined in 5668  
section 2913.01 of the Revised Code, shall procure the 5669  
administration of, a prescription for, or the dispensing of, a 5670  
dangerous drug or shall possess an uncompleted preprinted 5671  
prescription blank used for writing a prescription for a dangerous 5672  
drug. 5673

(B) Whoever violates this section is guilty of deception to 5674

obtain a dangerous drug. The penalty for the offense shall be 5675  
determined as follows: 5676

(1) If the drug involved is a compound, mixture, preparation, 5677  
or substance included in schedule I or II, with the exception of 5678  
marihuana, deception to obtain drugs is a felony of the fourth 5679  
degree, and division (C) of section 2929.13 of the Revised Code 5680  
applies in determining whether to impose a prison term on the 5681  
offender. 5682

(2) If the drug involved is a dangerous drug or a compound, 5683  
mixture, preparation, or substance included in schedule III, IV, 5684  
or V or is marihuana, deception to obtain a dangerous drug is a 5685  
felony of the fifth degree, and division (C) of section 2929.13 of 5686  
the Revised Code applies in determining whether to impose a prison 5687  
term on the offender. 5688

(C) In addition to any prison term authorized or required by 5689  
division (B) of this section and sections 2929.13 and 2929.14 of 5690  
the Revised Code and in addition to any other sanction imposed for 5691  
the offense under this section or sections 2929.11 to 2929.18 of 5692  
the Revised Code, the court that sentences an offender who is 5693  
convicted of or pleads guilty to a violation of division (A) of 5694  
this section shall do both of the following: 5695

(1) The court shall suspend for not less than six months or 5696  
more than five years the offender's driver's or commercial 5697  
driver's license or permit ~~of any person who is convicted of or~~ 5698  
~~has pleaded guilty to a violation of this section.~~ 5699

(2) If the offender is a professionally licensed person ~~or a~~ 5700  
~~person who has been admitted to the bar by order of the supreme~~ 5701  
~~court in compliance with its prescribed and published rules,~~ in 5702  
addition to any other sanction imposed for a violation of this 5703  
section, the court ~~forthwith~~ immediately shall comply with section 5704  
2925.38 of the Revised Code. 5705

(D) Notwithstanding any contrary provision of section 3719.21 5706  
of the Revised Code, the clerk of the court shall pay a fine 5707  
imposed for a violation of this section pursuant to division (A) 5708  
of section 2929.18 of the Revised Code in accordance with and 5709  
subject to the requirements of division (F) of section 2925.03 of 5710  
the Revised Code. The agency that receives the fine shall use the 5711  
fine as specified in division (F) of section 2925.03 of the 5712  
Revised Code. 5713

**Sec. 2925.23.** (A) No person shall knowingly make a false 5714  
statement in any prescription, order, report, or record required 5715  
by Chapter 3719. or 4729. of the Revised Code. 5716

(B) No person shall intentionally make, utter, or sell, or 5717  
knowingly possess any of the following that is a false or forged: 5718

(1) Prescription; 5719

(2) Uncompleted preprinted prescription blank used for 5720  
writing a prescription; 5721

(3) Official written order; 5722

(4) License for a terminal distributor of dangerous drugs as 5723  
required in section 4729.60 of the Revised Code; 5724

(5) Registration certificate for a wholesale distributor of 5725  
dangerous drugs as required in section 4729.60 of the Revised 5726  
Code. 5727

(C) No person, by theft as defined in section 2913.02 of the 5728  
Revised Code, shall acquire any of the following: 5729

(1) A prescription; 5730

(2) An uncompleted preprinted prescription blank used for 5731  
writing a prescription; 5732

(3) An official written order; 5733



(4) A blank official written order;	5734
(5) A license or blank license for a terminal distributor of dangerous drugs as required in section 4729.60 of the Revised Code;	5735 5736 5737
(6) A registration certificate or blank registration certificate for a wholesale distributor of dangerous drugs as required in section 4729.60 of the Revised Code.	5738 5739 5740
(D) No person shall knowingly make or affix any false or forged label to a package or receptacle containing any dangerous drugs.	5741 5742 5743
(E) Divisions (A) and (D) of this section do not apply to licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies, and other persons whose conduct is in accordance with Chapters 3719., 4715., 4723., 4725., 4729., 4731., and 4741. of the Revised Code.	5744 5745 5746 5747 5748
(F) Whoever violates this section is guilty of illegal processing of drug documents. If the offender violates division (B)(2), (4), or (5) or division (C)(2), (4), (5), or (6) of this section, illegal processing of drug documents is a felony of the fifth degree. If the offender violates division (A), division (B)(1) or (3), division (C)(1) or (3), or division (D) of this section, the penalty for illegal processing of drug documents shall be determined as follows:	5749 5750 5751 5752 5753 5754 5755 5756
(1) If the drug involved is a compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, illegal processing of drug documents is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender.	5757 5758 5759 5760 5761 5762
(2) If the drug involved is a dangerous drug or a compound,	5763

mixture, preparation, or substance included in schedule III, IV, 5764  
or V or is marihuana, illegal processing of drug documents is a 5765  
felony of the fifth degree, and division (C) of section 2929.13 of 5766  
the Revised Code applies in determining whether to impose a prison 5767  
term on the offender. 5768

(G) In addition to any prison term authorized or required by 5769  
division (F) of this section and sections 2929.13 and 2929.14 of 5770  
the Revised Code and in addition to any other sanction imposed for 5771  
the offense under this section or sections 2929.11 to 2929.18 of 5772  
the Revised Code, the court that sentences an offender who is 5773  
convicted of or pleads guilty to any violation of divisions (A) to 5774  
(D) of this section shall do both of the following: 5775

(1) The court shall suspend for not less than six months or 5776  
more than five years the offender's driver's or commercial 5777  
driver's license or permit ~~of any person who is convicted of or~~ 5778  
~~has pleaded guilty to a violation of this section.~~ 5779

(2) If the offender is a professionally licensed person ~~or a~~ 5780  
~~person who has been admitted to the bar by order of the supreme~~ 5781  
~~court in compliance with its prescribed and published rules,~~ in 5782  
addition to any other sanction imposed for a violation of this 5783  
section, the court ~~forthwith~~ immediately shall comply with section 5784  
2925.38 of the Revised Code. 5785

(H) Notwithstanding any contrary provision of section 3719.21 5786  
of the Revised Code, the clerk of court shall pay a fine imposed 5787  
for a violation of this section pursuant to division (A) of 5788  
section 2929.18 of the Revised Code in accordance with and subject 5789  
to the requirements of division (F) of section 2925.03 of the 5790  
Revised Code. The agency that receives the fine shall use the fine 5791  
as specified in division (F) of section 2925.03 of the Revised 5792  
Code. 5793

**Sec. 2925.31.** (A) Except for lawful research, clinical, 5794

medical, dental, or veterinary purposes, no person, with purpose 5795  
to induce intoxication or similar physiological effects, shall 5796  
obtain, possess, or use a harmful intoxicant. 5797

(B) Whoever violates this section is guilty of abusing 5798  
harmful intoxicants, a misdemeanor of the first degree. If the 5799  
offender previously has been convicted of a drug abuse offense, 5800  
abusing harmful intoxicants is a felony of the fifth degree. 5801

(C) In addition to any other sanction imposed upon an 5802  
offender for a violation of this section, the court shall suspend 5803  
for not less than six months or more than five years the 5804  
offender's driver's or commercial driver's license or permit ~~of~~ 5805  
~~any person who is convicted of or has pleaded guilty to a~~ 5806  
~~violation of this section.~~ If the offender is a professionally 5807  
licensed person ~~or a person who has been admitted to the bar by~~ 5808  
~~order of the supreme court in compliance with its prescribed and~~ 5809  
~~published rules,~~ in addition to any other sanction imposed for a 5810  
violation of this section, the court ~~forthwith~~ immediately shall 5811  
comply with section 2925.38 of the Revised Code. 5812

**Sec. 2925.32.** (A) Divisions (A)(1) and (2) of this section do 5813  
not apply to the dispensing or distributing of nitrous oxide. 5814

(1) No person shall knowingly dispense or distribute a 5815  
harmful intoxicant to a person age eighteen or older if the person 5816  
who dispenses or distributes it knows or has reason to believe 5817  
that the harmful intoxicant will be used in violation of section 5818  
2925.31 of the Revised Code. 5819

(2) No person shall knowingly dispense or distribute a 5820  
harmful intoxicant to a person under age eighteen if the person 5821  
who dispenses or distributes it knows or has reason to believe 5822  
that the harmful intoxicant will be used in violation of section 5823  
2925.31 of the Revised Code. Division (A)(2) of this section does 5824  
not prohibit either of the following: 5825

(a) Dispensing or distributing a harmful intoxicant to a person under age eighteen if a written order from the juvenile's parent or guardian is provided to the dispenser or distributor;

(b) Dispensing or distributing gasoline or diesel fuel to a person under age eighteen if the dispenser or distributor does not know or have reason to believe the product will be used in violation of section 2925.31 of the Revised Code. Division (A)(2)(a) of this section does not require a person to obtain a written order from the parent or guardian of a person under age eighteen in order to distribute or dispense gasoline or diesel fuel to the person.

(B)(1) No person shall knowingly dispense or distribute nitrous oxide to a person age twenty-one or older if the person who dispenses or distributes it knows or has reason to believe the nitrous oxide will be used in violation of section 2925.31 of the Revised Code.

(2) Except for lawful medical, dental, or clinical purposes, no person shall knowingly dispense or distribute nitrous oxide to a person under age twenty-one.

(3) No person, at the time a cartridge of nitrous oxide is sold to another person, shall sell a device that allows the purchaser to inhale nitrous oxide from cartridges or to hold nitrous oxide released from cartridges for purposes of inhalation. The sale of any such device constitutes a rebuttable presumption that the person knew or had reason to believe that the purchaser intended to abuse the nitrous oxide.

(4) No person who dispenses or distributes nitrous oxide in cartridges shall fail to comply with either of the following:

(a) The record-keeping requirements established under division (F) of this section;

(b) The labeling and transaction identification requirements 5856  
established under division (G) of this section. 5857

(C) This section does not apply to products used in making, 5858  
fabricating, assembling, transporting, or constructing a product 5859  
or structure by manual labor or machinery for sale or lease to 5860  
another person, or to the mining, refining, or processing of 5861  
natural deposits. 5862

(D)(1) Whoever violates division (A)(1) or (2) or division 5863  
(B)(1), (2), or (3) of this section is guilty of trafficking in 5864  
harmful intoxicants, a felony of the fifth degree. If the offender 5865  
previously has been convicted of a drug abuse offense, trafficking 5866  
in harmful intoxicants is a felony of the fourth degree. In 5867  
addition to any other sanction imposed upon an offender for 5868  
trafficking in harmful intoxicants, the court shall suspend for 5869  
not less than six months or more than five years the offender's 5870  
driver's or commercial driver's license or permit ~~of any person~~ 5871  
~~who is convicted of or has pleaded guilty to trafficking in~~ 5872  
~~harmful intoxicants~~. If the offender is a professionally licensed 5873  
person ~~or a person who has been admitted to the bar by order of~~ 5874  
~~the supreme court in compliance with its prescribed and published~~ 5875  
~~rules~~, in addition to any other sanction imposed for trafficking 5876  
in harmful intoxicants, the court ~~forthwith~~ immediately shall 5877  
comply with section 2925.38 of the Revised Code. 5878

(2) Whoever violates division (B)(4)(a) or (b) of this 5880  
section is guilty of improperly dispensing or distributing nitrous 5881  
oxide, a misdemeanor of the fourth degree. 5882

(E) It is an affirmative defense to a charge of a violation 5883  
of division (A)(2) or (B)(2) of this section that: 5884

(1) An individual exhibited to the defendant or an officer or 5885  
employee of the defendant, for purposes of establishing the 5886

individual's age, a driver's license or permit issued by this 5887  
state, a commercial driver's license or permit issued by this 5888  
state, an identification card issued pursuant to section 4507.50 5889  
of the Revised Code, for another document that purports to be a 5890  
license, permit, or identification card described in this 5891  
division; 5892

(2) The document exhibited appeared to be a genuine, 5893  
unaltered document, to pertain to the individual, and to establish 5894  
the individual's age; 5895

(3) The defendant or the officer or employee of the defendant 5896  
otherwise did not have reasonable cause to believe that the 5897  
individual was under the age represented. 5898

(F) Beginning July 1, 2001, a person who dispenses or 5899  
distributes nitrous oxide shall record each transaction involving 5900  
the dispensing or distributing of the nitrous oxide on a separate 5901  
card. The person shall require the purchaser to sign the card and 5902  
provide a complete residence address. The person dispensing or 5903  
distributing the nitrous oxide shall sign and date the card. The 5904  
person shall retain the card recording a transaction for one year 5905  
from the date of the transaction. The person shall maintain the 5906  
cards at the person's business address and make them available 5907  
during normal business hours for inspection and copying by 5908  
officers or employees of the state board of pharmacy or of other 5909  
law enforcement agencies of this state or the United States that 5910  
are authorized to investigate violations of Chapter 2925., 3719., 5911  
or 4729. of the Revised Code or the federal drug abuse control 5912  
laws. 5913

The cards used to record each transaction shall inform the 5914  
purchaser of the following: 5915

(1) That nitrous oxide cartridges are to be used only for 5916  
purposes of preparing food; 5917

(2) That inhalation of nitrous oxide can have dangerous health effects;

(3) That it is a violation of state law to distribute or dispense cartridges of nitrous oxide to any person under age twenty-one, punishable as a felony of the fifth degree.

(G)(1) Each cartridge of nitrous oxide dispensed or distributed in this state shall bear the following printed warning:

"Nitrous oxide cartridges are to be used only for purposes of preparing food. Nitrous oxide cartridges may not be sold to persons under age twenty-one. Do not inhale contents. Misuse can be dangerous to your health."

(2) Each time a person dispenses or distributes one or more cartridges of nitrous oxide, the person shall mark the packaging containing the cartridges with a label or other device that identifies the person who dispensed or distributed the nitrous oxide and the person's business address.

**Sec. 2925.36.** (A) No person shall knowingly furnish another a sample drug.

(B) Division (A) of this section does not apply to manufacturers, wholesalers, pharmacists, owners of pharmacies, licensed health professionals authorized to prescribe drugs, and other persons whose conduct is in accordance with Chapters 3719., 4715., 4723., 4725., 4729., 4731., and 4741. of the Revised Code.

(C)(1) Whoever violates this section is guilty of illegal dispensing of drug samples.

(2) If the drug involved in the offense is a compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, the penalty for the offense shall be determined as follows:

(a) Except as otherwise provided in division (C)(2)(b) of 5948  
this section, illegal dispensing of drug samples is a felony of 5949  
the fifth degree, and, subject to division (E) of this section, 5950  
division (C) of section 2929.13 of the Revised Code applies in 5951  
determining whether to impose a prison term on the offender. 5952

(b) If the offense was committed in the vicinity of a school 5953  
or in the vicinity of a juvenile, illegal dispensing of drug 5954  
samples is a felony of the fourth degree, and, subject to division 5955  
(E) of this section, division (C) of section 2929.13 of the 5956  
Revised Code applies in determining whether to impose a prison 5957  
term on the offender. 5958

(3) If the drug involved in the offense is a dangerous drug 5959  
or a compound, mixture, preparation, or substance included in 5960  
schedule III, IV, or V, or is marihuana, the penalty for the 5961  
offense shall be determined as follows: 5962

(a) Except as otherwise provided in division (C)(3)(b) of 5963  
this section, illegal dispensing of drug samples is a misdemeanor 5964  
of the second degree. 5965

(b) If the offense was committed in the vicinity of a school 5966  
or in the vicinity of a juvenile, illegal dispensing of drug 5967  
samples is a misdemeanor of the first degree. 5968

(D) In addition to any prison term authorized or required by 5969  
division (C) or (E) of this section and sections 2929.13 and 5970  
2929.14 of the Revised Code and in addition to any other sanction 5971  
imposed for the offense under this section or sections 2929.11 to 5972  
2929.18 of the Revised Code, the court that sentences an offender 5973  
who is convicted of or pleads guilty to a violation of division 5974  
(A) of this section shall do both of the following: 5975

(1) The court shall suspend for not less than six months or 5976  
more than five years the offender's driver's or commercial 5977  
driver's license or permit ~~of any person who is convicted of or~~ 5978



~~has pleaded guilty to a violation of this section.~~ 5979

(2) If the offender is a professionally licensed person ~~or a~~ 5980  
~~person who has been admitted to the bar by order of the supreme~~ 5981  
~~court in compliance with its prescribed and published rules,~~ in 5982  
addition to any other sanction imposed for a violation of this 5983  
section, the court ~~forthwith~~ immediately shall comply with section 5984  
2925.38 of the Revised Code. 5985

(E) Notwithstanding the prison term authorized or required by 5986  
division (C) of this section and sections 2929.13 and 2929.14 of 5987  
the Revised Code, if the violation of division (A) of this section 5988  
involves the sale, offer to sell, or possession of a schedule I or 5989  
II controlled substance, with the exception of marihuana, and if 5990  
the court imposing sentence upon the offender finds that the 5991  
offender as a result of the violation is a major drug offender and 5992  
is guilty of a specification of the type described in section 5993  
2941.1410 of the Revised Code, the court, in lieu of the prison 5994  
term otherwise authorized or required, shall impose upon the 5995  
offender the mandatory prison term specified in division (D)(3)(a) 5996  
of section 2929.14 of the Revised Code and may impose an 5997  
additional prison term under division (D)(3)(b) of that section. 5998  
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(F) Notwithstanding any contrary provision of section 3719.21 6000  
of the Revised Code, the clerk of the court shall pay a fine 6001  
imposed for a violation of this section pursuant to division (A) 6002  
of section 2929.18 of the Revised Code in accordance with and 6003  
subject to the requirements of division (F) of section 2925.03 of 6004  
the Revised Code. The agency that receives the fine shall use the 6005  
fine as specified in division (F) of section 2925.03 of the 6006  
Revised Code. 6007

**Sec. 2925.37.** (A) No person shall knowingly possess any 6008  
counterfeit controlled substance. 6009

(B) No person shall knowingly make, sell, offer to sell, or deliver any substance that the person knows is a counterfeit controlled substance.

(C) No person shall make, possess, sell, offer to sell, or deliver any punch, die, plate, stone, or other device knowing or having reason to know that it will be used to print or reproduce a trademark, trade name, or other identifying mark upon a counterfeit controlled substance.

(D) No person shall sell, offer to sell, give, or deliver any counterfeit controlled substance to a juvenile.

(E) No person shall directly or indirectly represent a counterfeit controlled substance as a controlled substance by describing its effects as the physical or psychological effects associated with use of a controlled substance.

(F) No person shall directly or indirectly falsely represent or advertise a counterfeit controlled substance as a controlled substance. As used in this division, "advertise" means engaging in "advertisement," as defined in section 3715.01 of the Revised Code.

(G) Whoever violates division (A) of this section is guilty of possession of counterfeit controlled substances, a misdemeanor of the first degree.

(H) Whoever violates division (B) or (C) of this section is guilty of trafficking in counterfeit controlled substances. Except as otherwise provided in this division, trafficking in counterfeit controlled substances is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. If the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in counterfeit controlled substances is a felony of the fourth degree, and division (C) of

section 2929.13 of the Revised Code applies in determining whether 6041  
to impose a prison term on the offender. 6042

(I) Whoever violates division (D) of this section is guilty 6043  
of aggravated trafficking in counterfeit controlled substances. 6044  
Except as otherwise provided in this division, aggravated 6045  
trafficking in counterfeit controlled substances is a felony of 6046  
the fourth degree, and division (C) of section 2929.13 of the 6047  
Revised Code applies in determining whether to impose a prison 6048  
term on the offender. 6049

(J) Whoever violates division (E) of this section is guilty 6050  
of promoting and encouraging drug abuse. Except as otherwise 6051  
provided in this division, promoting and encouraging drug abuse is 6052  
a felony of the fifth degree, and division (C) of section 2929.13 6053  
of the Revised Code applies in determining whether to impose a 6054  
prison term on the offender. If the offense was committed in the 6055  
vicinity of a school or in the vicinity of a juvenile, promoting 6056  
and encouraging drug abuse is a felony of the fourth degree, and 6057  
division (C) of section 2929.13 of the Revised Code applies in 6058  
determining whether to impose a prison term on the offender. 6059

(K) Whoever violates division (F) of this section is guilty 6060  
of fraudulent drug advertising. Except as otherwise provided in 6061  
this division, fraudulent drug advertising is a felony of the 6062  
fifth degree, and division (C) of section 2929.13 of the Revised 6063  
Code applies in determining whether to impose a prison term on the 6064  
offender. If the offense was committed in the vicinity of a school 6065  
or in the vicinity of a juvenile, fraudulent drug advertising is a 6066  
felony of the fourth degree, and division (C) of section 2929.13 6067  
of the Revised Code applies in determining whether to impose a 6068  
prison term on the offender. 6069

(L) In addition to any prison term authorized or required by 6070  
divisions (H) to (K) of this section and sections 2929.13 and 6071  
2929.14 of the Revised Code and in addition to any other sanction 6072

imposed for the offense under this section or sections 2929.11 to 6073  
2929.18 of the Revised Code, the court that sentences an offender 6074  
who is convicted of or pleads guilty to a violation of division 6075  
(B), (C), (D), (E), or (F) of this section shall do both of the 6076  
following: 6077

(1) The court shall suspend for not less than six months or 6078  
more than five years the offender's driver's or commercial 6079  
driver's license or permit ~~of any person who is convicted of or~~ 6080  
~~has pleaded guilty to any other violation of this section.~~ 6081

(2) If the offender is a professionally licensed person ~~or a~~ 6082  
~~person who has been admitted to the bar by order of the supreme~~ 6083  
~~court in compliance with its prescribed and published rules,~~ in 6084  
addition to any other sanction imposed for a violation of this 6085  
section, the court ~~forthwith~~ immediately shall comply with section 6086  
2925.38 of the Revised Code. 6087

(M) Notwithstanding any contrary provision of section 3719.21 6088  
of the Revised Code, the clerk of the court shall pay a fine 6089  
imposed for a violation of this section pursuant to division (A) 6090  
of section 2929.18 of the Revised Code in accordance with and 6091  
subject to the requirements of division (F) of section 2925.03 of 6092  
the Revised Code. The agency that receives the fine shall use the 6093  
fine as specified in division (F) of section 2925.03 of the 6094  
Revised Code. 6095

**Sec. 2925.38.** If a person who is convicted of or pleads 6096  
guilty to a violation of section 2925.02, 2925.03, 2925.04, 6097  
2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 6098  
2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the 6099  
Revised Code is a professionally licensed person, in addition to 6100  
any other sanctions imposed for the violation, the court 6101  
~~forthwith,~~ except as otherwise provided in this section, 6102  
immediately shall transmit a certified copy of the judgment entry 6103

of conviction to the regulatory or licensing board or agency that 6104  
has the administrative authority to suspend or revoke the 6105  
offender's professional license. If a the professionally licensed 6106  
person who is convicted of or pleads guilty to a violation of any 6107  
section listed in this section is a person who has been admitted 6108  
to the bar by order of the supreme court in compliance with its 6109  
prescribed and published rules, in addition to any other sanctions 6110  
imposed for the violation, the court ~~forthwith~~ immediately shall 6111  
transmit a certified copy of the judgment entry of conviction to 6112  
the secretary of the board of commissioners on grievances and 6113  
discipline of the supreme court and to either the disciplinary 6114  
counsel or the president, secretary, and chairperson of each 6115  
certified grievance committee. 6116

**Sec. 2929.01.** As used in this chapter: 6117

(A)(1) "Alternative residential facility" means, subject to 6118  
division (A)(2) of this section, any facility other than an 6119  
offender's home or residence in which an offender is assigned to 6120  
live and that satisfies all of the following criteria: 6121

(a) It provides programs through which the offender may seek 6122  
or maintain employment or may receive education, training, 6123  
treatment, or habilitation. 6124

(b) It has received the appropriate license or certificate 6125  
for any specialized education, training, treatment, habilitation, 6126  
or other service that it provides from the government agency that 6127  
is responsible for licensing or certifying that type of education, 6128  
training, treatment, habilitation, or service. 6129

(2) "Alternative residential facility" does not include a 6130  
community-based correctional facility, jail, halfway house, or 6131  
prison. 6132

(B) "Bad time" means the time by which the parole board 6133

administratively extends an offender's stated prison term or terms 6134  
pursuant to section 2967.11 of the Revised Code because the parole 6135  
board finds by clear and convincing evidence that the offender, 6136  
while serving the prison term or terms, committed an act that is a 6137  
criminal offense under the law of this state or the United States, 6138  
whether or not the offender is prosecuted for the commission of 6139  
that act. 6140

(C) "Basic probation supervision" means a requirement that 6141  
the offender maintain contact with a person appointed to supervise 6142  
the offender in accordance with sanctions imposed by the court or 6143  
imposed by the parole board pursuant to section 2967.28 of the 6144  
Revised Code. "Basic probation supervision" includes basic parole 6145  
supervision and basic post-release control supervision. 6146

(D) "Cocaine," "crack cocaine," "hashish," "L.S.D.," and 6147  
"unit dose" have the same meanings as in section 2925.01 of the 6148  
Revised Code. 6149

(E) "Community-based correctional facility" means a 6150  
community-based correctional facility and program or district 6151  
community-based correctional facility and program developed 6152  
pursuant to sections 2301.51 to 2301.56 of the Revised Code. 6153

(F) "Community control sanction" means a sanction that is not 6154  
a prison term and that is described in section 2929.15, 2929.16, 6155  
2929.17, or 2929.18 of the Revised Code. 6156

(G) "Controlled substance," "marihuana," "schedule I," and 6157  
"schedule II" have the same meanings as in section 3719.01 of the 6158  
Revised Code. 6159

(H) "Curfew" means a requirement that an offender during a 6160  
specified period of time be at a designated place. 6161

(I) "Day reporting" means a sanction pursuant to which an 6162  
offender is required each day to report to and leave a center or 6163  
other approved reporting location at specified times in order to 6164

participate in work, education or training, treatment, and other 6165  
approved programs at the center or outside the center. 6166

(J) "Deadly weapon" has the same meaning as in section 6167  
2923.11 of the Revised Code. 6168

(K) "Drug and alcohol use monitoring" means a program under 6169  
which an offender agrees to submit to random chemical analysis of 6170  
the offender's blood, breath, or urine to determine whether the 6171  
offender has ingested any alcohol or other drugs. 6172

(L) "Drug treatment program" means any program under which a 6173  
person undergoes assessment and treatment designed to reduce or 6174  
completely eliminate the person's physical or emotional reliance 6175  
upon alcohol, another drug, or alcohol and another drug and under 6176  
which the person may be required to receive assessment and 6177  
treatment on an outpatient basis or may be required to reside at a 6178  
facility other than the person's home or residence while 6179  
undergoing assessment and treatment. 6180

(M) "Economic loss" means any economic detriment suffered by 6181  
a victim as a result of the commission of a felony and includes 6182  
any loss of income due to lost time at work because of any injury 6183  
caused to the victim, and any property loss, medical cost, or 6184  
funeral expense incurred as a result of the commission of the 6185  
felony. 6186

(N) "Education or training" includes study at, or in 6187  
conjunction with a program offered by, a university, college, or 6188  
technical college or vocational study and also includes the 6189  
completion of primary school, secondary school, and literacy 6190  
curricula or their equivalent. 6191

(O) "Electronically monitored house arrest" has the same 6192  
meaning as in section 2929.23 of the Revised Code. 6193

(P) "Eligible offender" has the same meaning as in section 6194  
2929.23 of the Revised Code except as otherwise specified in 6195

section 2929.20 of the Revised Code. 6196

(Q) "Firearm" has the same meaning as in section 2923.11 of 6197  
the Revised Code. 6198

(R) "Halfway house" means a facility licensed by the division 6199  
of parole and community services of the department of 6200  
rehabilitation and correction pursuant to section 2967.14 of the 6201  
Revised Code as a suitable facility for the care and treatment of 6202  
adult offenders. 6203

(S) "House arrest" means a period of confinement of an 6204  
eligible offender that is in the eligible offender's home or in 6205  
other premises specified by the sentencing court or by the parole 6206  
board pursuant to section 2967.28 of the Revised Code, that may be 6207  
electronically monitored house arrest, and during which all of the 6208  
following apply: 6209

(1) The eligible offender is required to remain in the 6210  
eligible offender's home or other specified premises for the 6211  
specified period of confinement, except for periods of time during 6212  
which the eligible offender is at the eligible offender's place of 6213  
employment or at other premises as authorized by the sentencing 6214  
court or by the parole board. 6215

(2) The eligible offender is required to report periodically 6216  
to a person designated by the court or parole board. 6217

(3) The eligible offender is subject to any other 6218  
restrictions and requirements that may be imposed by the 6219  
sentencing court or by the parole board. 6220

(T) "Intensive probation supervision" means a requirement 6221  
that an offender maintain frequent contact with a person appointed 6222  
by the court, or by the parole board pursuant to section 2967.28 6223  
of the Revised Code, to supervise the offender while the offender 6224  
is seeking or maintaining necessary employment and participating 6225  
in training, education, and treatment programs as required in the 6226



court's or parole board's order. "Intensive probation supervision" 6227  
includes intensive parole supervision and intensive post-release 6228  
control supervision. 6229

(U) "Jail" means a jail, workhouse, minimum security jail, or 6230  
other residential facility used for the confinement of alleged or 6231  
convicted offenders that is operated by a political subdivision or 6232  
a combination of political subdivisions of this state. 6233

(V) "Delinquent child" has the same meaning as in section 6234  
2152.02 of the Revised Code. 6235

(W) "License violation report" means a report that is made by 6236  
a sentencing court, or by the parole board pursuant to section 6237  
2967.28 of the Revised Code, to the regulatory or licensing board 6238  
or agency that issued an offender a professional license or a 6239  
license or permit to do business in this state and that specifies 6240  
that the offender has been convicted of or pleaded guilty to an 6241  
offense that may violate the conditions under which the offender's 6242  
professional license or license or permit to do business in this 6243  
state was granted or an offense for which the offender's 6244  
professional license or license or permit to do business in this 6245  
state may be revoked or suspended. 6246

(X) "Major drug offender" means an offender who is convicted 6247  
of or pleads guilty to the possession of, sale of, or offer to 6248  
sell any drug, compound, mixture, preparation, or substance that 6249  
consists of or contains at least one thousand grams of hashish; at 6250  
least one hundred grams of crack cocaine; at least one thousand 6251  
grams of cocaine that is not crack cocaine; at least two thousand 6252  
five hundred unit doses or two hundred fifty grams of heroin; at 6253  
least five thousand unit doses of L.S.D. or five hundred grams of 6254  
L.S.D. in a liquid concentrate, liquid extract, or liquid 6255  
distillate form; or at least one hundred times the amount of any 6256  
other schedule I or II controlled substance other than marihuana 6257  
that is necessary to commit a felony of the third degree pursuant 6258

to section 2925.03, 2925.04, 2925.05, or 2925.11 of the Revised Code that is based on the possession of, sale of, or offer to sell the controlled substance.

(Y) "Mandatory prison term" means any of the following:

(1) Subject to division (Y)(2) of this section, the term in prison that must be imposed for the offenses or circumstances set forth in divisions (F)(1) to (8) or (F)(12) of section 2929.13 and division (D) of section 2929.14 of the Revised Code. Except as provided in sections 2925.02, 2925.03, 2925.04, 2925.05, and 2925.11 of the Revised Code, unless the maximum or another specific term is required under section 2929.14 of the Revised Code, a mandatory prison term described in this division may be any prison term authorized for the level of offense.

(2) The term of sixty or one hundred twenty days in prison that a sentencing court is required to impose for a third or fourth degree felony ~~OMVI~~ OVI offense pursuant to division (G)(2) of section 2929.13 and division ~~(A)(4)~~ (G)(1)(d) or ~~(8)~~ (e) of section ~~4511.99~~ 4511.19 of the Revised Code.

(3) The term in prison imposed pursuant to section 2971.03 of the Revised Code for the offenses and in the circumstances described in division (F)(11) of section 2929.13 of the Revised Code and that term as modified or terminated pursuant to section 2971.05 of the Revised Code.

(Z) "Monitored time" means a period of time during which an offender continues to be under the control of the sentencing court or parole board, subject to no conditions other than leading a law-abiding life.

(AA) "Offender" means a person who, in this state, is convicted of or pleads guilty to a felony or a misdemeanor.

(BB) "Prison" means a residential facility used for the confinement of convicted felony offenders that is under the

control of the department of rehabilitation and correction but 6290  
does not include a violation sanction center operated under 6291  
authority of section 2967.141 of the Revised Code. 6292

(CC) "Prison term" includes any of the following sanctions 6293  
for an offender: 6294

(1) A stated prison term; 6295

(2) A term in a prison shortened by, or with the approval of, 6296  
the sentencing court pursuant to section 2929.20, 2967.26, 6297  
5120.031, 5120.032, or 5120.073 of the Revised Code; 6298

(3) A term in prison extended by bad time imposed pursuant to 6299  
section 2967.11 of the Revised Code or imposed for a violation of 6300  
post-release control pursuant to section 2967.28 of the Revised 6301  
Code. 6302

(DD) "Repeat violent offender" means a person about whom both 6303  
of the following apply: 6304

(1) The person has been convicted of or has pleaded guilty 6305  
to, and is being sentenced for committing, for complicity in 6306  
committing, or for an attempt to commit, aggravated murder, 6307  
murder, involuntary manslaughter, a felony of the first degree 6308  
other than one set forth in Chapter 2925. of the Revised Code, a 6309  
felony of the first degree set forth in Chapter 2925. of the 6310  
Revised Code that involved an attempt to cause serious physical 6311  
harm to a person or that resulted in serious physical harm to a 6312  
person, or a felony of the second degree that involved an attempt 6313  
to cause serious physical harm to a person or that resulted in 6314  
serious physical harm to a person. 6315

(2) Either of the following applies: 6316

(a) The person previously was convicted of or pleaded guilty 6317  
to, and previously served or, at the time of the offense was 6318  
serving, a prison term for, any of the following: 6319

(i) Aggravated murder, murder, involuntary manslaughter, 6320  
rape, felonious sexual penetration as it existed under section 6321  
2907.12 of the Revised Code prior to September 3, 1996, a felony 6322  
of the first or second degree that resulted in the death of a 6323  
person or in physical harm to a person, or complicity in or an 6324  
attempt to commit any of those offenses; 6325

(ii) An offense under an existing or former law of this 6326  
state, another state, or the United States that is or was 6327  
substantially equivalent to an offense listed under division 6328  
(DD)(2)(a)(i) of this section and that resulted in the death of a 6329  
person or in physical harm to a person. 6330

(b) The person previously was adjudicated a delinquent child 6331  
for committing an act that if committed by an adult would have 6332  
been an offense listed in division (DD)(2)(a)(i) or (ii) of this 6333  
section, the person was committed to the department of youth 6334  
services for that delinquent act. 6335

(EE) "Sanction" means any penalty imposed upon an offender 6336  
who is convicted of or pleads guilty to an offense, as punishment 6337  
for the offense. "Sanction" includes any sanction imposed pursuant 6338  
to any provision of sections 2929.14 to 2929.18 of the Revised 6339  
Code. 6340

(FF) "Sentence" means the sanction or combination of 6341  
sanctions imposed by the sentencing court on an offender who is 6342  
convicted of or pleads guilty to a felony. 6343

(GG) "Stated prison term" means the prison term, mandatory 6344  
prison term, or combination of all prison terms and mandatory 6345  
prison terms imposed by the sentencing court pursuant to section 6346  
2929.14 or 2971.03 of the Revised Code. "Stated prison term" 6347  
includes any credit received by the offender for time spent in 6348  
jail awaiting trial, sentencing, or transfer to prison for the 6349  
offense and any time spent under house arrest or electronically 6350

monitored house arrest imposed after earning credits pursuant to 6351  
section 2967.193 of the Revised Code. 6352

(HH) "Victim-offender mediation" means a reconciliation or 6353  
mediation program that involves an offender and the victim of the 6354  
offense committed by the offender and that includes a meeting in 6355  
which the offender and the victim may discuss the offense, discuss 6356  
restitution, and consider other sanctions for the offense. 6357

(II) "Fourth degree felony ~~OMVI~~ OVI offense" means a 6358  
violation of division (A) of section 4511.19 of the Revised Code 6359  
that, under division (G) of that section ~~4511.99 of the Revised~~ 6360  
~~Code~~, is a felony of the fourth degree. 6361

(JJ) "Mandatory term of local incarceration" means the term 6362  
of sixty or one hundred twenty days in a jail, a community-based 6363  
correctional facility, a halfway house, or an alternative 6364  
residential facility that a sentencing court may impose upon a 6365  
person who is convicted of or pleads guilty to a fourth degree 6366  
felony ~~OMVI~~ OVI offense pursuant to division (G)(1) of section 6367  
2929.13 of the Revised Code and division ~~(A)(4)(G)(1)(d)~~ or ~~(8)(e)~~ 6368  
of section ~~4511.99~~ 4511.19 of the Revised Code. 6369

(KK) "Designated homicide, assault, or kidnapping offense," 6370  
"sexual motivation specification," "sexually violent offense," 6371  
"sexually violent predator," and "sexually violent predator 6372  
specification" have the same meanings as in section 2971.01 of the 6373  
Revised Code. 6374

(LL) "Habitual sex offender," "sexually oriented offense," 6375  
and "sexual predator" have the same meanings as in section 2950.01 6376  
of the Revised Code. 6377

(MM) An offense is "committed in the vicinity of a child" if 6378  
the offender commits the offense within thirty feet of or within 6379  
the same residential unit as a child who is under eighteen years 6380  
of age, regardless of whether the offender knows the age of the 6381

child or whether the offender knows the offense is being committed 6382  
within thirty feet of or within the same residential unit as the 6383  
child and regardless of whether the child actually views the 6384  
commission of the offense. 6385

(NN) "Family or household member" has the same meaning as in 6386  
section 2919.25 of the Revised Code. 6387

(OO) "Motor vehicle" and "manufactured home" have the same 6388  
meanings as in section 4501.01 of the Revised Code. 6389

(PP) "Detention" and "detention facility" have the same 6390  
meanings as in section 2921.01 of the Revised Code. 6391

(QQ) "Third degree felony ~~OMVI~~ OVI offense" means a violation 6392  
of division (A) of section 4511.19 of the Revised Code that, under 6393  
division (G) of that section 4511.99 of the Revised Code, is a 6394  
felony of the third degree. 6395

(RR) "Random drug testing" has the same meaning as in section 6396  
5120.63 of the Revised Code. 6397

(SS) "Felony sex offense" has the same meaning as in section 6398  
2957.28 of the Revised Code. 6399

(TT) "Body armor" has the same meaning as in section 6400  
2941.1411 of the Revised Code. 6401

**Sec. 2929.13.** (A) Except as provided in division (E), (F), or 6402  
(G) of this section and unless a specific sanction is required to 6403  
be imposed or is precluded from being imposed pursuant to law, a 6404  
court that imposes a sentence upon an offender for a felony may 6405  
impose any sanction or combination of sanctions on the offender 6406  
that are provided in sections 2929.14 to 2929.18 of the Revised 6407  
Code. The sentence shall not impose an unnecessary burden on state 6408  
or local government resources. 6409

If the offender is eligible to be sentenced to community 6410  
control sanctions, the court shall consider the appropriateness of 6411

imposing a financial sanction pursuant to section 2929.18 of the Revised Code or a sanction of community service pursuant to section 2929.17 of the Revised Code as the sole sanction for the offense. Except as otherwise provided in this division, if the court is required to impose a mandatory prison term for the offense for which sentence is being imposed, the court also may impose a financial sanction pursuant to section 2929.18 of the Revised Code but may not impose any additional sanction or combination of sanctions under section 2929.16 or 2929.17 of the Revised Code.

If the offender is being sentenced for a fourth degree felony ~~OMVI~~ OVI offense or for a third degree felony ~~OMVI~~ OVI offense, in addition to the mandatory term of local incarceration or the mandatory prison term required for the offense by division (G)(1) or (2) of this section, the court shall impose upon the offender a mandatory fine in accordance with division (B)(3) of section 2929.18 of the Revised Code and may impose whichever of the following is applicable:

(1) For a fourth degree felony ~~OMVI~~ OVI offense for which sentence is imposed under division (G)(1) of this section, an additional community control sanction or combination of community control sanctions under section 2929.16 or 2929.17 of the Revised Code;

(2) For a third or fourth degree felony ~~OMVI~~ OVI offense for which sentence is imposed under division (G)(2) of this section, an additional prison term as described in division (D)(4) of section 2929.14 of the Revised Code.

(B)(1) Except as provided in division (B)(2), (E), (F), or (G) of this section, in sentencing an offender for a felony of the fourth or fifth degree, the sentencing court shall determine whether any of the following apply:

(a) In committing the offense, the offender caused physical 6443  
harm to a person. 6444

(b) In committing the offense, the offender attempted to 6445  
cause or made an actual threat of physical harm to a person with a 6446  
deadly weapon. 6447

(c) In committing the offense, the offender attempted to 6448  
cause or made an actual threat of physical harm to a person, and 6449  
the offender previously was convicted of an offense that caused 6450  
physical harm to a person. 6451

(d) The offender held a public office or position of trust 6452  
and the offense related to that office or position; the offender's 6453  
position obliged the offender to prevent the offense or to bring 6454  
those committing it to justice; or the offender's professional 6455  
reputation or position facilitated the offense or was likely to 6456  
influence the future conduct of others. 6457

(e) The offender committed the offense for hire or as part of 6458  
an organized criminal activity. 6459

(f) The offense is a sex offense that is a fourth or fifth 6460  
degree felony violation of section 2907.03, 2907.04, 2907.05, 6461  
2907.22, 2907.31, 2907.321, 2907.322, 2907.323, or 2907.34 of the 6462  
Revised Code. 6463

(g) The offender at the time of the offense was serving, or 6464  
the offender previously had served, a prison term. 6465

(h) The offender committed the offense while under a 6466  
community control sanction, while on probation, or while released 6467  
from custody on a bond or personal recognizance. 6468

(i) The offender committed the offense while in possession of 6469  
a firearm. 6470

(2)(a) If the court makes a finding described in division 6471  
(B)(1)(a), (b), (c), (d), (e), (f), (g), (h), or (i) of this 6472



section and if the court, after considering the factors set forth 6473  
in section 2929.12 of the Revised Code, finds that a prison term 6474  
is consistent with the purposes and principles of sentencing set 6475  
forth in section 2929.11 of the Revised Code and finds that the 6476  
offender is not amenable to an available community control 6477  
sanction, the court shall impose a prison term upon the offender. 6478

(b) Except as provided in division (E), (F), or (G) of this 6479  
section, if the court does not make a finding described in 6480  
division (B)(1)(a), (b), (c), (d), (e), (f), (g), (h), or (i) of 6481  
this section and if the court, after considering the factors set 6482  
forth in section 2929.12 of the Revised Code, finds that a 6483  
community control sanction or combination of community control 6484  
sanctions is consistent with the purposes and principles of 6485  
sentencing set forth in section 2929.11 of the Revised Code, the 6486  
court shall impose a community control sanction or combination of 6487  
community control sanctions upon the offender. 6488

(C) Except as provided in division (E), (F), or (G) of this 6489  
section, in determining whether to impose a prison term as a 6490  
sanction for a felony of the third degree or a felony drug offense 6491  
that is a violation of a provision of Chapter 2925. of the Revised 6492  
Code and that is specified as being subject to this division for 6493  
purposes of sentencing, the sentencing court shall comply with the 6494  
purposes and principles of sentencing under section 2929.11 of the 6495  
Revised Code and with section 2929.12 of the Revised Code. 6496

(D) Except as provided in division (E) or (F) of this 6497  
section, for a felony of the first or second degree and for a 6498  
felony drug offense that is a violation of any provision of 6499  
Chapter 2925., 3719., or 4729. of the Revised Code for which a 6500  
presumption in favor of a prison term is specified as being 6501  
applicable, it is presumed that a prison term is necessary in 6502  
order to comply with the purposes and principles of sentencing 6503  
under section 2929.11 of the Revised Code. Notwithstanding the 6504

presumption established under this division, the sentencing court 6505  
may impose a community control sanction or a combination of 6506  
community control sanctions instead of a prison term on an 6507  
offender for a felony of the first or second degree or for a 6508  
felony drug offense that is a violation of any provision of 6509  
Chapter 2925., 3719., or 4729. of the Revised Code for which a 6510  
presumption in favor of a prison term is specified as being 6511  
applicable if it makes both of the following findings: 6512

(1) A community control sanction or a combination of 6513  
community control sanctions would adequately punish the offender 6514  
and protect the public from future crime, because the applicable 6515  
factors under section 2929.12 of the Revised Code indicating a 6516  
lesser likelihood of recidivism outweigh the applicable factors 6517  
under that section indicating a greater likelihood of recidivism. 6518

(2) A community control sanction or a combination of 6519  
community control sanctions would not demean the seriousness of 6520  
the offense, because one or more factors under section 2929.12 of 6521  
the Revised Code that indicate that the offender's conduct was 6522  
less serious than conduct normally constituting the offense are 6523  
applicable, and they outweigh the applicable factors under that 6524  
section that indicate that the offender's conduct was more serious 6525  
than conduct normally constituting the offense. 6526

(E)(1) Except as provided in division (F) of this section, 6527  
for any drug offense that is a violation of any provision of 6528  
Chapter 2925. of the Revised Code and that is a felony of the 6529  
third, fourth, or fifth degree, the applicability of a presumption 6530  
under division (D) of this section in favor of a prison term or of 6531  
division (B) or (C) of this section in determining whether to 6532  
impose a prison term for the offense shall be determined as 6533  
specified in section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 6534  
2925.11, 2925.13, 2925.22, 2925.23, 2925.36, or 2925.37 of the 6535  
Revised Code, whichever is applicable regarding the violation. 6536

(2) If an offender who was convicted of or pleaded guilty to a felony violates the conditions of a community control sanction imposed for the offense solely by reason of producing positive results on a drug test, the court, as punishment for the violation of the sanction, shall not order that the offender be imprisoned unless the court determines on the record either of the following:

(a) The offender had been ordered as a sanction for the felony to participate in a drug treatment program, in a drug education program, or in narcotics anonymous or a similar program, and the offender continued to use illegal drugs after a reasonable period of participation in the program.

(b) The imprisonment of the offender for the violation is consistent with the purposes and principles of sentencing set forth in section 2929.11 of the Revised Code.

(F) Notwithstanding divisions (A) to (E) of this section, the court shall impose a prison term or terms under sections 2929.02 to 2929.06, section 2929.14, or section 2971.03 of the Revised Code and except as specifically provided in section 2929.20 or 2967.191 of the Revised Code or when parole is authorized for the offense under section 2967.13 of the Revised Code shall not reduce the terms pursuant to section 2929.20, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code for any of the following offenses:

(1) Aggravated murder when death is not imposed or murder;

(2) Any rape, regardless of whether force was involved and regardless of the age of the victim, or an attempt to commit rape by force when the victim is under thirteen years of age;

(3) Gross sexual imposition or sexual battery, if the victim is under thirteen years of age, if the offender previously was convicted of or pleaded guilty to rape, the former offense of

felonious sexual penetration, gross sexual imposition, or sexual 6568  
battery, and if the victim of the previous offense was under 6569  
thirteen years of age; 6570

(4) A felony violation of section 2903.04, 2903.06, 2903.08, 6571  
2903.11, 2903.12, or 2903.13 of the Revised Code if the section 6572  
requires the imposition of a prison term; 6573

(5) A first, second, or third degree felony drug offense for 6574  
which section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 6575  
2925.11, 2925.13, 2925.22, 2925.23, 2925.36, 2925.37, 3719.99, or 6576  
4729.99 of the Revised Code, whichever is applicable regarding the 6577  
violation, requires the imposition of a mandatory prison term; 6578

(6) Any offense that is a first or second degree felony and 6579  
that is not set forth in division (F)(1), (2), (3), or (4) of this 6580  
section, if the offender previously was convicted of or pleaded 6581  
guilty to aggravated murder, murder, any first or second degree 6582  
felony, or an offense under an existing or former law of this 6583  
state, another state, or the United States that is or was 6584  
substantially equivalent to one of those offenses; 6585

(7) Any offense that is a third degree felony and that is 6586  
listed in division (DD)(1) of section 2929.01 of the Revised Code 6587  
if the offender previously was convicted of or pleaded guilty to 6588  
any offense that is listed in division (DD)(2)(a)(i) or (ii) of 6589  
section 2929.01 of the Revised Code; 6590

(8) Any offense, other than a violation of section 2923.12 of 6591  
the Revised Code, that is a felony, if the offender had a firearm 6592  
on or about the offender's person or under the offender's control 6593  
while committing the felony, with respect to a portion of the 6594  
sentence imposed pursuant to division (D)(1)(a) of section 2929.14 6595  
of the Revised Code for having the firearm; 6596

(9) Any offense of violence that is a felony, if the offender 6597  
wore or carried body armor while committing the felony offense of 6598

violence, with respect to the portion of the sentence imposed 6599  
pursuant to division (D)(1)(d) of section 2929.14 of the Revised 6600  
Code for wearing or carrying the body armor; 6601

(10) Corrupt activity in violation of section 2923.32 of the 6602  
Revised Code when the most serious offense in the pattern of 6603  
corrupt activity that is the basis of the offense is a felony of 6604  
the first degree; 6605

(11) Any sexually violent offense for which the offender also 6606  
is convicted of or pleads guilty to a sexually violent predator 6607  
specification that was included in the indictment, count in the 6608  
indictment, or information charging the sexually violent offense; 6609  
6610

(12) A violation of division (A)(1) or (2) of section 2921.36 6611  
of the Revised Code, or a violation of division (C) of that 6612  
section involving an item listed in division (A)(1) or (2) of that 6613  
section, if the offender is an officer or employee of the 6614  
department of rehabilitation and correction. 6615

(G) Notwithstanding divisions (A) to (E) of this section, if 6616  
an offender is being sentenced for a fourth degree felony ~~OMVI~~ OVI 6617  
offense or for a third degree felony ~~OMVI~~ OVI offense, the court 6618  
shall impose upon the offender a mandatory term of local 6619  
incarceration or a mandatory prison term in accordance with the 6620  
following: 6621

(1) If the offender is being sentenced for a fourth degree 6622  
felony ~~OMVI~~ OVI offense, the court may impose upon the offender a 6623  
mandatory term of local incarceration of sixty days or one hundred 6624  
twenty days as specified in division ~~(A)(4)(G)(1)(d)~~ of section 6625  
~~4511.99~~ 4511.19 of the Revised Code ~~or a mandatory term of local~~ 6626  
~~incarceration of one hundred twenty days as specified in division~~ 6627  
~~(A)(8) of that section.~~ The court shall not reduce the term 6628  
pursuant to section 2929.20, 2967.193, or any other provision of 6629

the Revised Code. The court that imposes a mandatory term of local incarceration under this division shall specify whether the term is to be served in a jail, a community-based correctional facility, a halfway house, or an alternative residential facility, and the offender shall serve the term in the type of facility specified by the court. A mandatory term of local incarceration imposed under division (G)(1) of this section is not subject to extension under section 2967.11 of the Revised Code, to a period of post-release control under section 2967.28 of the Revised Code, or to any other Revised Code provision that pertains to a prison term.

(2) If the offender is being sentenced for a third degree felony ~~OMVI~~ OVI offense, or if the offender is being sentenced for a fourth degree felony ~~OMVI~~ OVI offense and the court does not impose a mandatory term of local incarceration under division (G)(1) of this section, the court shall impose upon the offender a mandatory prison term of sixty days or one hundred twenty days as specified in division ~~(A)(4)(G)(1)(e)~~ of section ~~4511.99~~ 4511.19 of the Revised Code ~~or a mandatory prison term of one hundred twenty days as specified in division (A)(8) of that section.~~ The court shall not reduce the term pursuant to section 2929.20, 2967.193, or any other provision of the Revised Code. In no case shall an offender who once has been sentenced to a mandatory term of local incarceration pursuant to division (G)(1) of this section for a fourth degree felony ~~OMVI~~ OVI offense be sentenced to another mandatory term of local incarceration under that division for any violation of division (A) of section 4511.19 of the Revised Code. The court shall not sentence the offender to a community control sanction under section 2929.16 or 2929.17 of the Revised Code. The department of rehabilitation and correction may place an offender sentenced to a mandatory prison term under this division in an intensive program prison established pursuant to section 5120.033 of the Revised Code if the department gave the

sentencing judge prior notice of its intent to place the offender 6663  
in an intensive program prison established under that section and 6664  
if the judge did not notify the department that the judge 6665  
disapproved the placement. Upon the establishment of the initial 6666  
intensive program prison pursuant to section 5120.033 of the 6667  
Revised Code that is privately operated and managed by a 6668  
contractor pursuant to a contract entered into under section 9.06 6669  
of the Revised Code, both of the following apply: 6670

(a) The department of rehabilitation and correction shall 6671  
make a reasonable effort to ensure that a sufficient number of 6672  
offenders sentenced to a mandatory prison term under this division 6673  
are placed in the privately operated and managed prison so that 6674  
the privately operated and managed prison has full occupancy. 6675

(b) Unless the privately operated and managed prison has full 6676  
occupancy, the department of rehabilitation and correction shall 6677  
not place any offender sentenced to a mandatory prison term under 6678  
this division in any intensive program prison established pursuant 6679  
to section 5120.033 of the Revised Code other than the privately 6680  
operated and managed prison. 6681

(H) If an offender is being sentenced for a sexually oriented 6682  
offense committed on or after January 1, 1997, the judge shall 6683  
require the offender to submit to a DNA specimen collection 6684  
procedure pursuant to section 2901.07 of the Revised Code if 6685  
either of the following applies: 6686

(1) The offense was a sexually violent offense, and the 6687  
offender also was convicted of or pleaded guilty to a sexually 6688  
violent predator specification that was included in the 6689  
indictment, count in the indictment, or information charging the 6690  
sexually violent offense. 6691

(2) The judge imposing sentence for the sexually oriented 6692  
offense determines pursuant to division (B) of section 2950.09 of 6693

the Revised Code that the offender is a sexual predator. 6694

(I) If an offender is being sentenced for a sexually oriented 6695  
offense committed on or after January 1, 1997, the judge shall 6696  
include in the sentence a summary of the offender's duty to 6697  
register pursuant to section 2950.04 of the Revised Code, the 6698  
offender's duty to provide notice of a change in residence address 6699  
and register the new residence address pursuant to section 2950.05 6700  
of the Revised Code, the offender's duty to periodically verify 6701  
the offender's current residence address pursuant to section 6702  
2950.06 of the Revised Code, and the duration of the duties. The 6703  
judge shall inform the offender, at the time of sentencing, of 6704  
those duties and of their duration and, if required under division 6705  
(A)(2) of section 2950.03 of the Revised Code, shall perform the 6706  
duties specified in that section. 6707

(J)(1) Except as provided in division (J)(2) of this section, 6708  
when considering sentencing factors under this section in relation 6709  
to an offender who is convicted of or pleads guilty to an attempt 6710  
to commit an offense in violation of section 2923.02 of the 6711  
Revised Code, the sentencing court shall consider the factors 6712  
applicable to the felony category of the violation of section 6713  
2923.02 of the Revised Code instead of the factors applicable to 6714  
the felony category of the offense attempted. 6715

(2) When considering sentencing factors under this section in 6716  
relation to an offender who is convicted of or pleads guilty to an 6717  
attempt to commit a drug abuse offense for which the penalty is 6718  
determined by the amount or number of unit doses of the controlled 6719  
substance involved in the drug abuse offense, the sentencing court 6720  
shall consider the factors applicable to the felony category that 6721  
the drug abuse offense attempted would be if that drug abuse 6722  
offense had been committed and had involved an amount or number of 6723  
unit doses of the controlled substance that is within the next 6724  
lower range of controlled substance amounts than was involved in 6725



the attempt. 6726

(K) As used in this section, "drug abuse offense" has the 6727  
same meaning as in section 2925.01 of the Revised Code. 6728

**Sec. 2929.14.** (A) Except as provided in division (C), (D)(1), 6729  
(D)(2), (D)(3), (D)(4), or (G) of this section and except in 6730  
relation to an offense for which a sentence of death or life 6731  
imprisonment is to be imposed, if the court imposing a sentence 6732  
upon an offender for a felony elects or is required to impose a 6733  
prison term on the offender pursuant to this chapter and is not 6734  
prohibited by division (G)(1) of section 2929.13 of the Revised 6735  
Code from imposing a prison term on the offender, the court shall 6736  
impose a definite prison term that shall be one of the following: 6737

(1) For a felony of the first degree, the prison term shall 6738  
be three, four, five, six, seven, eight, nine, or ten years. 6739

(2) For a felony of the second degree, the prison term shall 6740  
be two, three, four, five, six, seven, or eight years. 6741

(3) For a felony of the third degree, the prison term shall 6742  
be one, two, three, four, or five years. 6743

(4) For a felony of the fourth degree, the prison term shall 6744  
be six, seven, eight, nine, ten, eleven, twelve, thirteen, 6745  
fourteen, fifteen, sixteen, seventeen, or eighteen months. 6746

(5) For a felony of the fifth degree, the prison term shall 6747  
be six, seven, eight, nine, ten, eleven, or twelve months. 6748

(B) Except as provided in division (C), (D)(1), (D)(2), 6749  
(D)(3), or (G) of this section, in section 2907.02 of the Revised 6750  
Code, or in Chapter 2925. of the Revised Code, if the court 6751  
imposing a sentence upon an offender for a felony elects or is 6752  
required to impose a prison term on the offender, the court shall 6753  
impose the shortest prison term authorized for the offense 6754  
pursuant to division (A) of this section, unless one or more of 6755

the following applies: 6756

(1) The offender was serving a prison term at the time of the offense, or the offender previously had served a prison term. 6757  
6758

(2) The court finds on the record that the shortest prison term will demean the seriousness of the offender's conduct or will not adequately protect the public from future crime by the offender or others. 6759  
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(C) Except as provided in division (G) of this section or in Chapter 2925. of the Revised Code, the court imposing a sentence upon an offender for a felony may impose the longest prison term authorized for the offense pursuant to division (A) of this section only upon offenders who committed the worst forms of the offense, upon offenders who pose the greatest likelihood of committing future crimes, upon certain major drug offenders under division (D)(3) of this section, and upon certain repeat violent offenders in accordance with division (D)(2) of this section. 6763  
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(D)(1)(a) Except as provided in division (D)(1)(e) of this section, if an offender who is convicted of or pleads guilty to a felony also is convicted of or pleads guilty to a specification of the type described in section 2941.141, 2941.144, or 2941.145 of the Revised Code, the court shall impose on the offender one of the following prison terms: 6772  
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(i) A prison term of six years if the specification is of the type described in section 2941.144 of the Revised Code that charges the offender with having a firearm that is an automatic firearm or that was equipped with a firearm muffler or silencer on or about the offender's person or under the offender's control while committing the felony; 6778  
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(ii) A prison term of three years if the specification is of the type described in section 2941.145 of the Revised Code that charges the offender with having a firearm on or about the 6784  
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offender's person or under the offender's control while committing 6787  
the offense and displaying the firearm, brandishing the firearm, 6788  
indicating that the offender possessed the firearm, or using it to 6789  
facilitate the offense; 6790

(iii) A prison term of one year if the specification is of 6791  
the type described in section 2941.141 of the Revised Code that 6792  
charges the offender with having a firearm on or about the 6793  
offender's person or under the offender's control while committing 6794  
the felony. 6795

(b) If a court imposes a prison term on an offender under 6796  
division (D)(1)(a) of this section, the prison term shall not be 6797  
reduced pursuant to section 2929.20, section 2967.193, or any 6798  
other provision of Chapter 2967. or Chapter 5120. of the Revised 6799  
Code. A court shall not impose more than one prison term on an 6800  
offender under division (D)(1)(a) of this section for felonies 6801  
committed as part of the same act or transaction. 6802

(c) Except as provided in division (D)(1)(e) of this section, 6803  
if an offender who is convicted of or pleads guilty to a violation 6804  
of section 2923.161 of the Revised Code or to a felony that 6805  
includes, as an essential element, purposely or knowingly causing 6806  
or attempting to cause the death of or physical harm to another, 6807  
also is convicted of or pleads guilty to a specification of the 6808  
type described in section 2941.146 of the Revised Code that 6809  
charges the offender with committing the offense by discharging a 6810  
firearm from a motor vehicle other than a manufactured home, the 6811  
court, after imposing a prison term on the offender for the 6812  
violation of section 2923.161 of the Revised Code or for the other 6813  
felony offense under division (A), (D)(2), or (D)(3) of this 6814  
section, shall impose an additional prison term of five years upon 6815  
the offender that shall not be reduced pursuant to section 6816  
2929.20, section 2967.193, or any other provision of Chapter 2967. 6817  
or Chapter 5120. of the Revised Code. A court shall not impose 6818

more than one additional prison term on an offender under division 6819  
(D)(1)(c) of this section for felonies committed as part of the 6820  
same act or transaction. If a court imposes an additional prison 6821  
term on an offender under division (D)(1)(c) of this section 6822  
relative to an offense, the court also shall impose a prison term 6823  
under division (D)(1)(a) of this section relative to the same 6824  
offense, provided the criteria specified in that division for 6825  
imposing an additional prison term are satisfied relative to the 6826  
offender and the offense. 6827

(d) If an offender who is convicted of or pleads guilty to an 6828  
offense of violence that is a felony also is convicted of or 6829  
pleads guilty to a specification of the type described in section 6830  
2941.1411 of the Revised Code that charges the offender with 6831  
wearing or carrying body armor while committing the felony offense 6832  
of violence, the court shall impose on the offender a prison term 6833  
of two years. The prison term so imposed shall not be reduced 6834  
pursuant to section 2929.20, section 2967.193, or any other 6835  
provision of Chapter 2967. or Chapter 5120. of the Revised Code. A 6836  
court shall not impose more than one prison term on an offender 6837  
under division (D)(1)(d) of this section for felonies committed as 6838  
part of the same act or transaction. If a court imposes an 6839  
additional prison term under division (D)(1)(a) or (c) of this 6840  
section, the court is not precluded from imposing an additional 6841  
prison term under division (D)(1)(d) of this section. 6842

(e) The court shall not impose any of the prison terms 6843  
described in division (D)(1)(a) of this section or any of the 6844  
additional prison terms described in division (D)(1)(c) of this 6845  
section upon an offender for a violation of section 2923.12 or 6846  
2923.123 of the Revised Code. The court shall not impose any of 6847  
the prison terms described in division (D)(1)(a) of this section 6848  
or any of the additional prison terms described in division 6849  
(D)(1)(c) of this section upon an offender for a violation of 6850

section 2923.13 of the Revised Code unless all of the following 6851  
apply: 6852

(i) The offender previously has been convicted of aggravated 6853  
murder, murder, or any felony of the first or second degree. 6854

(ii) Less than five years have passed since the offender was 6855  
released from prison or post-release control, whichever is later, 6856  
for the prior offense. 6857

(2)(a) If an offender who is convicted of or pleads guilty to 6858  
a felony also is convicted of or pleads guilty to a specification 6859  
of the type described in section 2941.149 of the Revised Code that 6860  
the offender is a repeat violent offender, the court shall impose 6861  
a prison term from the range of terms authorized for the offense 6862  
under division (A) of this section that may be the longest term in 6863  
the range and that shall not be reduced pursuant to section 6864  
2929.20, section 2967.193, or any other provision of Chapter 2967. 6865  
or Chapter 5120. of the Revised Code. If the court finds that the 6866  
repeat violent offender, in committing the offense, caused any 6867  
physical harm that carried a substantial risk of death to a person 6868  
or that involved substantial permanent incapacity or substantial 6869  
permanent disfigurement of a person, the court shall impose the 6870  
longest prison term from the range of terms authorized for the 6871  
offense under division (A) of this section. 6872

(b) If the court imposing a prison term on a repeat violent 6873  
offender imposes the longest prison term from the range of terms 6874  
authorized for the offense under division (A) of this section, the 6875  
court may impose on the offender an additional definite prison 6876  
term of one, two, three, four, five, six, seven, eight, nine, or 6877  
ten years if the court finds that both of the following apply with 6878  
respect to the prison terms imposed on the offender pursuant to 6879  
division (D)(2)(a) of this section and, if applicable, divisions 6880  
(D)(1) and (3) of this section: 6881

(i) The terms so imposed are inadequate to punish the offender and protect the public from future crime, because the applicable factors under section 2929.12 of the Revised Code indicating a greater likelihood of recidivism outweigh the applicable factors under that section indicating a lesser likelihood of recidivism.

(ii) The terms so imposed are demeaning to the seriousness of the offense, because one or more of the factors under section 2929.12 of the Revised Code indicating that the offender's conduct is more serious than conduct normally constituting the offense are present, and they outweigh the applicable factors under that section indicating that the offender's conduct is less serious than conduct normally constituting the offense.

(3)(a) Except when an offender commits a violation of section 2903.01 or 2907.02 of the Revised Code and the penalty imposed for the violation is life imprisonment or commits a violation of section 2903.02 of the Revised Code, if the offender commits a violation of section 2925.03 or 2925.11 of the Revised Code and that section classifies the offender as a major drug offender and requires the imposition of a ten-year prison term on the offender, if the offender commits a felony violation of section 2925.02, 2925.04, 2925.05, 2925.36, 3719.07, 3719.08, 3719.16, 3719.161, 4729.37, or 4729.61, division (C) or (D) of section 3719.172, division (C) of section 4729.51, or division (J) of section 4729.54 of the Revised Code that includes the sale, offer to sell, or possession of a schedule I or II controlled substance, with the exception of marihuana, and the court imposing sentence upon the offender finds that the offender is guilty of a specification of the type described in section 2941.1410 of the Revised Code charging that the offender is a major drug offender, or if the court imposing sentence upon an offender for a felony finds that the offender is guilty of corrupt activity with the most serious

offense in the pattern of corrupt activity being a felony of the 6914  
first degree or is guilty of an attempted forcible violation of 6915  
section 2907.02 of the Revised Code with the victim being under 6916  
thirteen years of age and that attempted violation is the felony 6917  
for which sentence is being imposed, the court shall impose upon 6918  
the offender for the felony violation a ten-year prison term that 6919  
cannot be reduced pursuant to section 2929.20 or Chapter 2967. or 6920  
5120. of the Revised Code. 6921

(b) The court imposing a prison term on an offender under 6922  
division (D)(3)(a) of this section may impose an additional prison 6923  
term of one, two, three, four, five, six, seven, eight, nine, or 6924  
ten years, if the court, with respect to the term imposed under 6925  
division (D)(3)(a) of this section and, if applicable, divisions 6926  
(D)(1) and (2) of this section, makes both of the findings set 6927  
forth in divisions (D)(2)(b)(i) and (ii) of this section. 6928

(4) If the offender is being sentenced for a third or fourth 6929  
degree felony ~~OMVI~~ OVI offense under division (G)(2) of section 6930  
2929.13 of the Revised Code, the sentencing court shall impose 6931  
upon the offender a mandatory prison term in accordance with that 6932  
division. In addition to the mandatory prison term, if the 6933  
offender is being sentenced for a fourth degree felony OVI 6934  
offense, the court, notwithstanding division (A)(4) of this 6935  
section, may sentence the offender to a definite prison term of 6936  
not less than six months and not more than thirty months, and if 6937  
the offender is being sentenced for a third degree felony OVI 6938  
offense, the sentencing court may sentence the offender to an 6939  
additional prison term of any duration specified in division 6940  
(A)(3) of this section ~~minus~~. In either case, the additional 6941  
prison term imposed shall be reduced by the sixty or one hundred 6942  
twenty days imposed upon the offender as the mandatory prison 6943  
term. The total of the additional prison term imposed under 6944  
division (D)(4) of this section plus the sixty or one hundred 6945

twenty days imposed as the mandatory prison term shall equal a 6946  
definite term in the range of six months to thirty months for a 6947  
fourth degree felony OVI offense and shall equal one of the 6948  
authorized prison terms specified in division (A)(3) of this 6949  
section for a third degree felony OVI offense. If the court 6950  
imposes an additional prison term under division (D)(4) of this 6951  
section, the offender shall serve the additional prison term after 6952  
the offender has served the mandatory prison term required for the 6953  
offense. The court shall not sentence the offender to a community 6954  
control sanction under section 2929.16 or 2929.17 of the Revised 6955  
Code. 6956

(E)(1)(a) Subject to division (E)(1)(b) of this section, if a 6957  
mandatory prison term is imposed upon an offender pursuant to 6958  
division (D)(1)(a) of this section for having a firearm on or 6959  
about the offender's person or under the offender's control while 6960  
committing a felony, if a mandatory prison term is imposed upon an 6961  
offender pursuant to division (D)(1)(c) of this section for 6962  
committing a felony specified in that division by discharging a 6963  
firearm from a motor vehicle, or if both types of mandatory prison 6964  
terms are imposed, the offender shall serve any mandatory prison 6965  
term imposed under either division consecutively to any other 6966  
mandatory prison term imposed under either division or under 6967  
division (D)(1)(d) of this section, consecutively to and prior to 6968  
any prison term imposed for the underlying felony pursuant to 6969  
division (A), (D)(2), or (D)(3) of this section or any other 6970  
section of the Revised Code, and consecutively to any other prison 6971  
term or mandatory prison term previously or subsequently imposed 6972  
upon the offender. 6973

(b) If a mandatory prison term is imposed upon an offender 6974  
pursuant to division (D)(1)(d) of this section for wearing or 6975  
carrying body armor while committing an offense of violence that 6976  
is a felony, the offender shall serve the mandatory term so 6977



imposed consecutively to any other mandatory prison term imposed 6978  
under that division or under division (D)(1)(a) or (c) of this 6979  
section, consecutively to and prior to any prison term imposed for 6980  
the underlying felony under division (A), (D)(2), or (D)(3) of 6981  
this section or any other section of the Revised Code, and 6982  
consecutively to any other prison term or mandatory prison term 6983  
previously or subsequently imposed upon the offender. 6984

(2) If an offender who is an inmate in a jail, prison, or 6985  
other residential detention facility violates section 2917.02, 6986  
2917.03, 2921.34, or 2921.35 of the Revised Code, if an offender 6987  
who is under detention at a detention facility commits a felony 6988  
violation of section 2923.131 of the Revised Code, or if an 6989  
offender who is an inmate in a jail, prison, or other residential 6990  
detention facility or is under detention at a detention facility 6991  
commits another felony while the offender is an escapee in 6992  
violation of section 2921.34 of the Revised Code, any prison term 6993  
imposed upon the offender for one of those violations shall be 6994  
served by the offender consecutively to the prison term or term of 6995  
imprisonment the offender was serving when the offender committed 6996  
that offense and to any other prison term previously or 6997  
subsequently imposed upon the offender. 6998

(3) If a prison term is imposed for a violation of division 6999  
(B) of section 2911.01 of the Revised Code or if a prison term is 7000  
imposed for a felony violation of division (B) of section 2921.331 7001  
of the Revised Code, the offender shall serve that prison term 7002  
consecutively to any other prison term or mandatory prison term 7003  
previously or subsequently imposed upon the offender. 7004

(4) If multiple prison terms are imposed on an offender for 7005  
convictions of multiple offenses, the court may require the 7006  
offender to serve the prison terms consecutively if the court 7007  
finds that the consecutive service is necessary to protect the 7008  
public from future crime or to punish the offender and that 7009

consecutive sentences are not disproportionate to the seriousness 7010  
of the offender's conduct and to the danger the offender poses to 7011  
the public, and if the court also finds any of the following: 7012

(a) The offender committed one or more of the multiple 7013  
offenses while the offender was awaiting trial or sentencing, was 7014  
under a sanction imposed pursuant to section 2929.16, 2929.17, or 7015  
2929.18 of the Revised Code, or was under post-release control for 7016  
a prior offense. 7017

(b) At least two of the multiple offenses were committed as 7018  
part of one or more courses of conduct, and the harm caused by two 7019  
or more of the multiple offenses so committed was so great or 7020  
unusual that no single prison term for any of the offenses 7021  
committed as part of any of the courses of conduct adequately 7022  
reflects the seriousness of the offender's conduct. 7023

(c) The offender's history of criminal conduct demonstrates 7024  
that consecutive sentences are necessary to protect the public 7025  
from future crime by the offender. 7026

(5) When consecutive prison terms are imposed pursuant to 7027  
division (E)(1), (2), (3), or (4) of this section, the term to be 7028  
served is the aggregate of all of the terms so imposed. 7029

(F) If a court imposes a prison term of a type described in 7030  
division (B) of section 2967.28 of the Revised Code, it shall 7031  
include in the sentence a requirement that the offender be subject 7032  
to a period of post-release control after the offender's release 7033  
from imprisonment, in accordance with that division. If a court 7034  
imposes a prison term of a type described in division (C) of that 7035  
section, it shall include in the sentence a requirement that the 7036  
offender be subject to a period of post-release control after the 7037  
offender's release from imprisonment, in accordance with that 7038  
division, if the parole board determines that a period of 7039  
post-release control is necessary. 7040

(G) If a person is convicted of or pleads guilty to a 7041  
sexually violent offense and also is convicted of or pleads guilty 7042  
to a sexually violent predator specification that was included in 7043  
the indictment, count in the indictment, or information charging 7044  
that offense, the court shall impose sentence upon the offender in 7045  
accordance with section 2971.03 of the Revised Code, and Chapter 7046  
2971. of the Revised Code applies regarding the prison term or 7047  
term of life imprisonment without parole imposed upon the offender 7048  
and the service of that term of imprisonment. 7049

(H) If a person who has been convicted of or pleaded guilty 7050  
to a felony is sentenced to a prison term or term of imprisonment 7051  
under this section, sections 2929.02 to 2929.06 of the Revised 7052  
Code, section 2971.03 of the Revised Code, or any other provision 7053  
of law, section 5120.163 of the Revised Code applies regarding the 7054  
person while the person is confined in a state correctional 7055  
institution. 7056

(I) If an offender who is convicted of or pleads guilty to a 7057  
felony that is an offense of violence also is convicted of or 7058  
pleads guilty to a specification of the type described in section 7059  
2941.142 of the Revised Code that charges the offender with having 7060  
committed the felony while participating in a criminal gang, the 7061  
court shall impose upon the offender an additional prison term of 7062  
one, two, or three years. 7063

(J) If an offender who is convicted of or pleads guilty to 7064  
aggravated murder, murder, or a felony of the first, second, or 7065  
third degree that is an offense of violence also is convicted of 7066  
or pleads guilty to a specification of the type described in 7067  
section 2941.143 of the Revised Code that charges the offender 7068  
with having committed the offense in a school safety zone or 7069  
towards a person in a school safety zone, the court shall impose 7070  
upon the offender an additional prison term of two years. The 7071  
offender shall serve the additional two years consecutively to and 7072

prior to the prison term imposed for the underlying offense. 7073

(K) At the time of sentencing, the court may recommend the 7074  
offender for placement in a program of shock incarceration under 7075  
section 5120.031 of the Revised Code or for placement in an 7076  
intensive program prison under section 5120.032 of the Revised 7077  
Code, disapprove placement of the offender in a program of shock 7078  
incarceration or an intensive program prison of that nature, or 7079  
make no recommendation on placement of the offender. In no case 7080  
shall the department of rehabilitation and correction place the 7081  
offender in a program or prison of that nature unless the 7082  
department determines as specified in section 5120.031 or 5120.032 7083  
of the Revised Code, whichever is applicable, that the offender is 7084  
eligible for the placement. 7085

If the court disapproves placement of the offender in a 7086  
program or prison of that nature, the department of rehabilitation 7087  
and correction shall not place the offender in any program of 7088  
shock incarceration or intensive program prison. 7089

If the court recommends placement of the offender in a 7090  
program of shock incarceration or in an intensive program prison, 7091  
and if the offender is subsequently placed in the recommended 7092  
program or prison, the department shall notify the court of the 7093  
placement and shall include with the notice a brief description of 7094  
the placement. 7095

If the court recommends placement of the offender in a 7096  
program of shock incarceration or in an intensive program prison 7097  
and the department does not subsequently place the offender in the 7098  
recommended program or prison, the department shall send a notice 7099  
to the court indicating why the offender was not placed in the 7100  
recommended program or prison. 7101

If the court does not make a recommendation under this 7102  
division with respect to an offender and if the department 7103

determines as specified in section 5120.031 or 5120.032 of the Revised Code, whichever is applicable, that the offender is eligible for placement in a program or prison of that nature, the department shall screen the offender and determine if there is an available program of shock incarceration or an intensive program prison for which the offender is suited. If there is an available program of shock incarceration or an intensive program prison for which the offender is suited, the department shall notify the court of the proposed placement of the offender as specified in section 5120.031 or 5120.032 of the Revised Code and shall include with the notice a brief description of the placement. The court shall have ten days from receipt of the notice to disapprove the placement.

**Sec. 2929.15.** (A)(1) If in sentencing an offender for a felony the court is not required to impose a prison term, a mandatory prison term, or a term of life imprisonment upon the offender, the court may directly impose a sentence that consists of one or more community control sanctions authorized pursuant to section 2929.16, 2929.17, or 2929.18 of the Revised Code. If the court is sentencing an offender for a fourth degree felony ~~OMVI~~ OVI offense under division (G)(1) of section 2929.13 of the Revised Code, in addition to the mandatory term of local incarceration imposed under that division and the mandatory fine required by division (B)(3) of section 2929.18 of the Revised Code, the court may impose upon the offender a community control sanction or combination of community control sanctions in accordance with sections 2929.16 and 2929.17 of the Revised Code. The duration of all community control sanctions imposed upon an offender under this division shall not exceed five years. If the offender absconds or otherwise leaves the jurisdiction of the court in which the offender resides without obtaining permission from the court or the offender's probation officer to leave the

jurisdiction of the court, or if the offender is confined in any 7136  
institution for the commission of any offense while under a 7137  
community control sanction, the period of the community control 7138  
sanction ceases to run until the offender is brought before the 7139  
court for its further action. If the court sentences the offender 7140  
to one or more nonresidential sanctions under section 2929.17 of 7141  
the Revised Code, the court shall impose as a condition of the 7142  
nonresidential sanctions that, during the period of the sanctions, 7143  
the offender must abide by the law and must not leave the state 7144  
without the permission of the court or the offender's probation 7145  
officer. The court may impose any other conditions of release 7146  
under a community control sanction that the court considers 7147  
appropriate, including, but not limited to, requiring that the 7148  
offender not ingest or be injected with a drug of abuse and submit 7149  
to random drug testing as provided in division (D) of this section 7150  
to determine whether the offender ingested or was injected with a 7151  
drug of abuse and requiring that the results of the drug test 7152  
indicate that the offender did not ingest or was not injected with 7153  
a drug of abuse. If the court is sentencing an offender for a 7154  
third or fourth degree felony ~~OMVI~~ OVI offense under division 7155  
(G)(2) of section 2929.13 of the Revised Code, the court shall not 7156  
impose upon the offender any community control sanction or 7157  
combination of community control sanctions under section 2929.16 7158  
or 2929.17 of the Revised Code. 7159

(2)(a) If a court sentences an offender to any community 7160  
control sanction or combination of community control sanctions 7161  
authorized pursuant to section 2929.16, 2929.17, or 2929.18 of the 7162  
Revised Code, the court shall place the offender under the general 7163  
control and supervision of a department of probation in the county 7164  
that serves the court for purposes of reporting to the court a 7165  
violation of any condition of the sanctions, any condition of 7166  
release under a community control sanction imposed by the court, a 7167  
violation of law, or the departure of the offender from this state 7168

without the permission of the court or the offender's probation officer. Alternatively, if the offender resides in another county and a county department of probation has been established in that county or that county is served by a multicounty probation department established under section 2301.27 of the Revised Code, the court may request the court of common pleas of that county to receive the offender into the general control and supervision of that county or multicounty department of probation for purposes of reporting to the court a violation of any condition of the sanctions,<sup>7</sup> any condition of release under a community control sanction imposed by the court, a violation of law, or the departure of the offender from this state without the permission of the court or the offender's probation officer, subject to the jurisdiction of the trial judge over and with respect to the person of the offender, and to the rules governing that department of probation.

If there is no department of probation in the county that serves the court, the court shall place the offender, regardless of the offender's county of residence, under the general control and supervision of the adult parole authority for purposes of reporting to the court a violation of any of the sanctions, any condition of release under a community control sanction imposed by the court, a violation of law, or the departure of the offender from this state without the permission of the court or the offender's probation officer.

(b) If the court imposing sentence upon an offender sentences the offender to any community control sanction or combination of community control sanctions authorized pursuant to section 2929.16, 2929.17, or 2929.18 of the Revised Code, and if the offender violates any condition of the sanctions, any condition of release under a community control sanction imposed by the court, violates any law, or departs the state without the permission of

the court or the offender's probation officer, the public or 7201  
private person or entity that operates or administers the sanction 7202  
or the program or activity that comprises the sanction shall 7203  
report the violation or departure directly to the sentencing 7204  
court, or shall report the violation or departure to the county or 7205  
multicounty department of probation with general control and 7206  
supervision over the offender under division (A)(2)(a) of this 7207  
section or the officer of that department who supervises the 7208  
offender, or, if there is no such department with general control 7209  
and supervision over the offender under that division, to the 7210  
adult parole authority. If the public or private person or entity 7211  
that operates or administers the sanction or the program or 7212  
activity that comprises the sanction reports the violation or 7213  
departure to the county or multicounty department of probation or 7214  
the adult parole authority, the department's or authority's 7215  
officers may treat the offender as if the offender were on 7216  
probation and in violation of the probation, and shall report the 7217  
violation of the condition of the sanction, any condition of 7218  
release under a community control sanction imposed by the court, 7219  
the violation of law, or the departure from the state without the 7220  
required permission to the sentencing court. 7221

(B) If the conditions of a community control sanction are 7222  
violated or if the offender violates a law or leaves the state 7223  
without the permission of the court or the offender's probation 7224  
officer, the sentencing court may impose a longer time under the 7225  
same sanction if the total time under the sanctions does not 7226  
exceed the five-year limit specified in division (A) of this 7227  
section, may impose a more restrictive sanction under section 7228  
2929.16, 2929.17, or 2929.18 of the Revised Code, or may impose a 7229  
prison term on the offender pursuant to section 2929.14 of the 7230  
Revised Code. The prison term, if any, imposed upon a violator 7231  
pursuant to this division shall be within the range of prison 7232  
terms available for the offense for which the sanction that was 7233



violated was imposed and shall not exceed the prison term 7234  
specified in the notice provided to the offender at the sentencing 7235  
hearing pursuant to division (B)(3) of section 2929.19 of the 7236  
Revised Code. The court may reduce the longer period of time that 7237  
the offender is required to spend under the longer sanction, the 7238  
more restrictive sanction, or a prison term imposed pursuant to 7239  
this division by the time the offender successfully spent under 7240  
the sanction that was initially imposed. 7241

(C) If an offender, for a significant period of time, 7242  
fulfills the conditions of a sanction imposed pursuant to section 7243  
2929.16, 2929.17, or 2929.18 of the Revised Code in an exemplary 7244  
manner, the court may reduce the period of time under the sanction 7245  
or impose a less restrictive sanction, but the court shall not 7246  
permit the offender to violate any law or permit the offender to 7247  
leave the state without the permission of the court or the 7248  
offender's probation officer. 7249

(D)(1) If a court under division (A)(1) of this section 7250  
imposes a condition of release under a community control sanction 7251  
that requires the offender to submit to random drug testing, the 7252  
department of probation or the adult parole authority that has 7253  
general control and supervision of the offender under division 7254  
(A)(2)(a) of this section may cause the offender to submit to 7255  
random drug testing performed by a laboratory or entity that has 7256  
entered into a contract with any of the governmental entities or 7257  
officers authorized to enter into a contract with that laboratory 7258  
or entity under section 341.26, 753.33, or 5120.63 of the Revised 7259  
Code. 7260

(2) If no laboratory or entity described in division (D)(1) 7261  
of this section has entered into a contract as specified in that 7262  
division, the department of probation or the adult parole 7263  
authority that has general control and supervision of the offender 7264  
under division (A)(2)(a) of this section shall cause the offender 7265

to submit to random drug testing performed by a reputable public 7266  
laboratory to determine whether the individual who is the subject 7267  
of the drug test ingested or was injected with a drug of abuse. 7268

(3) A laboratory or entity that has entered into a contract 7269  
pursuant to section 341.26, 753.33, or 5120.63 of the Revised Code 7270  
shall perform the random drug tests under division (D)(1) of this 7271  
section in accordance with the applicable standards that are 7272  
included in the terms of that contract. A public laboratory shall 7273  
perform the random drug tests under division (D)(2) of this 7274  
section in accordance with the standards set forth in the policies 7275  
and procedures established by the department of rehabilitation and 7276  
correction pursuant to section 5120.63 of the Revised Code. An 7277  
offender who is required under division (A)(1) of this section to 7278  
submit to random drug testing as a condition of release under a 7279  
community control sanction and whose test results indicate that 7280  
the offender ingested or was injected with a drug of abuse shall 7281  
pay the fee for the drug test if the department of probation or 7282  
the adult parole authority that has general control and 7283  
supervision of the offender requires payment of a fee. A 7284  
laboratory or entity that performs the random drug testing on an 7285  
offender under division (D)(1) or (2) of this section shall 7286  
transmit the results of the drug test to the appropriate 7287  
department of probation or the adult parole authority that has 7288  
general control and supervision of the offender under division 7289  
(A)(2)(a) of this section. 7290

**Sec. 2929.16.** (A) The court imposing a sentence for a felony 7291  
upon an offender who is not required to serve a mandatory prison 7292  
term may impose any community residential sanction or combination 7293  
of community residential sanctions under this section. The court 7294  
imposing a sentence for a fourth degree felony ~~OMVI~~ OVI offense 7295  
under division (G)(1) of section 2929.13 of the Revised Code may 7296  
impose upon the offender, in addition to the mandatory term of 7297

local incarceration imposed under that division, a community 7298  
residential sanction or combination of community residential 7299  
sanctions under this section, and the offender shall serve or 7300  
satisfy the sanction or combination of sanctions after the 7301  
offender has served the mandatory term of local incarceration 7302  
required for the offense. Community residential sanctions include, 7303  
but are not limited to, the following: 7304

(1) A term of up to six months at a community-based 7305  
correctional facility that serves the county; 7306

(2) Except as otherwise provided in division (A)(3) of this 7307  
section and subject to division (D) of this section, a term of up 7308  
to six months in a jail; 7309

(3) If the offender is convicted of a fourth degree felony 7310  
~~OVI~~ OVI offense and is sentenced under division (G)(1) of section 7311  
2929.13 of the Revised Code, subject to division (D) of this 7312  
section, a term of up to one year in a jail less the mandatory 7313  
term of local incarceration of sixty or one hundred twenty 7314  
consecutive days of imprisonment imposed pursuant to that 7315  
division; 7316

(4) A term in a halfway house; 7317

(5) A term in an alternative residential facility. 7318

(B) The court that assigns any offender convicted of a felony 7319  
to a residential sanction under this section may authorize the 7320  
offender to be released so that the offender may seek or maintain 7321  
employment, receive education or training, or receive treatment. A 7322  
release pursuant to this division shall be only for the duration 7323  
of time that is needed to fulfill the purpose of the release and 7324  
for travel that reasonably is necessary to fulfill the purposes of 7325  
the release. 7326

(C) If the court assigns an offender to a county jail that is 7327  
not a minimum security misdemeanor jail in a county that has 7328

established a county jail industry program pursuant to section 7329  
5147.30 of the Revised Code, the court shall specify, as part of 7330  
the sentence, whether the sheriff of that county may consider the 7331  
offender for participation in the county jail industry program. 7332  
During the offender's term in the county jail, the court shall 7333  
retain jurisdiction to modify its specification upon a 7334  
reassessment of the offender's qualifications for participation in 7335  
the program. 7336

(D) If a court sentences an offender to a term in jail under 7337  
division (A)(2) or (3) of this section and if the sentence is 7338  
imposed for a felony of the fourth or fifth degree that is not an 7339  
offense of violence, the court may specify that it prefers that 7340  
the offender serve the term in a minimum security jail established 7341  
under section 341.34 or 753.21 of the Revised Code. If the court 7342  
includes a specification of that type in the sentence and if the 7343  
administrator of the appropriate minimum security jail or the 7344  
designee of that administrator classifies the offender in 7345  
accordance with section 341.34 or 753.21 of the Revised Code as a 7346  
minimal security risk, the offender shall serve the term in the 7347  
minimum security jail established under section 341.34 or 753.21 7348  
of the Revised Code. Absent a specification of that type and a 7349  
finding of that type, the offender shall serve the term in a jail 7350  
other than a minimum security jail established under section 7351  
341.34 or 753.21 of the Revised Code. 7352

(E) If a person who has been convicted of or pleaded guilty 7353  
to a felony is sentenced to a community residential sanction as 7354  
described in division (A) of this section, at the time of 7355  
reception and at other times the person in charge of the operation 7356  
of the community-based correctional facility, jail, halfway house, 7357  
alternative residential facility, or other place at which the 7358  
offender will serve the residential sanction determines to be 7359  
appropriate, the person in charge of the operation of the 7360

community-based correctional facility, jail, halfway house, 7361  
alternative residential facility, or other place may cause the 7362  
convicted offender to be examined and tested for tuberculosis, HIV 7363  
infection, hepatitis, including but not limited to hepatitis A, B, 7364  
and C, and other contagious diseases. The person in charge of the 7365  
operation of the community-based correctional facility, jail, 7366  
halfway house, alternative residential facility, or other place at 7367  
which the offender will serve the residential sanction may cause a 7368  
convicted offender in the community-based correctional facility, 7369  
jail, halfway house, alternative residential facility, or other 7370  
place who refuses to be tested or treated for tuberculosis, HIV 7371  
infection, hepatitis, including but not limited to hepatitis A, B, 7372  
and C, or another contagious disease to be tested and treated 7373  
involuntarily. 7374

**Sec. 2929.17.** The court imposing a sentence for a felony upon 7375  
an offender who is not required to serve a mandatory prison term 7376  
may impose any nonresidential sanction or combination of 7377  
nonresidential sanctions authorized under this section. If the 7378  
court imposes one or more nonresidential sanctions authorized 7379  
under this section, the court shall impose as a condition of the 7380  
sanction that, during the period of the nonresidential sanction, 7381  
the offender shall abide by the law and shall not leave the state 7382  
without the permission of the court or the offender's probation 7383  
officer. 7384

The court imposing a sentence for a fourth degree felony ~~OMVI~~ 7385  
OVI offense under division (G)(1) of section 2929.13 of the 7386  
Revised Code may impose upon the offender, in addition to the 7387  
mandatory term of local incarceration imposed under that division, 7388  
a nonresidential sanction or combination of nonresidential 7389  
sanctions under this section, and the offender shall serve or 7390  
satisfy the sanction or combination of sanctions after the 7391  
offender has served the mandatory term of local incarceration 7392

required for the offense. Nonresidential sanctions include, but	7393
are not limited to, the following:	7394
(A) A term of day reporting;	7395
(B) A term of electronically monitored house arrest, a term	7396
of electronic monitoring without house arrest, or a term of house	7397
arrest without electronic monitoring;	7398
(C) A term of community service of up to five hundred hours	7399
pursuant to division (F) of section 2951.02 of the Revised Code	7400
or, if the court determines that the offender is financially	7401
incapable of fulfilling a financial sanction described in section	7402
2929.18 of the Revised Code, a term of community service as an	7403
alternative to a financial sanction;	7404
(D) A term in a drug treatment program with a level of	7405
security for the offender as determined necessary by the court;	7406
(E) A term of intensive probation supervision;	7407
(F) A term of basic probation supervision;	7408
(G) A term of monitored time;	7409
(H) A term of drug and alcohol use monitoring, including	7410
random drug testing pursuant to section 2951.05 of the Revised	7411
Code;	7412
(I) A curfew term;	7413
(J) A requirement that the offender obtain employment;	7414
(K) A requirement that the offender obtain education or	7415
training;	7416
(L) Provided the court obtains the prior approval of the	7417
victim, a requirement that the offender participate in	7418
victim-offender mediation;	7419
(M) A license violation report;	7420
(N) If the offense is a violation of section 2919.25 or a	7421

violation of section 2903.11, 2903.12, or 2903.13 of the Revised Code involving a person who was a family or household member at the time of the violation, if the offender committed the offense in the vicinity of one or more children who are not victims of the offense, and if the offender or the victim of the offense is a parent, guardian, custodian, or person in loco parentis of one or more of those children, a requirement that the offender obtain counseling. This division does not limit the court in requiring the offender to obtain counseling for any offense or in any circumstance not specified in this division.

**Sec. 2929.18.** (A) Except as otherwise provided in this division and in addition to imposing court costs pursuant to section 2947.23 of the Revised Code, the court imposing a sentence upon an offender for a felony may sentence the offender to any financial sanction or combination of financial sanctions authorized under this section or, in the circumstances specified in section 2929.25 of the Revised Code, may impose upon the offender a fine in accordance with that section. If the offender is sentenced to a sanction of confinement pursuant to section 2929.14 or 2929.16 of the Revised Code that is to be served in a facility operated by a board of county commissioners, a legislative authority of a municipal corporation, or another governmental entity, the court imposing sentence upon an offender for a felony shall comply with division (A)(4)(b) of this section in determining whether to sentence the offender to a financial sanction described in division (A)(4)(a) of this section. Financial sanctions that may be imposed pursuant to this section include, but are not limited to, the following:

(1) Restitution by the offender to the victim of the offender's crime or any survivor of the victim, in an amount based on the victim's economic loss. The court shall order that the restitution be made to the adult probation department that serves

the county on behalf of the victim, to the clerk of courts, or to 7454  
another agency designated by the court, except that it may include 7455  
a requirement that reimbursement be made to third parties for 7456  
amounts paid to or on behalf of the victim or any survivor of the 7457  
victim for economic loss resulting from the offense. If 7458  
reimbursement to third parties is required, the reimbursement 7459  
shall be made to any governmental agency to repay any amounts paid 7460  
by the agency to or on behalf of the victim or any survivor of the 7461  
victim for economic loss resulting from the offense before any 7462  
reimbursement is made to any person other than a governmental 7463  
agency. If no governmental agency incurred expenses for economic 7464  
loss of the victim or any survivor of the victim resulting from 7465  
the offense, the reimbursement shall be made to any person other 7466  
than a governmental agency to repay amounts paid by that person to 7467  
or on behalf of the victim or any survivor of the victim for 7468  
economic loss of the victim resulting from the offense. The court 7469  
shall not require an offender to repay an insurance company for 7470  
any amounts the company paid on behalf of the offender pursuant to 7471  
a policy of insurance. At sentencing, the court shall determine 7472  
the amount of restitution to be made by the offender. All 7473  
restitution payments shall be credited against any recovery of 7474  
economic loss in a civil action brought by the victim or any 7475  
survivor of the victim against the offender. 7476

(2) Except as provided in division (B)(1), (3), or (4) of 7477  
this section, a fine payable by the offender to the state, to a 7478  
political subdivision, or as described in division (B)(2) of this 7479  
section to one or more law enforcement agencies, with the amount 7480  
of the fine based on a standard percentage of the offender's daily 7481  
income over a period of time determined by the court and based 7482  
upon the seriousness of the offense. A fine ordered under this 7483  
division shall not exceed the statutory fine amount authorized for 7484  
the level of the offense under division (A)(3) of this section. 7485



(3) Except as provided in division (B)(1), (3), or (4) of this section, a fine payable by the offender to the state, to a political subdivision when appropriate for a felony, or as described in division (B)(2) of this section to one or more law enforcement agencies, in the following amount:

(a) For a felony of the first degree, not more than twenty thousand dollars;

(b) For a felony of the second degree, not more than fifteen thousand dollars;

(c) For a felony of the third degree, not more than ten thousand dollars;

(d) For a felony of the fourth degree, not more than five thousand dollars;

(e) For a felony of the fifth degree, not more than two thousand five hundred dollars.

(4)(a) Subject to division (A)(4)(b) of this section, reimbursement by the offender of any or all of the costs of sanctions incurred by the government, including the following:

(i) All or part of the costs of implementing any community control sanction;

(ii) All or part of the costs of confinement under a sanction imposed pursuant to section 2929.14 or 2929.16 of the Revised Code, provided that the amount of reimbursement ordered under this division shall not exceed the total amount of reimbursement the offender is able to pay as determined at a hearing and shall not exceed the actual cost of the confinement;

(b) If the offender is sentenced to a sanction of confinement pursuant to section 2929.14 or 2929.16 of the Revised Code that is to be served in a facility operated by a board of county commissioners, a legislative authority of a municipal corporation,

or another local governmental entity, one of the following 7516  
applies: 7517

(i) If, pursuant to section 307.93, 341.14, 341.19, 341.23, 7518  
753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised Code, 7519  
the board, legislative authority, or other local governmental 7520  
entity requires prisoners convicted of an offense other than a 7521  
minor misdemeanor to reimburse the county, municipal corporation, 7522  
or other entity for its expenses incurred by reason of the 7523  
prisoner's confinement, the court shall impose a financial 7524  
sanction under division (A)(4)(a) of this section that requires 7525  
the offender to reimburse the county, municipal corporation, or 7526  
other local governmental entity for the cost of the confinement. 7527  
In addition, the court may impose any other financial sanction 7528  
under this section. 7529

(ii) If, pursuant to any section identified in division 7530  
(A)(4)(b)(i) of this section, the board, legislative authority, or 7531  
other local governmental entity has adopted a resolution or 7532  
ordinance specifying that prisoners convicted of felonies are not 7533  
required to reimburse the county, municipal corporation, or other 7534  
local governmental entity for its expenses incurred by reason of 7535  
the prisoner's confinement, the court shall not impose a financial 7536  
sanction under division (A)(4)(a) of this section that requires 7537  
the offender to reimburse the county, municipal corporation, or 7538  
other local governmental entity for the cost of the confinement, 7539  
but the court may impose any other financial sanction under this 7540  
section. 7541

(iii) If neither division (A)(4)(b)(i) nor (A)(4)(b)(ii) of 7542  
this section applies, the court may impose, but is not required to 7543  
impose, any financial sanction under this section. 7544

(c) Reimbursement by the offender for costs pursuant to 7545  
section 2929.28 of the Revised Code. 7546

(B)(1) For a first, second, or third degree felony violation 7547  
of any provision of Chapter 2925., 3719., or 4729. of the Revised 7548  
Code, the sentencing court shall impose upon the offender a 7549  
mandatory fine of at least one-half of, but not more than, the 7550  
maximum statutory fine amount authorized for the level of the 7551  
offense pursuant to division (A)(3) of this section. If an 7552  
offender alleges in an affidavit filed with the court prior to 7553  
sentencing that the offender is indigent and unable to pay the 7554  
mandatory fine and if the court determines the offender is an 7555  
indigent person and is unable to pay the mandatory fine described 7556  
in this division, the court shall not impose the mandatory fine 7557  
upon the offender. 7558

(2) Any mandatory fine imposed upon an offender under 7559  
division (B)(1) of this section and any fine imposed upon an 7560  
offender under division (A)(2) or (3) of this section for any 7561  
fourth or fifth degree felony violation of any provision of 7562  
Chapter 2925., 3719., or 4729. of the Revised Code shall be paid 7563  
to law enforcement agencies pursuant to division (F) of section 7564  
2925.03 of the Revised Code. 7565

(3) For a fourth degree felony ~~OMVI~~ OVI offense and for a 7566  
third degree felony ~~OMVI~~ OVI offense, the sentencing court shall 7567  
impose upon the offender a mandatory fine in the amount specified 7568  
in division ~~(A)(4)~~ (G)(1)(d) or ~~(8)(e)~~ of section ~~4511.99~~ 4511.19 7569  
of the Revised Code, whichever is applicable. The mandatory fine 7570  
so imposed shall be disbursed as provided in the division ~~(A)(4)~~ 7571  
~~or (8) of section 4511.99 of the Revised Code~~ pursuant to which it 7572  
is imposed. 7573

(4) Notwithstanding any fine otherwise authorized or required 7574  
to be imposed under division (A)(2) or (3) or (B)(1) of this 7575  
section or section 2929.31 of the Revised Code for a violation of 7576  
section 2925.03 of the Revised Code, in addition to any penalty or 7577  
sanction imposed for that offense under section 2925.03 or 7578

sections 2929.11 to 2929.18 of the Revised Code and in addition to 7579  
the forfeiture of property in connection with the offense as 7580  
prescribed in sections 2925.42 to 2925.45 of the Revised Code, the 7581  
court that sentences an offender for a violation of section 7582  
2925.03 of the Revised Code may impose upon the offender a fine in 7583  
addition to any fine imposed under division (A)(2) or (3) of this 7584  
section and in addition to any mandatory fine imposed under 7585  
division (B)(1) of this section. The fine imposed under division 7586  
(B)(4) of this section shall be used as provided in division (H) 7587  
of section 2925.03 of the Revised Code. A fine imposed under 7588  
division (B)(4) of this section shall not exceed whichever of the 7589  
following is applicable: 7590

(a) The total value of any personal or real property in which 7591  
the offender has an interest and that was used in the course of, 7592  
intended for use in the course of, derived from, or realized 7593  
through conduct in violation of section 2925.03 of the Revised 7594  
Code, including any property that constitutes proceeds derived 7595  
from that offense; 7596

(b) If the offender has no interest in any property of the 7597  
type described in division (B)(4)(a) of this section or if it is 7598  
not possible to ascertain whether the offender has an interest in 7599  
any property of that type in which the offender may have an 7600  
interest, the amount of the mandatory fine for the offense imposed 7601  
under division (B)(1) of this section or, if no mandatory fine is 7602  
imposed under division (B)(1) of this section, the amount of the 7603  
fine authorized for the level of the offense imposed under 7604  
division (A)(3) of this section. 7605

(5) Prior to imposing a fine under division (B)(4) of this 7606  
section, the court shall determine whether the offender has an 7607  
interest in any property of the type described in division 7608  
(B)(4)(a) of this section. Except as provided in division (B)(6) 7609  
or (7) of this section, a fine that is authorized and imposed 7610

under division (B)(4) of this section does not limit or affect the 7611  
imposition of the penalties and sanctions for a violation of 7612  
section 2925.03 of the Revised Code prescribed under those 7613  
sections or sections 2929.11 to 2929.18 of the Revised Code and 7614  
does not limit or affect a forfeiture of property in connection 7615  
with the offense as prescribed in sections ~~2925.42~~ 2925.42 to 7616  
2925.45 of the Revised Code. 7617

(6) If the sum total of a mandatory fine amount imposed for a 7618  
first, second, or third degree felony violation of section 2925.03 7619  
of the Revised Code under division (B)(1) of this section plus the 7620  
amount of any fine imposed under division (B)(4) of this section 7621  
does not exceed the maximum statutory fine amount authorized for 7622  
the level of the offense under division (A)(3) of this section or 7623  
section 2929.31 of the Revised Code, the court may impose a fine 7624  
for the offense in addition to the mandatory fine and the fine 7625  
imposed under division (B)(4) of this section. The sum total of 7626  
the amounts of the mandatory fine, the fine imposed under division 7627  
(B)(4) of this section, and the additional fine imposed under 7628  
division (B)(6) of this section shall not exceed the maximum 7629  
statutory fine amount authorized for the level of the offense 7630  
under division (A)(3) of this section or section 2929.31 of the 7631  
Revised Code. The clerk of the court shall pay any fine that is 7632  
imposed under division (B)(6) of this section to the county, 7633  
township, municipal corporation, park district as created pursuant 7634  
to section 511.18 or 1545.04 of the Revised Code, or state law 7635  
enforcement agencies in this state that primarily were responsible 7636  
for or involved in making the arrest of, and in prosecuting, the 7637  
offender pursuant to division (F) of section 2925.03 of the 7638  
Revised Code. 7639

(7) If the sum total of the amount of a mandatory fine 7640  
imposed for a first, second, or third degree felony violation of 7641  
section 2925.03 of the Revised Code plus the amount of any fine 7642

imposed under division (B)(4) of this section exceeds the maximum 7643  
statutory fine amount authorized for the level of the offense 7644  
under division (A)(3) of this section or section 2929.31 of the 7645  
Revised Code, the court shall not impose a fine under division 7646  
(B)(6) of this section. 7647

(C)(1) The offender shall pay reimbursements imposed upon the 7648  
offender pursuant to division (A)(4)(a) of this section to pay the 7649  
costs incurred by the department of rehabilitation and correction 7650  
in operating a prison or other facility used to confine offenders 7651  
pursuant to sanctions imposed under section 2929.14 or 2929.16 of 7652  
the Revised Code to the treasurer of state. The treasurer of state 7653  
shall deposit the reimbursements in the confinement cost 7654  
reimbursement fund that is hereby created in the state treasury. 7655  
The department of rehabilitation and correction shall use the 7656  
amounts deposited in the fund to fund the operation of facilities 7657  
used to confine offenders pursuant to sections 2929.14 and 2929.16 7658  
of the Revised Code. 7659

(2) Except as provided in section 2951.021 of the Revised 7660  
Code, the offender shall pay reimbursements imposed upon the 7661  
offender pursuant to division (A)(4)(a) of this section to pay the 7662  
costs incurred by a county pursuant to any sanction imposed under 7663  
this section or section 2929.16 or 2929.17 of the Revised Code or 7664  
in operating a facility used to confine offenders pursuant to a 7665  
sanction imposed under section 2929.16 of the Revised Code to the 7666  
county treasurer. The county treasurer shall deposit the 7667  
reimbursements in the sanction cost reimbursement fund that each 7668  
board of county commissioners shall create in its county treasury. 7669  
The county shall use the amounts deposited in the fund to pay the 7670  
costs incurred by the county pursuant to any sanction imposed 7671  
under this section or section 2929.16 or 2929.17 of the Revised 7672  
Code or in operating a facility used to confine offenders pursuant 7673  
to a sanction imposed under section 2929.16 of the Revised Code. 7674

(3) Except as provided in section 2951.021 of the Revised Code, the offender shall pay reimbursements imposed upon the offender pursuant to division (A)(4)(a) of this section to pay the costs incurred by a municipal corporation pursuant to any sanction imposed under this section or section 2929.16 or 2929.17 of the Revised Code or in operating a facility used to confine offenders pursuant to a sanction imposed under section 2929.16 of the Revised Code to the treasurer of the municipal corporation. The treasurer shall deposit the reimbursements in a special fund that shall be established in the treasury of each municipal corporation. The municipal corporation shall use the amounts deposited in the fund to pay the costs incurred by the municipal corporation pursuant to any sanction imposed under this section or section 2929.16 or 2929.17 of the Revised Code or in operating a facility used to confine offenders pursuant to a sanction imposed under section 2929.16 of the Revised Code.

(4) Except as provided in section 2951.021 of the Revised Code, the offender shall pay reimbursements imposed pursuant to division (A)(4)(a) of this section for the costs incurred by a private provider pursuant to a sanction imposed under this section or section 2929.16 or 2929.17 of the Revised Code to the provider.

(D) A financial sanction imposed pursuant to division (A) or (B) of this section is a judgment in favor of the state or a political subdivision in which the court that imposed the financial sanction is located, except that a financial sanction of reimbursement imposed pursuant to division (A)(4)(a)(ii) of this section upon an offender who is incarcerated in a state facility or a municipal jail is a judgment in favor of the state or the municipal corporation, a financial sanction of reimbursement imposed upon an offender pursuant to this section for costs incurred by a private provider of sanctions is a judgment in favor of the private provider, and a financial sanction of restitution

imposed pursuant to this section is a judgment in favor of the 7707  
victim of the offender's criminal act. The offender subject to the 7708  
sanction is the judgment debtor. Imposition of a financial 7709  
sanction and execution on the judgment does not preclude any other 7710  
power of the court to impose or enforce sanctions on the offender. 7711  
Once the financial sanction is imposed as a judgment, the victim, 7712  
private provider, state, or political subdivision may bring an 7713  
action to do any of the following: 7714

(1) Obtain execution of the judgment through any available 7715  
procedure, including: 7716

(a) An execution against the property of the judgment debtor 7717  
under Chapter 2329. of the Revised Code; 7718

(b) An execution against the person of the judgment debtor 7719  
under Chapter 2331. of the Revised Code; 7720

(c) A proceeding in aid of execution under Chapter 2333. of 7721  
the Revised Code, including: 7722

(i) A proceeding for the examination of the judgment debtor 7723  
under sections 2333.09 to 2333.12 and sections 2333.15 to 2333.27 7724  
of the Revised Code; 7725

(ii) A proceeding for attachment of the person of the 7726  
judgment debtor under section 2333.28 of the Revised Code; 7727

(iii) A creditor's suit under section 2333.01 of the Revised 7728  
Code. 7729

(d) The attachment of the property of the judgment debtor 7730  
under Chapter 2715. of the Revised Code; 7731

(e) The garnishment of the property of the judgment debtor 7732  
under Chapter 2716. of the Revised Code. 7733

(2) Obtain an order for the assignment of wages of the 7734  
judgment debtor under section 1321.33 of the Revised Code. 7735

(E) A court that imposes a financial sanction upon an 7736



offender may hold a hearing if necessary to determine whether the 7737  
offender is able to pay the sanction or is likely in the future to 7738  
be able to pay it. 7739

(F) Each court imposing a financial sanction upon an offender 7740  
under this section or under section 2929.25 of the Revised Code 7741  
may designate a court employee to collect, or may enter into 7742  
contracts with one or more public agencies or private vendors for 7743  
the collection of, amounts due under the financial sanction 7744  
imposed pursuant to this section or section 2929.25 of the Revised 7745  
Code. Before entering into a contract for the collection of 7746  
amounts due from an offender pursuant to any financial sanction 7747  
imposed pursuant to this section or section 2929.25 of the Revised 7748  
Code, a court shall comply with sections 307.86 to 307.92 of the 7749  
Revised Code. 7750

(G) If a court that imposes a financial sanction under 7751  
division (A) or (B) of this section finds that an offender 7752  
satisfactorily has completed all other sanctions imposed upon the 7753  
offender and that all restitution that has been ordered has been 7754  
paid as ordered, the court may suspend any financial sanctions 7755  
imposed pursuant to this section or section 2929.25 of the Revised 7756  
Code that have not been paid. 7757

(H) No financial sanction imposed under this section or 7758  
section 2929.25 of the Revised Code shall preclude a victim from 7759  
bringing a civil action against the offender. 7760

**Sec. 2929.19.** (A)(1) The court shall hold a sentencing 7761  
hearing before imposing a sentence under this chapter upon an 7762  
offender who was convicted of or pleaded guilty to a felony and 7763  
before resentencing an offender who was convicted of or pleaded 7764  
guilty to a felony and whose case was remanded pursuant to section 7765  
2953.07 or 2953.08 of the Revised Code. At the hearing, the 7766  
offender, the prosecuting attorney, the victim or the victim's 7767

representative in accordance with section 2930.14 of the Revised Code, and, with the approval of the court, any other person may present information relevant to the imposition of sentence in the case. The court shall inform the offender of the verdict of the jury or finding of the court and ask the offender whether the offender has anything to say as to why sentence should not be imposed upon the offender.

(2) Except as otherwise provided in this division, before imposing sentence on an offender who is being sentenced for a sexually oriented offense that was committed on or after January 1, 1997, and that is not a sexually violent offense, and before imposing sentence on an offender who is being sentenced for a sexually violent offense committed on or after January 1, 1997, and who was not charged with a sexually violent predator specification in the indictment, count in the indictment, or information charging the sexually violent offense, the court shall conduct a hearing in accordance with division (B) of section 2950.09 of the Revised Code to determine whether the offender is a sexual predator. The court shall not conduct a hearing under that division if the offender is being sentenced for a sexually violent offense and a sexually violent predator specification was included in the indictment, count in the indictment, or information charging the sexually violent offense. Before imposing sentence on an offender who is being sentenced for a sexually oriented offense, the court also shall comply with division (E) of section 2950.09 of the Revised Code.

(B)(1) At the sentencing hearing, the court, before imposing sentence, shall consider the record, any information presented at the hearing by any person pursuant to division (A) of this section, and, if one was prepared, the presentence investigation report made pursuant to section 2951.03 of the Revised Code or Criminal Rule 32.2, and any victim impact statement made pursuant

to section 2947.051 of the Revised Code. 7800

(2) The court shall impose a sentence and shall make a 7801  
finding that gives its reasons for selecting the sentence imposed 7802  
in any of the following circumstances: 7803

(a) Unless the offense is a sexually violent offense for 7804  
which the court is required to impose sentence pursuant to 7805  
division (G) of section 2929.14 of the Revised Code, if it imposes 7806  
a prison term for a felony of the fourth or fifth degree or for a 7807  
felony drug offense that is a violation of a provision of Chapter 7808  
2925. of the Revised Code and that is specified as being subject 7809  
to division (B) of section 2929.13 of the Revised Code for 7810  
purposes of sentencing, its reasons for imposing the prison term, 7811  
based upon the overriding purposes and principles of felony 7812  
sentencing set forth in section 2929.11 of the Revised Code, and 7813  
any factors listed in divisions (B)(1)(a) to (i) of section 7814  
2929.13 of the Revised Code that it found to apply relative to the 7815  
offender. 7816

(b) If it does not impose a prison term for a felony of the 7817  
first or second degree or for a felony drug offense that is a 7818  
violation of a provision of Chapter 2925. of the Revised Code and 7819  
for which a presumption in favor of a prison term is specified as 7820  
being applicable, its reasons for not imposing the prison term and 7821  
for overriding the presumption, based upon the overriding purposes 7822  
and principles of felony sentencing set forth in section 2929.11 7823  
of the Revised Code, and the basis of the findings it made under 7824  
divisions (D)(1) and (2) of section 2929.13 of the Revised Code. 7825

(c) If it imposes consecutive sentences under section 2929.14 7826  
of the Revised Code, its reasons for imposing the consecutive 7827  
sentences; 7828

(d) If the sentence is for one offense and it imposes a 7829  
prison term for the offense that is the maximum prison term 7830

allowed for that offense by division (A) of section 2929.14 of the Revised Code, its reasons for imposing the maximum prison term;

(e) If the sentence is for two or more offenses arising out of a single incident and it imposes a prison term for those offenses that is the maximum prison term allowed for the offense of the highest degree by division (A) of section 2929.14 of the Revised Code, its reasons for imposing the maximum prison term.

(3) Subject to division (B)(4) of this section, if the sentencing court determines at the sentencing hearing that a prison term is necessary or required, the court shall do all of the following:

(a) Impose a stated prison term;

(b) Notify the offender that, as part of the sentence, the parole board may extend the stated prison term for certain violations of prison rules for up to one-half of the stated prison term;

(c) Notify the offender that the offender will be supervised under section 2967.28 of the Revised Code after the offender leaves prison if the offender is being sentenced for a felony of the first degree or second degree, for a felony sex offense, or for a felony of the third degree in the commission of which the offender caused or threatened to cause physical harm to a person;

(d) Notify the offender that the offender may be supervised under section 2967.28 of the Revised Code after the offender leaves prison if the offender is being sentenced for a felony of the third, fourth, or fifth degree that is not subject to division (B)(3)(c) of this section;

(e) Notify the offender that, if a period of supervision is imposed following the offender's release from prison, as described in division (B)(3)(c) or (d) of this section, and if the offender violates that supervision or a condition of post-release control

imposed under division (B) of section 2967.131 of the Revised Code, the parole board may impose a prison term, as part of the sentence, of up to one-half of the stated prison term originally imposed upon the offender;

(f) Require that the offender not ingest or be injected with a drug of abuse and submit to random drug testing as provided in section 341.26, 753.33, or 5120.63 of the Revised Code, whichever is applicable to the offender who is serving a prison term, and require that the results of the drug test administered under any of those sections indicate that the offender did not ingest or was not injected with a drug of abuse.

(4) If the offender is being sentenced for a sexually violent offense that the offender committed on or after January 1, 1997, and the offender also is convicted of or pleads guilty to a sexually violent predator specification that was included in the indictment, count in the indictment, or information charging the sexually violent offense or if the offender is being sentenced for a sexually oriented offense that the offender committed on or after January 1, 1997, and the court imposing the sentence has determined pursuant to division (B) of section 2950.09 of the Revised Code that the offender is a sexual predator, the court shall include in the offender's sentence a statement that the offender has been adjudicated as being a sexual predator and shall comply with the requirements of section 2950.03 of the Revised Code. Additionally, in the circumstances described in division (G) of section 2929.14 of the Revised Code, the court shall impose sentence on the offender as described in that division.

(5) If the sentencing court determines at the sentencing hearing that a community control sanction should be imposed and the court is not prohibited from imposing a community control sanction, the court shall impose a community control sanction. The court shall notify the offender that, if the conditions of the

sanction are violated, if the offender commits a violation of any 7894  
law, or if the offender leaves this state without the permission 7895  
of the court or the offender's probation officer, the court may 7896  
impose a longer time under the same sanction, may impose a more 7897  
restrictive sanction, or may impose a prison term on the offender 7898  
and shall indicate the specific prison term that may be imposed as 7899  
a sanction for the violation, as selected by the court from the 7900  
range of prison terms for the offense pursuant to section 2929.14 7901  
of the Revised Code. 7902

(6) Before imposing a financial sanction under section 7903  
2929.18 of the Revised Code or a fine under section 2929.25 of the 7904  
Revised Code, the court shall consider the offender's present and 7905  
future ability to pay the amount of the sanction or fine. 7906

(C)(1) If the offender is being sentenced for a fourth degree 7907  
felony ~~OMVI~~ OVI offense under division (G)(1) of section 2929.13 7908  
of the Revised Code, the court shall impose the mandatory term of 7909  
local incarceration in accordance with that division, shall impose 7910  
a mandatory fine in accordance with division (B)(3) of section 7911  
2929.18 of the Revised Code, and, in addition, may impose 7912  
additional sanctions as specified in sections 2929.15, 2929.16, 7913  
2929.17, and 2929.18 of the Revised Code. The court shall not 7914  
impose a prison term on the offender. 7915

(2) If the offender is being sentenced for a third or fourth 7916  
degree felony ~~OMVI~~ OVI offense under division (G)(2) of section 7917  
2929.13 of the Revised Code, the court shall impose the mandatory 7918  
prison term in accordance with that division, shall impose a 7919  
mandatory fine in accordance with division (B)(3) of section 7920  
2929.18 of the Revised Code, and, in addition, may impose an 7921  
additional prison term as specified in section 2929.14 of the 7922  
Revised Code. The court shall not impose any community control 7923  
sanction on the offender. 7924

(D) The sentencing court, pursuant to division (K) of section 7925

2929.14 of the Revised Code, may recommend placement of the 7926  
offender in a program of shock incarceration under section 7927  
5120.031 of the Revised Code or an intensive program prison under 7928  
section 5120.032 of the Revised Code, disapprove placement of the 7929  
offender in a program or prison of that nature, or make no 7930  
recommendation. If the court recommends or disapproves placement, 7931  
it shall make a finding that gives its reasons for its 7932  
recommendation or disapproval. 7933

**Sec. 2929.23.** (A) As used in this section: 7934

(1) "Electronic monitoring device" means any of the 7935  
following: 7936

(a) Any device that can be operated by electrical or battery 7937  
power and that conforms with all of the following: 7938

(i) The device has a transmitter that can be attached to a 7939  
person, that will transmit a specified signal to a receiver of the 7940  
type described in division (A)(1)(a)(ii) of this section if the 7941  
transmitter is removed from the person, turned off, or altered in 7942  
any manner without prior court approval in relation to 7943  
electronically monitored house arrest or electronically monitored 7944  
house detention or without prior approval of the department of 7945  
rehabilitation and correction in relation to the use of an 7946  
electronic monitoring device for an inmate on transitional control 7947  
or otherwise is tampered with, that can transmit continuously and 7948  
periodically a signal to that receiver when the person is within a 7949  
specified distance from the receiver, and that can transmit an 7950  
appropriate signal to that receiver if the person to whom it is 7951  
attached travels a specified distance from that receiver. 7952

(ii) The device has a receiver that can receive continuously 7953  
the signals transmitted by a transmitter of the type described in 7954  
division (A)(1)(a)(i) of this section, can transmit continuously 7955  
those signals by telephone to a central monitoring computer of the 7956

type described in division (A)(1)(a)(iii) of this section, and can 7957  
transmit continuously an appropriate signal to that central 7958  
monitoring computer if the receiver is turned off or altered 7959  
without prior court approval or otherwise tampered with. 7960

(iii) The device has a central monitoring computer that can 7961  
receive continuously the signals transmitted by telephone by a 7962  
receiver of the type described in division (A)(1)(a)(ii) of this 7963  
section and can monitor continuously the person to whom an 7964  
electronic monitoring device of the type described in division 7965  
(A)(1)(a) of this section is attached. 7966

(b) Any device that is not a device of the type described in 7967  
division (A)(1)(a) of this section and that conforms with all of 7968  
the following: 7969

(i) The device includes a transmitter and receiver that can 7970  
monitor and determine the location of a subject person at any 7971  
time, or at a designated point in time, through the use of a 7972  
central monitoring computer or through other electronic means; 7973

(ii) The device includes a transmitter and receiver that can 7974  
determine at any time, or at a designated point in time, through 7975  
the use of a central monitoring computer or other electronic means 7976  
the fact that the transmitter is turned off or altered in any 7977  
manner without prior approval of the court in relation to 7978  
electronically monitored house arrest or electronically monitored 7979  
house detention or without prior approval of the department of 7980  
rehabilitation and correction in relation to the use of an 7981  
electronic monitoring device for an inmate on transitional control 7982  
or otherwise is tampered with. 7983

(c) Any type of technology that can adequately track or 7984  
determine the location of a subject person at any time and that is 7985  
approved by the director of rehabilitation and correction, 7986  
including, but not limited to, any satellite technology, voice 7987



tracking system, or retinal scanning system that is so approved. 7988

(2) "Certified electronic monitoring device" means an 7989  
electronic monitoring device that has been certified by the 7990  
superintendent of the bureau of criminal identification and 7991  
investigation pursuant to division (C)(1) of this section. 7992

(3) "Eligible offender" means a person who has been convicted 7993  
of or pleaded guilty to any offense, except that a person is not 7994  
an "eligible offender" if any of the following apply in relation 7995  
to the person, the offense, or the person and the offense: 7996

(a) The person is subject to or is serving a term of life 7997  
imprisonment. 7998  
7999

(b) The person is subject to or is serving a mandatory prison 8000  
term imposed under division (F) of section 2929.13, division (D) 8001  
of section 2929.14, or any other section of the Revised Code, 8002  
provided that, after the person has served all of the mandatory 8003  
prison terms so imposed, the person may be an eligible offender 8004  
unless excluded by division (A)(3)(a), (c) or (d) of this section. 8005

(c) The offense is a ~~violation of division (A) of section~~ 8006  
~~4511.19 of the Revised Code~~ fourth degree felony OVI offense, and 8007  
the offender is sentenced for that offense pursuant to division 8008  
(G)(1) of section 2929.13 of the Revised Code and is serving the 8009  
mandatory term of local incarceration of sixty or one hundred 8010  
twenty consecutive days of imprisonment imposed under that 8011  
division, provided that, after the person has served all of the 8012  
mandatory term of local incarceration so imposed, the person may 8013  
be an eligible offender unless excluded by division (A)(3)(a), 8014  
(b), or (d) of this section. 8015  
8016

(d) The offense is a ~~violation of division (A) of section~~ 8017  
~~4511.19 of the Revised Code~~ third or fourth degree felony OVI 8018

offense, and the person is sentenced for that offense pursuant to 8019  
division (G)(2) of section 2929.13 of the Revised Code. 8020

(4) "Electronically monitored house arrest" means a period of 8021  
confinement of an eligible offender in the eligible offender's 8022  
home or in other premises specified by the sentencing court or a 8023  
period of confinement of a delinquent child in the child's home or 8024  
in other premises specified by the juvenile court, during which 8025  
period of confinement all of the following apply: 8026

(a) The eligible offender or child wears, otherwise has 8027  
attached to the eligible offender's or child's person, or 8028  
otherwise is subject to monitoring by a certified electronic 8029  
monitoring device, or the eligible offender or child is subject to 8030  
monitoring by a certified electronic monitoring system; 8031

(b) The eligible offender or child is required to remain in 8032  
the eligible offender's or child's home or other premises 8033  
specified by the sentencing court or juvenile court for the 8034  
specified period of confinement, except for periods of time during 8035  
which the eligible offender or child is at the eligible offender's 8036  
place of employment, at school, or at other premises as authorized 8037  
by the sentencing court; 8038

(c) The eligible offender or child is subject to monitoring 8039  
by a central system that monitors the certified electronic 8040  
monitoring device that is attached to the eligible offender's or 8041  
child's person or that otherwise is being used to monitor the 8042  
eligible offender or child and that can monitor and determine the 8043  
eligible offender's or child's location at any time or at a 8044  
designated point in time, or the eligible offender or child is 8045  
required to participate in monitoring by a certified electronic 8046  
monitoring system; 8047

(d) The eligible offender or child is required by the 8048  
sentencing court or juvenile court to report periodically to a 8049

person designated by the court; 8050

(e) The eligible offender or child is subject to any other 8051  
restrictions and requirements that may be imposed by the 8052  
sentencing court or juvenile court. 8053

(5) "Electronic monitoring system" means a system by which 8054  
the location of an eligible offender can be verified 8055  
telephonically through the use of voice-activated voice response 8056  
technology that conforms with all of the following: 8057

(a) It can be programmed to call the telephone or telephones 8058  
assigned to the eligible offender who is the subject of the 8059  
monitoring as often as necessary; 8060

(b) It is equipped with a voice recognition system that can 8061  
work accurately and reliably under the anticipated conditions in 8062  
which it will operate; 8063

(c) It is equipped to perform an alarm function if the 8064  
eligible offender who is the subject of monitoring does not 8065  
respond to system commands in the manner required. 8066

(6) "Certified electronic monitoring system" means an 8067  
electronic monitoring system that has been certified by the 8068  
superintendent of the bureau of criminal identification and 8069  
investigation pursuant to division (C)(1) of this section. 8070

(7) "Transitional control" means the program of transitional 8071  
control established by the department of rehabilitation and 8072  
correction under section 2967.26 of the Revised Code, if the 8073  
department establishes a program of that nature under that 8074  
section. 8075

(B)(1) Any court may impose as a sanction pursuant to 8076  
sections 2929.15 and 2929.17 of the Revised Code a period of 8077  
electronically monitored house arrest upon an eligible offender 8078  
who is convicted of or pleads guilty to a felony, except that the 8079

total of any period of electronically monitored house arrest 8080  
imposed upon that eligible offender plus the period of all other 8081  
sanctions imposed upon the same eligible offender pursuant to 8082  
sections 2929.15, 2929.16, 2929.17, and 2929.18 of the Revised 8083  
Code shall not exceed five years. Any court may impose a period of 8084  
electronically monitored house arrest upon an eligible offender 8085  
who is convicted of or pleads guilty to a misdemeanor in addition 8086  
to or in lieu of any other sentence imposed or authorized for the 8087  
offense, except that the total of any period of electronically 8088  
monitored house arrest imposed upon that eligible offender plus 8089  
the period of any sentence of imprisonment imposed upon the same 8090  
eligible offender shall not exceed the maximum term of 8091  
imprisonment that could be imposed upon the eligible offender 8092  
pursuant to section 2929.21 of the Revised Code and except that, 8093  
if the offense for which an eligible offender is being sentenced 8094  
is a violation of division (A) of section 4511.19 or of division 8095  
~~(D)(2)~~ (A) of section ~~4507.02~~ 4510.14 of the Revised Code, the 8096  
court may impose a period of electronically monitored house arrest 8097  
upon the eligible offender only when authorized by and only in the 8098  
circumstances described in division ~~(A)(G)~~ of section ~~4511.99~~ 8099  
4511.19 or division ~~(B)(C)~~ of section ~~4507.99~~ 4510.14 of the 8100  
Revised Code. 8101

If a court imposes a period of electronically monitored house 8102  
arrest upon an eligible offender, it shall require the eligible 8103  
offender to wear, otherwise have attached to the eligible 8104  
offender's person, or otherwise be subject to monitoring by a 8105  
certified electronic monitoring device or to participate in the 8106  
operation of and monitoring by a certified electronic monitoring 8107  
system; to remain in the eligible offender's home or other 8108  
specified premises for the entire period of electronically 8109  
monitored house arrest except when the court permits the eligible 8110  
offender to leave those premises to go to the eligible offender's 8111  
place of employment or to other specified premises; to be 8112

monitored by a central system that monitors the certified 8113  
electronic monitoring device that is attached to the eligible 8114  
offender's person or that otherwise is being used to monitor the 8115  
eligible offender and that can monitor and determine the eligible 8116  
offender's location at any time or at a designated point in time 8117  
or to be monitored by the certified electronic monitoring system; 8118  
to report periodically to a person designated by the court; and, 8119  
in return for receiving a period of electronically monitored house 8120  
arrest, to enter into a written contract with the court agreeing 8121  
to comply with all restrictions and requirements imposed by the 8122  
court, agreeing to pay any fee imposed by the court for the costs 8123  
of the electronically monitored house arrest imposed by the court 8124  
pursuant to division (E) of this section, and agreeing to waive 8125  
the right to receive credit for any time served on electronically 8126  
monitored house arrest toward any prison term or sentence of 8127  
imprisonment imposed upon the eligible offender for the offense 8128  
for which the period of electronically monitored house arrest was 8129  
imposed if the eligible offender violates any of the restrictions 8130  
or requirements of the period of electronically monitored house 8131  
arrest, and additionally, it may impose any other reasonable 8132  
restrictions and requirements upon the eligible offender. 8133

(2) If an eligible offender violates any of the restrictions 8134  
or requirements imposed upon the eligible offender as part of the 8135  
eligible offender's period of electronically monitored house 8136  
arrest, the eligible offender shall not receive credit for any 8137  
time served on electronically monitored house arrest toward any 8138  
prison term or sentence of imprisonment imposed upon the eligible 8139  
offender for the offense for which the period of electronically 8140  
monitored house arrest was imposed. 8141

(C)(1) The superintendent of the bureau of criminal 8142  
identification and investigation, in accordance with this section 8143  
and rules adopted by the superintendent pursuant to division 8144

(C)(2) of this section, shall certify for use in cases of 8145  
electronically monitored house arrest and in relation to an inmate 8146  
on transitional control specific types and brands of electronic 8147  
monitoring devices and electronic monitoring systems that comply 8148  
with the requirements of this section, section 5120.073 of the 8149  
Revised Code, and those rules. Any manufacturer that, pursuant to 8150  
this division, seeks to obtain the certification of any type or 8151  
brand of electronic monitoring device or electronic monitoring 8152  
system shall submit to the superintendent an application for 8153  
certification in accordance with those rules together with the 8154  
application fee and costs of certification as required by those 8155  
rules. The superintendent shall not certify any electronic 8156  
monitoring device or electronic monitoring system pursuant to this 8157  
division unless the application fee and costs have been paid to 8158  
the superintendent. 8159

(2) The superintendent, in accordance with Chapter 119. of 8160  
the Revised Code, shall adopt rules for certifying specific types 8161  
and brands of electronic monitoring devices and electronic 8162  
monitoring systems for use in electronically monitored house 8163  
arrest and in relation to an inmate on transitional control. The 8164  
rules shall set forth the requirements for obtaining the 8165  
certification, the application fee and other costs for obtaining 8166  
the certification, the procedure for applying for certification, 8167  
and any other requirements and procedures considered necessary by 8168  
the superintendent. The rules shall require that no type or brand 8169  
of electronic monitoring device or electronic monitoring system be 8170  
certified unless the type or brand of device or system complies 8171  
with whichever of the following is applicable, in addition to any 8172  
other requirements specified by the superintendent: 8173

(a) For electronic monitoring devices of the type described 8174  
in division (A)(1)(a) of this section, the type or brand of device 8175  
complies with all of the following: 8176

(i) It has a transmitter of the type described in division 8177  
(A)(1)(a)(i) of this section, a receiver of the type described in 8178  
division (A)(1)(a)(ii) of this section, and a central monitoring 8179  
computer of the type described in division (A)(1)(a)(iii) of this 8180  
section; 8181

(ii) Its transmitter can be worn by or attached to a person 8182  
with a minimum of discomfort during normal activities, is 8183  
difficult to remove, turn off, or otherwise alter without prior 8184  
court approval in relation to electronically monitored house 8185  
arrest or prior approval of the department of rehabilitation and 8186  
correction in relation to the use of an electronic monitoring 8187  
device for an inmate on transitional control, and will transmit a 8188  
specified signal to the receiver if it is removed, turned off, 8189  
altered, or otherwise tampered with; 8190

(iii) Its receiver is difficult to turn off or alter and will 8191  
transmit a signal to the central monitoring computer if it is 8192  
turned off, altered, or otherwise tampered with; 8193

(iv) Its central monitoring computer is difficult to 8194  
circumvent; 8195

(v) Its transmitter, receiver, and central monitoring 8196  
computer work accurately and reliably under the anticipated 8197  
conditions under which electronically monitored house arrest will 8198  
be imposed by courts or under which an electronic monitoring 8199  
device will be used by the department of rehabilitation and 8200  
correction in relation to an inmate on transitional control; 8201

(vi) It has a backup battery power supply that operates 8202  
automatically when the main source of electrical or battery power 8203  
for the device fails. 8204

(b) For electronic monitoring devices of the type described 8205  
in division (A)(1)(b) of this section, the type or brand of device 8206  
complies with all of the following: 8207

(i) It has a transmitter and receiver of the type described 8208  
in divisions (A)(1)(b)(i) and (ii) of this section. 8209

(ii) Its transmitter is difficult to turn off or alter 8210  
without prior court approval in relation to electronically 8211  
monitored house arrest or without prior approval of the department 8212  
of rehabilitation and correction in relation to the use of an 8213  
electronic monitoring device for an inmate on transitional 8214  
control, and, if the transmitter is turned off or altered in any 8215  
manner without prior approval of the court or department or 8216  
otherwise is tampered with, the fact that it has been turned off, 8217  
altered, or tampered with can be determined at any time, or at a 8218  
designated point in time, through the use of a central monitoring 8219  
computer or through other electronic means. 8220

(iii) Its receiver is difficult to turn off or alter, and, if 8221  
the receiver is turned off, altered, or otherwise tampered with, 8222  
the fact that it has been turned off, altered, or tampered with 8223  
can be determined at any time, or at a designated point in time, 8224  
through the use of a central monitoring computer or through other 8225  
electronic means. 8226

(iv) Its central monitoring computer or other means of 8227  
electronic monitoring is difficult to circumvent. 8228

(v) Its transmitter, receiver, and central monitoring 8229  
computer or other means of electronic monitoring work accurately 8230  
and reliably under the anticipated conditions under which 8231  
electronically monitored house arrest will be used, or under which 8232  
an electronic monitoring device will be used by the department of 8233  
rehabilitation and correction in relation to an inmate on 8234  
transitional control. 8235

(vi) If it operates on electrical or battery power, it has a 8236  
backup battery power supply that operates automatically when the 8237  
main source of electrical or battery power for the device fails, 8238



or, if it does not operate on electrical or battery power, it has 8239  
a backup method of operation so that it will continue to operate 8240  
if its main method of operation fails. 8241

(c) For electronic monitoring systems, the type or brand of 8242  
system complies with all of the following: 8243

(i) It can be programmed to call the telephone or telephones 8244  
assigned to the person who is the subject of the monitoring as 8245  
often as necessary; 8246

(ii) It is equipped with a voice recognition system that can 8247  
work accurately and reliably under the anticipated conditions in 8248  
which it will operate; 8249

(iii) It is equipped to perform an alarm function if the 8250  
person who is the subject of the monitoring does not respond to 8251  
system commands in the manner required. 8252

(3) The superintendent shall publish and make available to 8253  
all courts and to the department of rehabilitation and correction, 8254  
without charge, a list of all types and brands of electronic 8255  
monitoring devices and electronic monitoring systems that have 8256  
been certified by the superintendent pursuant to division (C)(1) 8257  
of this section and information about the manufacturers of the 8258  
certified devices and systems and places at which the devices and 8259  
systems can be obtained. 8260

(D) The superintendent of the bureau of criminal 8261  
identification and investigation shall deposit all costs and fees 8262  
collected pursuant to division (C) of this section into the 8263  
general revenue fund. 8264

(E)(1) Each county in which is located a court that imposes a 8265  
period of electronically monitored house arrest as a sentencing 8266  
sanction or alternative may establish in the county treasury an 8267  
electronically monitored house arrest fund. The clerk of each 8268  
court that uses that sentencing sanction or alternative may 8269

deposit into the fund all fees collected from eligible offenders 8270  
upon whom electronically monitored house arrest is imposed 8271  
pursuant to this section, section 2152.19, or any other section of 8272  
the Revised Code that specifically authorizes the imposition of 8273  
electronically monitored house arrest. Each court that imposes 8274  
electronically monitored house arrest may adopt by local court 8275  
rule a reasonable daily fee to be paid by each eligible offender 8276  
upon whom a period of electronically monitored house arrest is 8277  
imposed as a sentencing sanction or alternative. The fee may 8278  
include the actual costs of providing house arrest and an 8279  
additional amount necessary to enable the court to provide 8280  
electronically monitored house arrest to indigent eligible 8281  
offenders. The fund may be used only for the payment of the costs 8282  
of electronically monitored house arrest, including, but not 8283  
limited to, the costs of electronically monitored house arrest for 8284  
indigent eligible offenders. 8285

(2) If a fee is adopted pursuant to division (E)(1) of this 8286  
section, it shall be in addition to any fine specifically 8287  
authorized or required by any other section of the Revised Code 8288  
for an eligible offender upon whom a period of electronically 8289  
monitored house arrest is imposed as a sentencing sanction or 8290  
alternative. 8291

**Sec. 2929.41.** (A) Except as provided in division (B) of this 8292  
section, division (E) of section 2929.14, or division (D) or (E) 8293  
of section 2971.03 of the Revised Code, a sentence of imprisonment 8294  
shall be served concurrently with any other sentence of 8295  
imprisonment imposed by a court of this state, another state, or 8296  
the United States. Except as provided in division (B)~~(2)~~(3) of 8297  
this section, a sentence of imprisonment for misdemeanor shall be 8298  
served concurrently with a prison term or sentence of imprisonment 8299  
for felony served in a state or federal correctional institution. 8300

(B)(1) A sentence of imprisonment for a misdemeanor shall be 8301  
served consecutively to any other sentence of imprisonment when 8302  
the trial court specifies that it is to be served consecutively or 8303  
when it is imposed for a misdemeanor violation of section 8304  
2907.322, 2921.34, or 2923.131 of the Revised Code. 8305

When consecutive sentences of imprisonment are imposed for 8306  
misdemeanor under this division, the term to be served is the 8307  
aggregate of the consecutive terms imposed, except that the 8308  
aggregate term to be served shall not exceed eighteen months. 8309

~~(3)~~(2) If a court of this state imposes a prison term upon 8310  
the offender for the commission of a felony and a court of another 8311  
state or the United States also has imposed a prison term upon the 8312  
offender for the commission of a felony, the court of this state 8313  
may order that the offender serve the prison term it imposes 8314  
consecutively to any prison term imposed upon the offender by the 8315  
court of another state or the United States. 8316

~~(2)~~(3) A sentence of imprisonment imposed for a misdemeanor 8317  
violation of section 4510.11, 4510.14, 4510.16, 4510.21, or 8318  
4511.19 or division ~~(B)(1), (C), (D)(1), or (D)(2)~~ of section 8319  
~~4507.02~~ of the Revised Code shall be served consecutively to a 8320  
prison term that is imposed for a felony violation of section 8321  
2903.06, 2903.07, 2903.08, or 4511.19 of the Revised Code or a 8322  
felony violation of section 2903.04 of the Revised Code involving 8323  
the operation of a motor vehicle by the offender and that is 8324  
served in a state correctional institution when the trial court 8325  
specifies that it is to be served consecutively. 8326

When consecutive sentences of imprisonment and prison terms 8327  
are imposed for one or more misdemeanors and one or more felonies 8328  
under this division, the term to be served is the aggregate of the 8329  
consecutive terms imposed, and the offender shall serve all terms 8330  
imposed for a felony before serving any term imposed for a 8331

misdemeanor. 8332

**Sec. 2935.03.** (A)(1) A sheriff, deputy sheriff, marshal, 8333  
deputy marshal, municipal police officer, township constable, 8334  
police officer of a township or joint township police district, 8335  
member of a police force employed by a metropolitan housing 8336  
authority under division (D) of section 3735.31 of the Revised 8337  
Code, member of a police force employed by a regional transit 8338  
authority under division (Y) of section 306.35 of the Revised 8339  
Code, state university law enforcement officer appointed under 8340  
section 3345.04 of the Revised Code, Ohio veterans' home police 8341  
officer appointed under section 5907.02 of the Revised Code, or 8342  
special police officer employed by a port authority under section 8343  
4582.04 or 4582.28 of the Revised Code shall arrest and detain, 8344  
until a warrant can be obtained, a person found violating, within 8345  
the limits of the political subdivision, metropolitan housing 8346  
authority housing project, regional transit authority facilities 8347  
or areas of a municipal corporation that have been agreed to by a 8348  
regional transit authority and a municipal corporation located 8349  
within its territorial jurisdiction, college, university, Ohio 8350  
veterans' home, or port authority in which the peace officer is 8351  
appointed, employed, or elected, a law of this state, an ordinance 8352  
of a municipal corporation, or a resolution of a township. 8353

(2) A peace officer of the department of natural resources or 8354  
an individual designated to perform law enforcement duties under 8355  
section 511.232, 1545.13, or 6101.75 of the Revised Code shall 8356  
arrest and detain, until a warrant can be obtained, a person found 8357  
violating, within the limits of the peace officer's or 8358  
individual's territorial jurisdiction, a law of this state. 8359

(3) The house sergeant at arms if the house sergeant at arms 8360  
has arrest authority pursuant to division (E)(1) of section 8361  
101.311 of the Revised Code and an assistant house sergeant at 8362

arms shall arrest and detain, until a warrant can be obtained, a 8363  
person found violating, within the limits of the sergeant at ~~arm's~~ 8364  
arms's or assistant sergeant at ~~arm's~~ arms's territorial 8365  
jurisdiction specified in division (D)(1)(a) of section 101.311 of 8366  
the Revised Code or while providing security pursuant to division 8367  
(D)(1)(f) of section 101.311 of the Revised Code, a law of this 8368  
state, an ordinance of a municipal corporation, or a resolution of 8369  
a township. 8370

(B)(1) When there is reasonable ground to believe that an 8371  
offense of violence, the offense of criminal child enticement as 8372  
defined in section 2905.05 of the Revised Code, the offense of 8373  
public indecency as defined in section 2907.09 of the Revised 8374  
Code, the offense of domestic violence as defined in section 8375  
2919.25 of the Revised Code, the offense of violating a protection 8376  
order as defined in section 2919.27 of the Revised Code, the 8377  
offense of menacing by stalking as defined in section 2903.211 of 8378  
the Revised Code, the offense of aggravated trespass as defined in 8379  
section 2911.211 of the Revised Code, a theft offense as defined 8380  
in section 2913.01 of the Revised Code, or a felony drug abuse 8381  
offense as defined in section 2925.01 of the Revised Code, has 8382  
been committed within the limits of the political subdivision, 8383  
metropolitan housing authority housing project, regional transit 8384  
authority facilities or those areas of a municipal corporation 8385  
that have been agreed to by a regional transit authority and a 8386  
municipal corporation located within its territorial jurisdiction, 8387  
college, university, Ohio veterans' home, or port authority in 8388  
which the peace officer is appointed, employed, or elected or 8389  
within the limits of the territorial jurisdiction of the peace 8390  
officer, a peace officer described in division (A) of this section 8391  
may arrest and detain until a warrant can be obtained any person 8392  
who the peace officer has reasonable cause to believe is guilty of 8393  
the violation. 8394

(2) For purposes of division (B)(1) of this section, the execution of any of the following constitutes reasonable ground to believe that the offense alleged in the statement was committed and reasonable cause to believe that the person alleged in the statement to have committed the offense is guilty of the violation:

(a) A written statement by a person alleging that an alleged offender has committed the offense of menacing by stalking or aggravated trespass;

(b) A written statement by the administrator of the interstate compact on mental health appointed under section 5119.51 of the Revised Code alleging that a person who had been hospitalized, institutionalized, or confined in any facility under an order made pursuant to or under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code has escaped from the facility, from confinement in a vehicle for transportation to or from the facility, or from supervision by an employee of the facility that is incidental to hospitalization, institutionalization, or confinement in the facility and that occurs outside of the facility, in violation of section 2921.34 of the Revised Code;

(c) A written statement by the administrator of any facility in which a person has been hospitalized, institutionalized, or confined under an order made pursuant to or under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code alleging that the person has escaped from the facility, from confinement in a vehicle for transportation to or from the facility, or from supervision by an employee of the facility that is incidental to hospitalization, institutionalization, or confinement in the facility and that occurs outside of the facility, in violation of section 2921.34 of the Revised Code.

(3)(a) For purposes of division (B)(1) of this section, a peace officer described in division (A) of this section has reasonable grounds to believe that the offense of domestic violence or the offense of violating a protection order has been committed and reasonable cause to believe that a particular person is guilty of committing the offense if any of the following occurs:

(i) A person executes a written statement alleging that the person in question has committed the offense of domestic violence or the offense of violating a protection order against the person who executes the statement or against a child of the person who executes the statement.

(ii) No written statement of the type described in division (B)(3)(a)(i) of this section is executed, but the peace officer, based upon the peace officer's own knowledge and observation of the facts and circumstances of the alleged incident of the offense of domestic violence or the alleged incident of the offense of violating a protection order or based upon any other information, including, but not limited to, any reasonably trustworthy information given to the peace officer by the alleged victim of the alleged incident of the offense or any witness of the alleged incident of the offense, concludes that there are reasonable grounds to believe that the offense of domestic violence or the offense of violating a protection order has been committed and reasonable cause to believe that the person in question is guilty of committing the offense.

(iii) No written statement of the type described in division (B)(3)(a)(i) of this section is executed, but the peace officer witnessed the person in question commit the offense of domestic violence or the offense of violating a protection order.

(b) If pursuant to division (B)(3)(a) of this section a peace

officer has reasonable grounds to believe that the offense of 8458  
domestic violence or the offense of violating a protection order 8459  
has been committed and reasonable cause to believe that a 8460  
particular person is guilty of committing the offense, it is the 8461  
preferred course of action in this state that the officer arrest 8462  
and detain that person pursuant to division (B)(1) of this section 8463  
until a warrant can be obtained. 8464

If pursuant to division (B)(3)(a) of this section a peace 8465  
officer has reasonable grounds to believe that the offense of 8466  
domestic violence or the offense of violating a protection order 8467  
has been committed and reasonable cause to believe that family or 8468  
householdmembers have committed the offense against each other, 8469  
it is the preferred course of action in this state that the 8470  
officer, pursuant to division (B)(1) of this section, arrest and 8471  
detain until a warrant can be obtained the family or household 8472  
member who committed the offense and whom the officer has 8473  
reasonable cause to believe is the primary physical aggressor. 8474  
There is no preferred course of action in this state regarding any 8475  
other family or household member who committed the offense and 8476  
whom the officer does not have reasonable cause to believe is the 8477  
primary physical aggressor, but, pursuant to division (B)(1) of 8478  
this section, the peace officer may arrest and detain until a 8479  
warrant can be obtained any other family or household member who 8480  
committed the offense and whom the officer does not have 8481  
reasonable cause to believe is the primary physical aggressor. 8482

(c) If a peace officer described in division (A) of this 8483  
section does not arrest and detain a person whom the officer has 8484  
reasonable cause to believe committed the offense of domestic 8485  
violence or the offense of violating a protection order when it is 8486  
the preferred course of action in this state pursuant to division 8487  
(B)(3)(b) of this section that the officer arrest that person, the 8488  
officer shall articulate in the written report of the incident 8489



required by section 2935.032 of the Revised Code a clear statement 8490  
of the officer's reasons for not arresting and detaining that 8491  
person until a warrant can be obtained. 8492

(d) In determining for purposes of division (B)(3)(b) of this 8493  
section which family or household member is the primary physical 8494  
aggressor in a situation in which family or household members have 8495  
committed the offense of domestic violence or the offense of 8496  
violating a protection order against each other, a peace officer 8497  
described in division (A) of this section, in addition to any 8498  
other relevant circumstances, should consider all of the 8499  
following: 8500

(i) Any history of domestic violence or of any other violent 8501  
acts by either person involved in the alleged offense that the 8502  
officer reasonably can ascertain; 8503

(ii) If violence is alleged, whether the alleged violence was 8504  
caused by a person acting in self-defense; 8505

(iii) Each person's fear of physical harm, if any, resulting 8506  
from the other person's threatened use of force against any person 8507  
or resulting from the other person's use or history of the use of 8508  
force against any person, and the reasonableness of that fear; 8509

(iv) The comparative severity of any injuries suffered by the 8510  
persons involved in the alleged offense. 8511

(e)(i) A peace officer described in division (A) of this 8512  
section shall not require, as a prerequisite to arresting or 8513  
charging a person who has committed the offense of domestic 8514  
violence or the offense of violating a protection order, that the 8515  
victim of the offense specifically consent to the filing of 8516  
charges against the person who has committed the offense or sign a 8517  
complaint against the person who has committed the offense. 8518

(ii) If a person is arrested for or charged with committing 8519  
the offense of domestic violence or the offense of violating a 8520

protection order and if the victim of the offense does not 8521  
cooperate with the involved law enforcement or prosecuting 8522  
authorities in the prosecution of the offense or, subsequent to 8523  
the arrest or the filing of the charges, informs the involved law 8524  
enforcement or prosecuting authorities that the victim does not 8525  
wish the prosecution of the offense to continue or wishes to drop 8526  
charges against the alleged offender relative to the offense, the 8527  
involved prosecuting authorities, in determining whether to 8528  
continue with the prosecution of the offense or whether to dismiss 8529  
charges against the alleged offender relative to the offense and 8530  
notwithstanding the victim's failure to cooperate or the victim's 8531  
wishes, shall consider all facts and circumstances that are 8532  
relevant to the offense, including, but not limited to, the 8533  
statements and observations of the peace officers who responded to 8534  
the incident that resulted in the arrest or filing of the charges 8535  
and of all witnesses to that incident. 8536

(f) In determining pursuant to divisions (B)(3)(a) to (g) of 8537  
this section whether to arrest a person pursuant to division 8538  
(B)(1) of this section, a peace officer described in division (A) 8539  
of this section shall not consider as a factor any possible 8540  
shortage of cell space at the detention facility to which the 8541  
person will be taken subsequent to the person's arrest or any 8542  
possibility that the person's arrest might cause, contribute to, 8543  
or exacerbate overcrowding at that detention facility or at any 8544  
other detention facility. 8545

(g) If a peace officer described in division (A) of this 8546  
section intends pursuant to divisions (B)(3)(a) to (g) of this 8547  
section to arrest a person pursuant to division (B)(1) of this 8548  
section and if the officer is unable to do so because the person 8549  
is not present, the officer promptly shall seek a warrant for the 8550  
arrest of the person. 8551

(h) If a peace officer described in division (A) of this 8552

section responds to a report of an alleged incident of the offense 8553  
of domestic violence or an alleged incident of the offense of 8554  
violating a protection order and if the circumstances of the 8555  
incident involved the use or threatened use of a deadly weapon or 8556  
any person involved in the incident brandished a deadly weapon 8557  
during or in relation to the incident, the deadly weapon that was 8558  
used, threatened to be used, or brandished constitutes contraband, 8559  
and, to the extent possible, the officer shall seize the deadly 8560  
weapon as contraband pursuant to section 2933.43 of the Revised 8561  
Code. Upon the seizure of a deadly weapon pursuant to division 8562  
(B)(3)(h) of this section, section 2933.43 of the Revised Code 8563  
shall apply regarding the treatment and disposition of the deadly 8564  
weapon. For purposes of that section, the "underlying criminal 8565  
offense" that was the basis of the seizure of a deadly weapon 8566  
under division (B)(3)(h) of this section and to which the deadly 8567  
weapon had a relationship is any of the following that is 8568  
applicable: 8569

(i) The alleged incident of the offense of domestic violence 8570  
or the alleged incident of the offense of violating a protection 8571  
order to which the officer who seized the deadly weapon responded; 8572

(ii) Any offense that arose out of the same facts and 8573  
circumstances as the report of the alleged incident of the offense 8574  
of domestic violence or the alleged incident of the offense of 8575  
violating a protection order to which the officer who seized the 8576  
deadly weapon responded. 8577

(4) If, in the circumstances described in divisions (B)(3)(a) 8578  
to (g) of this section, a peace officer described in division (A) 8579  
of this section arrests and detains a person pursuant to division 8580  
(B)(1) of this section, or if, pursuant to division (B)(3)(h) of 8581  
this section, a peace officer described in division (A) of this 8582  
section seizes a deadly weapon, the officer, to the extent 8583  
described in and in accordance with section 9.86 or 2744.03 of the 8584

Revised Code, is immune in any civil action for damages for 8585  
injury, death, or loss to person or property that arises from or 8586  
is related to the arrest and detention or the seizure. 8587

(C) When there is reasonable ground to believe that a 8588  
violation of division (A)(1), ~~(B)(2)~~, or ~~(C)(3)~~ of section 4506.15 8589  
or a violation of section 4511.19 of the Revised Code has been 8590  
committed by a person operating a motor vehicle subject to 8591  
regulation by the public utilities commission of Ohio under Title 8592  
XLIX of the Revised Code, a peace officer with authority to 8593  
enforce that provision of law may stop or detain the person whom 8594  
the officer has reasonable cause to believe was operating the 8595  
motor vehicle in violation of the division or section and, after 8596  
investigating the circumstances surrounding the operation of the 8597  
vehicle, may arrest and detain the person. 8598

(D) If a sheriff, deputy sheriff, marshal, deputy marshal, 8599  
municipal police officer, member of a police force employed by a 8600  
metropolitan housing authority under division (D) of section 8601  
3735.31 of the Revised Code, member of a police force employed by 8602  
a regional transit authority under division (Y) of section 306.35 8603  
of the Revised Code, special police officer employed by a port 8604  
authority under section 4582.04 or 4582.28 of the Revised Code, 8605  
township constable, police officer of a township or joint township 8606  
police district, state university law enforcement officer 8607  
appointed under section 3345.04 of the Revised Code, peace officer 8608  
of the department of natural resources, individual designated to 8609  
perform law enforcement duties under section 511.232, 1545.13, or 8610  
6101.75 of the Revised Code, the house sergeant at arms if the 8611  
house sergeant at arms has arrest authority pursuant to division 8612  
(E)(1) of section 101.311 of the Revised Code, or an assistant 8613  
house sergeant at arms is authorized by division (A) or (B) of 8614  
this section to arrest and detain, within the limits of the 8615  
political subdivision, metropolitan housing authority housing 8616

project, regional transit authority facilities or those areas of a 8617  
municipal corporation that have been agreed to by a regional 8618  
transit authority and a municipal corporation located within its 8619  
territorial jurisdiction, port authority, college, or university 8620  
in which the officer is appointed, employed, or elected or within 8621  
the limits of the territorial jurisdiction of the peace officer, a 8622  
person until a warrant can be obtained, the peace officer, outside 8623  
the limits of that territory, may pursue, arrest, and detain that 8624  
person until a warrant can be obtained if all of the following 8625  
apply: 8626

(1) The pursuit takes place without unreasonable delay after 8627  
the offense is committed; 8628

(2) The pursuit is initiated within the limits of the 8629  
political subdivision, metropolitan housing authority housing 8630  
project, regional transit authority facilities or those areas of a 8631  
municipal corporation that have been agreed to by a regional 8632  
transit authority and a municipal corporation located within its 8633  
territorial jurisdiction, port authority, college, or university 8634  
in which the peace officer is appointed, employed, or elected or 8635  
within the limits of the territorial jurisdiction of the peace 8636  
officer; 8637

(3) The offense involved is a felony, a misdemeanor of the 8638  
first degree or a substantially equivalent municipal ordinance, a 8639  
misdemeanor of the second degree or a substantially equivalent 8640  
municipal ordinance, or any offense for which points are 8641  
chargeable pursuant to ~~division (C) of section 4507.021~~ 4510.036 8642  
of the Revised Code. 8643

(E) In addition to the authority granted under division (A) 8644  
or (B) of this section: 8645

(1) A sheriff or deputy sheriff may arrest and detain, until 8646  
a warrant can be obtained, any person found violating section 8647

4503.11, 4503.21, or 4549.01, sections 4549.08 to 4549.12, section 8648  
4549.62, or Chapter 4511. or 4513. of the Revised Code on the 8649  
portion of any street or highway that is located immediately 8650  
adjacent to the boundaries of the county in which the sheriff or 8651  
deputy sheriff is elected or appointed. 8652

(2) A member of the police force of a township police 8653  
district created under section 505.48 of the Revised Code, a 8654  
member of the police force of a joint township police district 8655  
created under section 505.481 of the Revised Code, or a township 8656  
constable appointed in accordance with section 509.01 of the 8657  
Revised Code, who has received a certificate from the Ohio peace 8658  
officer training commission under section 109.75 of the Revised 8659  
Code, may arrest and detain, until a warrant can be obtained, any 8660  
person found violating any section or chapter of the Revised Code 8661  
listed in division (E)(1) of this section, other than sections 8662  
4513.33 and 4513.34 of the Revised Code, on the portion of any 8663  
street or highway that is located immediately adjacent to the 8664  
boundaries of the township police district or joint township 8665  
police district, in the case of a member of a township police 8666  
district or joint township police district police force, or the 8667  
unincorporated territory of the township, in the case of a 8668  
township constable. However, if the population of the township 8669  
that created the township police district served by the member's 8670  
police force, or the townships that created the joint township 8671  
police district served by the member's police force, or the 8672  
township that is served by the township constable, is sixty 8673  
thousand or less, the member of the township police district or 8674  
joint police district police force or the township constable may 8675  
not make an arrest under division (E)(2) of this section on a 8676  
state highway that is included as part of the interstate system. 8677

(3) A police officer or village marshal appointed, elected, 8678  
or employed by a municipal corporation may arrest and detain, 8679

until a warrant can be obtained, any person found violating any 8680  
section or chapter of the Revised Code listed in division (E)(1) 8681  
of this section on the portion of any street or highway that is 8682  
located immediately adjacent to the boundaries of the municipal 8683  
corporation in which the police officer or village marshal is 8684  
appointed, elected, or employed. 8685

(4) A peace officer of the department of natural resources or 8686  
an individual designated to perform law enforcement duties under 8687  
section 511.232, 1545.13, or 6101.75 of the Revised Code may 8688  
arrest and detain, until a warrant can be obtained, any person 8689  
found violating any section or chapter of the Revised Code listed 8690  
in division (E)(1) of this section, other than sections 4513.33 8691  
and 4513.34 of the Revised Code, on the portion of any street or 8692  
highway that is located immediately adjacent to the boundaries of 8693  
the lands and waters that constitute the territorial jurisdiction 8694  
of the peace officer. 8695

(F)(1) A department of mental health special police officer 8696  
or a department of mental retardation and developmental 8697  
disabilities special police officer may arrest without a warrant 8698  
and detain until a warrant can be obtained any person found 8699  
committing on the premises of any institution under the 8700  
jurisdiction of the particular department a misdemeanor under a 8701  
law of the state. 8702

A department of mental health special police officer or a 8703  
department of mental retardation and developmental disabilities 8704  
special police officer may arrest without a warrant and detain 8705  
until a warrant can be obtained any person who has been 8706  
hospitalized, institutionalized, or confined in an institution 8707  
under the jurisdiction of the particular department pursuant to or 8708  
under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 8709  
2945.40, 2945.401, or 2945.402 of the Revised Code and who is 8710  
found committing on the premises of any institution under the 8711

jurisdiction of the particular department a violation of section 8712  
2921.34 of the Revised Code that involves an escape from the 8713  
premises of the institution. 8714

(2)(a) If a department of mental health special police 8715  
officer or a department of mental retardation and developmental 8716  
disabilities special police officer finds any person who has been 8717  
hospitalized, institutionalized, or confined in an institution 8718  
under the jurisdiction of the particular department pursuant to or 8719  
under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 8720  
2945.40, 2945.401, or 2945.402 of the Revised Code committing a 8721  
violation of section 2921.34 of the Revised Code that involves an 8722  
escape from the premises of the institution, or if there is 8723  
reasonable ground to believe that a violation of section 2921.34 8724  
of the Revised Code has been committed that involves an escape 8725  
from the premises of an institution under the jurisdiction of the 8726  
department of mental health or the department of mental 8727  
retardation and developmental disabilities and if a department of 8728  
mental health special police officer or a department of mental 8729  
retardation and developmental disabilities special police officer 8730  
has reasonable cause to believe that a particular person who has 8731  
been hospitalized, institutionalized, or confined in the 8732  
institution pursuant to or under authority of section 2945.37, 8733  
2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the 8734  
Revised Code is guilty of the violation, the special police 8735  
officer, outside of the premises of the institution, may pursue, 8736  
arrest, and detain that person for that violation of section 8737  
2921.34 of the Revised Code, until a warrant can be obtained, if 8738  
both of the following apply: 8739

(i) The pursuit takes place without unreasonable delay after 8740  
the offense is committed; 8741

(ii) The pursuit is initiated within the premises of the 8742  
institution from which the violation of section 2921.34 of the 8743



Revised Code occurred. 8744

(b) For purposes of division (F)(2)(a) of this section, the 8745  
execution of a written statement by the administrator of the 8746  
institution in which a person had been hospitalized, 8747  
institutionalized, or confined pursuant to or under authority of 8748  
section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 8749  
2945.402 of the Revised Code alleging that the person has escaped 8750  
from the premises of the institution in violation of section 8751  
2921.34 of the Revised Code constitutes reasonable ground to 8752  
believe that the violation was committed and reasonable cause to 8753  
believe that the person alleged in the statement to have committed 8754  
the offense is guilty of the violation. 8755

(G) As used in this section: 8756

(1) A "department of mental health special police officer" 8757  
means a special police officer of the department of mental health 8758  
designated under section 5119.14 of the Revised Code who is 8759  
certified by the Ohio peace officer training commission under 8760  
section 109.77 of the Revised Code as having successfully 8761  
completed an approved peace officer basic training program. 8762

(2) A "department of mental retardation and developmental 8763  
disabilities special police officer" means a special police 8764  
officer of the department of mental retardation and developmental 8765  
disabilities designated under section 5123.13 of the Revised Code 8766  
who is certified by the Ohio peace officer training council under 8767  
section 109.77 of the Revised Code as having successfully 8768  
completed an approved peace officer basic training program. 8769

(3) "Deadly weapon" has the same meaning as in section 8770  
2923.11 of the Revised Code. 8771

(4) "Family or household member" has the same meaning as in 8772  
section 2919.25 of the Revised Code. 8773

(5) "Street" or "highway" has the same meaning as in section 8774

4511.01 of the Revised Code. 8775

(6) "Interstate system" has the same meaning as in section 8776  
5516.01 of the Revised Code. 8777

(7) "Peace officer of the department of natural resources" 8778  
means an employee of the department of natural resources who is a 8779  
natural resources law enforcement staff officer designated 8780  
pursuant to section 1501.013, a forest officer designated pursuant 8781  
to section 1503.29, a preserve officer designated pursuant to 8782  
section 1517.10, a wildlife officer designated pursuant to section 8783  
1531.13, a park officer designated pursuant to section 1541.10, or 8784  
a state watercraft officer designated pursuant to section 1547.521 8785  
of the Revised Code. 8786

**Sec. 2935.27.** (A)(1) If a law enforcement officer issues a 8787  
citation to a person pursuant to section 2935.26 of the Revised 8788  
Code and if the minor misdemeanor offense for which the citation 8789  
is issued is an act prohibited by Chapter 4511., 4513., or 4549. 8790  
of the Revised Code or an act prohibited by any municipal 8791  
ordinance that is substantially similar to any section contained 8792  
in Chapter 4511., 4513., or 4549. of the Revised Code, the officer 8793  
shall inform the person, if the person has a current valid Ohio 8794  
driver's or commercial driver's license, of the possible 8795  
consequences of the person's actions as required under division 8796  
(E) of this section, and also shall inform the person that the 8797  
person is required either to appear at the time and place stated 8798  
in the citation or to comply with division (C) of section 2935.26 8799  
of the Revised Code. 8800

(2) If the person is an Ohio resident ~~who~~ but does not have a 8801  
current valid Ohio driver's or commercial driver's license or if 8802  
the person is a resident of a state that is not a member of the 8803  
nonresident violator compact, of which this state is a member 8804  
pursuant to section ~~4511.95~~ 4510.71 of the Revised Code, and if 8805

the officer shall bring the person before the court with which the 8806  
citation is required to be filed, by local rule, has prescribed a 8807  
procedure for the setting of a reasonable security ~~by the court~~ 8808  
pursuant to division (F) of this section, security shall be set in 8809  
accordance with that local rule and that division. 8810

A court by local rule may prescribe a procedure for the 8811  
setting of reasonable security as described in this division. As 8812  
an alternative to this procedure, a court by local rule may 8813  
prescribe a procedure for the setting of a reasonable security by 8814  
the person without the person appearing before the court. 8815

(B) A person who ~~appears before a court to have~~ has security 8816  
set under division (A)(2) of this section shall be given a receipt 8817  
or other evidence of the deposit of the security by the court. 8818

(C) Upon compliance with division (C) of section 2935.26 of 8819  
the Revised Code by a person who was issued a citation, the clerk 8820  
of the court shall notify the court. The court shall immediately 8821  
return any sum of money, license, or other security deposited in 8822  
relation to the citation to the person, or to any other person who 8823  
deposited the security. 8824

(D) If a person who has a current valid Ohio driver's or 8825  
commercial driver's license and who was issued a citation fails to 8826  
appear at the time and place specified on the citation, fails to 8827  
comply with division (C) of section 2935.26 of the Revised Code, 8828  
or fails to comply with or satisfy any judgment of the court 8829  
within the time allowed by the court, the court shall declare the 8830  
~~forfeiture~~ suspension of the person's license. Thirty days after 8831  
the declaration ~~of forfeiture~~, the court shall enter information 8832  
relative to the ~~forfeiture~~ suspension on a form approved and 8833  
furnished by the registrar of motor vehicles, and forward the form 8834  
to the registrar. The registrar shall suspend the person's 8835  
driver's or commercial driver's license, send written notification 8836  
of the suspension to the person at the person's last known 8837

address, and order the person to surrender the person's driver's 8838  
or commercial driver's license to the registrar within forty-eight 8839  
hours. No valid driver's or commercial driver's license shall be 8840  
granted to the person until the court having jurisdiction of the 8841  
offense that led to the suspension orders that the ~~forfeiture~~ 8842  
suspension be terminated. The court shall so order if the person, 8843  
after having failed to appear in court at the required time and 8844  
place to answer the charge or after having pleaded guilty to or 8845  
been found guilty of the violation and having failed within the 8846  
time allowed by the court to pay the fine imposed by the court, 8847  
thereafter appears to answer the charge and pays any fine imposed 8848  
by the court or pays the fine originally imposed by the court. The 8849  
court shall inform the registrar of the termination of the 8850  
~~forfeiture~~ suspension by entering information relative to the 8851  
termination on a form approved and furnished by the registrar and 8852  
sending the form to the registrar as provided in this division. 8853  
~~The court also shall charge and collect from the person~~ shall pay 8854  
to the bureau of motor vehicles a fifteen-dollar processing fee to 8855  
cover the costs of the bureau ~~of motor vehicles~~ in administering 8856  
this section. ~~The clerk of the court shall transmit monthly all~~ 8857  
~~such processing fees to the registrar for~~ shall deposit the fees 8858  
so paid into the state bureau of motor vehicles fund created by 8859  
section 4501.25 of the Revised Code. 8860

In addition, upon receipt of the copy of the declaration of 8861  
~~forfeiture~~ suspension from the court, neither the registrar nor 8862  
any deputy registrar shall accept any application for the 8863  
registration or transfer of registration of any motor vehicle 8864  
owned or leased by the person named in the declaration of 8865  
~~forfeiture~~ suspension until the court having jurisdiction of the 8866  
offense that led to the ~~forfeiture~~ suspension orders that the 8867  
~~forfeiture~~ suspension be terminated. However, for a motor vehicle 8868  
leased by a person named in a declaration of ~~forfeiture~~ 8869  
suspension, the registrar shall not implement the preceding 8870

sentence until the registrar adopts procedures for that 8871  
implementation under section 4503.39 of the Revised Code. Upon 8872  
receipt by the registrar of an order terminating the ~~forfeiture~~ 8873  
suspension, the registrar shall take such measures as may be 8874  
necessary to permit the person to register a motor vehicle owned 8875  
or leased by the person or to transfer the registration of such a 8876  
motor vehicle, if the person later makes application to take such 8877  
action and the person otherwise is eligible to register the motor 8878  
vehicle or to transfer the registration of it. 8879

The registrar is not required to give effect to any 8880  
declaration of ~~forfeiture~~ suspension or order terminating a 8881  
~~forfeiture~~ suspension unless the order is transmitted to the 8882  
registrar by means of an electronic transfer system. 8883

If the person who was issued the citation fails to appear at 8884  
the time and place specified on the citation and fails to comply 8885  
with division (C) of section 2935.26 of the Revised Code and the 8886  
person has deposited a sum of money or other security in relation 8887  
to the citation under division (A)(2) of this section, the deposit 8888  
immediately shall be forfeited to the court. 8889

This section does not preclude further action as authorized 8890  
by division (F) of section 2935.26 of the Revised Code. 8891

(E) A law enforcement officer who issues a person a minor 8892  
misdemeanor citation for an act prohibited by Chapter 4511., 8893  
4513., or 4549. of the Revised Code or an act prohibited by a 8894  
municipal ordinance that is substantially similar to any section 8895  
contained in Chapter 4511., 4513., or 4549. of the Revised Code 8896  
shall inform the person that if the person does not appear at the 8897  
time and place stated on the citation or does not comply with 8898  
division (C) of section 2935.26 of the Revised Code, the person's 8899  
driver's or commercial driver's license will be suspended, the 8900  
person will not be eligible for the reissuance of the license or 8901  
the issuance of a new license or the issuance of a certificate of 8902

registration for a motor vehicle owned or leased by the person, 8903  
until the person appears and complies with all orders of the 8904  
court. The person also is subject to any applicable criminal 8905  
penalties. 8906

(F) A court setting security under division (A)(2) of this 8907  
section shall do so in conformity with sections 2937.22 and 8908  
2937.23 of the Revised Code and the Rules of Criminal Procedure. 8909

**Sec. 2937.221.** (A) A person arrested without warrant for any 8910  
violation listed in division (B) of this section, and having a 8911  
current valid Ohio driver's or commercial driver's license, if the 8912  
person has been notified of the possible consequences of the 8913  
person's actions as required by division (C) of this section, may 8914  
post bond by depositing the license with the arresting officer if 8915  
the officer and person so choose, or with the local court having 8916  
jurisdiction if the court and person so choose. The license may be 8917  
used as bond only during the period for which it is valid. 8918

When an arresting officer accepts the driver's or commercial 8919  
driver's license as bond, the officer shall note the date, time, 8920  
and place of the court appearance on "the violator's notice to 8921  
appear," and the notice shall serve as a valid Ohio driver's or 8922  
commercial driver's license until the date and time appearing 8923  
thereon. The arresting officer immediately shall forward the 8924  
license to the appropriate court. 8925

When a local court accepts the license as bond or continues 8926  
the case to another date and time, it shall provide the person 8927  
with a card in a form approved by the registrar of motor vehicles 8928  
setting forth the license number, name, address, the date and time 8929  
of the court appearance, and a statement that the license is being 8930  
held as bond. The card shall serve as a valid license until the 8931  
date and time contained in the card. 8932

The court may accept other bond at any time and return the 8933

license to the person. The court shall return the license to the 8934  
person when judgment is satisfied, including, but not limited to, 8935  
compliance with any court orders, unless a suspension or 8936  
~~revocation~~ cancellation is part of the penalty imposed. 8937

Neither "the violator's notice to appear" nor a court- 8938  
granted card shall continue driving privileges beyond the 8939  
expiration date of the license. 8940

If the person arrested fails to appear in court at the date 8941  
and time set by the court or fails to satisfy the judgment of the 8942  
court, including, but not limited to, compliance with all court 8943  
orders within the time allowed by the court, the court may ~~declare~~ 8944  
~~the forfeiture of~~ impose a class seven suspension of the person's 8945  
license from the range specified in division (A)(7) of section 8946  
4510.02 of the Revised Code. Thirty days after the ~~declaration of~~ 8947  
~~forfeiture~~ suspension, the court shall forward the person's 8948  
license to the registrar. The court also shall enter information 8949  
relative to the ~~forfeiture~~ suspension on a form approved and 8950  
furnished by the registrar and send the form to the registrar, ~~who~~ 8951  
and the registrar shall ~~suspend the license and~~ send written 8952  
notification of the suspension to the person at the person's last 8953  
known address. No valid driver's or commercial driver's license 8954  
shall be granted to the person until the expiration of the period 8955  
of the suspension or, prior to the expiration of that period, the 8956  
court having jurisdiction orders that the ~~forfeiture be~~ suspension 8957  
is terminated. ~~The~~ If the court terminates the suspension, the 8958  
court shall inform the registrar of the termination ~~of the~~ 8959  
~~forfeiture~~ by entering information relative to the termination on 8960  
a form approved and furnished by the registrar and sending the 8961  
form to the registrar. ~~The court also shall charge and collect~~ 8962  
~~from~~ Upon the expiration or termination of the suspension, the 8963  
person shall pay to the bureau of motor vehicles a processing fee 8964  
of fifteen dollars to cover the costs of the bureau ~~of motor~~ 8965

vehicles in administering this section. The ~~clerk of the court~~ 8966  
~~shall transmit monthly all such processing fees to the registrar~~ 8967  
~~for shall~~ deposit the fees so paid into the state bureau of motor 8968  
vehicles fund created by section 4501.25 of the Revised Code. 8969

In addition, upon receipt from the court of the copy of the 8970  
~~declaration of forfeiture suspension~~, neither the registrar nor 8971  
any deputy registrar shall accept any application for the 8972  
registration or transfer of registration of any motor vehicle 8973  
owned by or leased in the name of the person named in the 8974  
~~declaration of forfeiture suspension~~ until the expiration of the 8975  
period of the suspension or, prior to the expiration of that 8976  
period, the court having jurisdiction over the offense that led to 8977  
the suspension issues an order terminating the ~~forfeiture~~ 8978  
suspension. However, for a motor vehicle leased in the name of a 8979  
person named in a ~~declaration of forfeiture suspension~~, the 8980  
registrar shall not implement the preceding sentence until the 8981  
registrar adopts procedures for that implementation under section 8982  
4503.39 of the Revised Code. Upon the expiration of the suspension 8983  
or upon receipt by the registrar of ~~such~~ an order terminating the 8984  
suspension, the registrar also shall take ~~such~~ the measures ~~as may~~ 8985  
~~be~~ necessary to permit the person to register a motor vehicle the 8986  
person owns or leases or to transfer the registration of ~~such~~ a 8987  
motor vehicle the person owns or leases if the person later makes 8988  
a proper application and otherwise is eligible to be issued or to 8989  
transfer a motor vehicle registration. 8990

(B) Division (A) of this section applies to persons arrested 8991  
for violation of: 8992

(1) Any of the provisions of Chapter 4511. or 4513. of the 8993  
Revised Code, except sections 4511.19, 4511.20, 4511.251, and 8994  
4513.36 of the Revised Code; 8995

(2) Any municipal ordinance substantially similar to a 8996  
section included in division (B)(1) of this section; 8997



(3) Any bylaw, rule, or regulation of the Ohio turnpike 8998  
commission substantially similar to a section included in division 8999  
(B)(1) of this section. 9000

Division (A) of this section does not apply to those persons 9001  
issued a citation for the commission of a minor misdemeanor under 9002  
section 2935.26 of the Revised Code. 9003

(C) No license shall be accepted as bond by an arresting 9004  
officer or by a court under this section until the officer or 9005  
court has notified the person that, if the person deposits the 9006  
license with the officer or court and either does not appear on 9007  
the date and at the time set by the officer or the court, if the 9008  
court sets a time, or does not satisfy any judgment rendered, 9009  
including, but not limited to, compliance with all court orders, 9010  
the license will be suspended, and the person will not be eligible 9011  
for reissuance of the license or issuance of a new license, or the 9012  
issuance of a certificate of registration for a motor vehicle 9013  
owned or leased by the person until the person appears and 9014  
complies with any order issued by the court. The person also is 9015  
subject to any criminal penalties that may apply to the person. 9016

**Sec. 2937.222.** (A) On the motion of the prosecuting attorney 9017  
or on the judge's own motion, the judge shall hold a hearing to 9018  
determine whether an accused person charged with aggravated murder 9019  
when it is not a capital offense, murder, a felony of the first or 9020  
second degree, a violation of section 2903.06 of the Revised Code, 9021  
a violation of section 2903.211 of the Revised Code that is a 9022  
felony, or a felony ~~OMVI~~ OVI offense shall be denied bail. The 9023  
judge shall order that the accused be detained until the 9024  
conclusion of the hearing. Except for good cause, a continuance on 9025  
the motion of the state shall not exceed three court days. Except 9026  
for good cause, a continuance on the motion of the accused shall 9027  
not exceed five court days unless the motion of the accused waives 9028

in writing the five-day limit and states in writing a specific 9029  
period for which the accused requests a continuance. A continuance 9030  
granted upon a motion of the accused that waives in writing the 9031  
five-day limit shall not exceed five court days after the period 9032  
of continuance requested in the motion. 9033

9034

At the hearing, the accused has the right to be represented 9035  
by counsel and, if the accused is indigent, to have counsel 9036  
appointed. The judge shall afford the accused an opportunity to 9037  
testify, to present witnesses and other information, and to 9038  
cross-examine witnesses who appear at the hearing. The rules 9039  
concerning admissibility of evidence in criminal trials do not 9040  
apply to the presentation and consideration of information at the 9041  
hearing. Regardless of whether the hearing is being held on the 9042  
motion of the prosecuting attorney or on the court's own motion, 9043  
the state has the burden of proving that the proof is evident or 9044  
the presumption great that the accused committed the offense with 9045  
which the accused is charged, of proving that the accused poses a 9046  
substantial risk of serious physical harm to any person or to the 9047  
community, and of proving that no release conditions will 9048  
reasonably assure the safety of that person and the community. 9049

The judge may reopen the hearing at any time before trial if 9050  
the judge finds that information exists that was not known to the 9051  
movant at the time of the hearing and that that information has a 9052  
material bearing on whether bail should be denied. If a municipal 9053  
court or county court enters an order denying bail, a judge of the 9054  
court of common pleas having jurisdiction over the case may 9055  
continue that order or may hold a hearing pursuant to this section 9056  
to determine whether to continue that order. 9057

(B) No accused person shall be denied bail pursuant to this 9058  
section unless the judge finds by clear and convincing evidence 9059  
that the proof is evident or the presumption great that the 9060

accused committed the offense described in division (A) of this 9061  
section with which the accused is charged, finds by clear and 9062  
convincing evidence that the accused poses a substantial risk of 9063  
serious physical harm to any person or to the community, and finds 9064  
by clear and convincing evidence that no release conditions will 9065  
reasonably assure the safety of that person and the community. 9066

(C) The judge, in determining whether the accused person 9067  
described in division (A) of this section poses a substantial risk 9068  
of serious physical harm to any person or to the community and 9069  
whether there are conditions of release that will reasonably 9070  
assure the safety of that person and the community, shall consider 9071  
all available information regarding all of the following: 9072

(1) The nature and circumstances of the offense charged, 9073  
including whether the offense is an offense of violence or 9074  
involves alcohol or a drug of abuse; 9075

(2) The weight of the evidence against the accused; 9076

(3) The history and characteristics of the accused, 9077  
including, but not limited to, both of the following: 9078

(a) The character, physical and mental condition, family 9079  
ties, employment, financial resources, length of residence in the 9080  
community, community ties, past conduct, history relating to drug 9081  
or alcohol abuse, and criminal history of the accused; 9082

(b) Whether, at the time of the current alleged offense or at 9083  
the time of the arrest of the accused, the accused was on 9084  
probation, parole, post-release control, or other release pending 9085  
trial, sentencing, appeal, or completion of sentence for the 9086  
commission of an offense under the laws of this state, another 9087  
state, or the United States or under a municipal ordinance. 9088

(4) The nature and seriousness of the danger to any person or 9089  
the community that would be posed by the person's release. 9090

(D)(1) An order of the court of common pleas denying bail 9091  
pursuant to this section is a final appealable order. In an appeal 9092  
pursuant to division (D) of this section, the court of appeals 9093  
shall do all of the following: 9094

(a) Give the appeal priority on its calendar; 9095

(b) Liberally modify or dispense with formal requirements in 9096  
the interest of a speedy and just resolution of the appeal; 9097

(c) Decide the appeal expeditiously; 9098

(d) Promptly enter its judgment affirming or reversing the 9099  
order denying bail. 9100

(2) The pendency of an appeal under this section does not 9101  
deprive the court of common pleas of jurisdiction to conduct 9102  
further proceedings in the case or to further consider the order 9103  
denying bail in accordance with this section. If, during the 9104  
pendency of an appeal under division (D) of this section, the 9105  
court of common pleas sets aside or terminates the order denying 9106  
bail, the court of appeals shall dismiss the appeal. 9107

(E) As used in this section: 9108

(1) "Court day" has the same meaning as in section 5122.01 of 9109  
the Revised Code. 9110

(2) "Felony ~~OMVI~~ OVI offense" means a third degree felony 9111  
~~OMVI~~ OVI offense and a fourth degree felony ~~OMVI~~ OVI offense. 9112

(3) "Fourth degree felony ~~OMVI~~ OVI offense" and "third degree 9113  
felony ~~OMVI~~ OVI offense" have the same meanings as in section 9114  
2929.01 of the Revised Code. 9115

**Sec. 2937.46.** (A) The supreme court of Ohio ~~may~~, in the 9116  
interest of uniformity of procedure in the various courts, and for 9117  
the purpose of promoting prompt and efficient disposition of cases 9118  
arising under the traffic laws of this state and related 9119

ordinances, ~~makes~~ may make uniform rules for practice and 9120  
procedure in courts inferior to the court of common pleas not 9121  
inconsistent with the provisions of Chapter 2937. of the Revised 9122  
Code, including, but not limited to: 9123

~~(A)~~(1) Separation of arraignment and trial of traffic and 9124  
other types of cases; 9125

~~(B)~~(2) Consolidation of cases for trial; 9126

~~(C)~~(3) Transfer of cases within the same county for the 9127  
purpose of trial; 9128

~~(D)~~(4) Designation of special referees for hearings or for 9129  
receiving pleas or bail at times when courts are not in session; 9130

~~(E)~~(5) Fixing of reasonable bonds, and disposition of cases 9131  
in which bonds have been forfeited. 9132

~~All of said (B) Except as otherwise specified in division (L)~~ 9133  
~~of section 4511.19 of the Revised Code, all of the rules described~~ 9134  
~~in division (A) of this section, when promulgated by the supreme~~ 9135  
~~court, shall be fully binding on all courts inferior to the court~~ 9136  
~~of common pleas and on the court of common pleas in relation to~~ 9137  
~~felony violations of division (A) of section 4511.19 of the~~ 9138  
~~Revised Code and shall effect a cancellation of any local court~~ 9139  
~~rules inconsistent ~~therewith~~ with the supreme court's rules.~~ 9140

**Sec. 2937.99.** (A) No person shall fail to appear as required, 9141  
after having been released pursuant to section 2937.29 of the 9142  
Revised Code. Whoever violates this section is guilty of failure 9143  
to appear and shall be punished as set forth in division (B) or 9144  
(C) of this section. 9145

(B) If the release was in connection with a ~~charge of the~~ 9146  
~~commission of a~~ felony charge or pending appeal after conviction 9147  
of a felony, failure to appear is a felony of the fourth degree. 9148

(C) If the release was in connection with a ~~charge of the~~ 9149

~~commission of a~~ misdemeanor charge or for appearance as a witness, 9150  
failure to appear is a misdemeanor of the first degree. 9151

(D) This section does not apply to misdemeanors and related 9152  
ordinance offenses arising under Chapters 4501., 4503., 4505., 9153  
4507., 4509., 4510., 4511., 4513., 4517., 4549., and 5577. of the 9154  
Revised Code, except that this section does apply to violations of 9155  
sections 4511.19, 4549.02, and 4549.021 of the Revised Code and 9156  
ordinance offenses related to sections 4511.19, 4549.02, and 9157  
4549.021 of the Revised Code. 9158

**Sec. 2951.02.** (A)(1) In determining whether to suspend a 9159  
sentence of imprisonment imposed upon an offender for a 9160  
misdemeanor and place the offender on probation or whether to 9161  
otherwise suspend a sentence of imprisonment imposed upon an 9162  
offender for a misdemeanor pursuant to division (A) of section 9163  
2929.51 of the Revised Code, the court shall consider the risk 9164  
that the offender will commit another offense and the need for 9165  
protecting the public from the risk, the nature and circumstances 9166  
of the offense, and the history, character, and condition of the 9167  
offender. 9168

(2) An offender who has been convicted of or pleaded guilty 9169  
to a misdemeanor shall not be placed on probation and shall not 9170  
otherwise have the sentence of imprisonment imposed upon the 9171  
offender suspended pursuant to division (A) of section 2929.51 of 9172  
the Revised Code if either of the following applies: 9173

(a) The offender is a repeat or dangerous offender. 9174

(b) The misdemeanor offense involved was not a violation of 9175  
section 2923.12 of the Revised Code and was committed while the 9176  
offender was armed with a firearm or dangerous ordnance. 9177

(B) The following do not control the court's discretion but 9178  
the court shall consider them in favor of placing an offender who 9179

has been convicted of or pleaded guilty to a misdemeanor on 9180  
probation or in favor of otherwise suspending the offender's 9181  
sentence of imprisonment pursuant to division (A) of section 9182  
2929.51 of the Revised Code: 9183

(1) The offense neither caused nor threatened serious harm to 9184  
persons or property, or the offender did not contemplate that it 9185  
would do so. 9186

(2) The offense was the result of circumstances unlikely to 9187  
recur. 9188

(3) The victim of the offense induced or facilitated it. 9189

(4) There are substantial grounds tending to excuse or 9190  
justify the offense, though failing to establish a defense. 9191

(5) The offender acted under strong provocation. 9192

(6) The offender has no history of prior delinquency or 9193  
criminal activity, or has led a law-abiding life for a substantial 9194  
period before commission of the present offense. 9195

(7) The offender is likely to respond affirmatively to 9196  
probationary or other court-imposed treatment. 9197

(8) The character and attitudes of the offender indicate that 9198  
the offender is unlikely to commit another offense. 9199

(9) The offender has made or will make restitution or 9200  
reparation to the victim of the offender's offense for the injury, 9201  
damage, or loss sustained. 9202

(10) Imprisonment of the offender will entail undue hardship 9203  
to the offender or the offender's dependents. 9204

(C)(1) When an offender who has been convicted of or pleaded 9205  
guilty to a misdemeanor is placed on probation or the sentence of 9206  
that type of offender otherwise is suspended pursuant to division 9207  
(A) of section 2929.51 of the Revised Code, the probation or other 9208  
suspension shall be at least on condition that, during the period 9209

of probation or other suspension, the offender shall abide by the 9210  
law and shall not leave the state without the permission of the 9211  
court or the offender's probation officer. In the interests of 9212  
doing justice, rehabilitating the offender, and ensuring the 9213  
offender's good behavior, the court may impose additional 9214  
requirements on the offender. Compliance with the additional 9215  
requirements imposed under this division also shall be a condition 9216  
of the offender's probation or other suspension. The additional 9217  
requirements so imposed may include, but shall not be limited to, 9218  
any of the following: 9219

(a) A requirement that the offender make restitution pursuant 9220  
to section 2929.21 of the Revised Code for all or part of the 9221  
property damage that is caused by the offender's offense and for 9222  
all or part of the value of the property that is the subject of 9223  
any theft offense that the offender committed; 9224

(b) If the offense is a violation of section 2919.25 or a 9225  
violation of section 2903.13 of the Revised Code involving a 9226  
person who was a family or household member at the time of the 9227  
violation, if the offender committed the offense in the vicinity 9228  
of one or more children who are not victims of the offense, and if 9229  
the offender or the victim of the offense is a parent, guardian, 9230  
custodian, or person in loco parentis of one or more of those 9231  
children, a requirement that the offender obtain counseling. This 9232  
division does not limit the court in imposing a requirement that 9233  
the offender obtain counseling for any offense or in any 9234  
circumstance not specified in this division. 9235

(c) A requirement that the offender not ingest or be injected 9236  
with a drug of abuse and submit to random drug testing and 9237  
requiring that the results of the drug test indicate that the 9238  
offender did not ingest or was not injected with a drug of abuse. 9239  
If the court requires the offender to submit to random drug 9240  
testing under division (C)(1)(c) of this section, the county 9241



department of probation, the multicounty department of probation, 9242  
or the adult parole authority, as appropriate, that has general 9243  
control and supervision of offenders who are on probation or other 9244  
suspension or are under a nonresidential sanction, shall cause the 9245  
offender to submit to random drug testing pursuant to section 9246  
2951.05 of the Revised Code. 9247

(2) During the period of a misdemeanor offender's probation 9248  
or other suspension or during the period of a felon's 9249  
nonresidential sanction, authorized probation officers who are 9250  
engaged within the scope of their supervisory duties or 9251  
responsibilities may search, with or without a warrant, the person 9252  
of the offender, the place of residence of the offender, and a 9253  
motor vehicle, another item of tangible or intangible personal 9254  
property, or other real property in which the offender has a 9255  
right, title, or interest or for which the offender has the 9256  
express or implied permission of a person with a right, title, or 9257  
interest to use, occupy, or possess if the probation officers have 9258  
reasonable grounds to believe that the offender is not abiding by 9259  
the law or otherwise is not complying with the conditions of the 9260  
offender's probation or other suspension or the conditions of the 9261  
offender's nonresidential sanction. If a felon who is sentenced to 9262  
a nonresidential sanction is under the general control and 9263  
supervision of the adult parole authority, as described in 9264  
division (A)(2)(a) of section 2929.15 of the Revised Code, adult 9265  
parole authority field officers with supervisory responsibilities 9266  
over the felon shall have the same search authority relative to 9267  
the felon during the period of the sanction as is described under 9268  
this division for probation officers. The court that places the 9269  
offender on probation or suspends the misdemeanor offender's 9270  
sentence of imprisonment pursuant to division (D)(2) or (4) of 9271  
section 2929.51 of the Revised Code or that sentences the felon to 9272  
a nonresidential sanction pursuant to section 2929.17 of the 9273  
Revised Code shall provide the offender with a written notice that 9274

informs the offender that authorized probation officers or adult 9275  
parole authority field officers with supervisory responsibilities 9276  
over the offender who are engaged within the scope of their 9277  
supervisory duties or responsibilities may conduct those types of 9278  
searches during the period of probation or other suspension or 9279  
during the period of the nonresidential sanction if they have 9280  
reasonable grounds to believe that the offender is not abiding by 9281  
the law or otherwise is not complying with the conditions of the 9282  
offender's probation or other suspension or the conditions of the 9283  
offender's nonresidential sanction. 9284

(D) The following do not control the court's discretion but 9285  
the court shall consider them against placing an offender who has 9286  
been convicted of or pleaded guilty to a misdemeanor on probation 9287  
and against otherwise suspending the offender's sentence of 9288  
imprisonment pursuant to division (A) of section 2929.51 of the 9289  
Revised Code: 9290

(1) The offender recently violated the conditions of pardon, 9291  
post-release control pursuant to section 2967.28 of the Revised 9292  
Code, or a probation or suspension pursuant to division (A) of 9293  
section 2929.51 of the Revised Code, previously granted the 9294  
offender. 9295

(2) There is a substantial risk that, while at liberty during 9296  
the period of probation or other suspension, the offender will 9297  
commit another offense. 9298

(3) The offender is in need of correctional or rehabilitative 9299  
treatment that can be provided best by the offender's commitment 9300  
to a locally governed and operated residential facility. 9301  
9302

(4) Regardless of whether the offender knew the age of the 9303  
victim, the victim of the offense was sixty-five years of age or 9304  
older or permanently and totally disabled at the time of the 9305

commission of the offense. 9306

(E) The criteria listed in divisions (B) and (D) of this 9307  
section shall not be construed to limit the matters that may be 9308  
considered in determining whether to suspend sentence of 9309  
imprisonment and place an offender who has been convicted of or 9310  
pleaded guilty to a misdemeanor on probation or whether to 9311  
otherwise suspend the offender's sentence of imprisonment pursuant 9312  
to division (A) of section 2929.51 of the Revised Code. 9313

(F)(1) When an offender is convicted of or pleads guilty to a 9314  
misdemeanor, the court may require the offender, as a condition of 9315  
probation or as a condition of otherwise suspending the offender's 9316  
sentence pursuant to division (A) of section 2929.51 of the 9317  
Revised Code, in addition to the conditions of probation or other 9318  
suspension imposed pursuant to division (C) of this section, to 9319  
perform supervised community service work under the authority of 9320  
health districts, park districts, counties, municipal 9321  
corporations, townships, other political subdivisions of the 9322  
state, or agencies of the state or any of its political 9323  
subdivisions, or under the authority of charitable organizations 9324  
that render services to the community or its citizens, in 9325  
accordance with this division. Supervised community service work 9326  
shall not be required as a condition of probation or other 9327  
suspension under this division unless the offender agrees to 9328  
perform the work offered as a condition of probation or other 9329  
suspension by the court. The court may require an offender who 9330  
agrees to perform the work to pay to it a reasonable fee to cover 9331  
the costs of the offender's participation in the work, including, 9332  
but not limited to, the costs of procuring a policy or policies of 9333  
liability insurance to cover the period during which the offender 9334  
will perform the work. 9335

A court may permit any offender convicted of a misdemeanor to 9336  
satisfy the payment of a fine imposed for the offense by 9337

performing supervised community service work as described in this 9338  
division if the offender requests an opportunity to satisfy the 9339  
payment by this means and if the court determines the offender is 9340  
financially unable to pay the fine. 9341

The supervised community service work that may be imposed 9342  
under this division shall be subject to the following limitations: 9343

(a) The court shall fix the period of the work and, if 9344  
necessary, shall distribute it over weekends or over other 9345  
appropriate times that will allow the offender to continue at the 9346  
offender's occupation or to care for the offender's family. The 9347  
period of the work as fixed by the court shall not exceed an 9348  
aggregate of two hundred hours. 9349

(b) An agency, political subdivision, or charitable 9350  
organization must agree to accept the offender for the work before 9351  
the court requires the offender to perform the work for the 9352  
entity. A court shall not require an offender to perform 9353  
supervised community service work for an agency, political 9354  
subdivision, or charitable organization at a location that is an 9355  
unreasonable distance from the offender's residence or domicile, 9356  
unless the offender is provided with transportation to the 9357  
location where the work is to be performed. 9358

(c) A court may enter into an agreement with a county 9359  
department of job and family services for the management, 9360  
placement, and supervision of offenders eligible for community 9361  
service work in work activities, developmental activities, and 9362  
alternative work activities under sections 5107.40 to 5107.69 of 9363  
the Revised Code. If a court and a county department of job and 9364  
family services have entered into an agreement of that nature, the 9365  
clerk of that court is authorized to pay directly to the county 9366  
department all or a portion of the fees collected by the court 9367  
pursuant to this division in accordance with the terms of its 9368  
agreement. 9369

(d) Community service work that a court requires under this 9370  
division shall be supervised by an official of the agency, 9371  
political subdivision, or charitable organization for which the 9372  
work is performed or by a person designated by the agency, 9373  
political subdivision, or charitable organization. The official or 9374  
designated person shall be qualified for the supervision by 9375  
education, training, or experience, and periodically shall report, 9376  
in writing, to the court and to the offender's probation officer 9377  
concerning the conduct of the offender in performing the work. 9378

(2) When an offender is convicted of a felony, the court may 9379  
impose pursuant to sections 2929.15 and 2929.17 of the Revised 9380  
Code a sanction that requires the offender to perform supervised 9381  
community service work in accordance with this division and under 9382  
the authority of any agency, political subdivision, or charitable 9383  
organization as described in division (F)(1) of this section. The 9384  
court may require an offender who is ordered to perform the work 9385  
to pay to it a reasonable fee to cover the costs of the offender's 9386  
participation in the work, including, but not limited to, the 9387  
costs of procuring a policy or policies of liability insurance to 9388  
cover the period during which the offender will perform the work. 9389

A court may permit an offender convicted of a felony to 9390  
satisfy the payment of a fine imposed for the offense pursuant to 9391  
section 2929.18 of the Revised Code by performing supervised 9392  
community service work as described in this division if the court 9393  
determines that the offender is financially unable to pay the 9394  
fine. 9395

The supervised community service work that may be imposed 9396  
under this division shall be subject to the limitations specified 9397  
in divisions (F)(1)(a) to (d) of this section, except that the 9398  
court is not required to obtain the agreement of the offender to 9399  
impose supervised community work as a sanction. Additionally, the 9400  
total of any period of supervised community service work imposed 9401

on an offender under this division plus the period of all other 9402  
sanctions imposed pursuant to sections 2929.15, 2929.16, 2929.17, 9403  
and 2929.18 of the Revised Code shall not exceed five years. 9404

(G)(1) When an offender is convicted of a violation of 9405  
section 4511.19 of the Revised Code, a municipal ordinance 9406  
relating to operating a vehicle while under the influence of 9407  
alcohol, a drug of abuse, or alcohol and a drug of abuse, or a 9408  
municipal ordinance relating to operating a vehicle with a 9409  
prohibited concentration of alcohol in the blood, breath, or 9410  
urine, the court may require, as a condition of probation in 9411  
addition to the required conditions of probation and the 9412  
discretionary conditions of probation that may be imposed pursuant 9413  
to division (C) of this section, any suspension ~~or revocation~~ of a 9414  
driver's or commercial driver's license or permit or nonresident 9415  
operating privilege, and all other penalties provided by law or by 9416  
ordinance, that the offender operate only a motor vehicle equipped 9417  
with an ignition interlock device that is certified pursuant to 9418  
section ~~4511.83~~ 4510.43 of the Revised Code. 9419

(2) When a court requires an offender, as a condition of 9420  
probation pursuant to division (G)(1) of this section, to operate 9421  
only a motor vehicle equipped with an ignition interlock device 9422  
that is certified pursuant to section ~~4511.83~~ 4510.43 of the 9423  
Revised Code, the offender immediately shall surrender the 9424  
offender's driver's or commercial driver's license or permit to 9425  
the court. Upon the receipt of the offender's license or permit, 9426  
the court shall issue an order authorizing the offender to operate 9427  
a motor vehicle equipped with a certified ignition interlock 9428  
device, deliver the offender's license or permit to the bureau of 9429  
motor vehicles, and include in the abstract of the case forwarded 9430  
to the bureau pursuant to section ~~4507.021~~ 4510.036 of the Revised 9431  
Code the conditions of probation imposed pursuant to division 9432  
(G)(1) of this section. The court shall give the offender a copy 9433

of its order, and that copy shall be used by the offender in lieu 9434  
of a driver's or commercial driver's license or permit until the 9435  
bureau issues a restricted license to the offender. 9436

(3) Upon receipt of an offender's driver's or commercial 9437  
driver's license or permit pursuant to division (G)(2) of this 9438  
section, the bureau of motor vehicles shall issue a restricted 9439  
license to the offender. The restricted license shall be identical 9440  
to the surrendered license, except that it shall have printed on 9441  
its face a statement that the offender is prohibited from 9442  
operating a motor vehicle that is not equipped with an ignition 9443  
interlock device that is certified pursuant to section ~~4511.83~~ 9444  
4510.43 of the Revised Code. The bureau shall deliver the 9445  
offender's surrendered license or permit to the court upon receipt 9446  
of a court order requiring it to do so, or reissue the offender's 9447  
license or permit under section ~~4507.54~~ 4510.52 of the Revised 9448  
Code if the registrar destroyed the offender's license or permit 9449  
under that section. The offender shall surrender the restricted 9450  
license to the court upon receipt of the offender's surrendered 9451  
license or permit. 9452

(4) If an offender violates a requirement of the court 9453  
imposed under division (G)(1) of this section, the court may 9454  
impose a class seven suspension of the offender's driver's or 9455  
commercial driver's license or permit or nonresident operating 9456  
privilege ~~may be suspended as provided in~~ from the range specified 9457  
in division (A)(7) of section ~~4507.16~~ 4510.02 of the Revised Code. 9458  
On a second or subsequent violation, the court may impose a class 9459  
four suspension of the offender's driver's or commercial driver's 9460  
license or permit or nonresident operating privilege from the 9461  
range specified in division (A)(4) of section 4510.02 of the 9462  
Revised Code. 9463

(H) As used in this section: 9464

(1) "Repeat offender" and "dangerous offender" have the same 9465

meanings as in section 2935.36 of the Revised Code. 9466

(2) "Firearm" and "dangerous ordnance" have the same meanings 9467  
as in section 2923.11 of the Revised Code. 9468

(3) "Theft offense" has the same meaning as in section 9469  
2913.01 of the Revised Code. 9470

(4) "Random drug testing" has the same meaning as in section 9471  
5120.63 of the Revised Code. 9472

(5) "Ignition interlock device" has the same meaning as in 9473  
section ~~4511.83~~ 4510.01 of the Revised Code. 9474

**Sec. 2953.31.** As used in sections 2953.31 to 2953.36 of the 9475  
Revised Code: 9476

(A) "First offender" means anyone who has been convicted of 9477  
an offense in this state or any other jurisdiction and who 9478  
previously or subsequently has not been convicted of the same or a 9479  
different offense in this state or any other jurisdiction. When 9480  
two or more convictions result from or are connected with the same 9481  
act or result from offenses committed at the same time, they shall 9482  
be counted as one conviction. When two or three convictions result 9483  
from the same indictment, information, or complaint, from the same 9484  
plea of guilty, or from the same official proceeding, and result 9485  
from related criminal acts that were committed within a 9486  
three-month period but do not result from the same act or from 9487  
offenses committed at the same time, they shall be counted as one 9488  
conviction, provided that a court may decide as provided in 9489  
division (C)(1)(a) of section 2953.32 of the Revised Code that it 9490  
is not in the public interest for the two or three convictions to 9491  
be counted as one conviction. 9492

For purposes of, and except as otherwise provided in, this 9493  
division, a conviction for a minor misdemeanor, ~~a conviction~~ for a 9494  
violation of any section in Chapter 4507., 4510., 4511., 4513., or 9495



4549. of the Revised Code, or ~~a conviction~~ for a violation of a 9496  
municipal ordinance that is substantially similar to any section 9497  
in those chapters is not a previous or subsequent conviction. ~~A~~ 9498  
However, a conviction for a violation of section 4511.19~~7~~ 9499  
4511.192, 4511.251, 4549.02, 4549.021, 4549.03, 4549.042, or 9500  
4549.07 4549.62 or sections 4549.41 to 4549.46 of the Revised 9501  
Code, or a conviction for a violation of section 4510.11 or 9502  
4510.14 of the Revised Code that is based upon the offender's 9503  
operation of a vehicle during a suspension imposed under section 9504  
4511.191 or 4511.196 of the Revised Code, for a violation of a 9505  
substantially equivalent municipal ordinance that is substantially 9506  
similar to any of those sections, for a felony violation of Title 9507  
XLV of the Revised Code, or for a violation of a substantially 9508  
equivalent former law of this state or former municipal ordinance 9509  
shall be considered a previous or subsequent conviction. 9510

(B) "Prosecutor" means the county prosecuting attorney, city 9511  
director of law, village solicitor, or similar chief legal 9512  
officer, who has the authority to prosecute a criminal case in the 9513  
court in which the case is filed. 9514

(C) "Bail forfeiture" means the forfeiture of bail by a 9515  
defendant who is arrested for the commission of a misdemeanor, 9516  
other than a defendant in a traffic case as defined in Traffic 9517  
Rule 2, if the forfeiture is pursuant to an agreement with the 9518  
court and prosecutor in the case. 9519

(D) "Official records" has the same meaning as in division 9520  
(D) of section 2953.51 of the Revised Code. 9521

(E) "Official proceeding" has the same meaning as in section 9522  
2921.01 of the Revised Code. 9523

**Sec. 2953.36.** Sections 2953.31 to 2953.35 of the Revised Code 9524  
do not apply to any of the following: 9525

(A) Convictions when the offender is subject to a mandatory prison term;	9526 9527
(B) Convictions under section 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.321, 2907.322, or 2907.323, former section 2907.12, or Chapter 4507., <u>4510.</u> , 4511., or 4549. of the Revised Code, or a conviction for a violation of a municipal ordinance that is substantially similar to any section contained in any of those chapters;	9528 9529 9530 9531 9532 9533
(C) convictions of an offense of violence when the offense is a misdemeanor of the first degree or a felony and when the offense is not a violation of section 2917.03 of the Revised Code and is not a violation of section 2903.13, 2917.01 or 2917.31 of the Revised Code that is a misdemeanor of the first degree;	9534 9535 9536 9537 9538
(D) Convictions of an offense in circumstances in which the victim of the offense was under eighteen years of age when the offense is a misdemeanor of the first degree or a felony;	9539 9540 9541
(E) Convictions of a felony of the first or second degree;	9542
(F) Bail forfeitures in a traffic case as defined in Traffic Rule 2.	9543 9544
<b>Sec. 3123.55.</b> Notice shall be sent to the individual described in section 3123.54 of the Revised Code in compliance with section 3121.23 of the Revised Code. The notice shall specify that a court or agency has determined the individual to be in default under a child support order or that the individual is an obligor under a child support order who has failed to comply with a subpoena or warrant issued by a court or agency with respect to a proceeding to enforce a child support order, that a notice containing the individual's name and social security number or other identification number may be sent to the registrar of motor vehicles, and that, if the registrar receives that notice and	9545 9546 9547 9548 9549 9550 9551 9552 9553 9554 9555

determines that the individual is the individual named in that notice and the registrar has not received notice under section 3123.56 or 3123.57 of the Revised Code, 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~~ the registrar will be suspended impose a class F suspension under division (B)(6) of section 4510.02 of the Revised Code if the registrar determines that the individual is the individual named in the notice sent pursuant to section 3123.54 of the Revised Code.

(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 this section until the registrar receives a notice under section 3123.56 or 3123.57 of the Revised Code.

**Sec. 3123.58.** (A) On receipt of a notice pursuant to section 3123.54 of the Revised Code, the registrar of motor vehicles 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 9587  
instruction permit or commercial driver's temporary instruction 9588  
permit. If the registrar determines that the individual holds or 9589  
has applied for a license, permit, or endorsement and the 9590  
individual is the individual named in the notice and does not 9591  
receive a notice pursuant to section 3123.56 or 3123.57 of the 9592  
Revised Code, the registrar immediately shall provide notice of 9593  
the determination to each deputy registrar. The registrar or a 9594  
deputy registrar may not issue to the individual a driver's or 9595  
commercial driver's license, motorcycle operator's license or 9596  
endorsement, or temporary instruction permit or commercial 9597  
driver's temporary instruction permit and may not renew for the 9598  
individual a driver's or commercial driver's license, motorcycle 9599  
operator's license or endorsement, or commercial driver's 9600  
temporary instruction permit. The registrar or a deputy registrar 9601  
also shall ~~suspend~~ impose a class F suspension of the license, 9602  
permit, or endorsement held by the individual under division 9603  
(B)(6) of section 4510.02 of the Revised Code. 9604

(B) Prior to the date specified in section 3123.52 of the 9605  
Revised Code, the registrar of motor vehicles or a deputy 9606  
registrar shall do only the following with respect to an 9607  
individual if the registrar makes the determination required under 9608  
division (A) of this section and no notice is received concerning 9609  
the individual under section 3123.56 or 3123.57 of the Revised 9610  
Code: 9611

(1) Refuse to issue or renew the individual's commercial 9612  
driver's license or commercial driver's temporary instruction 9613  
permit; 9614

(2) Impose a class F suspension under division (B)(6) of 9615  
section 4510.02 of the Revised Code on the individual with respect 9616  
to the license or permit held by the individual. 9617

Sec. 3123.59. Not later than seven days after receipt of a notice pursuant to section 3123.56 or 3123.57 of the Revised Code, the registrar of motor vehicles 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 registrar imposed a class F suspension of the individual's license, permit, or endorsement was suspended pursuant to division (A) of section 3123.58 of the Revised Code, remove the suspension. On and after the date specified in section 3123.52 of the Revised Code, the registrar or a deputy registrar shall remove, after receipt of a notice under section 3123.56 or 3123.57 of the Revised Code, a ~~disqualification class F suspension~~ imposed on an individual with respect to a ~~commercial driver's license or commercial driver's temporary instruction permit pursuant to division (B) of section 3123.611 3123.58~~ of the Revised Code. 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, permit, or for removing a disqualification endorsement pursuant to 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.

Sec. 3123.613. Prior to the date specified in section 3123.52 of the Revised Code, instead of the notice provisions described in divisions (A), (B), (C), and (D) of section 3123.55 of the Revised Code, the notice shall specify that all of the following will occur:

(A) The registrar of motor vehicles and all deputy registrars

will be prohibited from issuing to, or renewing for, the 9650  
individual a commercial driver's license or commercial driver's 9651  
temporary instruction permit. 9652

(B) If the individual holds a commercial driver's license or 9653  
commercial driver's temporary instruction permit, the registrar 9654  
will impose a ~~disqualification as defined in~~ class F suspension 9655  
under division (B)(6) of section 4506.01 4510.02 of the Revised 9656  
Code with respect to the license or permit if the registrar 9657  
determines that the individual is the individual named in the 9658  
notice sent pursuant to section 3123.54 of the Revised Code. 9659

(C) If the individual is the individual named in the notice, 9660  
the individual will not be issued, and the disqualification will 9661  
not be removed with respect to, any license or permit listed in 9662  
this section until the registrar receives a notice under section 9663  
3123.56 or 3123.57 of the Revised Code. 9664

**Sec. 3123.614.** Notwithstanding section 119.06 of the Revised 9665  
Code and prior to the date specified in section 3123.52 of the 9666  
Revised Code, the registrar of motor vehicles shall not hold any 9667  
hearing in connection with an order refusing to issue or renew, or 9668  
imposing a ~~disqualification~~ suspension with respect to, the 9669  
commercial driver's license or commercial driver's temporary 9670  
instruction permit of an individual pursuant to division (B) of 9671  
section ~~3123.611~~ 3123.58 of the Revised Code. 9672

**Sec. 3327.10.** (A) No person shall be employed as driver of a 9673  
school bus or motor van, owned and operated by any school district 9674  
or educational service center or privately owned and operated 9675  
under contract with any school district or service center in this 9676  
state, who has not received a certificate from the educational 9677  
service center governing board in case such person is employed by 9678  
a service center or by a local school district under the 9679

supervision of the service center governing board, or by the 9680  
superintendent of schools, in case such person is employed by the 9681  
board of a city or exempted village school district, certifying 9682  
that such person is at least eighteen years of age and is of good 9683  
moral character and is qualified physically and otherwise for such 9684  
position. The service center governing board or the 9685  
superintendent, as the case may be, shall provide for an annual 9686  
physical examination that conforms with rules adopted by the state 9687  
board of education of each driver to ascertain the driver's 9688  
physical fitness for such employment. Any certificate may be 9689  
revoked by the authority granting the same on proof that the 9690  
holder has been guilty of failing to comply with division (D)(1) 9691  
of this section, or upon a conviction or a guilty plea for a 9692  
violation, or any other action, that results in a loss or 9693  
suspension of driving rights. Failure to comply with such division 9694  
may be cause for disciplinary action or termination of employment 9695  
under division (C) of section 3319.081, or section 124.34 of the 9696  
Revised Code. 9697

(B) No person shall be employed as driver of a school bus or 9698  
motor van not subject to the rules of the department of education 9699  
pursuant to division (A) of this section who has not received a 9700  
certificate from the school administrator or contractor certifying 9701  
that such person is at least eighteen years of age, is of good 9702  
moral character, and is qualified physically and otherwise for 9703  
such position. Each driver shall have an annual physical 9704  
examination which conforms to the state highway patrol rules, 9705  
ascertaining the driver's physical fitness for such employment. 9706  
The examination shall be performed by one of the following: 9707

(1) A person licensed under Chapter 4731. of the Revised Code 9708  
or by another state to practice medicine and surgery or 9709  
osteopathic medicine and surgery; 9710

(2) A registered nurse who holds a certificate of authority 9711

issued under Chapter 4723. of the Revised Code to practice as a 9712  
certified nurse practitioner or clinical nurse specialist and is 9713  
practicing pursuant to a standard care arrangement with a 9714  
collaborating physician. 9715

Any certificate may be revoked by the authority granting the 9716  
same on proof that the holder has been guilty of failing to comply 9717  
with division (D)(2) of this section. 9718

(C) Any person who drives a school bus or motor van must give 9719  
satisfactory and sufficient bond except a driver who is an 9720  
employee of a school district and who drives a bus or motor van 9721  
owned by the school district. 9722

(D) No person employed as driver of a school bus or motor van 9723  
under this section who is convicted of a traffic violation or who 9724  
has had the person's commercial driver's license suspended ~~or~~ 9725  
~~revoked~~ shall drive a school bus or motor van until such the 9726  
person has filed a written notice of such the conviction, or 9727  
suspension, ~~or revocation~~ as follows: 9728

(1) If the person is employed under division (A) of this 9729  
section, such the person shall file the notice shall be filed with 9730  
the superintendent, or a person designated by the superintendent, 9731  
of the school district for which such the person drives a school 9732  
bus or motor van as an employee or drives a privately owned and 9733  
operated school bus or motor van under contract. 9734

(2) If employed under division (B) of this section, such the 9735  
person shall file the notice shall be filed with the employing 9736  
school administrator or contractor, or a person designated by the 9737  
administrator or contractor. 9738

(E) In addition to resulting in possible revocation of a 9739  
certificate as authorized by divisions (A) and (B) of this 9740  
section, violation of division (D) of this section is a minor 9741  
misdemeanor. 9742



Sec. 3793.02. (A) The department of alcohol and drug 9743  
addiction services shall promote, assist in developing, and 9744  
coordinate or conduct programs of education and research for the 9745  
prevention of alcohol and drug addiction and for the treatment, 9746  
including intervention, of alcoholics and persons who abuse drugs 9747  
of abuse, including anabolic steroids. Programs established by the 9748  
department shall include abstinence-based prevention and treatment 9749  
programs. 9750

(B) In addition to the other duties prescribed by this 9751  
chapter, the department shall do all of the following: 9752

(1) Promote and coordinate efforts in the provision of 9753  
alcohol and drug addiction services by other state agencies, as 9754  
defined in section 1.60 of the Revised Code; courts; hospitals; 9755  
clinics; physicians in private practice; public health 9756  
authorities; boards of alcohol, drug addiction, and mental health 9757  
services; alcohol and drug addiction programs; law enforcement 9758  
agencies; and related groups; 9759

(2) Provide for education and training in prevention, 9760  
diagnosis, treatment, and control of alcohol and drug addiction 9761  
for medical students, physicians, nurses, social workers, 9762  
professional counselors, psychologists, and other persons who 9763  
provide alcohol and drug addiction services; 9764

(3) Provide training and consultation for persons who 9765  
supervise alcohol and drug addiction programs and facilities; 9766

(4) Develop measures for evaluating the effectiveness of 9767  
alcohol and drug addiction services, including services that use 9768  
methadone treatment, and for increasing the accountability of 9769  
alcohol and drug addiction programs; 9770

(5) Provide to each court of record, and biennially update, a 9771  
list of the treatment and education programs within that court's 9772

jurisdiction that the court may require an offender, sentenced 9773  
pursuant to ~~division (A) of section 4511.99~~ 4511.19 of the Revised 9774  
Code, to attend; 9775

(6) Print and distribute the warning sign described in 9776  
sections 3313.752, 3345.41, and 3707.50 of the Revised Code. 9777

(C) The department may accept and administer grants from 9778  
public or private sources for carrying out any of the duties 9779  
enumerated in this section. 9780

(D) Pursuant to Chapter 119. of the Revised Code, the 9781  
department shall adopt a rule defining the term "intervention" as 9782  
it is used in this chapter in connection with alcohol and drug 9783  
addiction services. The department may adopt other rules as 9784  
necessary to implement the requirements of this chapter. 9785

**Sec. 3793.10.** A drivers' intervention program may be used as 9786  
an alternative to a term of imprisonment for an offender sentenced 9787  
pursuant to division ~~(A)(1)(G)(1)(a)~~ of section ~~4511.99~~ 4511.19 of 9788  
the Revised Code, if it is certified by the director of alcohol 9789  
and drug addiction services pursuant to this section. No drivers' 9790  
intervention program shall be used as an alternative to a term of 9791  
imprisonment that is imposed pursuant to division ~~(A)(2), (3),~~ 9792  
~~(4), (6), (7)~~ (G)(1)(b), (c), (d), or (8)(e) of section ~~4511.99~~ 9793  
4511.19 of the Revised Code. 9794

To qualify for certification by the director and to receive 9795  
funds from the statewide treatment and prevention fund created by 9796  
section 4301.30 of the Revised Code in any amounts and at any 9797  
times that the director determines are appropriate, a drivers' 9798  
intervention program shall meet state minimum standards that the 9799  
director shall establish by rule. The rules shall include, but are 9800  
not limited to, standards governing program course hours and 9801  
content, qualifications of program personnel, methods of 9802  
identifying and testing participants to isolate participants with 9803

alcohol and drug abuse problems, referral of such persons to 9804  
alcohol and drug addiction programs, the prompt notification of 9805  
courts by program operators of the completion of the programs by 9806  
persons required by courts to attend them, and record keeping, 9807  
including methods of tracking participants for a reasonable time 9808  
after they have left the program. 9809

The director shall issue a certificate to any qualified 9810  
drivers' intervention program. The certificate is valid for three 9811  
years. 9812

**Sec. 3937.31.** (A) Every automobile insurance policy shall be 9813  
issued for a period of not less than two years or guaranteed 9814  
renewable for successive policy periods totaling not less than two 9815  
years. Where renewal is mandatory, "cancellation," as used in 9816  
sections 3937.30 to 3937.39 of the Revised Code, includes refusal 9817  
to renew a policy with at least the coverages, included insureds, 9818  
and policy limits provided at the end of the next preceding policy 9819  
period. No insurer may cancel any such policy except pursuant to 9820  
the terms of the policy, and in accordance with sections 3937.30 9821  
to 3937.39 of the Revised Code, and for one or more of the 9822  
following reasons: 9823

(1) Misrepresentation by the insured to the insurer of any 9824  
material fact in the procurement or renewal of the insurance or in 9825  
the submission of claims thereunder; 9826

(2) Loss of driving privileges through suspension, 9827  
~~revocation,~~ or expiration of the driver's or commercial driver's 9828  
license of the named insured or any member of the named insured's 9829  
family covered as a driver; provided that the insurer shall 9830  
continue the policy in effect but exclude by endorsement all 9831  
coverage as to the person whose driver's license has been 9832  
suspended ~~or revoked~~ or has expired, if the person is other than 9833  
the named insured or the principal operator; 9834

(3) Nonpayment of premium, which means failure of the named insured to discharge when due any of the named insured's obligations in connection with the payment of premiums on a policy, or any installment of such premiums, whether the premium is payable directly to the insurer or its agent or indirectly under any premium finance plan or extension of credit;

(4) The place of residence of the insured or the state of registration or license of the insured automobile is changed to a state or country in which the insurer is not authorized to write automobile coverage.

This section does not apply in the case of a cancellation if the insurer has indicated its willingness to issue a new policy within the same insurer or within another insurer under the same ownership or management as that of the insurer that has issued the cancellation.

(B) Sections 3937.30 to 3937.39 of the Revised Code do not prohibit:

(1) Changes in coverage or policy limits, cancellation, or nonrenewal for any reason at the request or with the consent of the insured;

(2) Lawful surcharges, adjustments, or other changes in premium;

(3) Policy modification to all policies issued to a classification of risk which do not effect a withdrawal or reduction in the initial coverage or policy limits;

(4) An insurer's refusing for any reason to renew a policy upon its expiration at the end of any mandatory period, provided such nonrenewal complies with the procedure set forth in section 3937.34 of the Revised Code.

(C) Sections 3937.30 to 3937.39 of the Revised Code do not

apply to any policy or coverage that has been in effect less than 9865  
ninety days at the time notice of cancellation is mailed by the 9866  
insurer, unless it is a renewal policy. 9867

(D) Renewal of a policy does not constitute a waiver or 9868  
estoppel with respect to grounds for cancellation that existed 9869  
before the effective date of such renewal. 9870

(E) Nothing in this section prohibits an insurer from 9871  
incorporating into a policy any changes that are permitted or 9872  
required by this section or other sections of the Revised Code at 9873  
the beginning of any policy period within the two-year period set 9874  
forth in division (A) of this section. 9875

**Sec. 4301.99.** (A) Whoever violates section 4301.47, 4301.48, 9876  
4301.49, 4301.62, or 4301.70 or division (B) of section 4301.691 9877  
of the Revised Code is guilty of a minor misdemeanor. 9878

(B) Whoever violates section 4301.15, division (A)(2) or (D) 9879  
of section 4301.22, division (C), (D), (E), (F), (G), (H), or (I) 9880  
of section 4301.631, or section 4301.64 or 4301.67 of the Revised 9881  
Code is guilty of a misdemeanor of the fourth degree. 9882

If an offender who violates section 4301.64 of the Revised 9883  
Code was under the age of eighteen years at the time of the 9884  
offense, the court, in addition to any other penalties it imposes 9885  
upon the offender, shall suspend the offender's temporary 9886  
instruction permit, probationary driver's license, or driver's 9887  
license for a period of not less than six months and not more than 9888  
one year. If the offender is fifteen years and six months of age 9889  
or older and has not been issued a temporary instruction permit or 9890  
probationary driver's license, the offender shall not be eligible 9891  
to be issued such a license or permit for a period of six months. 9892  
If the offender has not attained the age of fifteen years and six 9893  
months, the offender shall not be eligible to be issued a 9894  
temporary instruction permit until the offender attains the age of 9895

sixteen years. 9896

(C) Whoever violates division (D) of section 4301.21, or 9897  
section 4301.251, 4301.58, 4301.59, 4301.60, 4301.632, 4301.633, 9898  
4301.66, 4301.68, or 4301.74, division (B), (C), (D), (E), or (F) 9899  
of section 4301.69 of the Revised Code, or division (C), (D), (E), 9900  
(F), (G), or (I) of section 4301.691 of the Revised Code is guilty 9901  
of a misdemeanor of the first degree. 9902

If an offender who violates section 4301.632 of the Revised 9903  
Code was under the age of eighteen years at the time of the 9904  
offense and the offense occurred while the offender was the 9905  
operator of or a passenger in a motor vehicle, the court, in 9906  
addition to any other penalties it imposes upon the offender, 9907  
shall suspend the offender's temporary instruction permit or 9908  
probationary driver's license for a period of not less than six 9909  
months and not more than one year. If the offender is fifteen 9910  
years and six months of age or older and has not been issued a 9911  
temporary instruction permit or probationary driver's license, the 9912  
offender shall not be eligible to be issued such a license or 9913  
permit for a period of six months. If the offender has not 9914  
attained the age of fifteen years and six months, the offender 9915  
shall not be eligible to be issued a temporary instruction permit 9916  
until the offender attains the age of sixteen years. 9917

(D) Whoever violates division (B) of section 4301.14, or 9918  
division (A)(1) or (3), (B), or (C) of section 4301.22 of the 9919  
Revised Code is guilty of a misdemeanor of the third degree. 9920

(E) Whoever violates section 4301.63 or division (B) of 9921  
section 4301.631 of the Revised Code shall be fined not less than 9922  
twenty-five nor more than one hundred dollars. The court imposing 9923  
a fine for a violation of section 4301.63 or division (B) of 9924  
section 4301.631 of the Revised Code may order that the fine be 9925  
paid by the performance of public work at a reasonable hourly rate 9926  
established by the court. The court shall designate the time 9927

within which the public work shall be completed. 9928

(F)(1) Whoever violates section 4301.634 of the Revised Code 9929  
is guilty of a misdemeanor of the first degree. If, in committing 9930  
a first violation of that section, the offender presented to the 9931  
permit holder or the permit holder's employee or agent a false, 9932  
fictitious, or altered identification card, a false or fictitious 9933  
driver's license purportedly issued by any state, or a driver's 9934  
license issued by any state that has been altered, the offender is 9935  
guilty of a misdemeanor of the first degree and shall be fined not 9936  
less than two hundred fifty and not more than one thousand 9937  
dollars, and may be sentenced to a term of imprisonment of not 9938  
more than six months. 9939

(2) On a second violation in which, for the second time, the 9940  
offender presented to the permit holder or the permit holder's 9941  
employee or agent a false, fictitious, or altered identification 9942  
card, a false or fictitious driver's license purportedly issued by 9943  
any state, or a driver's license issued by any state that has been 9944  
altered, the offender is guilty of a misdemeanor of the first 9945  
degree and shall be fined not less than five hundred nor more than 9946  
one thousand dollars, and may be sentenced to a term of 9947  
imprisonment of not more than six months. The court also may 9948  
~~suspend~~ impose a class seven suspension of the offender's driver's 9949  
or commercial driver's license or permit or nonresident operating 9950  
privilege ~~or deny the offender the opportunity to be issued a~~ 9951  
~~driver's or commercial driver's license for a period not exceeding~~ 9952  
~~sixty days~~ from the range specified in division (A)(7) of section 9953  
4510.02 of the Revised Code. 9954

(3) On a third or subsequent violation in which, for the 9955  
third or subsequent time, the offender presented to the permit 9956  
holder or the permit holder's employee or agent a false, 9957  
fictitious, or altered identification card, a false or fictitious 9958  
driver's license purportedly issued by any state, or a driver's 9959

license issued by any state that has been altered, the offender is 9960  
guilty of a misdemeanor of the first degree and shall be fined not 9961  
less than five hundred nor more than one thousand dollars, and may 9962  
be sentenced to a term of imprisonment of not more than six 9963  
months. The court also shall ~~suspend~~ impose a class six suspension 9964  
of the offender's driver's or commercial driver's license or 9965  
permit or nonresident operating privilege ~~or deny the offender the~~ 9966  
~~opportunity to be issued a driver's or commercial driver's license~~ 9967  
~~for a period of ninety days~~ from the range specified in division 9968  
(A)(6) of section 4510.02 of the Revised Code, and the court may 9969  
order that the suspension or denial remain in effect until the 9970  
offender attains the age of twenty-one years. The court also may 9971  
order the offender to perform a determinate number of hours of 9972  
community service, with the court determining the actual number of 9973  
hours and the nature of the community service the offender shall 9974  
perform. 9975

(G) Whoever violates section 4301.636 of the Revised Code is 9976  
guilty of a felony of the fifth degree. 9977

(H) Whoever violates division (A)(1) of section 4301.22 of 9978  
the Revised Code is guilty of a misdemeanor, shall be fined not 9979  
less than five hundred and not more than one thousand dollars, 9980  
and, in addition to the fine, may be imprisoned for a definite 9981  
term of not more than sixty days. 9982

(I) Whoever violates division (A) of section 4301.69 or 9983  
division (H) of section 4301.691 of the Revised Code is guilty of 9984  
a misdemeanor, shall be fined not less than five hundred and not 9985  
more than one thousand dollars, and, in addition to the fine, may 9986  
be imprisoned for a definite term of not more than six months. 9987

**Sec. 4501.01.** As used in this chapter and Chapters 4503., 9988  
4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of the 9989  
Revised Code, and in the penal laws, except as otherwise provided: 9990



9991

(A) "Vehicles" means everything on wheels or runners, 9992  
including motorized bicycles, but does not mean vehicles that are 9993  
operated exclusively on rails or tracks or from overhead electric 9994  
trolley wires and vehicles that belong to any police department, 9995  
municipal fire department, or volunteer fire department, or that 9996  
are used by such a department in the discharge of its functions. 9997

(B) "Motor vehicle" means any vehicle, including mobile homes 9998  
and recreational vehicles, that is propelled or drawn by power 9999  
other than muscular power or power collected from overhead 10000  
electric trolley wires. "Motor vehicle" does not include motorized 10001  
bicycles, road rollers, traction engines, power shovels, power 10002  
cranes, and other equipment used in construction work and not 10003  
designed for or employed in general highway transportation, 10004  
well-drilling machinery, ditch-digging machinery, farm machinery, 10005  
trailers that are used to transport agricultural produce or 10006  
agricultural production materials between a local place of storage 10007  
or supply and the farm when drawn or towed on a public road or 10008  
highway at a speed of twenty-five miles per hour or less, 10009  
threshing machinery, hay-baling machinery, corn sheller, 10010  
hammermill and agricultural tractors, machinery used in the 10011  
production of horticultural, agricultural, and vegetable products, 10012  
and trailers that are designed and used exclusively to transport a 10013  
boat between a place of storage and a marina, or in and around a 10014  
marina, when drawn or towed on a public road or highway for a 10015  
distance of no more than ten miles and at a speed of twenty-five 10016  
miles per hour or less. 10017

10018

(C) "Agricultural tractor" and "traction engine" mean any 10019  
self-propelling vehicle that is designed or used for drawing other 10020  
vehicles or wheeled machinery, but has no provisions for carrying 10021  
loads independently of such other vehicles, and that is used 10022

principally for agricultural purposes. 10023

(D) "Commercial tractor," except as defined in division (C) 10024  
of this section, means any motor vehicle that has motive power and 10025  
either is designed or used for drawing other motor vehicles, or is 10026  
designed or used for drawing another motor vehicle while carrying 10027  
a portion of the other motor vehicle or its load, or both. 10028  
10029

(E) "Passenger car" means any motor vehicle that is designed 10030  
and used for carrying not more than nine persons and includes any 10031  
motor vehicle that is designed and used for carrying not more than 10032  
fifteen persons in a ridesharing arrangement. 10033

(F) "Collector's vehicle" means any motor vehicle or 10034  
agricultural tractor or traction engine that is of special 10035  
interest, that has a fair market value of one hundred dollars or 10036  
more, whether operable or not, and that is owned, operated, 10037  
collected, preserved, restored, maintained, or used essentially as 10038  
a collector's item, leisure pursuit, or investment, but not as the 10039  
owner's principal means of transportation. "Licensed collector's 10040  
vehicle" means a collector's vehicle, other than an agricultural 10041  
tractor or traction engine, that displays current, valid license 10042  
tags issued under section 4503.45 of the Revised Code, or a 10043  
similar type of motor vehicle that displays current, valid license 10044  
tags issued under substantially equivalent provisions in the laws 10045  
of other states. 10046

(G) "Historical motor vehicle" means any motor vehicle that 10047  
is over twenty-five years old and is owned solely as a collector's 10048  
item and for participation in club activities, exhibitions, tours, 10049  
parades, and similar uses, but that in no event is used for 10050  
general transportation. 10051

(H) "Noncommercial motor vehicle" means any motor vehicle, 10052  
including a farm truck as defined in section 4503.04 of the 10053

Revised Code, that is designed by the manufacturer to carry a load 10054  
of no more than one ton and is used exclusively for purposes other 10055  
than engaging in business for profit. 10056

(I) "Bus" means any motor vehicle that has motor power and is 10057  
designed and used for carrying more than nine passengers, except 10058  
any motor vehicle that is designed and used for carrying not more 10059  
than fifteen passengers in a ridesharing arrangement. 10060

(J) "Commercial car" or "truck" means any motor vehicle that 10061  
has motor power and is designed and used for carrying merchandise 10062  
or freight, or that is used as a commercial tractor. 10063

(K) "Bicycle" means every device, other than a tricycle that 10064  
is designed solely for use as a play vehicle by a child, that is 10065  
propelled solely by human power upon which any person may ride, 10066  
and that has either two tandem wheels, or one wheel in front and 10067  
two wheels in the rear, any of which is more than fourteen inches 10068  
in diameter. 10069

(L) "Motorized bicycle" means any vehicle that either has two 10070  
tandem wheels or one wheel in the front and two wheels in the 10071  
rear, that is capable of being pedaled, and that is equipped with 10072  
a helper motor of not more than fifty cubic centimeters piston 10073  
displacement that produces no more than one brake horsepower and 10074  
is capable of propelling the vehicle at a speed of no greater than 10075  
twenty miles per hour on a level surface. 10076

(M) "Trailer" means any vehicle without motive power that is 10077  
designed or used for carrying property or persons wholly on its 10078  
own structure and for being drawn by a motor vehicle, and includes 10079  
any such vehicle that is formed by or operated as a combination of 10080  
a semitrailer and a vehicle of the dolly type such as that 10081  
commonly known as a trailer dolly, a vehicle used to transport 10082  
agricultural produce or agricultural production materials between 10083  
a local place of storage or supply and the farm when drawn or 10084

towed on a public road or highway at a speed greater than 10085  
twenty-five miles per hour, and a vehicle that is designed and 10086  
used exclusively to transport a boat between a place of storage 10087  
and a marina, or in and around a marina, when drawn or towed on a 10088  
public road or highway for a distance of more than ten miles or at 10089  
a speed of more than twenty-five miles per hour. "Trailer" does 10090  
not include a manufactured home or travel trailer. 10091

10092

(N) "Noncommercial trailer" means any trailer, except a 10093  
travel trailer or trailer that is used to transport a boat as 10094  
described in division (B) of this section, but, where applicable, 10095  
includes a vehicle that is used to transport a boat as described 10096  
in division (M) of this section, that has a gross weight of no 10097  
more than three thousand pounds, and that is used exclusively for 10098  
purposes other than engaging in business for a profit. 10099

(O) "Mobile home" means a building unit or assembly of closed 10100  
construction that is fabricated in an off-site facility, is more 10101  
than thirty-five body feet in length or, when erected on site, is 10102  
three hundred twenty or more square feet, is built on a permanent 10103  
chassis, is transportable in one or more sections, and does not 10104  
qualify as a manufactured home as defined in division (C)(4) of 10105  
section 3781.06 of the Revised Code or as an industrialized unit 10106  
as defined in division (C)(3) of section 3781.06 of the Revised 10107  
Code. 10108

(P) "Semitrailer" means any vehicle of the trailer type that 10109  
does not have motive power and is so designed or used with another 10110  
and separate motor vehicle that in operation a part of its own 10111  
weight or that of its load, or both, rests upon and is carried by 10112  
the other vehicle furnishing the motive power for propelling 10113  
itself and the vehicle referred to in this division, and includes, 10114  
for the purpose only of registration and taxation under those 10115  
chapters, any vehicle of the dolly type, such as a trailer dolly, 10116

that is designed or used for the conversion of a semitrailer into 10117  
a trailer. 10118

(Q) "Recreational vehicle" means a vehicular portable 10119  
structure that meets all of the following conditions: 10120

(1) It is designed for the sole purpose of recreational 10121  
travel. 10122

(2) It is not used for the purpose of engaging in business 10123  
for profit. 10124

(3) It is not used for the purpose of engaging in intrastate 10125  
commerce. 10126

(4) It is not used for the purpose of commerce as defined in 10127  
49 C.F.R. 383.5, as amended. 10128

(5) It is not regulated by the public utilities commission 10129  
pursuant to Chapter 4919., 4921., or 4923. of the Revised Code. 10130

(6) It is classed as one of the following: 10131

(a) "Travel trailer" means a nonself-propelled recreational 10132  
vehicle that does not exceed an overall length of thirty-five 10133  
feet, exclusive of bumper and tongue or coupling, and contains 10134  
less than three hundred twenty square feet of space when erected 10135  
on site. "Travel trailer" includes a tent-type fold-out camping 10136  
trailer as defined in section 4517.01 of the Revised Code. 10137

(b) "Motor home" means a self-propelled recreational vehicle 10138  
that has no fifth wheel and is constructed with permanently 10139  
installed facilities for cold storage, cooking and consuming of 10140  
food, and for sleeping. 10141

(c) "Truck camper" means a nonself-propelled recreational 10142  
vehicle that does not have wheels for road use and is designed to 10143  
be placed upon and attached to a motor vehicle. "Truck camper" 10144  
does not include truck covers that consist of walls and a roof, 10145  
but do not have floors and facilities enabling them to be used as 10146

a dwelling. 10147

(d) "Fifth wheel trailer" means a vehicle that is of such 10148  
size and weight as to be movable without a special highway permit, 10149  
that has a gross trailer area of four hundred square feet or less, 10150  
that is constructed with a raised forward section that allows a 10151  
bi-level floor plan, and that is designed to be towed by a vehicle 10152  
equipped with a fifth-wheel hitch ordinarily installed in the bed 10153  
of a truck. 10154

(e) "Park trailer" means a vehicle that is commonly known as 10155  
a park model recreational vehicle, meets the American national 10156  
standard institute standard A119.5 (1988) for park trailers, is 10157  
built on a single chassis, has a gross trailer area of four 10158  
hundred square feet or less when set up, is designed for seasonal 10159  
or temporary living quarters, and may be connected to utilities 10160  
necessary for the operation of installed features and appliances. 10161

(R) "Pneumatic tires" means tires of rubber and fabric or 10162  
tires of similar material, that are inflated with air. 10163

(S) "Solid tires" means tires of rubber or similar elastic 10164  
material that are not dependent upon confined air for support of 10165  
the load. 10166

(T) "Solid tire vehicle" means any vehicle that is equipped 10167  
with two or more solid tires. 10168

(U) "Farm machinery" means all machines and tools that are 10169  
used in the production, harvesting, and care of farm products, and 10170  
includes trailers that are used to transport agricultural produce 10171  
or agricultural production materials between a local place of 10172  
storage or supply and the farm when drawn or towed on a public 10173  
road or highway at a speed of twenty-five miles per hour or less. 10174  
10175

(V) "Owner" includes any person or firm, other than a 10176  
manufacturer or dealer, that has title to a motor vehicle, except 10177

that, in sections 4505.01 to 4505.19 of the Revised Code, "owner" 10178  
includes in addition manufacturers and dealers. 10179

(W) "Manufacturer" and "dealer" include all persons and firms 10180  
that are regularly engaged in the business of manufacturing, 10181  
selling, displaying, offering for sale, or dealing in motor 10182  
vehicles, at an established place of business that is used 10183  
exclusively for the purpose of manufacturing, selling, displaying, 10184  
offering for sale, or dealing in motor vehicles. A place of 10185  
business that is used for manufacturing, selling, displaying, 10186  
offering for sale, or dealing in motor vehicles shall be deemed to 10187  
be used exclusively for those purposes even though snowmobiles or 10188  
all-purpose vehicles are sold or displayed for sale thereat, even 10189  
though farm machinery is sold or displayed for sale thereat, or 10190  
even though repair, accessory, gasoline and oil, storage, parts, 10191  
service, or paint departments are maintained thereat, or, in any 10192  
county having a population of less than seventy-five thousand at 10193  
the last federal census, even though a department in a place of 10194  
business is used to dismantle, salvage, or rebuild motor vehicles 10195  
by means of used parts, if such departments are operated for the 10196  
purpose of furthering and assisting in the business of 10197  
manufacturing, selling, displaying, offering for sale, or dealing 10198  
in motor vehicles. Places of business or departments in a place of 10199  
business used to dismantle, salvage, or rebuild motor vehicles by 10200  
means of using used parts are not considered as being maintained 10201  
for the purpose of assisting or furthering the manufacturing, 10202  
selling, displaying, and offering for sale or dealing in motor 10203  
vehicles. 10204

(X) "Operator" includes any person who drives or operates a 10206  
motor vehicle upon the public highways. 10207

(Y) "Chauffeur" means any operator who operates a motor 10208  
vehicle, other than a taxicab, as an employee for hire; or any 10209

operator whether or not the owner of a motor vehicle, other than a 10210  
taxicab, who operates such vehicle for transporting, for gain, 10211  
compensation, or profit, either persons or property owned by 10212  
another. Any operator of a motor vehicle who is voluntarily 10213  
involved in a ridesharing arrangement is not considered an 10214  
employee for hire or operating such vehicle for gain, 10215  
compensation, or profit. 10216

(Z) "State" includes the territories and federal districts of 10217  
the United States, and the provinces of Canada. 10218

(AA) "Public roads and highways" for vehicles includes all 10219  
public thoroughfares, bridges, and culverts. 10220

(BB) "Manufacturer's number" means the manufacturer's 10221  
original serial number that is affixed to or imprinted upon the 10222  
chassis or other part of the motor vehicle. 10223

(CC) "Motor number" means the manufacturer's original number 10224  
that is affixed to or imprinted upon the engine or motor of the 10225  
vehicle. 10226

(DD) "Distributor" means any person who is authorized by a 10227  
motor vehicle manufacturer to distribute new motor vehicles to 10228  
licensed motor vehicle dealers at an established place of business 10229  
that is used exclusively for the purpose of distributing new motor 10230  
vehicles to licensed motor vehicle dealers, except when the 10231  
distributor also is a new motor vehicle dealer, in which case the 10232  
distributor may distribute at the location of the distributor's 10233  
licensed dealership. 10234

(EE) "Ridesharing arrangement" means the transportation of 10235  
persons in a motor vehicle where the transportation is incidental 10236  
to another purpose of a volunteer driver and includes ridesharing 10237  
arrangements known as carpools, vanpools, and buspools. 10238

(FF) "Apportionable vehicle" means any vehicle that is used 10239  
or intended for use in two or more international registration plan 10240



member jurisdictions that allocate or proportionally register 10241  
vehicles, that is used for the transportation of persons for hire 10242  
or designed, used, or maintained primarily for the transportation 10243  
of property, and that meets any of the following qualifications: 10244  
10245

(1) Is a power unit having a gross vehicle weight in excess 10246  
of twenty-six thousand pounds; 10247

(2) Is a power unit having three or more axles, regardless of 10248  
the gross vehicle weight; 10249

(3) Is a combination vehicle with a gross vehicle weight in 10250  
excess of twenty-six thousand pounds. 10251

"Apportionable vehicle" does not include recreational 10252  
vehicles, vehicles displaying restricted plates, city pick-up and 10253  
delivery vehicles, buses used for the transportation of chartered 10254  
parties, or vehicles owned and operated by the United States, this 10255  
state, or any political subdivisions thereof. 10256

(GG) "Chartered party" means a group of persons who contract 10257  
as a group to acquire the exclusive use of a passenger-carrying 10258  
motor vehicle at a fixed charge for the vehicle in accordance with 10259  
the carrier's tariff, lawfully on file with the United States 10260  
department of transportation, for the purpose of group travel to a 10261  
specified destination or for a particular itinerary, either agreed 10262  
upon in advance or modified by the chartered group after having 10263  
left the place of origin. 10264

(HH) "International registration plan" means a reciprocal 10265  
agreement of member jurisdictions that is endorsed by the American 10266  
association of motor vehicle administrators, and that promotes and 10267  
encourages the fullest possible use of the highway system by 10268  
authorizing apportioned registration of fleets of vehicles and 10269  
recognizing registration of vehicles apportioned in member 10270  
jurisdictions. 10271

(II) "Restricted plate" means a license plate that has a 10272  
restriction of time, geographic area, mileage, or commodity, and 10273  
includes license plates issued to farm trucks under division (K) 10274  
of section 4503.04 of the Revised Code. 10275

(JJ) "Gross vehicle weight," with regard to any commercial 10276  
car, trailer, semitrailer, or bus that is taxed at the rates 10277  
established under section 4503.042 of the Revised Code, means the 10278  
unladen weight of the vehicle fully equipped plus the maximum 10279  
weight of the load to be carried on the vehicle. 10280

(KK) "Combined gross vehicle weight" with regard to any 10281  
combination of a commercial car, trailer, and semitrailer, that is 10282  
taxed at the rates established under section 4503.042 of the 10283  
Revised Code, means the total unladen weight of the combination of 10284  
vehicles fully equipped plus the maximum weight of the load to be 10285  
carried on that combination of vehicles. 10286

(LL) "Chauffeured limousine" means a motor vehicle that is 10287  
designed to carry nine or fewer passengers and is operated for 10288  
hire on an hourly basis pursuant to a prearranged contract for the 10289  
transportation of passengers on public roads and highways along a 10290  
route under the control of the person hiring the vehicle and not 10291  
over a defined and regular route. "Prearranged contract" means an 10292  
agreement, made in advance of boarding, to provide transportation 10293  
from a specific location in a chauffeured limousine at a fixed 10294  
rate per hour or trip. "Chauffeured limousine" does not include 10295  
any vehicle that is used exclusively in the business of funeral 10296  
directing. 10297

(MM) "Manufactured home" has the same meaning as in division 10298  
(C)(4) of section 3781.06 of the Revised Code. 10299

(NN) "Acquired situs," with respect to a manufactured home or 10300  
a mobile home, means to become located in this state by the 10301  
placement of the home on real property, but does not include the 10302

placement of a manufactured home or a mobile home in the inventory 10303  
of a new motor vehicle dealer or the inventory of a manufacturer, 10304  
remanufacturer, or distributor of manufactured or mobile homes. 10305

10306

(OO) "Electronic" includes electrical, digital, magnetic, 10307  
optical, electromagnetic, or any other form of technology that 10308  
entails capabilities similar to these technologies. 10309

(PP) "Electronic record" means a record generated, 10310  
communicated, received, or stored by electronic means for use in 10311  
an information system or for transmission from one information 10312  
system to another. 10313

(QQ) "Electronic signature" means a signature in electronic 10314  
form attached to or logically associated with an electronic 10315  
record. 10316

(RR) "Financial transaction device" has the same meaning as 10317  
in division (A) of section 113.40 of the Revised Code. 10318

(SS) "Electronic motor vehicle dealer" means a motor vehicle 10319  
dealer licensed under Chapter 4517. of the Revised Code whom the 10320  
registrar of motor vehicles determines meets the criteria 10321  
designated in section 4503.035 of the Revised Code for electronic 10322  
motor vehicle dealers and designates as an electronic motor 10323  
vehicle dealer under that section. 10324

(TT) "Limited driving privileges" means the privilege to 10325  
operate a motor vehicle that a court grants under section 4510.021 10326  
of the Revised Code to a person whose driver's or commercial 10327  
driver's license or permit or nonresident operating privilege has 10328  
been suspended. 10329

**Sec. 4501.022.** (A) The registrar of motor vehicles shall 10330  
determine the necessary or appropriate method by which written 10331  
notice of an order ~~revoking~~ or suspending a motor vehicle driver's 10332

or commercial driver's license or requiring the surrender of a 10333  
certificate of registration and registration plates may be 10334  
provided to the person holding the license or the certificate of 10335  
registration and registration plates. Division (A) of this section 10336  
does not apply if the registrar is required to provide 10337  
notification by use of a method specified by law. 10338

(B) Pursuant to rules adopted by the registrar, the bureau of 10339  
motor vehicles shall implement proof of mailing procedures to 10340  
provide verification that written notice of an order ~~revoking or~~ 10341  
suspending a motor vehicle driver's or commercial driver's license 10342  
or requiring the surrender of a certificate of registration and 10343  
registration plates was sent to the person holding the license or 10344  
the certificate of registration and registration plates. 10345

**Sec. 4501.17.** There is hereby created in the state treasury 10346  
the ~~OMVI~~ OVI fines fund. The fund shall consist of fine money 10347  
received by the state highway patrol pursuant to ~~division (A) of~~ 10348  
section ~~4511.99~~ 4511.19 of the Revised Code, and shall be used by 10349  
the state highway patrol to enforce that section ~~4511.19 of the~~ 10350  
~~Revised Code~~ and to conduct programs to inform the public of the 10351  
dangers of, and laws governing, the operation of motor vehicles 10352  
while under the influence of alcohol. 10353

**Sec. 4501.19.** There is hereby created in the state treasury 10354  
the law enforcement reimbursement fund. The law enforcement 10355  
reimbursement fund shall consist of fees collected by the 10356  
registrar of motor vehicles under division (A) ~~(6)~~ (5) of section 10357  
4503.233 of the Revised Code, and shall be used to make payments 10358  
to law enforcement agencies in accordance with that division. 10359  
However, the director of budget and management may transfer excess 10360  
money from the law enforcement reimbursement fund to the bureau of 10361  
motor vehicles fund created in section 4501.25 of the Revised Code 10362  
if the registrar determines that the amount of money in the law 10363

enforcement reimbursement fund exceeds the amounts required to be 10364  
paid by division (A)~~(6)~~(5) of section 4503.233 of the Revised 10365  
Code, and the registrar requests the director to make the 10366  
transfer. All investment earnings of the law enforcement 10367  
reimbursement fund shall be credited to the fund. 10368

**Sec. 4501.25.** There is hereby created in the state treasury 10369  
the state bureau of motor vehicles fund. The fund shall consist of 10370  
all money collected by the registrar of motor vehicles, including 10371  
taxes, fees, and fines levied, charged, or referred to in Chapters 10372  
4501., 4503., 4505., 4506., 4507., 4509., 4510., 4511., 4517., 10373  
4519., and 4521., and sections 3123.59, 2935.27, 2937.221, 10374  
4738.06, 4738.13, and 4738.18 of the Revised Code unless otherwise 10375  
designated by law. The fund shall be used to pay the expenses of 10376  
administering the law relative to the powers and duties of the 10377  
registrar of motor vehicles. All investment earnings of the fund 10378  
shall be retained by the fund. 10379

**Sec. ~~4507.25~~ 4501.34.** (A) The registrar of motor vehicles may 10380  
adopt and publish rules to govern ~~his~~ the registrar's proceedings. 10381  
All proceedings of the registrar shall be open to the public, and 10382  
all documents in ~~his~~ the registrar's possession ~~shall be~~ are 10383  
public records. ~~He~~ The registrar shall adopt a seal bearing the 10384  
inscription: "Motor Vehicle Registrar of Ohio." The seal shall be 10385  
affixed to all writs and authenticated copies of records, and, 10386  
when it has been so attached, ~~such~~ the copies shall be received in 10387  
evidence with the same effect as other public records. All courts 10388  
shall take judicial notice of the seal. 10389

(B) Upon the request of any person accompanied by a 10390  
nonrefundable fee of two dollars per name, the registrar may 10391  
furnish lists of names and addresses as they appear upon the 10392  
applications for driver's licenses, provided that any further 10393  
information contained in the applications shall not be disclosed. 10394

~~All~~ The registrar shall pay all the fees collected ~~shall be paid~~ 10395  
~~by the registrar~~ into the state treasury to the credit of the 10396  
state bureau of motor vehicles fund established in section 4501.25 10397  
of the Revised Code. 10398

This division does not apply to the list of qualified driver 10399  
licensees required to be compiled and filed pursuant to section 10400  
2313.06 of the Revised Code. 10401

**Sec. ~~4507.26~~ 4501.351.** An order, except an order relating to 10402  
a license as defined in section 119.01 of the Revised Code, made 10403  
by the registrar of motor vehicles may be reversed, vacated, or 10404  
modified by the court of common pleas of Franklin county, or by 10405  
the court of common pleas in the county in which the party 10406  
affected is a resident, or in which the matter complained of 10407  
arose. 10408

**Sec. ~~4507.27~~ 4501.36.** A proceeding to obtain the reversal, 10409  
vacation, or modification of an order of the registrar of motor 10410  
vehicles shall be by appeal~~7~~. Any party to the proceedings before 10411  
the registrar shall file notice of ~~which shall be filed~~ the appeal 10412  
in the court of common pleas on or before the expiration of thirty 10413  
days from date of entry of ~~such~~ the order, ~~by any party to the~~ 10414  
~~proceedings before the registrar. Such.~~ The court shall set ~~such~~ 10415  
the appeal for hearing and take ~~such~~ any testimony as is necessary 10416  
to decide the matter. ~~At~~ The court shall give the registrar at 10417  
least ten days' notice of the time and place of ~~such~~ the hearing 10418  
~~shall be given to the registrar.~~ 10419

**Sec. ~~4507.28~~ 4501.37.** No court may reverse, suspend, or delay 10420  
any order made by the registrar of motor vehicles, or enjoin, 10421  
restrain, or interfere with the registrar or a deputy registrar in 10422  
the performance of official duties, except as provided in ~~sections~~ 10423  
~~4507.01 to 4507.39, inclusive,~~ this chapter and Chapter 4507. or 10424

4510. of the Revised Code. 10425

**Sec. ~~4507.29~~ 4501.38.** Upon the request of the registrar of 10426  
motor vehicles, the prosecuting attorney of the county in which 10427  
any proceedings are pending, shall aid in any investigation, 10428  
prosecution, hearing, or trial ~~had held~~ under ~~sections 4507.01 to~~ 10429  
~~4507.39,~~ this chapter or Chapter 4506., 4507., 4510., or 4511. of 10430  
the Revised Code, and shall institute and prosecute ~~such any~~ 10431  
actions or proceedings for the enforcement of ~~such the~~ sections 10432  
contained in those chapters, and for the punishment of all 10433  
violations ~~thereof of those sections,~~ as the registrar directs. 10434

**Sec. 4503.033.** (A) Annually, on or before the thirty-first 10435  
day of January, every deputy registrar shall file with the 10436  
registrar of motor vehicles on a form prescribed by the registrar, 10437  
a statement disclosing all of the following: 10438

(1) The name of the person filing the statement, and, if 10439  
applicable, of his spouse and of members of his immediate family; 10440

(2) Any contribution made within the previous calendar year 10441  
by the person and, if applicable, by his spouse and by members of 10442  
his immediate family to each of the following: 10443

(a) Any political party; 10444

(b) Any candidate for the office of governor, attorney 10445  
general, secretary of state, treasurer of state, auditor of state, 10446  
member of the senate or house of representatives of the general 10447  
assembly, or to the campaign committee of any such candidate. 10448

(3) The month, day, and year in which the contribution was 10449  
made; 10450

(4) The full name and address of each person, political 10451  
party, or campaign committee to which a contribution was made; 10452

(5) The value in dollars and cents of the contribution. 10453

(B) No person shall knowingly fail to file, on or before the filing deadline under this section, a statement that is required by division (A) of this section. 10454  
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(C) No person shall knowingly make a false statement in a statement that is required to be filed under division (A) of this section. 10457  
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(D) On and after ~~the effective date of this amendment~~ March 2, 1994, the statement required by division (A) of this section shall be accompanied by a filing fee of twenty-five dollars. If the statement required by division (A) of this section is not filed by the date on which it is required to be filed, the registrar of motor vehicles shall assess a late filing fee as prescribed in division (F) of section 102.02 of the Revised Code. The registrar shall deposit all fees he receives under this division into the general revenue fund of the state. 10460  
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(E) Not later than the date a deputy registrar is required to file a statement under division (A) of this section, the deputy registrar shall file a copy of the statement with the office of the secretary of state. The secretary of state shall keep the copies of all statements filed with his office under this division only for the purpose of making them available for public inspection. 10469  
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(F) Whoever violates division (B) of this section shall be fined one thousand dollars. Whoever violates division (C) of this section shall be fined ten thousand dollars. 10476  
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**Sec. 4503.05.** (A) No person shall use a motor vehicle registered as a noncommercial motor vehicle ~~as defined in section 4501.01 of the Revised Code~~ for other than the purposes set forth in ~~that~~ section 4501.01 of the Revised Code. 10479  
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(B) Whoever violates this section is guilty of a misdemeanor 10483



of the fourth degree. 10484

**Sec. 4503.061.** (A) All manufactured and mobile homes shall be 10485  
listed on either the real property tax list or the manufactured 10486  
home tax list of the county in which the home has situs. Each 10487  
owner shall follow the procedures in this section to identify the 10488  
home to the county auditor of the county containing the taxing 10489  
district in which the home has situs so that the auditor may place 10490  
the home on the appropriate tax list. 10491

(B) When a manufactured or mobile home first acquires situs 10492  
in this state and is subject to real property taxation pursuant to 10493  
division (B)(1) or (2) of section 4503.06 of the Revised Code, the 10494  
owner shall present to the auditor of the county containing the 10495  
taxing district in which the home has its situs the certificate of 10496  
title for the home, together with proof that all taxes due have 10497  
been paid and proof that a relocation notice was obtained for the 10498  
home if required under this section. Upon receiving the 10499  
certificate of title and the required proofs, the auditor shall 10500  
place the home on the real property tax list and proceed to treat 10501  
the home as other properties on that list. After the auditor has 10502  
placed the home on the tax list of real and public utility 10503  
property, the auditor shall deliver the certificate of title to 10504  
the clerk of the court of common pleas that issued it pursuant to 10505  
section 4505.11 of the Revised Code, and the clerk shall 10506  
inactivate the certificate of title. 10507

(C)(1) When a manufactured or mobile home subject to a 10508  
manufactured home tax is relocated to or first acquires situs in 10509  
any county that has adopted a permanent manufactured home 10510  
registration system, as provided in division (F) of this section, 10511  
the owner, within thirty days after the home is relocated or first 10512  
acquires situs under section 4503.06 of the Revised Code, shall 10513  
register the home with the county auditor of the county containing 10514

the taxing district in which the home has its situs. For the first 10515  
registration in each county of situs, the owner or vendee in 10516  
possession shall present to the county auditor an Ohio certificate 10517  
of title, certified copy of the certificate of title, or 10518  
memorandum certificate of title as such are required by law, and 10519  
proof, as required by the county auditor, that the home, if it has 10520  
previously been occupied and is being relocated, has been 10521  
previously registered, that all taxes due and required to be paid 10522  
under division (H)(1) of this section before a relocation notice 10523  
may be issued have been paid, and that a relocation notice was 10524  
obtained for the home if required by division (H) of this section. 10525  
If the owner or vendee does not possess the Ohio certificate of 10526  
title, certified copy of the certificate of title, or memorandum 10527  
certificate of title at the time the owner or vendee first 10528  
registers the home in a county, the county auditor shall register 10529  
the home without presentation of the document, but the owner or 10530  
vendee shall present the certificate of title, certified copy of 10531  
the certificate of title, or memorandum certificate of title to 10532  
the county auditor within fourteen days after the owner or vendee 10533  
obtains possession of the document. 10534

(2) When a manufactured or mobile home is registered for the 10535  
first time in a county and when the total tax due has been paid as 10536  
required by division (F) of section 4503.06 of the Revised Code or 10537  
divisions (E) and (H) of this section, the county treasurer shall 10538  
note by writing or by a stamp on the certificate of title, 10539  
certified copy of certificate of title, or memorandum certificate 10540  
of title that the home has been registered and that the taxes due, 10541  
if any, have been paid for the preceding five years and for the 10542  
current year. The treasurer shall then issue a certificate 10543  
evidencing registration and a decal to be displayed on the street 10544  
side of the home. Such certificate is valid in any county in this 10545  
state during the year for which it is issued. 10546

(3) For each year thereafter, the county treasurer shall 10547  
issue a tax bill stating the amount of tax due under section 10548  
4503.06 of the Revised Code, as provided in division (D)(6) of 10549  
that section. When the total tax due has been paid as required by 10550  
division (F) of section 4503.06 of the Revised Code, the county 10551  
treasurer shall issue a certificate evidencing registration that 10552  
shall be valid in any county in this state during the year for 10553  
which the certificate is issued. 10554

(4) The permanent decal issued under this division is valid 10555  
during the period of ownership, except that when a manufactured 10556  
home is relocated in another county the owner shall apply for a 10557  
new registration as required by this section and section 4503.06 10558  
of the Revised Code. 10559

(D)(1) All owners of manufactured or mobile homes subject to 10560  
the manufactured home tax being relocated to or having situs in a 10561  
county that has not adopted a permanent registration system, as 10562  
provided in division (F) of this section, shall register the home 10563  
within thirty days after the home is relocated or first acquires 10564  
situs under section 4503.06 of the Revised Code and thereafter 10565  
shall annually register the home with the county auditor of the 10566  
county containing the taxing district in which the home has its 10567  
situs. 10568

(2) Upon the annual registration, the county treasurer shall 10569  
issue a tax bill stating the amount of annual manufactured home 10570  
tax due under section 4503.06 of the Revised Code, as provided in 10571  
division (D)(6) of that section. When a manufactured or mobile 10572  
home is registered and when the tax for the current one-half year 10573  
has been paid as required by division (F) of section 4503.06 of 10574  
the Revised Code, the county treasurer shall issue a certificate 10575  
evidencing registration and a decal. Such certificate and decal 10576  
are valid in any county in this state during the year for which 10577  
they are issued. The decal shall be displayed on the street side 10578

of the home. 10579

(3) For the first annual registration in each county of 10580  
situs, the county auditor shall require the owner or vendee to 10581  
present an Ohio certificate of title, certified copy of the 10582  
certificate of title, or memorandum certificate of title as such 10583  
are required by law, and proof, as required by the county auditor, 10584  
that the manufactured or mobile home has been previously 10585  
registered, if such registration was required, that all taxes due 10586  
and required to be paid under division (H)(1) of this section 10587  
before a relocation notice may be issued have been paid, and that 10588  
a relocation notice was obtained for the home if required by 10589  
division (H) of this section. If the owner or vendee does not 10590  
possess the Ohio certificate of title, certified copy of the 10591  
certificate of title, or memorandum certificate of title at the 10592  
time the owner or vendee first registers the home in a county, the 10593  
county auditor shall register the home without presentation of the 10594  
document, but the owner or vendee shall present the certificate of 10595  
title, certified copy of the certificate of title, or memorandum 10596  
certificate of title to the county auditor within fourteen days 10597  
after the owner or vendee obtains possession of the document. When 10598  
the county treasurer receives the tax payment, the county 10599  
treasurer shall note by writing or by a stamp on the certificate 10600  
of title, certified copy of the certificate of title, or 10601  
memorandum certificate of title that the home has been registered 10602  
for the current year and that the manufactured home taxes due, if 10603  
any, have been paid for the preceding five years and for the 10604  
current year. 10605

(4) For subsequent annual registrations, the auditor may 10606  
require the owner or vendee in possession to present an Ohio 10607  
certificate of title, certified copy of the certificate of title, 10608  
or memorandum certificate of title to the county treasurer upon 10609  
payment of the manufactured home tax that is due. 10610

(E)(1) Upon the application to transfer ownership of a manufactured or mobile home for which manufactured home taxes are paid pursuant to division (C) of section 4503.06 of the Revised Code the clerk of the court of common pleas shall not issue any certificate of title that does not contain or have attached both of the following:

(a) An endorsement of the county treasurer stating that the home has been registered for each year of ownership and that all manufactured home taxes imposed pursuant to section 4503.06 of the Revised Code have been paid or that no tax is due;

(b) An endorsement of the county auditor that the manufactured home transfer tax imposed pursuant to section 322.06 of the Revised Code and any fees imposed under division (F) of section 319.54 of the Revised Code have been paid.

(2) If all the taxes have not been paid, the clerk shall notify the vendee to contact the county treasurer of the county containing the taxing district in which the home has its situs at the time of the proposed transfer. The county treasurer shall then collect all the taxes that are due for the year of the transfer and all previous years not exceeding a total of five years. The county treasurer shall distribute that part of the collection owed to the county treasurer of other counties if the home had its situs in another county during a particular year when the unpaid tax became due and payable. The burden to prove the situs of the home in the years that the taxes were not paid is on the transferor of the home. Upon payment of such taxes, the county auditor shall remove all remaining taxes from the manufactured home tax list and the delinquent manufactured home tax list, and the county treasurer shall release all liens for such taxes. The clerk of courts shall issue a certificate of title, free and clear of all liens for manufactured home taxes, to the transferee of the home.

(3) Once the transfer is complete and the certificate of title has been issued, the transferee shall register the manufactured or mobile home pursuant to division (C) or (D) of this section with the county auditor of the county containing the taxing district in which the home remains after the transfer or, if the home is relocated to another county, with the county auditor of the county to which the home is relocated. The transferee need not pay the annual tax for the year of acquisition if the original owner has already paid the annual tax for that year.

(F) The county auditor may adopt a permanent registration system and issue a permanent decal with the first registration as prescribed by the tax commissioner.

(G) When any manufactured or mobile home required to be registered by this section is not registered, the county auditor shall impose a penalty of one hundred dollars upon the owner and deposit the amount to the credit of the county real estate assessment fund to be used to pay the costs of administering this section and section 4503.06 of the Revised Code. If unpaid, the penalty shall constitute a lien on the home and shall be added by the county auditor to the manufactured home tax list for collection.

(H)(1) Before moving a manufactured or mobile home on public roads from one address within this state to another address within or outside this state, the owner of the home shall obtain a relocation notice, as provided by this section, from the auditor of the county in which the home is located if the home is currently subject to taxation pursuant to section 4503.06 of the Revised Code. The auditor shall charge five dollars for the notice, and deposit the amount to the credit of the county real estate assessment fund to be used to pay the costs of administering this section and section 4503.06 of the Revised

Code. The auditor shall not issue a relocation notice unless all 10675  
taxes owed on the home under section 4503.06 of the Revised Code 10676  
that were first charged to the home during the period of ownership 10677  
of the owner seeking the relocation notice have been paid. If the 10678  
home is being moved by a new owner of the home or by a party 10679  
taking repossession of the home, the auditor shall not issue a 10680  
relocation notice unless all of the taxes due for the preceding 10681  
five years and for the current year have been paid. A relocation 10682  
notice issued by a county auditor is valid until the last day of 10683  
December of the year in which it was issued. 10684

(2) If a manufactured or mobile home is not yet subject to 10685  
taxation under section 4503.06 of the Revised Code, the owner of 10686  
the home shall obtain a relocation notice from the dealer of the 10687  
home. Within thirty days after the manufactured or mobile home is 10688  
purchased, the dealer of the home shall provide the auditor of the 10689  
county in which the home is to be located written notice of the 10690  
name of the purchaser of the home, the registration number or 10691  
vehicle identification number of the home, and the address or 10692  
location to which the home is to be moved. The county auditor 10693  
shall provide to each manufactured and mobile home dealer, without 10694  
charge, a supply of relocation notices to be distributed to 10695  
purchasers pursuant to this section. 10696

(3) The notice shall be in the form of a one-foot square 10697  
yellow sign with the words "manufactured home relocation notice" 10698  
printed prominently on it. The name of the owner of the home, the 10699  
home's registration number or vehicle identification number, the 10700  
county and the address or location to which the home is being 10701  
moved, and the county in which the notice is issued shall also be 10702  
entered on the notice. 10703

(4) The relocation notice must be attached to the rear of the 10704  
home when the home is being moved on a public road. Except as 10705  
provided in division (H)(5) of this section, no person shall drive 10706

a motor vehicle moving a manufactured or mobile home on a public road from one address to another address within this state unless a relocation notice is attached to the rear of the home.

(5) If the county auditor determines that a manufactured or mobile home has been moved without a relocation notice as required under this division, the auditor shall impose a penalty of one hundred dollars upon the owner of the home and upon the person who moved the home and deposit the amount to the credit of the county real estate assessment fund to pay the costs of administering this section and section 4503.06 of the Revised Code. If the home was relocated from one county in this state to another county in this state and the county auditor of the county to which the home was relocated imposes the penalty, that county auditor, upon collection thereof, shall cause an amount equal to the penalty to be transmitted from the county real estate assessment fund to the county auditor of the county from which the home was relocated, who shall deposit the amount to the credit of the county real estate assessment fund. If the penalty on the owner is unpaid, the penalty shall constitute a lien on the home and the auditor shall add the penalty to the manufactured home tax list for collection. If the county auditor determines that a dealer that has sold a manufactured or mobile home has failed to timely provide the information required under this division, the auditor shall impose a penalty upon the dealer in the amount of one hundred dollars. The penalty shall be credited to the county real estate assessment fund and used to pay the costs of administering this section and section 4503.06 of the Revised Code.

(I) Whoever violates division (H)(4) of this section is guilty of a minor misdemeanor.

**Sec. 4503.066.** (A)(1) To obtain a reduction in the assessable value of a manufactured or mobile home under section 4503.065 of



the Revised Code, the owner of the home shall file an application 10738  
with the county auditor of the county in which the home is 10739  
located. An application for reduction in assessable value based 10740  
upon a physical disability shall be accompanied by a certificate 10741  
signed by a physician, and an application for reduction in 10742  
assessable value based upon a mental disability shall be 10743  
accompanied by a certificate signed by a physician or psychologist 10744  
licensed to practice in this state. The certificate shall attest 10745  
to the fact that the applicant is permanently and totally 10746  
disabled, shall be in a form that the department of taxation 10747  
requires, and shall include the definition of totally and 10748  
permanently disabled as set forth in section 4503.064 of the 10749  
Revised Code. An application for reduction in assessable value 10750  
based upon a disability certified as permanent and total by a 10751  
state or federal agency having the function of so classifying 10752  
persons shall be accompanied by a certificate from that agency. 10753

(2) Each application shall constitute a continuing 10754  
application for a reduction in assessable value for each year in 10755  
which the manufactured or mobile home is occupied by the applicant 10756  
and in which the amount of the reduction in assessable value does 10757  
not exceed either the amount or per cent of the reduction for the 10758  
year in which the application was first filed. Failure to receive 10759  
a new application or notification under division (B) of this 10760  
section after a certificate of reduction has been issued under 10761  
section 4503.067 of the Revised Code is prima-facie evidence that 10762  
the original applicant is entitled to the reduction in assessable 10763  
value calculated on the basis of the information contained in the 10764  
original application. The original application and any subsequent 10765  
application shall be in the form of a signed statement and shall 10766  
be filed not later than the first Monday in June. The statement 10767  
shall be on a form, devised and supplied by the tax commissioner, 10768  
that shall require no more information than is necessary to 10769  
establish the applicant's eligibility for the reduction in 10770

assessable value and the amount of the reduction to which the 10771  
applicant is entitled. The form shall contain a statement that 10772  
signing such application constitutes a delegation of authority by 10773  
the applicant to the county auditor to examine any financial 10774  
records that relate to income earned by the applicant as stated on 10775  
the application for the purpose of determining eligibility under, 10776  
or possible violation of, division (C) or (D) of this section. The 10777  
form also shall contain a statement that conviction of willfully 10778  
falsifying information to obtain a reduction in assessable value 10779  
or failing to comply with division (B) of this section shall 10780  
result in the revocation of the right to the reduction for a 10781  
period of three years. 10782

(3) A late application for a reduction in assessable value 10783  
for the year preceding the year for which an original application 10784  
is filed may be filed with an original application. If the auditor 10785  
determines that the information contained in the late application 10786  
is correct, the auditor shall determine both the amount of the 10787  
reduction in assessable value to which the applicant would have 10788  
been entitled for the current tax year had the application been 10789  
timely filed and approved in the preceding year, and the amount 10790  
the taxes levied under section 4503.06 of the Revised Code for the 10791  
current year would have been reduced as a result of the reduction 10792  
in assessable value. When an applicant is permanently and totally 10793  
disabled on the first day of January of the year in which the 10794  
applicant files a late application, the auditor, in making the 10795  
determination of the amounts of the reduction in assessable value 10796  
and taxes under division (A)(3) of this section, is not required 10797  
to determine that the applicant was permanently and totally 10798  
disabled on the first day of January of the preceding year. 10799

The amount of the reduction in taxes pursuant to a late 10801  
application shall be treated as an overpayment of taxes by the 10802

applicant. The auditor shall credit the amount of the overpayment 10803  
against the amount of the taxes or penalties then due from the 10804  
applicant, and, at the next succeeding settlement, the amount of 10805  
the credit shall be deducted from the amount of any taxes or 10806  
penalties distributable to the county or any taxing unit in the 10807  
county that has received the benefit of the taxes or penalties 10808  
previously overpaid, in proportion to the benefits previously 10809  
received. If, after the credit has been made, there remains a 10810  
balance of the overpayment, or if there are no taxes or penalties 10811  
due from the applicant, the auditor shall refund that balance to 10812  
the applicant by a warrant drawn on the county treasurer in favor 10813  
of the applicant. The treasurer shall pay the warrant from the 10814  
general fund of the county. If there is insufficient money in the 10815  
general fund to make the payment, the treasurer shall pay the 10816  
warrant out of any undivided manufactured or mobile home taxes 10817  
subsequently received by the treasurer for distribution to the 10818  
county or taxing district in the county that received the benefit 10819  
of the overpaid taxes, in proportion to the benefits previously 10820  
received, and the amount paid from the undivided funds shall be 10821  
deducted from the money otherwise distributable to the county or 10822  
taxing district in the county at the next or any succeeding 10823  
distribution. At the next or any succeeding distribution after 10824  
making the refund, the treasurer shall reimburse the general fund 10825  
for any payment made from that fund by deducting the amount of 10826  
that payment from the money distributable to the county or other 10827  
taxing unit in the county that has received the benefit of the 10828  
taxes, in proportion to the benefits previously received. On the 10829  
second Monday in September of each year, the county auditor shall 10830  
certify the total amount of the reductions in taxes made in the 10831  
current year under division (A)(3) of this section to the tax 10832  
commissioner who shall treat that amount as a reduction in taxes 10833  
for the current tax year and shall make reimbursement to the 10834  
county of that amount in the manner prescribed in section 4503.068 10835

of the Revised Code, from moneys appropriated for that purpose. 10836

(B) If in any year after an application has been filed under 10837  
division (A) of this section the owner no longer qualifies for the 10838  
reduction in assessable value for which the owner was issued a 10839  
certificate or qualifies for a reduction that is less than either 10840  
the per cent or amount of the reduction to which the owner was 10841  
entitled in the year the application was filed, the owner shall 10842  
notify the county auditor that the owner is not qualified for a 10843  
reduction in the assessable value of the home or file a new 10844  
application under division (A) of this section. 10845

During January of each year, the county auditor shall furnish 10846  
each person issued a certificate of reduction in value, by 10847  
ordinary mail, a form on which to report any changes in total 10848  
income that would have the effect of increasing or decreasing the 10849  
reduction to which the person is entitled, changes in ownership of 10850  
the home, including changes in or revocation of a revocable inter 10851  
vivos trust, changes in disability, and other changes in the 10852  
information earlier furnished the auditor relative to the 10853  
application. The form shall be completed and returned to the 10854  
auditor not later than the first Monday in June if the changes 10855  
would affect the level of reduction in assessable value. 10856

(C) No person shall knowingly make a false statement for the 10857  
purpose of obtaining a reduction in assessable value under section 10858  
4503.065 of the Revised Code. 10859

(D) No person shall knowingly fail to notify the county 10860  
auditor of any change required by division (B) of this section 10861  
that has the effect of maintaining or securing a reduction in 10862  
assessable value of the home in excess of the reduction allowed 10863  
under section 4503.065 of the Revised Code. 10864

(E) No person shall knowingly make a false statement or 10865  
certification attesting to any person's physical or mental 10866

condition for purposes of qualifying such person for tax relief 10867  
pursuant to sections 4503.064 to 4503.069 of the Revised Code. 10868

(F) Whoever violates division (C), (D), or (E) of this 10869  
section is guilty of a misdemeanor of the fourth degree. 10870

**Sec. 4503.10.** (A) The owner of every snowmobile, off-highway 10871  
motorcycle, and all-purpose vehicle required to be registered 10872  
under section 4519.02 of the Revised Code shall file an 10873  
application for registration under section 4519.03 of the Revised 10874  
Code. The owner of a motor vehicle, other than a snowmobile, 10875  
off-highway motorcycle, or all-purpose vehicle, that is not 10876  
designed and constructed by the manufacturer for operation on a 10877  
street or highway may not register it under this chapter except 10878  
upon certification of inspection pursuant to section 4513.02 of 10879  
the Revised Code by the sheriff, or the chief of police of the 10880  
municipal corporation or township, with jurisdiction over the 10881  
political subdivision in which the owner of the motor vehicle 10882  
resides. Except as provided in section 4503.103 of the Revised 10883  
Code, every owner of every other motor vehicle not previously 10884  
described in this section and every person mentioned as owner in 10885  
the last certificate of title of a motor vehicle that is operated 10886  
or driven upon the public roads or highways shall cause to be 10887  
filed each year, by mail or otherwise, in the office of the 10888  
registrar of motor vehicles or a deputy registrar, a written or 10889  
electronic application or a preprinted registration renewal notice 10890  
issued under section 4503.102 of the Revised Code, the form of 10891  
which shall be prescribed by the registrar, for registration for 10892  
the following registration year, which shall begin on the first 10893  
day of January of every calendar year and end on the thirty-first 10894  
day of December in the same year. Applications for registration 10895  
and registration renewal notices shall be filed at the times 10896  
established by the registrar pursuant to section 4503.101 of the 10897  
Revised Code. A motor vehicle owner also may elect to apply for or 10898

renew a motor vehicle registration by electronic means using 10899  
electronic signature in accordance with rules adopted by the 10900  
registrar. Except as provided in division (J) of this section, 10901  
applications for registration shall be made on blanks furnished by 10902  
the registrar for that purpose, containing the following 10903  
information: 10904

(1) A brief description of the motor vehicle to be 10905  
registered, including the name of the manufacturer, the factory 10906  
number of the vehicle, the year's model, and, in the case of 10907  
commercial cars, the gross weight of the vehicle fully equipped 10908  
computed in the manner prescribed in section 4503.08 of the 10909  
Revised Code; 10910

(2) The name and residence address of the owner, and the 10911  
township and municipal corporation in which the owner resides; 10912

(3) The district of registration, which shall be determined 10913  
as follows: 10914

(a) In case the motor vehicle to be registered is used for 10915  
hire or principally in connection with any established business or 10916  
branch business, conducted at a particular place, the district of 10917  
registration is the municipal corporation in which that place is 10918  
located or, if not located in any municipal corporation, the 10919  
county and township in which that place is located. 10920

(b) In case the vehicle is not so used, the district of 10921  
registration is the municipal corporation or county in which the 10922  
owner resides at the time of making the application. 10923

(4) Whether the motor vehicle is a new or used motor vehicle; 10924  
10925

(5) The date of purchase of the motor vehicle; 10926

(6) Whether the fees required to be paid for the registration 10927  
or transfer of the motor vehicle, during the preceding 10928

registration year and during the preceding period of the current 10929  
registration year, have been paid. Each application for 10930  
registration shall be signed by the owner, either manually or by 10931  
electronic signature, or pursuant to obtaining a limited power of 10932  
attorney authorized by the registrar for registration, or other 10933  
document authorizing such signature. If the owner elects to apply 10934  
for or renew the motor vehicle registration with the registrar by 10935  
electronic means, the owner's manual signature is not required. 10936

(7) The owner's social security number, if assigned, or, 10937  
where a motor vehicle to be registered is used for hire or 10938  
principally in connection with any established business, the 10939  
owner's federal taxpayer identification number. The bureau of 10940  
motor vehicles shall retain in its records all social security 10941  
numbers provided under this section, but the bureau shall not 10942  
place social security numbers on motor vehicle certificates of 10943  
registration. 10944

(B) Each time an applicant first registers a motor vehicle in 10945  
the applicant's name, the applicant shall present for inspection a 10946  
physical certificate of title or a memorandum certificate showing 10947  
title to the motor vehicle to be registered in the name of the 10948  
applicant if a physical certificate of title or memorandum 10949  
certificate has been issued by a clerk of a court of common pleas. 10950  
If, under sections 4505.021, 4505.06, and 4505.08 of the Revised 10951  
Code, a clerk instead has issued an electronic certificate of 10952  
title for the applicant's motor vehicle, that certificate may be 10953  
presented for inspection at the time of first registration in a 10954  
manner prescribed by rules adopted by the registrar. When a motor 10955  
vehicle inspection and maintenance program is in effect under 10956  
section 3704.14 of the Revised Code and rules adopted under it, 10957  
each application for registration for a vehicle required to be 10958  
inspected under that section and those rules shall be accompanied 10959  
by an inspection certificate for the motor vehicle issued in 10960

accordance with that section. The application shall be refused if 10961  
any of the following applies: 10962

(1) The application is not in proper form. 10963

(2) The application is prohibited from being accepted by 10964  
division (D) of section 2935.27, division (A) of section 2937.221, 10965  
division (A) of section 4503.13, division (B) of section ~~4507.168~~ 10966  
4510.22, or division (B)(1) of section 4521.10 of the Revised 10967  
Code. 10968

(3) A certificate of title or memorandum certificate of title 10969  
does not accompany the application or, in the case of an 10970  
electronic certificate of title, is not presented in a manner 10971  
prescribed by the registrar's rules. 10972

(4) All registration and transfer fees for the motor vehicle, 10973  
for the preceding year or the preceding period of the current 10974  
registration year, have not been paid. 10975

(5) The owner or lessee does not have an inspection 10976  
certificate for the motor vehicle as provided in section 3704.14 10977  
of the Revised Code, and rules adopted under it, if that section 10978  
is applicable. 10979

This section does not require the payment of license or 10980  
registration taxes on a motor vehicle for any preceding year, or 10981  
for any preceding period of a year, if the motor vehicle was not 10982  
taxable for that preceding year or period under sections 4503.02, 10983  
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 10984  
Revised Code. When a certificate of registration is issued upon 10985  
the first registration of a motor vehicle by or on behalf of the 10986  
owner, the official issuing the certificate shall indicate the 10987  
issuance with a stamp on the certificate of title or memorandum 10988  
certificate or, in the case of an electronic certificate of title, 10989  
an electronic stamp or other notation as specified in rules 10990  
adopted by the registrar, and with a stamp on the inspection 10991



certificate for the motor vehicle, if any. The official also shall 10992  
indicate, by a stamp or by other means the registrar prescribes, 10993  
on the registration certificate issued upon the first registration 10994  
of a motor vehicle by or on behalf of the owner the odometer 10995  
reading of the motor vehicle as shown in the odometer statement 10996  
included in or attached to the certificate of title. Upon each 10997  
subsequent registration of the motor vehicle by or on behalf of 10998  
the same owner, the official also shall so indicate the odometer 10999  
reading of the motor vehicle as shown on the immediately preceding 11000  
certificate of registration. 11001

The registrar shall include in the permanent registration 11002  
record of any vehicle required to be inspected under section 11003  
3704.14 of the Revised Code the inspection certificate number from 11004  
the inspection certificate that is presented at the time of 11005  
registration of the vehicle as required under this division. 11006

(C) In addition, a charge of twenty-five cents shall be made 11007  
for each reflectorized safety license plate issued, and a single 11008  
charge of twenty-five cents shall be made for each county 11009  
identification sticker or each set of county identification 11010  
stickers issued, as the case may be, to cover the cost of 11011  
producing the license plates and stickers, including material, 11012  
manufacturing, and administrative costs. Those fees shall be in 11013  
addition to the license tax. If the total cost of producing the 11014  
plates is less than twenty-five cents per plate, or if the total 11015  
cost of producing the stickers is less than twenty-five cents per 11016  
sticker or per set issued, any excess moneys accruing from the 11017  
fees shall be distributed in the same manner as provided by 11018  
section 4501.04 of the Revised Code for the distribution of 11019  
license tax moneys. If the total cost of producing the plates 11020  
exceeds twenty-five cents per plate, or if the total cost of 11021  
producing the stickers exceeds twenty-five cents per sticker or 11022  
per set issued, the difference shall be paid from the license tax 11023

moneys collected pursuant to section 4503.02 of the Revised Code. 11024

(D) Each deputy registrar shall be allowed a fee of two 11025  
dollars and seventy-five cents commencing on July 1, 2001, three 11026  
dollars and twenty-five cents commencing on January 1, 2003, and 11027  
three dollars and fifty cents commencing on January 1, 2004, for 11028  
each application for registration and registration renewal notice 11029  
the deputy registrar receives, which shall be for the purpose of 11030  
compensating the deputy registrar for the deputy registrar's 11031  
services, and such office and rental expenses, as may be necessary 11032  
for the proper discharge of the deputy registrar's duties in the 11033  
receiving of applications and renewal notices and the issuing of 11034  
registrations. 11035

(E) Upon the certification of the registrar, the county 11036  
sheriff or local police officials shall recover license plates 11037  
erroneously or fraudulently issued. 11038

(F) Each deputy registrar, upon receipt of any application 11039  
for registration or registration renewal notice, together with the 11040  
license fee and any local motor vehicle license tax levied 11041  
pursuant to Chapter 4504. of the Revised Code, shall transmit that 11042  
fee and tax, if any, in the manner provided in this section, 11043  
together with the original and duplicate copy of the application, 11044  
to the registrar. The registrar, subject to the approval of the 11045  
director of public safety, may deposit the funds collected by 11046  
those deputies in a local bank or depository to the credit of the 11047  
"state of Ohio, bureau of motor vehicles." Where a local bank or 11048  
depository has been designated by the registrar, each deputy 11049  
registrar shall deposit all moneys collected by the deputy 11050  
registrar into that bank or depository not more than one business 11051  
day after their collection and shall make reports to the registrar 11052  
of the amounts so deposited, together with any other information, 11053  
some of which may be prescribed by the treasurer of state, as the 11054  
registrar may require and as prescribed by the registrar by rule. 11055

The registrar, within three days after receipt of notification of 11056  
the deposit of funds by a deputy registrar in a local bank or 11057  
depository, shall draw on that account in favor of the treasurer 11058  
of state. The registrar, subject to the approval of the director 11059  
and the treasurer of state, may make reasonable rules necessary 11060  
for the prompt transmittal of fees and for safeguarding the 11061  
interests of the state and of counties, townships, municipal 11062  
corporations, and transportation improvement districts levying 11063  
local motor vehicle license taxes. The registrar may pay service 11064  
charges usually collected by banks and depositories for such 11065  
service. If deputy registrars are located in communities where 11066  
banking facilities are not available, they shall transmit the fees 11067  
forthwith, by money order or otherwise, as the registrar, by rule 11068  
approved by the director and the treasurer of state, may 11069  
prescribe. The registrar may pay the usual and customary fees for 11070  
such service. 11071

(G) This section does not prevent any person from making an 11072  
application for a motor vehicle license directly to the registrar 11073  
by mail, by electronic means, or in person at any of the 11074  
registrar's offices, upon payment of a service fee of two dollars 11075  
and seventy-five cents commencing on July 1, 2001, three dollars 11076  
and twenty-five cents commencing on January 1, 2003, and three 11077  
dollars and fifty cents commencing on January 1, 2004, for each 11078  
application. 11079

(H) No person shall make a false statement as to the district 11080  
of registration in an application required by division (A) of this 11081  
section. Violation of this division is falsification under section 11082  
2921.13 of the Revised Code and punishable as specified in that 11083  
section. 11084

(I)(1) Where applicable, the requirements of division (B) of 11085  
this section relating to the presentation of an inspection 11086  
certificate issued under section 3704.14 of the Revised Code and 11087

rules adopted under it for a motor vehicle, the refusal of a 11088  
license for failure to present an inspection certificate, and the 11089  
stamping of the inspection certificate by the official issuing the 11090  
certificate of registration apply to the registration of and 11091  
issuance of license plates for a motor vehicle under sections 11092  
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 11093  
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 11094  
4503.47, and 4503.51 of the Revised Code. 11095

(2)(a) The registrar shall adopt rules ensuring that each 11096  
owner registering a motor vehicle in a county where a motor 11097  
vehicle inspection and maintenance program is in effect under 11098  
section 3704.14 of the Revised Code and rules adopted under it 11099  
receives information about the requirements established in that 11100  
section and those rules and about the need in those counties to 11101  
present an inspection certificate with an application for 11102  
registration or preregistration. 11103

(b) Upon request, the registrar shall provide the director of 11104  
environmental protection, or any person that has been awarded a 11105  
contract under division (D) of section 3704.14 of the Revised 11106  
Code, an on-line computer data link to registration information 11107  
for all passenger cars, noncommercial motor vehicles, and 11108  
commercial cars that are subject to that section. The registrar 11109  
also shall provide to the director of environmental protection a 11110  
magnetic data tape containing registration information regarding 11111  
passenger cars, noncommercial motor vehicles, and commercial cars 11112  
for which a multi-year registration is in effect under section 11113  
4503.103 of the Revised Code or rules adopted under it, including, 11114  
without limitation, the date of issuance of the multi-year 11115  
registration, the registration deadline established under rules 11116  
adopted under section 4503.101 of the Revised Code that was 11117  
applicable in the year in which the multi-year registration was 11118  
issued, and the registration deadline for renewal of the 11119

multi-year registration. 11120

(J) Application for registration under the international 11121  
registration plan, as set forth in sections 4503.60 to 4503.66 of 11122  
the Revised Code, shall be made to the registrar on forms 11123  
furnished by the registrar. In accordance with international 11124  
registration plan guidelines and pursuant to rules adopted by the 11125  
registrar, the forms shall include the following: 11126

(1) A uniform mileage schedule; 11127

(2) The gross vehicle weight of the vehicle or combined gross 11128  
vehicle weight of the combination vehicle as declared by the 11129  
registrant; 11130

(3) Any other information the registrar requires by rule. 11131

**Sec. 4503.102.** (A) The registrar of motor vehicles shall 11132  
adopt rules to establish a centralized system of motor vehicle 11133  
registration renewal by mail or by electronic means. Any person 11134  
owning a motor vehicle that was registered in the person's name 11135  
during the preceding registration year shall renew the 11136  
registration of the motor vehicle not more than ninety days prior 11137  
to the expiration date of the registration either by mail or by 11138  
electronic means through the centralized system of registration 11139  
established under this section, or in person at any office of the 11140  
registrar or at a deputy registrar's office. 11141

(B)(1) No less than forty-five days prior to the expiration 11142  
date of any motor vehicle registration, the registrar shall mail a 11143  
renewal notice to the person in whose name the motor vehicle is 11144  
registered. The renewal notice shall clearly state that the 11145  
registration of the motor vehicle may be renewed by mail or 11146  
electronic means through the centralized system of registration or 11147  
in person at any office of the registrar or at a deputy 11148  
registrar's office and shall be preprinted with information 11149

including, but not limited to, the owner's name and residence 11150  
address as shown in the records of the bureau of motor vehicles, a 11151  
brief description of the motor vehicle to be registered, notice of 11152  
the license taxes and fees due on the motor vehicle, the toll-free 11153  
telephone number of the registrar as required under division 11154  
(D)(1) of section 4503.031 of the Revised Code, and any additional 11155  
information the registrar may require by rule. The renewal notice 11156  
shall be sent by regular mail to the owner's last known address as 11157  
shown in the records of the bureau of motor vehicles. 11158

(2) If the application for renewal of the registration of a 11159  
motor vehicle is prohibited from being accepted by the registrar 11160  
or a deputy registrar by division (D) of section 2935.27, division 11161  
(A) of section 2937.221, division (A) of section 4503.13, division 11162  
(B) of section ~~4507.168~~ 4510.22, or division (B)(1) of section 11163  
4521.10 of the Revised Code, the registrar is not required to send 11164  
a renewal notice to the vehicle owner or vehicle lessee. 11165

(C) The owner of the motor vehicle shall verify the 11166  
information contained in the notice, sign it either manually or by 11167  
electronic means, and return it, either by mail or electronic 11168  
means, or the owner may take it in person to any office of the 11169  
registrar or of a deputy registrar, together with a financial 11170  
transaction device number, when permitted by rule of the 11171  
registrar, check, or money order in the amount of the registration 11172  
taxes and fees payable on the motor vehicle and a mail fee of two 11173  
dollars and seventy-five cents commencing on July 1, 2001, three 11174  
dollars and twenty-five cents commencing on January 1, 2003, and 11175  
three dollars and fifty cents commencing on January 1, 2004, plus 11176  
postage as indicated on the notice, if the registration is renewed 11177  
by mail, and an inspection certificate for the motor vehicle as 11178  
provided in section 3704.14 of the Revised Code. If the motor 11179  
vehicle owner chooses to renew the motor vehicle registration by 11180  
electronic means, the owner shall proceed in accordance with the 11181

rules the registrar adopts. 11182

(D) If all registration and transfer fees for the motor 11183  
vehicle for the preceding year or the preceding period of the 11184  
current registration year have not been paid, if division (D) of 11185  
section 2935.27, division (A) of section 2937.221, division (A) of 11186  
section 4503.13, division (B) of section ~~4507.168~~ 4510.22, or 11187  
division (B)(1) of section 4521.10 of the Revised Code prohibits 11188  
acceptance of the renewal notice, or if the owner or lessee does 11189  
not have an inspection certificate for the motor vehicle as 11190  
provided in section 3704.14 of the Revised Code, if that section 11191  
is applicable, the license shall be refused, and the registrar or 11192  
deputy registrar shall so notify the owner. This section does not 11193  
require the payment of license or registration taxes on a motor 11194  
vehicle for any preceding year, or for any preceding period of a 11195  
year, if the motor vehicle was not taxable for that preceding year 11196  
or period under section 4503.02, 4503.04, 4503.11, 4503.12, or 11197  
4503.16 or Chapter 4504. of the Revised Code. 11198

(E)(1) Failure to receive a renewal notice does not relieve a 11199  
motor vehicle owner from the responsibility to renew the 11200  
registration for the motor vehicle. Any person who has a motor 11201  
vehicle registered in this state and who does not receive a 11202  
renewal notice as provided in division (B) of this section prior 11203  
to the expiration date of the registration shall request an 11204  
application for registration from the registrar or a deputy 11205  
registrar and sign the application manually or by electronic means 11206  
and submit the application and pay any applicable license taxes 11207  
and fees to the registrar or deputy registrar. 11208

(2) If the owner of a motor vehicle submits an application 11209  
for registration and the registrar is prohibited by division (D) 11210  
of section 2935.27, division (A) of section 2937.221, division (A) 11211  
of section 4503.13, division (B) of section ~~4507.168~~ 4510.22, or 11212  
division (B)(1) of section 4521.10 of the Revised Code from 11213

accepting the application, the registrar shall return the 11214  
application and the payment to the owner. If the owner of a motor 11215  
vehicle submits a registration renewal application to the 11216  
registrar by electronic means and the registrar is prohibited from 11217  
accepting the application as provided in this division, the 11218  
registrar shall notify the owner of this fact and deny the 11219  
application and return the payment or give a credit on the 11220  
financial transaction device account of the owner in the manner 11221  
the registrar prescribes by rule adopted pursuant to division (A) 11222  
of this section. 11223

(F) Every deputy registrar shall post in a prominent place at 11224  
the deputy's office a notice informing the public of the mail 11225  
registration system required by this section and also shall post a 11226  
notice that every owner of a motor vehicle and every chauffeur 11227  
holding a certificate of registration is required to notify the 11228  
registrar in writing of any change of residence within ten days 11229  
after the change occurs. The notice shall be in such form as the 11230  
registrar prescribes by rule. 11231

(G) The two dollars and seventy-five cents fee collected from 11232  
July 1, 2001, through December 31, 2002, the three dollars and 11233  
twenty-five cents fee collected from January 1, 2003, through 11234  
December 31, 2003, and the three dollars and fifty cents fee 11235  
collected after January 1, 2004, plus postage and any financial 11236  
transaction device surcharge collected by the registrar for 11237  
registration by mail, shall be paid to the credit of the state 11238  
bureau of motor vehicles fund established by section 4501.25 of 11239  
the Revised Code. 11240

(H) Pursuant to section 113.40 of the Revised Code, the 11241  
registrar may implement a program permitting payment of motor 11242  
vehicle registration taxes and fees, driver's license and 11243  
commercial driver's license fees, and any other taxes, fees, 11244  
penalties, or charges imposed or levied by the state by means of a 11245



financial transaction device. The registrar may adopt rules as 11246  
necessary for this purpose. 11247

(I) For persons who reside in counties where tailpipe 11248  
emissions inspections are required under the motor vehicle 11249  
inspection and maintenance program, the notice required by 11250  
division (B) of this section shall also include the toll-free 11251  
telephone number maintained by the Ohio environmental protection 11252  
agency to provide information concerning the locations of 11253  
emissions testing centers. 11254

**Sec. 4503.11.** (A) Except as provided by sections 4503.103, 11255  
4503.173, 4503.41, 4503.43, and 4503.46 of the Revised Code, no 11256  
person who is the owner or chauffeur of a motor vehicle operated 11257  
or driven upon the public roads or highways shall fail to file 11258  
annually the application for registration or to pay the tax 11259  
therefor. 11260

(B) Except as provided by sections 4503.12 and 4503.16 of the 11261  
Revised Code, the taxes payable on all applications made under 11262  
sections 4503.10 and 4503.102 of the Revised Code shall be the sum 11263  
of the tax due under division (B)(1)(a) or (b) of this section 11264  
plus the tax due under division (B)(2)(a) or (b) of this section: 11265

(1)(a) If the application is made before the second month of 11266  
the current registration period to which the motor vehicle is 11267  
assigned as provided in section 4503.101 of the Revised Code, the 11268  
tax due is the full amount of the tax provided in section 4503.04 11269  
of the Revised Code; 11270

(b) If the application is made during or after the second 11271  
month of the current registration period to which the motor 11272  
vehicle is assigned as provided in section 4503.101 of the Revised 11273  
Code, and prior to the beginning of the next such registration 11274  
period, the amount of the tax provided in section 4503.04 of the 11275  
Revised Code shall be reduced by one-twelfth of the amount of such 11276

tax, rounded upward to the nearest cent, multiplied by the number 11277  
of full months that have elapsed in the current registration 11278  
period. The resulting amount shall be rounded upward to the next 11279  
highest dollar and shall be the amount of tax due. 11280

(2)(a) If the application is made before the sixth month of 11281  
the current registration period to which the motor vehicle is 11282  
assigned as provided in section 4503.101 of the Revised Code, the 11283  
amount of tax due is the full amount of local motor vehicle 11284  
license taxes levied under Chapter 4504. of the Revised Code; 11285

(b) If the application is made during or after the sixth 11286  
month of the current registration period to which the motor 11287  
vehicle is assigned as provided in section 4503.101 of the Revised 11288  
Code and prior to the beginning of the next such registration 11289  
period, the amount of tax due is one-half of the amount of local 11290  
motor vehicle license taxes levied under Chapter 4504. of the 11291  
Revised Code. 11292

(C) Whoever violates this section is guilty of a misdemeanor 11293  
of the fourth degree. 11294

**Sec. 4503.12.** (A) Upon the transfer of ownership of a motor 11295  
vehicle, the registration of the motor vehicle expires, and the 11296  
original owner immediately shall remove the license plates from 11297  
the motor vehicle, except that: 11298

~~(A)~~(1) If a statutory merger or consolidation results in the 11299  
transfer of ownership of a motor vehicle from a constituent 11300  
corporation to the surviving corporation, or if the incorporation 11301  
of a proprietorship or partnership results in the transfer of 11302  
ownership of a motor vehicle from the proprietorship or 11303  
partnership to the corporation, the registration shall be 11304  
continued upon the filing by the surviving or new corporation, 11305  
within thirty days of such transfer, of an application for an 11306  
amended certificate of registration, unless such registration is 11307

prohibited by division (D) of section 2935.27, division (A) of 11308  
section 2937.221, division (B) of section 4507.168, or division 11309  
(B)(1) of section 4521.10 of the Revised Code. The application 11310  
shall be accompanied by a service fee of two dollars and 11311  
seventy-five cents commencing on July 1, 2001, three dollars and 11312  
twenty-five cents commencing on January 1, 2003, and three dollars 11313  
and fifty cents commencing on January 1, 2004, a transfer fee of 11314  
one dollar, and the original certificate of registration. Upon a 11315  
proper filing, the registrar of motor vehicles shall issue an 11316  
amended certificate of registration in the name of the new owner. 11317

~~(B)(2)~~ If the death of the owner of a motor vehicle results 11318  
in the transfer of ownership of the motor vehicle to the surviving 11319  
spouse of the owner or if a motor vehicle is owned by two persons 11320  
under joint ownership with right of survivorship established under 11321  
section 2131.12 of the Revised Code and one of those persons dies, 11322  
the registration shall be continued upon the filing by the 11323  
survivor of an application for an amended certificate of 11324  
registration, unless such registration is prohibited by division 11325  
(D) of section 2935.27, division (A) of section 2937.221, division 11326  
(A) of section 4503.13, division (B) of section ~~4507.168~~ 4510.22, 11327  
or division (B)(1) of section 4521.10 of the Revised Code. The 11328  
application shall be accompanied by a service fee of two dollars 11329  
and seventy-five cents commencing on July 1, 2001, three dollars 11330  
and twenty-five cents commencing on January 1, 2003, and three 11331  
dollars and fifty cents commencing on January 1, 2004, a transfer 11332  
fee of one dollar, the original certificate of registration, and, 11333  
in relation to a motor vehicle that is owned by two persons under 11334  
joint ownership with right of survivorship established under 11335  
section 2131.12 of the Revised Code, by a copy of the certificate 11336  
of title that specifies that the vehicle is owned under joint 11337  
ownership with right of survivorship. Upon a proper filing, the 11338  
registrar shall issue an amended certificate of registration in 11339  
the name of the survivor. 11340

~~(C)~~(3) If the death of the owner of a motor vehicle results 11341  
in the transfer of ownership of the motor vehicle to a 11342  
transfer-on-death beneficiary or beneficiaries designated under 11343  
section 2131.13 of the Revised Code, the registration shall be 11344  
continued upon the filing by the transfer-on-death beneficiary or 11345  
beneficiaries of an application for an amended certificate of 11346  
registration, unless that registration is prohibited by division 11347  
(D) of section 2935.27, division (A) of section 2937.221, division 11348  
(A) of section 4503.13, division (B) of section ~~4507.168~~ 4510.22, 11349  
or division (B)(1) of section 4521.10 of the Revised Code. The 11350  
application shall be accompanied by a service fee of two dollars 11351  
and seventy-five cents commencing on July 1, 2001, three dollars 11352  
and twenty-five cents commencing on January 1, 2003, and three 11353  
dollars and fifty cents commencing on January 1, 2004, a transfer 11354  
fee of one dollar, the original certificate of registration, and a 11355  
copy of the certificate of title that specifies that the owner of 11356  
the motor vehicle has designated the motor vehicle in beneficiary 11357  
form under section 2131.13 of the Revised Code. Upon a proper 11358  
filing, the registrar shall issue an amended certificate of 11359  
registration in the name of the transfer-on-death beneficiary or 11360  
beneficiaries. 11361

~~(D)~~(4) If the original owner of a motor vehicle that has been 11362  
transferred makes application for the registration of another 11363  
motor vehicle at any time during the remainder of the registration 11364  
period for which the transferred motor vehicle was registered, the 11365  
owner, unless such registration is prohibited by division (D) of 11366  
section 2935.27, division (A) of section 2937.221, division (A) of 11367  
section 4503.13, division (E) of section 4503.234, division (B) of 11368  
section ~~4507.168~~ 4510.22, or division (B)(1) of section 4521.10 of 11369  
the Revised Code, may file an application for transfer of the 11370  
registration and, where applicable, the license plates, 11371  
accompanied by a service fee of two dollars and seventy-five cents 11372

commencing on July 1, 2001, three dollars and twenty-five cents 11373  
commencing on January 1, 2003, and three dollars and fifty cents 11374  
commencing on January 1, 2004, a transfer fee of one dollar, and 11375  
the original certificate of registration. The transfer of the 11376  
registration and, where applicable, the license plates from the 11377  
motor vehicle for which they originally were issued to a 11378  
succeeding motor vehicle purchased by the same person in whose 11379  
name the original registration and license plates were issued 11380  
shall be done within a period not to exceed thirty days. During 11381  
that thirty-day period, the license plates from the motor vehicle 11382  
for which they originally were issued may be displayed on the 11383  
succeeding motor vehicle, and the succeeding motor vehicle may be 11384  
operated on the public roads and highways in this state. 11385

At the time of application for transfer, the registrar shall 11386  
compute and collect the amount of tax due on the succeeding motor 11387  
vehicle, based upon the amount that would be due on a new 11388  
registration as of the date on which the transfer is made less a 11389  
credit for the unused portion of the original registration 11390  
beginning on that date. If the credit exceeds the amount of tax 11391  
due on the new registration, no refund shall be made. In computing 11392  
the amount of tax due and credits to be allowed under this 11393  
division, the provisions of division (B)(1)(a) and (b) of section 11394  
4503.11 of the Revised Code shall apply. As to passenger cars, 11395  
noncommercial vehicles, motor homes, and motorcycles, transfers 11396  
within or between these classes of motor vehicles only shall be 11397  
allowed. If the succeeding motor vehicle is of a different class 11398  
than the motor vehicle for which the registration originally was 11399  
issued, new license plates also shall be issued upon the surrender 11400  
of the license plates originally issued and payment of the fees 11401  
provided in divisions (C) and (D) of section 4503.10 of the 11402  
Revised Code. 11403

~~(E)~~(5) The owner of a commercial car having a gross vehicle 11404

weight or combined gross vehicle weight of more than ten thousand 11405  
pounds may transfer the registration of that commercial car to 11406  
another commercial car the owner owns without transferring 11407  
ownership of the first commercial car, unless registration of the 11408  
second commercial car is prohibited by division (D) of section 11409  
2935.27, division (A) of section 2937.221, division (A) of section 11410  
4503.13, division (B) of section 4507.168, or division (B)(1) of 11411  
section 4521.10 of the Revised Code. At any time during the 11412  
remainder of the registration period for which the first 11413  
commercial car was registered, the owner may file an application 11414  
for the transfer of the registration and, where applicable, the 11415  
license plates, accompanied by a service fee of two dollars and 11416  
seventy-five cents commencing on July 1, 2001, three dollars and 11417  
twenty-five cents commencing on January 1, 2003, and three dollars 11418  
and fifty cents commencing on January 1, 2004, a transfer fee of 11419  
one dollar, and the certificate of registration of the first 11420  
commercial car. The amount of any tax due or credit to be allowed 11421  
for a transfer of registration under this division shall be 11422  
computed in accordance with division ~~(D)~~(A)(4) of this section. 11423

No commercial car to which a registration is transferred 11424  
under this division shall be operated on a public road or highway 11425  
in this state until after the transfer of registration is 11426  
completed in accordance with this division. 11427

~~(F)~~(6) Upon application to the registrar or a deputy 11428  
registrar, a person who owns or leases a motor vehicle may 11429  
transfer special license plates assigned to that vehicle to any 11430  
other vehicle that the person owns or leases or that is owned or 11431  
leased by the person's spouse. The application shall be 11432  
accompanied by a service fee of two dollars and seventy-five cents 11433  
commencing on July 1, 2001, three dollars and twenty-five cents 11434  
commencing on January 1, 2003, and three dollars and fifty cents 11435  
commencing on January 1, 2004, a transfer fee of one dollar, and 11436

the original certificate of registration. As appropriate, the 11437  
application also shall be accompanied by a power of attorney for 11438  
the registration of a leased vehicle and a written statement 11439  
releasing the special plates to the applicant. Upon a proper 11440  
filing, the registrar or deputy registrar shall assign the special 11441  
license plates to the motor vehicle owned or leased by the 11442  
applicant and issue a new certificate of registration for that 11443  
motor vehicle. 11444

(B) Whoever violates this section is guilty of a misdemeanor 11445  
of the fourth degree. 11446

(C) As used in division ~~(F)~~(A)(6) of this section, "special 11447  
license plates" means either of the following: 11448

(1) Any license plates for which the person to whom the 11449  
license plates are issued must pay an additional fee in excess of 11450  
the fees prescribed in section 4503.04 of the Revised Code, 11451  
Chapter 4504. of the Revised Code, and the service fee prescribed 11452  
in division (D) or (G) of section 4503.10 of the Revised Code; 11453

(2) License plates issued under section 4503.44 of the 11454  
Revised Code. 11455

**Sec. 4503.182.** (A) A purchaser of a motor vehicle, upon 11456  
application and proof of purchase of the vehicle, may be issued a 11457  
temporary license placard or windshield sticker for the motor 11458  
vehicle. 11459

The purchaser of a vehicle applying for a temporary license 11460  
placard or windshield sticker under this section shall execute an 11461  
affidavit stating that the purchaser has not been issued 11462  
previously during the current registration year a license plate 11463  
that could legally be transferred to the vehicle. 11464

Placards or windshield stickers shall be issued only for the 11465  
applicant's use of the vehicle to enable the applicant to legally 11466

operate the motor vehicle while proper title, license plates, and 11467  
a certificate of registration are being obtained, and shall be 11468  
displayed on no other motor vehicle. 11469

Placards or windshield stickers issued under this section are 11470  
valid for a period of thirty days from date of issuance and are 11471  
not transferable or renewable. 11472

The fee for the placards or windshield stickers is two 11473  
dollars plus a deputy registrar service fee of two dollars and 11474  
seventy-five cents commencing on July 1, 2001, three dollars and 11475  
twenty-five cents commencing on January 1, 2003, and three dollars 11476  
and fifty cents commencing on January 1, 2004, for each placard 11477  
issued by a deputy registrar. 11478

(B) The registrar of motor vehicles may issue to a motorized 11479  
bicycle dealer or a licensed motor vehicle dealer temporary 11480  
license placards to be issued to purchasers for use on vehicles 11481  
sold by the dealer, in accordance with rules prescribed by the 11482  
registrar. The dealer shall notify the registrar, within 11483  
forty-eight hours, of the issuance of a placard by electronic 11484  
means via computer equipment purchased and maintained by the 11485  
dealer or in any other manner prescribed by the registrar. 11486

The fee for each placard issued by the registrar to a 11487  
licensed motor vehicle dealer is two dollars plus a fee of two 11488  
dollars and seventy-five cents commencing on July 1, 2001, three 11489  
dollars and twenty-five cents commencing on January 1, 2003, and 11490  
three dollars and fifty cents commencing on January 1, 2004. 11491

(C) The registrar of motor vehicles, at the registrar's 11492  
discretion, may issue a temporary license placard. Such a placard 11493  
may be issued in the case of extreme hardship encountered by a 11494  
citizen from this state or another state who has attempted to 11495  
comply with all registration laws, but for extreme circumstances 11496  
is unable to properly register the citizen's vehicle. 11497



(D) The registrar shall adopt rules, in accordance with 11498  
division (B) of section 111.15 of the Revised Code, to specify the 11499  
procedures for reporting the information from applications for 11500  
temporary license placards and windshield stickers and for 11501  
providing the information from these applications to law 11502  
enforcement agencies. 11503

(E) Temporary license placards issued under this section 11504  
shall bear a distinctive combination of seven letters, numerals, 11505  
or letters and numerals, and shall incorporate a security feature 11506  
that, to the greatest degree possible, prevents tampering with any 11507  
of the information that is entered upon a placard when it is 11508  
issued. 11509

(F) Whoever violates division (A) of this section is guilty 11510  
of a misdemeanor of the fourth degree. Whoever violates division 11511  
(B) of this section is guilty of a misdemeanor of the first 11512  
degree. 11513

(G) As used in this section, "motorized bicycle dealer" means 11514  
any person engaged in the business of selling at retail, 11515  
displaying, offering for sale, or dealing in motorized bicycles 11516  
who is not subject to section 4503.09 of the Revised Code. 11517

**Sec. 4503.19.** (A) Upon the filing of an application for 11518  
registration and the payment of the tax for registration, the 11519  
registrar of motor vehicles or a deputy registrar shall determine 11520  
whether the owner previously has been issued license plates for 11521  
the motor vehicle described in the application. If no license 11522  
plates previously have been issued to the owner for that motor 11523  
vehicle, the registrar or deputy registrar shall assign to the 11524  
motor vehicle a distinctive number and issue and deliver to the 11525  
owner in the manner that the registrar may select a certificate of 11526  
registration, in the form that the registrar shall prescribe, and, 11527  
except as otherwise provided in this section, two license plates, 11528

duplicates of each other, and a validation sticker, or a 11529  
validation sticker alone, to be attached to the number plates as 11530  
provided in section 4503.191 of the Revised Code. The registrar or 11531  
deputy registrar also shall charge the owner any fees required 11532  
under division (C) of section 4503.10 of the Revised Code. 11533  
Trailers, manufactured homes, mobile homes, semitrailers, the 11534  
manufacturer thereof, the dealer, or in transit companies therein, 11535  
shall be issued one license plate only and one validation sticker, 11536  
or a validation sticker alone, and the license plate and 11537  
validation sticker shall be displayed only on the rear of such 11538  
vehicles. A commercial tractor that does not receive an 11539  
apportioned license plate under the international registration 11540  
plan shall be issued two license plates and one validation 11541  
sticker, and the validation sticker shall be displayed on the 11542  
front of the commercial tractor. An apportioned vehicle receiving 11543  
an apportioned license plate under the international registration 11544  
plan shall be issued one license plate only and one validation 11545  
sticker, or a validation sticker alone; the license plate shall be 11546  
displayed only on the front of a semitractor and on the rear of 11547  
all other vehicles. School buses shall not be issued license 11548  
plates but shall bear identifying numbers in the manner prescribed 11549  
by section 4511.764 of the Revised Code. The certificate of 11550  
registration and license plates and validation stickers, or 11551  
validation stickers alone, shall be issued and delivered to the 11552  
owner in person or by mail. Chauffeured limousines shall be issued 11553  
license plates, a validation sticker, and a livery sticker as 11554  
provided in section 4503.24 of the Revised Code. In the event of 11555  
the loss, mutilation, or destruction of any certificate of 11556  
registration, or of any license plates or validation stickers, or 11557  
if the owner chooses to replace license plates previously issued 11558  
for a motor vehicle, or if the registration certificate and 11559  
license plates have been impounded as provided by division 11560  
(F)(B)(1) of section 4507.02 and ~~division (A)(4) of section~~ 11561

4507.16 of the Revised Code, the owner of a motor vehicle, or 11562  
manufacturer or dealer, may obtain from the registrar, or from a 11563  
deputy registrar if authorized by the registrar, a duplicate 11564  
thereof or new license plates bearing a different number, if the 11565  
registrar considers it advisable, upon filing an application 11566  
prescribed by the registrar, and upon paying a fee of one dollar 11567  
for such certificate of registration, a fee of two dollars for 11568  
each set of two license plates, or one dollar for each single 11569  
license plate or validation sticker. In addition, each applicant 11570  
for a replacement certificate of registration, license plate, or 11571  
validation sticker shall pay the fees provided in divisions (C) 11572  
and (D) of section 4503.10 of the Revised Code. 11573

Additionally, the registrar and each deputy registrar who 11574  
either issues license plates and a validation sticker for use on 11575  
any vehicle other than a commercial tractor, semitrailer, or 11576  
apportioned vehicle, or who issues a validation sticker alone for 11577  
use on such a vehicle and the owner has changed the owner's county 11578  
of residence since the owner last was issued county identification 11579  
stickers, also shall issue and deliver to the owner either one or 11580  
two county identification stickers, as appropriate, which shall be 11581  
attached to the license plates in a manner prescribed by the 11582  
director of public safety. The county identification stickers 11583  
shall identify prominently by name or number the county in which 11584  
the owner of the vehicle resides at the time of registration. 11585

(B) Whoever violates this section is guilty of a minor 11586  
misdemeanor. 11587

**Sec. 4503.21.** (A) No person who is the owner or operator of a 11588  
motor vehicle shall fail to display in plain view on the front and 11589  
rear of the motor vehicle the distinctive number and registration 11590  
mark, including any county identification sticker and any 11591  
validation sticker issued under sections 4503.19 and 4503.191 of 11592

the Revised Code, furnished by the director of public safety, 11593  
except that a manufacturer of motor vehicles or dealer therein, 11594  
the holder of an in transit permit, and the owner or operator of a 11595  
motorcycle, motorized bicycle, manufactured home, mobile home, 11596  
trailer, or semitrailer shall display on the rear only. A motor 11597  
vehicle that is issued two license plates shall display the 11598  
validation sticker only on the rear license plate, except that a 11599  
commercial tractor that does not receive an apportioned license 11600  
plate under the international registration plan shall display the 11601  
validation sticker on the front of the commercial tractor. An 11602  
apportioned vehicle receiving an apportioned license plate under 11603  
the international registration plan shall display the license 11604  
plate only on the front of a commercial tractor and on the rear of 11605  
all other vehicles. All license plates shall be securely fastened 11606  
so as not to swing, and shall not be covered by any material that 11607  
obstructs their visibility. 11608

No person to whom a temporary license placard or windshield 11609  
sticker has been issued for the use of a motor vehicle under 11610  
section 4503.182 of the Revised Code, and no operator of that 11611  
motor vehicle, shall fail to display the temporary license placard 11612  
in plain view from the rear of the vehicle either in the rear 11613  
window or on an external rear surface of the motor vehicle, or 11614  
fail to display the windshield sticker in plain view on the rear 11615  
window of the motor vehicle. No temporary license placard or 11616  
windshield sticker shall be covered by any material that obstructs 11617  
its visibility. 11618

(B) Whoever violates this section is guilty of a minor 11619  
misdemeanor. 11620

**Sec. 4503.231. (A)** No motor vehicle registered in the name of 11621  
a person whose certificate of registration and identification 11622  
license plates have been impounded as provided by division 11623

~~(F)~~(B)(1) of section 4507.02 of the Revised Code, shall be 11624  
operated ~~or driven~~ on any highway in this state unless it displays 11625  
~~identification restricted~~ license plates ~~which that~~ are a 11626  
different color from those regularly issued and carry a special 11627  
serial number that may be readily identified by law enforcement 11628  
officers. The registrar of motor vehicles shall designate the 11629  
color and serial number to be used on ~~such~~ restricted license 11630  
plates, which shall remain the same from year to year and shall 11631  
not be displayed on any other motor vehicles. 11632

The bureau of motor vehicles shall adopt rules providing for 11633  
the decentralization of the issuance of ~~identification restricted~~ 11634  
license plates under this section. The rules shall provide for the 11635  
issuance of the ~~identification restricted~~ license plates by at 11636  
least one agency in each county. 11637

No person operating a motor vehicle displaying restricted 11638  
license plates as described in this division shall knowingly 11639  
disguise or obscure the color of the restricted plate. 11640

(B) If a person has been granted limited driving privileges 11641  
with a condition of the privileges being that the person must 11642  
display on the vehicle that is driven under the privileges 11643  
restricted license plates that are described in this section, all 11644  
of the following apply: 11645

(1) If a motor vehicle to be driven under the limited driving 11646  
privileges is owned by the person's employer and if the person is 11647  
required to operate that motor vehicle in the course and scope of 11648  
the person's employment, the person may operate that vehicle 11649  
without displaying on that vehicle restricted license plates that 11650  
are issued under this section if the employer has been notified 11651  
that the person has limited driving privileges and of the nature 11652  
of the restriction and if the person has proof of the employer's 11653  
notification in the person's possession while operating the 11654  
employer's vehicle for normal business duties. A motor vehicle 11655

owned by a business that is partly or entirely owned or controlled 11656  
by the person with the limited driving privileges is not a motor 11657  
vehicle owned by an employer, for purposes of this division. 11658

11659

(2) If a motor vehicle to be driven under the limited driving 11660  
privileges is registered in a state other than this state, instead 11661  
of displaying on that vehicle restricted license plates that are 11662  
issued under this section, the person with the limited driving 11663  
privileges shall display on the vehicle a decal, as prescribed by 11664  
the registrar of motor vehicles, that states that the vehicle is 11665  
subject to limited driving privileges in this state and that 11666  
describes the restriction. The decal shall be displayed on the 11667  
bottom left corner of the back window of the vehicle or, if there 11668  
is no back window, on the bottom left corner of the windshield of 11669  
the vehicle. The bureau of motor vehicles shall adopt rules 11670  
providing for the decentralization of the issuance of the decals 11671  
described in this division, with the rules providing for the 11672  
issuance of the decals by at least one agency in each county. 11673

11674

(C) Whoever violates this section is guilty of a minor 11675  
misdemeanor. 11676

**Sec. 4503.233.** ~~(A)(1) As used in this section, "vehicle~~ 11677  
~~owner" means either of the following:~~ 11678

~~(a) The person in whose name is registered, at the time of~~ 11679  
~~the offense, a vehicle that is subject to an immobilization order~~ 11680  
~~issued under division (A)(2) of this section;~~ 11681

~~(b) A person to whom, at the time of the offense, the~~ 11682  
~~certificate of title to a vehicle has been assigned and who has~~ 11683  
~~not obtained a certificate of title to the vehicle in that~~ 11684  
~~person's name but who is deemed by the court as being the owner of~~ 11685  
~~the vehicle at the time of the offense for which the vehicle is~~ 11686

~~subject to an immobilization order issued under division (A)(2) of  
this section.~~ 11687  
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~~(2) If a court is required to order the immobilization of a  
vehicle for a specified period of time pursuant to ~~division (B)(1)~~  
or (2), (C)(1) or (2), or (E)(1) of section 4507.99, pursuant to  
division (A)(2)(b), (6)(b), or (7)(b) of section 4511.99,  
pursuant to division (B)(1) or (2) or (C)(1) or (2) of section  
4507.361, or pursuant to division (B)(2)(i) or (ii) of section  
4510.11, 4510.14, 4510.16, 4510.41, 4511.19, 4511.193, or 4511.203  
of the Revised Code, the court shall issue an immobilization  
order, ~~subject to section 4503.235 of the Revised Code,~~ in  
accordance with this division and for the period of time specified  
in the particular ~~division~~ section, and the immobilization under  
the order shall be in accordance with this section. The court, at  
the time of sentencing the offender for the offense relative to  
which the immobilization order is issued or as soon thereafter as  
is practicable, shall give a copy of the order to the offender or  
the offender's counsel ~~and to the vehicle owner or the vehicle  
owner's counsel~~. The court promptly shall send a copy of the order  
to the registrar on a form prescribed by the registrar and to the  
person or agency it designates to execute the order.~~ 11689  
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The order shall indicate the date on which it is issued,  
shall identify the vehicle that is subject to the order, and shall  
specify all of the following: 11708  
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(a) The period of the immobilization; 11711

(b) The place at which the court determines that the  
immobilization shall be carried out, provided that the court shall  
not determine and shall not specify that the immobilization is to  
be carried out at any place other than a commercially operated  
private storage lot, a place owned by a law enforcement or other  
government agency, or a place to which one of the following  
applies: 11712  
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(i) The place is leased by or otherwise under the control of a law enforcement or other government agency. 11719  
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(ii) The place is owned by the offender, the offender's spouse, or a parent or child of the offender. 11721  
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(iii) The place is owned by a private person or entity, and, prior to the issuance of the order, 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. 11723  
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(iv) The place is a public street or highway on which the vehicle is parked in accordance with the law. 11728  
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(c) The person or agency designated by the court to execute the order, which shall be either the law enforcement agency that employs the law enforcement officer who seized the vehicle, a bailiff of the court, another person the court determines to be appropriate to execute the order, or the law enforcement agency with jurisdiction over the place of residence of the vehicle owner; 11730  
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(d) That neither the registrar nor a deputy registrar will be permitted to accept an application for the license plate registration of any motor vehicle in the name of the vehicle owner until the immobilization fee is paid. 11737  
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~~(3)~~(2) The person or agency the court designates to immobilize the vehicle shall seize or retain that vehicle's license plates and forward them to the bureau of motor vehicles. 11741  
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~~(4)~~(3) In all cases, the ~~vehicle owner~~ offender shall be assessed an immobilization fee of one hundred dollars, and the immobilization fee shall be paid to the registrar before the vehicle may be released to the ~~vehicle owner~~ offender. Neither the registrar nor a deputy registrar shall accept an application for 11744  
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the registration of any motor vehicle in the name of the ~~vehicle~~ 11749  
~~owner~~ offender until the immobilization fee is paid. 11750

~~(5)~~(4) If the vehicle subject to the order is immobilized 11751  
pursuant to the order and is found being operated upon any street 11752  
or highway in this state during the immobilization period, it 11753  
shall be seized, removed from the street or highway, and 11754  
criminally forfeited and disposed of pursuant to section 4503.234 11755  
of the Revised Code. 11756

~~(6)~~(5) The registrar shall deposit the immobilization fee 11757  
into the law enforcement reimbursement fund created by section 11758  
4501.19 of the Revised Code. Money in the fund shall be expended 11759  
only as provided in division (A)~~(6)~~(5) of this section. If the 11760  
court designated in the order a court bailiff or another 11761  
appropriate person other than a law enforcement officer to 11762  
immobilize the vehicle, the amount of the fee deposited into the 11763  
law enforcement reimbursement fund shall be paid out to the county 11764  
treasury if the court that issued the order is a county court, to 11765  
the treasury of the municipal corporation served by the court if 11766  
the court that issued the order is a mayor's court, or to the city 11767  
treasury of the legislative authority of the court, both as 11768  
defined in section 1901.03 of the Revised Code, if the court that 11769  
issued the order is a municipal court. If the court designated a 11770  
law enforcement agency to immobilize the vehicle and if the law 11771  
enforcement agency immobilizes the vehicle, the amount of the fee 11772  
deposited into the law enforcement reimbursement fund shall be 11773  
paid out to the law enforcement agency to reimburse the agency for 11774  
the costs it incurs in obtaining immobilization equipment and, if 11775  
required, in sending an officer or other person to search for and 11776  
locate the vehicle specified in the immobilization order and to 11777  
immobilize the vehicle. 11778

In addition to the immobilization fee required to be paid 11779  
under division (A)~~(4)~~(3) of this section, the ~~vehicle owner~~ 11780

offender may be charged expenses or charges incurred in the 11781  
removal and storage of the immobilized vehicle. 11782

(B) If a court issues an immobilization order under division 11783  
(A)~~(2)~~(1) of this section, the person or agency designated by the 11784  
court to execute the immobilization order promptly shall 11785  
immobilize or continue the immobilization of the vehicle at the 11786  
place specified by the court in the order. The registrar shall not 11787  
authorize the release of the vehicle or authorize the issuance of 11788  
new identification license plates for the vehicle at the end of 11789  
the immobilization period until the immobilization fee has been 11790  
paid. 11791

(C) Upon receipt of the license plates for a vehicle under 11792  
this section, the registrar shall destroy the license plates. At 11793  
the end of the immobilization period and upon the payment of the 11794  
immobilization fee that must be paid under this section, the 11795  
registrar shall authorize the release of the vehicle and authorize 11796  
the issuance, upon the payment of the same fee as is required for 11797  
the replacement of lost, mutilated, or destroyed license plates 11798  
and certificates of registration, of new license plates and, if 11799  
necessary, a new certificate of registration to the ~~vehicle owner~~ 11800  
offender for the vehicle in question. 11801

(D)(1) If a court issues an immobilization order under 11802  
division (A) of this section, the immobilization period commences 11803  
on the day on which the vehicle in question is immobilized. If the 11804  
vehicle in question had been seized under section ~~4507.38~~ 4510.41 11805  
or 4511.195 of the Revised Code, the time between the seizure and 11806  
the beginning of the immobilization period shall be credited 11807  
against the immobilization period specified in the immobilization 11808  
order issued under division (A) of this section. No vehicle that 11809  
is ~~impounded~~ immobilized under this section is eligible to have 11810  
~~special restricted~~ license plates ~~of the type described in~~ under 11811  
section 4503.231 of the Revised Code issued for that vehicle. 11812

11813

(2) If a court issues an immobilization order under division 11814  
(A) of this section, if the vehicle subject to the order is 11815  
immobilized under the order, and if the vehicle is found being 11816  
operated upon any street or highway of this state during the 11817  
immobilization period, it shall be seized, removed from the street 11818  
or highway, and criminally forfeited, and disposed of pursuant to 11819  
section 4503.234 of the Revised Code. No vehicle that is forfeited 11820  
under this provision shall be considered contraband for purposes 11821  
of section 2933.41, 2933.42, or 2933.43 of the Revised Code, but 11822  
shall be held by the law enforcement agency that employs the 11823  
officer who seized it for disposal in accordance with section 11824  
4503.234 of the Revised Code. 11825

(3) If a court issues an immobilization order under division 11826  
(A) of this section, and if the vehicle is not claimed within 11827  
seven days after the end of the period of immobilization or if the 11828  
~~vehicle owner~~ offender has not paid the immobilization fee, the 11829  
person or agency that immobilized the vehicle shall send a written 11830  
notice to the ~~vehicle owner~~ offender at the ~~vehicle owner's~~ 11831  
offender's last known address informing the ~~vehicle owner~~ offender 11832  
of the date on which the period of immobilization ended, that the 11833  
~~vehicle owner~~ offender has twenty days after the date of the 11834  
notice to pay the immobilization fee and obtain the release of the 11835  
vehicle, and that if the ~~vehicle owner~~ offender does not pay the 11836  
fee and obtain the release of the vehicle within that twenty-day 11837  
period, the vehicle will be forfeited under section 4503.234 of 11838  
the Revised Code to the entity that is entitled to the 11839  
immobilization fee. 11840

(4) An ~~owner of a~~ offender whose motor vehicle ~~that~~ is 11841  
subject to an immobilization order issued under division (A) of 11842  
this section shall not sell the motor vehicle without approval of 11843  
the court that issued the order. If such an ~~owner~~ offender wishes 11844

to sell the motor vehicle during the immobilization period, the 11845  
~~owner~~ offender shall apply to the court that issued the 11846  
immobilization order for permission to assign the title to the 11847  
vehicle. If the court is satisfied that the sale will be in good 11848  
faith and not for the purpose of circumventing the provisions of 11849  
division (A)~~(2)~~(1) of this section, it may certify its consent to 11850  
the ~~owner~~ offender and to the registrar. Upon receipt of the 11851  
court's consent, the registrar shall enter the court's notice in 11852  
the ~~owner's~~ offender's vehicle license plate registration record. 11853

If, during a period of immobilization under an immobilization 11854  
order issued under division (A) of this section, the title to the 11855  
immobilized motor vehicle is transferred by the foreclosure of a 11856  
chattel mortgage, a sale upon execution, the cancellation of a 11857  
conditional sales contract, or an order of a court, the involved 11858  
court shall notify the registrar of the action, and the registrar 11859  
shall enter the court's notice in the ~~owner's~~ offender's vehicle 11860  
license plate registration record. 11861

Nothing in this section shall be construed as requiring the 11862  
registrar or the clerk of the court of common pleas to note upon 11863  
the certificate of title records any prohibition regarding the 11864  
sale of a motor vehicle. 11865

(5) If the title to a motor vehicle that is subject to an 11866  
immobilization order under division (A) of this section is 11867  
assigned or transferred without court approval between the time of 11868  
arrest of the ~~person who was operating the vehicle at the time of~~ 11869  
offender who committed the offense for which such an order is to 11870  
be issued and the time of the actual immobilization of the 11871  
vehicle, the court shall order that, for a period of two years 11872  
from the date of the order, neither the registrar nor any deputy 11873  
registrar shall accept an application for the registration of any 11874  
motor vehicle in the name of the ~~owner of the~~ offender whose 11875  
vehicle ~~that~~ was assigned or transferred without court approval. 11876

The court shall notify the registrar of the order on a form 11877  
prescribed by the registrar for that purpose. 11878

(E)(1) The court with jurisdiction over the case, after 11879  
notice to all interested parties including lienholders, and after 11880  
an opportunity for them to be heard, if the ~~vehicle owner~~ offender 11881  
fails to appear in person, without good cause, or if the court 11882  
finds that the ~~vehicle owner~~ offender does not intend to seek 11883  
release of the vehicle at the end of the period of immobilization 11884  
or that the ~~vehicle owner~~ offender is not or will not be able to 11885  
pay the expenses and charges incurred in its removal and storage, 11886  
may order that title to the vehicle be transferred, in order of 11887  
priority, first into the name of the entity entitled to the 11888  
immobilization fee under division (A)~~(6)~~(5) of this section, next 11889  
into the name of a lienholder, or lastly, into the name of the 11890  
owner of the place of storage. 11891

A lienholder that receives title under a court order shall do 11892  
so on the condition that it pay any expenses or charges incurred 11893  
in the vehicle's removal and storage. If the entity that receives 11894  
title to the vehicle is the entity that is entitled to the 11895  
immobilization fee under division (A)~~(6)~~(5) of this section, it 11896  
shall receive title on the condition that it pay any lien on the 11897  
vehicle. The court shall not order that title be transferred to 11898  
any person or entity other than the owner of the place of storage 11899  
if the person or entity refuses to receive the title. Any person 11900  
or entity that receives title may either keep title to the vehicle 11901  
or may dispose of the vehicle in any legal manner that it 11902  
considers appropriate, including assignment of the certificate of 11903  
title to the motor vehicle to a salvage dealer or a scrap metal 11904  
processing facility. The person or entity shall not transfer the 11905  
vehicle to the person who is the vehicle's immediate previous 11906  
owner. 11907

If the person or entity assigns the motor vehicle to a 11908

salvage dealer or scrap metal processing facility, the person or 11909  
entity shall send the assigned certificate of title to the motor 11910  
vehicle to the clerk of the court of common pleas of the county in 11911  
which the salvage dealer or scrap metal processing facility is 11912  
located. The person or entity shall mark the face of the 11913  
certificate of title with the words "FOR DESTRUCTION" and shall 11914  
deliver a photocopy of the certificate of title to the salvage 11915  
dealer or scrap metal processing facility for its records. 11916

(2) Whenever a court issues an order under division (E)(1) of 11917  
this section, the court also shall order removal of the license 11918  
plates from the vehicle and cause them to be sent to the registrar 11919  
if they have not already been sent to the registrar. Thereafter, 11920  
no further proceedings shall take place under this section, but 11921  
the ~~vehicle owner~~ offender remains liable for payment of the 11922  
immobilization fee described in division (A)~~(4)~~(3) of this section 11923  
if an immobilization order previously had been issued by the 11924  
court. 11925

(3) Prior to initiating a proceeding under division (E)(1) of 11926  
this section, and upon payment of the fee under division (B) of 11927  
section 4505.14 of the Revised Code, any interested party may 11928  
cause a search to be made of the public records of the bureau of 11929  
motor vehicles or the clerk of the court of common pleas, to 11930  
ascertain the identity of any lienholder of the vehicle. The 11931  
initiating party shall furnish this information to the clerk of 11932  
the court with jurisdiction over the case, and the clerk shall 11933  
provide notice to the vehicle owner, the defendant, any 11934  
lienholder, and any other interested parties listed by the 11935  
initiating party, at the last known address supplied by the 11936  
initiating party, by certified mail or, at the option of the 11937  
initiating party, by personal service or ordinary mail. 11938

As used in this section, "interested party" includes the 11939  
~~vehicle owner~~ offender, all lienholders, ~~the defendant~~, the owner 11940

of the place of storage, the person or entity that caused the 11941  
vehicle to be removed, and the person or entity, if any, entitled 11942  
to the immobilization fee under division (A)~~(6)~~(5) of this 11943  
section. 11944

**Sec. 4503.234.** (A) ~~As used in this section, "vehicle owner"~~ 11945  
~~means the person in whose name is registered a vehicle that is~~ 11946  
~~subject to an order of forfeiture issued under this section.~~ 11947

~~(B)~~ If a court is required by section 4503.233, 4503.236, 11948  
~~4507.361, 4507.99, 4510.11, 4510.14, 4510.16, 4510.41, 4511.19,~~ 11949  
~~4511.193, or 4511.99~~ 4511.203 of the Revised Code to order the 11950  
criminal forfeiture of a vehicle, the order shall be issued and 11951  
enforced in accordance with this division, subject to division 11952  
~~(C)~~(B) of this section ~~and section 4503.235 of the Revised Code.~~ 11953  
An order of criminal forfeiture issued under this division shall 11954  
authorize an appropriate law enforcement agency to seize the 11955  
vehicle ordered criminally forfeited upon the terms and conditions 11956  
that the court determines proper. No vehicle ordered criminally 11957  
forfeited pursuant to this division shall be considered contraband 11958  
for purposes of section 2933.41, 2933.42, or 2933.43 of the 11959  
Revised Code, but ~~shall be held by~~ the law enforcement agency that 11960  
employs the officer who seized it shall hold the vehicle for 11961  
disposal in accordance with this section. A forfeiture order may 11962  
be issued only after the ~~vehicle owner~~ offender has been provided 11963  
with an opportunity to be heard. The prosecuting attorney shall 11964  
give the ~~vehicle owner~~ offender written notice of the possibility 11965  
of forfeiture by sending a copy of the relevant uniform traffic 11966  
ticket or other written notice to the ~~vehicle owner~~ offender not 11967  
less than seven days prior to the date of issuance of the 11968  
forfeiture order. A vehicle is subject to an order of criminal 11969  
forfeiture pursuant to this division upon the conviction of the 11970  
offender of or plea of guilty by the offender to a violation of 11971  
division (A) of section 4503.236, ~~division (B)(1) or (D)(2) of~~ 11972

~~section 4507.02, section 4507.33~~ 4510.11, 4510.14, 4510.16, or 11973  
4511.203, or division (A) of section 4511.19 of the Revised Code, 11974  
or a municipal ordinance that is substantially equivalent to 11975  
~~division (A) of section 4503.236, division (B)(1) or (D)(2) of~~ 11976  
~~section 4507.02, section 4507.33, or division (A) of section~~ 11977  
~~4511.19 of the Revised Code~~ any of those sections or divisions. 11978

~~(C)(B)(1)~~ Prior to the issuance of an order of criminal 11979  
forfeiture pursuant to ~~division (B)~~ of this section, the law 11980  
enforcement agency that employs the law enforcement officer who 11981  
seized the vehicle shall conduct or cause to be conducted a search 11982  
of the appropriate public records that relate to the vehicle and 11983  
shall make or cause to be made reasonably diligent inquiries to 11984  
identify any lienholder or any person or entity with an ownership 11985  
interest in the vehicle. The court that is to issue the forfeiture 11986  
order also shall cause a notice of the potential order relative to 11987  
the vehicle and of the expected manner of disposition of the 11988  
vehicle after its forfeiture to be sent to any lienholder or 11989  
person who is known to the court to have any right, title, or 11990  
interest in the vehicle. The court shall give the notice by 11991  
certified mail, return receipt requested, or by personal service. 11992

(2) No order of criminal forfeiture shall be issued pursuant 11993  
to ~~division (B)~~ of this section if a lienholder or other person 11994  
with an ownership interest in the vehicle establishes to the 11995  
court, by a preponderance of the evidence after filing a motion 11996  
with the court, that the lienholder or other ~~that~~ person neither 11997  
knew nor should have known after a reasonable inquiry that the 11998  
vehicle would be used or involved, or likely would be used or 11999  
involved, in the violation resulting in the issuance of the order 12000  
of criminal forfeiture or the violation of the order of 12001  
immobilization issued under section 4503.233 of the Revised Code, 12002  
that the lienholder or other ~~that~~ person did not expressly or 12003  
impliedly consent to the use or involvement of the vehicle in that 12004



violation, and that the lien or ownership interest was perfected 12005  
pursuant to law prior to the seizure of the vehicle under section 12006  
4503.236, ~~4507.38~~, or 4510.41, 4511.195, or 4511.203 of the 12007  
Revised Code. If the lienholder or holder of the ownership 12008  
interest satisfies the court that these criteria have been met, 12009  
the court shall preserve ~~the holder's~~ the lienholder's or other 12010  
person's lien or interest, and the court either shall return the 12011  
vehicle to the holder, ~~the holder's~~ or shall order that the ~~the~~ 12012  
~~holder's~~ proceeds of any sale held pursuant to division ~~(D)~~(C)(2) 12013  
of this section be paid to the lienholder or holder of the 12014  
interest less the costs of seizure, storage, and maintenance of 12015  
the vehicle. The court shall not return a vehicle to a lienholder 12016  
or a holder of an ownership interest ~~under division (C)(2) of this~~ 12017  
~~section~~ unless the lienholder or holder submits an affidavit to 12018  
the court that states that the lienholder or holder will not 12019  
return the vehicle to the person from whom the vehicle was seized 12020  
pursuant to the order of criminal forfeiture or to any member of 12021  
that person's family and will not otherwise knowingly permit that 12022  
person or any member of that person's family to obtain possession 12023  
of the vehicle. 12024

(3) No order of criminal forfeiture shall be issued pursuant 12025  
to ~~division (B) of~~ this section if a person with an interest in 12026  
the vehicle establishes to the court, by a preponderance of the 12027  
evidence after filing a motion with the court, that the person 12028  
neither knew nor should have known after a reasonable inquiry that 12029  
the vehicle had been used or was involved in the violation 12030  
resulting in the issuance of the order of criminal forfeiture or 12031  
the violation of the order of immobilization issued under section 12032  
4503.233 of the Revised Code, that the person did not expressly or 12033  
impliedly consent to the use or involvement of the vehicle in that 12034  
violation, that the interest was perfected in good faith and for 12035  
value pursuant to law between the time of the arrest of the 12036  
offender and the final disposition of the criminal charge in 12037

question, and that the vehicle was in the possession of the 12038  
~~vehicle owner~~ interest holder at the time of the perfection of the 12039  
interest. If the court is satisfied that the interest holder has 12040  
met these criteria, the court shall preserve ~~the holder's~~ the 12041  
interest holder's interest, and the court either shall return the 12042  
vehicle to the interest holder ~~the holder's~~ or order that the ~~the~~ 12043  
~~holder's~~ proceeds of any sale held pursuant to division ~~(D)~~(C) of 12044  
this section be paid to the holder of the interest less the costs 12045  
of seizure, storage, and maintenance of the vehicle. The court 12046  
shall not return a vehicle to an interest holder ~~under division~~ 12047  
~~(C)(3) of this section~~ unless the holder submits an affidavit to 12048  
the court stating that the holder will not return the vehicle to 12049  
the person from whom the holder acquired ~~the holder's~~ the holder's 12050  
interest, nor to any member of that person's family, and the 12051  
holder will not otherwise knowingly permit that person or any 12052  
member of that person's family to obtain possession of the 12053  
vehicle. 12054

~~(D)~~(C) A vehicle ordered criminally forfeited to the state 12055  
pursuant to ~~division (B)~~ of this section shall be disposed of as 12056  
follows: 12057

(1) It shall be given to the law enforcement agency that 12058  
employs the law enforcement officer who seized the vehicle, if 12059  
that agency desires to have it; 12060

(2) If a vehicle is not disposed of pursuant to division 12061  
~~(D)~~(C)(1) of this section, the vehicle shall be sold, without 12062  
appraisal, if the value of the vehicle is two thousand dollars or 12063  
more as determined by publications of the national auto dealer's 12064  
association, at a public auction to the highest bidder for cash. 12065  
Prior to the sale, the prosecuting attorney in the case shall 12066  
cause a notice of the proposed sale to be given in accordance with 12067  
law. The court shall cause notice of the sale of the vehicle to be 12068  
published in a newspaper of general circulation in the county in 12069

which the court is located at least seven days prior to the date 12070  
of the sale. The proceeds of a sale under this division or 12071  
division ~~(G)~~(F) of this section shall be applied in the following 12072  
order: 12073

(a) First, they shall be applied to the payment of the costs 12074  
incurred in connection with the seizure, storage, and maintenance 12075  
of, and provision of security for, the vehicle, any proceeding 12076  
arising out of the forfeiture, and if any, the sale. 12077

(b) Second, the remaining proceeds after compliance with 12078  
division ~~(D)~~(C)(2)(a) of this section, shall be applied to the 12079  
payment of the value of any lien or ownership interest in the 12080  
vehicle preserved under division ~~(G)~~(B) of this section. 12081

(c) Third, the remaining proceeds, after compliance with 12082  
divisions ~~(D)~~(C)(2)(a) and (b) of this section, shall be applied 12083  
to the appropriate funds in accordance with divisions (D)(1)(c) 12084  
and (2) of section 2933.43 of the Revised Code, provided that the 12085  
total of the amount so deposited under this division shall not 12086  
exceed one thousand dollars. The remaining proceeds deposited 12087  
under this division shall be used only for the purposes authorized 12088  
by those divisions and division (D)(3)(a)(ii) of that section. 12089

(d) Fourth, the remaining proceeds after compliance with 12090  
divisions ~~(D)~~(C)(2)(a) and (b) of this section and after deposit 12091  
of a total amount of one thousand dollars under division 12092  
~~(D)~~(C)(2)(c) of this section shall be applied so that fifty per 12093  
cent of those remaining proceeds is paid into the reparation fund 12094  
established by section 2743.191 of the Revised Code, twenty-five 12095  
per cent is paid into the drug abuse resistance education programs 12096  
fund created by division ~~(L)~~(F)(2)(e) of section 4511.191 of the 12097  
Revised Code and shall be used only for the purposes authorized by 12098  
division ~~(L)~~(F)(2)(e) of that section, and twenty-five per cent is 12099  
applied to the appropriate funds in accordance with division 12100  
(D)(1)(c) of section 2933.43 of the Revised Code. The proceeds 12101

deposited into any fund described in section 2933.43 of the Revised Code shall be used only for the purposes authorized by division (D)(1)(c), (2), and (3)(a)(ii) of that section.

~~(E)~~ Notwithstanding (D) Except as provided in division (E) of section 4511.203 of the Revised Code and notwithstanding any other provision of law, neither the registrar of motor vehicles nor any deputy registrar shall accept an application for the registration of any motor vehicle in the name of any person, or register any motor vehicle in the name of any person, if both of the following apply:

(1) Any vehicle registered in the person's name was criminally forfeited under ~~division (B) of this section and section 4503.233, 4503.236, 4507.361, 4507.99~~ 4510.10, 4510.11, 4510.14, 4510.16, 4510.161, 4510.41, 4511.19, 4511.193, or 4511.99 4511.203 of the Revised Code;

(2) Less than five years have expired since the issuance of the most recent order of criminal forfeiture issued in relation to a vehicle registered in the person's name.

~~(F)~~ (E) If a court is required by section 4503.233, ~~4507.361, 4507.99~~ 4503.236, 4510.10, 4510.11, 4510.14, 4510.16, 4510.161, 4510.41, 4511.19, 4511.193, or 4511.99 4511.203 of the Revised Code to order the criminal forfeiture to the state of a vehicle, and the title to the motor vehicle is assigned or transferred, and division ~~(C)~~ (B)(2) or (3) of this section 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 ~~(F) of this section~~ shall be distributed in accordance with division ~~(D)(4)~~ (C)(2) of this section.

~~(G)~~ (F) As used in ~~division (D) of this section and divisions~~

(D)(1)(c), (D)(2), and (D)(3)(a)(ii) of section 2933.43 of the Revised Code in relation to proceeds of the sale of a vehicle under division ~~(D)~~(C) of this section, "prosecuting attorney" includes the prosecuting attorney, village solicitor, city director of law, or similar chief legal officer of a municipal corporation who prosecutes the case resulting in the conviction or guilty plea in question.

(G) If the vehicle to be forfeited has an average retail value of less than two thousand dollars as determined by publications of the national auto dealer's association, no public auction is required to be held. In such a case, the court may direct that the vehicle be disposed of in any 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 court shall not transfer the vehicle to the person who is the vehicle's immediate previous owner.

If the court assigns the motor vehicle to a salvage dealer or scrap metal processing facility and the court is in possession of the certificate of title to the motor vehicle, it 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 court 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.

If the court is not in possession of the certificate of title to the motor vehicle, the court shall issue an order transferring ownership of the motor vehicle to a salvage dealer or scrap metal processing facility, send the order to the clerk of the court of common pleas of the county in which the salvage dealer or scrap metal processing facility is located, and send a photocopy of the

order to the salvage dealer or scrap metal processing facility for 12165  
its records. The clerk shall make the proper notations or entries 12166  
in the clerk's records concerning the disposition of the motor 12167  
vehicle. 12168

**Sec. 4503.236.** (A) No person shall operate a motor vehicle or 12169  
permit the operation of a motor vehicle upon any public or private 12170  
property used by the public for vehicular travel or parking 12171  
knowing or having reasonable cause to believe that the motor 12172  
vehicle has been ordered immobilized pursuant to an immobilization 12173  
order issued under section 4503.233 of the Revised Code. 12174

(B) A motor vehicle that is operated by a person during a 12176  
violation of division (A) of this section shall be criminally 12177  
forfeited to the state in accordance with the procedures contained 12178  
in section 4503.234 of the Revised Code, ~~but such forfeiture is~~ 12179  
~~subject to section 4503.235 of the Revised Code.~~ 12180

(C) Whoever violates division (A) of this section is guilty 12181  
of a misdemeanor of the second degree. 12182

**Sec. 4503.28.** (A) No person who is a manufacturer of, dealer 12183  
in, or distributor of motor vehicles shall fail to file an 12184  
application for registration and to pay the tax ~~therefor~~ for the 12185  
registration and to apply for and pay the legal fees for as many 12186  
certified copies ~~thereof~~ of the registration as the law requires. 12187

(B) Whoever violates this section is guilty of a misdemeanor 12188  
of the fourth degree. 12189

**Sec. 4503.30.** (A) Any placards issued by the registrar of 12190  
motor vehicles and bearing the distinctive number assigned to a 12191  
manufacturer, dealer, or distributor pursuant to section 4503.27 12192  
of the Revised Code may be displayed on any motor vehicle, other 12193

than commercial cars, or on any motorized bicycle owned by the 12194  
manufacturer, dealer, or distributor, or lawfully in the 12195  
possession or control of the manufacturer, or the agent or 12196  
employee of the manufacturer, the dealer, or the agent or employee 12197  
of the dealer, the distributor, or the agent or employee of the 12198  
distributor, and shall be displayed on no other motor vehicle or 12199  
motorized bicycle. A placard may be displayed on a motor vehicle, 12200  
other than a commercial car, owned by a dealer when the vehicle is 12201  
in transit from a dealer to a purchaser, when the vehicle is being 12202  
demonstrated for sale or lease, or when the vehicle otherwise is 12203  
being utilized by the dealer. A vehicle bearing a placard issued 12204  
to a dealer under section 4503.27 of the Revised Code may be 12205  
operated by the dealer, an agent or employee of the dealer, a 12206  
prospective purchaser, or a third party operating the vehicle with 12207  
the permission of the dealer. 12208

Such placards may be displayed on commercial cars only when 12209  
the cars are in transit from a manufacturer to a dealer, from a 12210  
distributor to a dealer or distributor, or from a dealer to a 12211  
purchaser, or when the cars are being demonstrated for sale or 12212  
lease, and shall not be displayed when the cars are being used for 12213  
delivery, hauling, transporting, or other commercial purpose. 12214

(B) Whoever violates this section is guilty of a misdemeanor 12215  
of the third degree. 12216

**Sec. 4503.301.** (A) A manufacturer, dealer, or distributor of 12217  
motor vehicles may apply for a reasonable number of commercial car 12218  
demonstration placards. The application shall show the make of 12219  
commercial cars, commercial tractors, trailers, and semitrailers 12220  
manufactured, dealt, or distributed in and shall show the taxing 12221  
district in which the applicant's place of business is located. 12222

Upon the filing of such application and the payment of an 12223  
12224

annual fee of five hundred dollars and appropriate postage as 12225  
required by the registrar of motor vehicles, the registrar shall 12226  
assign to the applicant a distinctive placard and number. Such 12227  
placards shall be known as "commercial car demonstration 12228  
placards," and shall expire on a date prescribed by the registrar. 12229  
Upon the first application by any person for such placards, the 12230  
registrar shall prorate the annual fee in accordance with section 12231  
4503.11 of the Revised Code; for all renewals or replacements of 12232  
such placards, the registrar shall collect the full amount of the 12233  
annual fee. 12234

Commercial car demonstration placards may be displayed on 12235  
commercial cars, commercial tractors, trailers and semitrailers 12236  
owned by the manufacturer, dealer, or distributor, when those 12237  
vehicles are operated by or being demonstrated to a prospective 12238  
purchaser. In addition to the purposes permitted by section 12239  
4503.30 of the Revised Code, the placards provided for in this 12240  
section may be displayed on vehicles operated or used for 12241  
delivery, hauling, transporting, or any other lawful purpose. When 12242  
such placards are used, the placards provided for in section 12243  
4503.30 of the Revised Code need not be displayed. 12244

The operator of any commercial car, commercial tractor, 12245  
trailer, or semitrailer displaying the placards provided for in 12246  
this section, at all times, shall carry with the operator a letter 12247  
from the manufacturer, dealer, or distributor authorizing the use 12248  
of such manufacturer's, dealer's, or distributor's commercial car 12249  
demonstration placards. 12250

When such placards are used on any commercial car or 12251  
commercial tractor, such power unit shall be considered duly 12252  
registered and licensed for the purposes of section 4503.38 of the 12253  
Revised Code. 12254

(B) No manufacturer, dealer, or distributor of motor vehicles 12255  
shall use the commercial car demonstration placard for purposes 12256



other than those authorized by this section. 12257

(C) Whoever violates division (B) of this section is guilty 12258

of a misdemeanor of the third degree. 12259

**Sec. 4503.32.** (A) No person shall use the license placards 12260

provided for in section 4503.31 of the Revised Code contrary to 12261

said section. 12262

(B) Whoever violates this section is guilty of a misdemeanor 12263

of the third degree. 12264

**Sec. 4503.34.** (A) No person who is a drive-away operator or 12265

trailer transporter, or both, engaged in the business of 12266

transporting and delivering new motor vehicles or used motor 12267

vehicles, or both, by means of the full mount method, the saddle 12268

mount method, the tow bar method, the tow-away method, or any 12269

combination thereof, or under their own power, shall fail to file 12270

an application as required by section 4503.33 of the Revised Code, 12271

and to pay the fees therefor and to apply for and pay the legal 12272

fees for as many certified copies thereof as said section 12273

requires. 12274

(B) Whoever violates this section is guilty of a minor 12275

misdemeanor. 12276

**Sec. 4503.39.** With regard to a motor vehicle leased by or in 12277

the name of a person named in a ~~declaration of forfeiture~~ 12278

suspension order, the registrar of motor vehicles shall adopt 12279

procedures as indicated in division (D) of section 2935.27, 12280

division (A) of section 2937.221, and division (B) of section 12281

~~4507.168~~ 4510.22 of the Revised Code. The procedures shall 12282

prescribe the information and methodology necessary to implement 12283

those divisions. 12284

Sec. 4503.44. (A) As used in this section and in section 12285  
4511.69 of the Revised Code: 12286

(1) "Person with a disability that limits or impairs the 12287  
ability to walk" means any person who, as determined by a 12288  
physician or chiropractor, meets any of the following criteria: 12289

(a) Cannot walk two hundred feet without stopping to rest; 12290

(b) Cannot walk without the use of, or assistance from, a 12291  
brace, cane, crutch, another person, prosthetic device, 12292  
wheelchair, or other assistive device; 12293

(c) Is restricted by a lung disease to such an extent that 12294  
the person's forced (respiratory) expiratory volume for one 12295  
second, when measured by spirometry, is less than one liter, or 12296  
the arterial oxygen tension is less than sixty millimeters of 12297  
mercury on room air at rest; 12298

(d) Uses portable oxygen; 12299

(e) Has a cardiac condition to the extent that the person's 12300  
functional limitations are classified in severity as class III or 12301  
class IV according to standards set by the American heart 12302  
association; 12303

(f) Is severely limited in the ability to walk due to an 12304  
arthritic, neurological, or orthopedic condition; 12305

(g) Is blind. 12306

(2) "Organization" means any private organization or 12307  
corporation, or any governmental board, agency, department, 12308  
division, or office, that, as part of its business or program, 12309  
transports persons with disabilities that limit or impair the 12310  
ability to walk on a regular basis in a motor vehicle that has not 12311  
been altered for the purpose of providing it with special 12312  
equipment for use by handicapped persons. This definition does not 12313

apply to division (J) of this section. 12314

(3) "Physician" means a person licensed to practice medicine 12315  
or surgery or osteopathic medicine and surgery under Chapter 4731. 12316  
of the Revised Code. 12317

(4) "Chiropractor" means a person licensed to practice 12318  
chiropractic under Chapter 4734. of the Revised Code. 12319

(B) Any organization or person with a disability that limits 12320  
or impairs the ability to walk may apply to the registrar of motor 12321  
vehicles for a removable windshield placard or, if the person owns 12322  
or leases a motor vehicle, the person may apply for the 12323  
registration of any motor vehicle the person owns or leases. In 12324  
addition to one or more sets of license plates or one placard, a 12325  
person with a disability that limits or impairs the ability to 12326  
walk is entitled to one additional placard, but only if the person 12327  
applies separately for the additional placard, states the reasons 12328  
why the additional placard is needed, and the registrar, in the 12329  
registrar's discretion, determines that good and justifiable cause 12330  
exists to approve the request for the additional placard. When a 12331  
motor vehicle has been altered for the purpose of providing it 12332  
with special equipment for a person with a disability that limits 12333  
or impairs the ability to walk, but is owned or leased by someone 12334  
other than such a person, the owner or lessee may apply to the 12335  
registrar or a deputy registrar for registration under this 12336  
section. The application for registration of a motor vehicle owned 12337  
or leased by a person with a disability that limits or impairs the 12338  
ability to walk shall be accompanied by a signed statement from 12339  
the applicant's personal physician or chiropractor certifying that 12340  
the applicant meets at least one of the criteria contained in 12341  
division (A)(1) of this section and that the disability is 12342  
expected to continue for more than six consecutive months. The 12343  
application for a removable windshield placard made by a person 12344  
with a disability that limits or impairs the ability to walk shall 12345

be accompanied by a prescription from the applicant's personal 12346  
physician or chiropractor prescribing such a placard for the 12347  
applicant, and by a signed statement certifying that the applicant 12348  
meets at least one of the criteria contained in division (A)(1) of 12349  
this section. The physician or chiropractor shall state on the 12350  
prescription the length of time the physician or chiropractor 12351  
expects the applicant to have the disability that limits or 12352  
impairs the applicant's ability to walk. The application for a 12353  
removable windshield placard made by an organization shall be 12354  
accompanied by such documentary evidence of regular transport of 12355  
persons with disabilities that limit or impair the ability to walk 12356  
by the organization as the registrar may require by rule and shall 12357  
be completed in accordance with procedures that the registrar may 12358  
require by rule. The application for registration of a motor 12359  
vehicle that has been altered for the purpose of providing it with 12360  
special equipment for a person with a disability that limits or 12361  
impairs the ability to walk but is owned by someone other than 12362  
such a person shall be accompanied by such documentary evidence of 12363  
vehicle alterations as the registrar may require by rule. 12364

12365

(C) When an organization, a person with a disability that 12366  
limits or impairs the ability to walk, or a person who does not 12367  
have a disability that limits or impairs the ability to walk but 12368  
owns a motor vehicle that has been altered for the purpose of 12369  
providing it with special equipment for a person with a disability 12370  
that limits or impairs the ability to walk first submits an 12371  
application for registration of a motor vehicle under this section 12372  
and every fifth year thereafter, the organization or person shall 12373  
submit a signed statement from the applicant's personal physician 12374  
or chiropractor, a completed application, and any required 12375  
documentary evidence of vehicle alterations as provided in 12376  
division (B) of this section, and also a power of attorney from 12377  
the owner of the motor vehicle if the applicant leases the 12378

vehicle. Upon submission of these items, the registrar or deputy 12379  
registrar shall issue to the applicant appropriate vehicle 12380  
registration and a set of license plates and validation stickers, 12381  
or validation stickers alone when required by section 4503.191 of 12382  
the Revised Code. In addition to the letters and numbers 12383  
ordinarily inscribed thereon, the license plates shall be 12384  
imprinted with the international symbol of access. The license 12385  
plates and validation stickers shall be issued upon payment of the 12386  
regular license fee as prescribed under section 4503.04 of the 12387  
Revised Code and any motor vehicle tax levied under Chapter 4504. 12388  
of the Revised Code, and the payment of a service fee equal to the 12389  
amount specified in division (D) or (G) of section 4503.10 of the 12390  
Revised Code. 12391

(D)(1) Upon receipt of a completed and signed application for 12392  
a removable windshield placard, a prescription as described in 12393  
division (B) of this section, documentary evidence of regular 12394  
transport of persons with disabilities that limit or impair the 12395  
ability to walk, if required, and payment of a service fee equal 12396  
to the amount specified in division (D) or (G) of section 4503.10 12397  
of the Revised Code, the registrar or deputy registrar shall issue 12398  
to the applicant a removable windshield placard, which shall bear 12399  
the date of expiration on both sides of the placard and shall be 12400  
valid until expired, revoked, or surrendered. Every removable 12401  
windshield placard expires as described in division (D)(2) of this 12402  
section, but in no case shall a removable windshield placard be 12403  
valid for a period of less than sixty days. Removable windshield 12404  
placards shall be renewable upon application as provided in 12405  
division (B) of this section, and a service fee equal to the 12406  
amount specified in division (D) or (G) of section 4503.10 of the 12407  
Revised Code shall be charged for the renewal of a removable 12408  
windshield placard. The registrar shall provide the application 12409  
form and shall determine the information to be included thereon. 12410  
The registrar also shall determine the form and size of the 12411

removable windshield placard, the material of which it is to be 12412  
made, and any other information to be included thereon, and shall 12413  
adopt rules relating to the issuance, expiration, revocation, 12414  
surrender, and proper display of such placards. Any placard issued 12415  
after October 14, 1999, shall be manufactured in a manner that 12416  
allows the expiration date of the placard to be indicated on it 12417  
through the punching, drilling, boring, or creation by any other 12418  
means of holes in the placard. 12419

(2) At the time a removable windshield placard is issued to a 12420  
person with a disability that limits or impairs the ability to 12421  
walk, the registrar or deputy registrar shall enter into the 12422  
records of the bureau of motor vehicles the last date on which the 12423  
person will have that disability, as indicated on the accompanying 12424  
prescription. Not less than thirty days prior to that date and all 12425  
removable windshield placard renewal dates, the bureau shall send 12426  
a renewal notice to that person at the person's last known address 12427  
as shown in the records of the bureau, informing the person that 12428  
the person's removable windshield placard will expire on the 12429  
indicated date not to exceed five years from the date of issuance, 12430  
and that the person is required to renew the placard by submitting 12431  
to the registrar or a deputy registrar another prescription, as 12432  
described in division (B) of this section, and by complying with 12433  
the renewal provisions prescribed in division (D)(1) of this 12434  
section. If such a prescription is not received by the registrar 12435  
or a deputy registrar by that date, the placard issued to that 12436  
person expires and no longer is valid, and this fact shall be 12437  
recorded in the records of the bureau. 12438

(3) At least once every year, on a date determined by the 12439  
registrar, the bureau shall examine the records of the office of 12440  
vital statistics, located within the department of health, that 12441  
pertain to deceased persons, and also the bureau's records of all 12442  
persons who have been issued removable windshield placards and 12443

temporary removable windshield placards. If the records of the 12444  
office of vital statistics indicate that a person to whom a 12445  
removable windshield placard or temporary removable windshield 12446  
placard has been issued is deceased, the bureau shall cancel that 12447  
placard, and note the cancellation in its records. 12448

The office of vital statistics shall make available to the 12449  
bureau all information necessary to enable the bureau to comply 12450  
with division (D)(3) of this section. 12451

(4) Nothing in this section shall be construed to require a 12452  
person or organization to apply for a removable windshield placard 12453  
or special license plates if the parking card or special license 12454  
plates issued to the person or organization under prior law have 12455  
not expired or been surrendered or revoked. 12456

(E) Any person with a disability that limits or impairs the 12457  
ability to walk may apply to the registrar or a deputy registrar 12458  
for a temporary removable windshield placard. The application for 12459  
a temporary removable windshield placard shall be accompanied by a 12460  
prescription from the applicant's personal physician or 12461  
chiropractor prescribing such a placard for the applicant, and by 12462  
a signed statement certifying that the applicant meets at least 12463  
one of the criteria contained in division (A)(1) of this section 12464  
and that the disability is expected to continue for six 12465  
consecutive months or less. The physician or chiropractor shall 12466  
state on the prescription the length of time the physician or 12467  
chiropractor expects the applicant to have the disability that 12468  
limits or impairs the applicant's ability to walk, which cannot 12469  
exceed six months from the date of the prescription. Upon receipt 12470  
of an application for a temporary removable windshield placard, 12471  
presentation of the prescription and the signed statement from the 12472  
applicant's personal physician or chiropractor, and payment of a 12473  
service fee equal to the amount specified in division (D) or (G) 12474  
of section 4503.10 of the Revised Code, the registrar or deputy 12475

registrar shall issue to the applicant a temporary removable 12476  
windshield placard. The temporary removable windshield placard 12477  
shall be of the same size and form as the removable windshield 12478  
placard, shall be printed in white on a red-colored background, 12479  
and shall bear the word "temporary" in letters of such size as the 12480  
registrar shall prescribe. A temporary removable windshield 12481  
placard also shall bear the date of expiration on the front and 12482  
back of the placard, and shall be valid until expired, 12483  
surrendered, or revoked, but in no case shall such a placard be 12484  
valid for a period of less than sixty days. The registrar shall 12485  
provide the application form and shall determine the information 12486  
to be included on it. The registrar also shall determine the 12487  
material of which the temporary removable windshield placard is to 12488  
be made and any other information to be included on the placard 12489  
and shall adopt rules relating to the issuance, expiration, 12490  
surrender, revocation, and proper display of those placards. Any 12491  
temporary removable windshield placard issued after October 14, 12492  
1999, shall be manufactured in a manner that allows for the 12493  
expiration date of the placard to be indicated on it through the 12494  
punching, drilling, boring, or creation by any other means of 12495  
holes in the placard. 12496

(F) If an applicant for a removable windshield placard is a 12497  
veteran of the armed forces of the United States whose disability, 12498  
as defined in division (A)(1) of this section, is 12499  
service-connected, the registrar or deputy registrar, upon receipt 12500  
of the application, presentation of a signed statement from the 12501  
applicant's personal physician or chiropractor certifying the 12502  
applicant's disability, and presentation of such documentary 12503  
evidence from the department of veterans affairs that the 12504  
disability of the applicant meets at least one of the criteria 12505  
identified in division (A)(1) of this section and is 12506  
service-connected as the registrar may require by rule, but 12507  
without the payment of any service fee, shall issue the applicant 12508



a removable windshield placard that is valid until expired, 12509  
surrendered, or revoked. 12510

Upon a conviction of a violation of division (H), (I), or (J) 12511  
of this section, the court shall report the conviction, and send 12512  
the placard or parking card, if available, to the registrar, who 12513  
thereupon shall revoke the privilege of using the placard or 12514  
parking card and send notice in writing to the placardholder or 12515  
cardholder at that holder's last known address as shown in the 12516  
records of the bureau, and the placardholder or cardholder shall 12517  
return the placard or card if not previously surrendered to the 12518  
court, to the registrar within ten days following mailing of the 12519  
notice. 12520

Whenever a person to whom a removable windshield placard or 12521  
parking card has been issued moves to another state, the person 12522  
shall surrender the placard or card to the registrar; and whenever 12523  
an organization to which a placard or card has been issued changes 12524  
its place of operation to another state, the organization shall 12525  
surrender the placard or card to the registrar. 12526

(G) Subject to division (F) of section 4511.69 of the Revised 12527  
Code, the operator of a motor vehicle displaying a removable 12528  
windshield placard, temporary removable windshield placard, 12529  
parking card, or the special license plates authorized by this 12530  
section is entitled to park the motor vehicle in any special 12531  
parking location reserved for persons with disabilities that limit 12532  
or impair the ability to walk, also known as handicapped parking 12533  
spaces or disability parking spaces. 12534

(H) No person or organization that is not eligible under 12535  
division (B) or (E) of this section shall willfully and falsely 12536  
represent that the person or organization is so eligible. 12537

No person or organization shall display license plates issued 12538  
under this section unless the license plates have been issued for 12539

the vehicle on which they are displayed and are valid. 12540

(I) No person or organization to which a removable windshield 12541  
placard or temporary removable windshield placard is issued shall 12542  
do either of the following: 12543

(1) Display or permit the display of the placard on any motor 12544  
vehicle when having reasonable cause to believe the motor vehicle 12545  
is being used in connection with an activity that does not include 12546  
providing transportation for persons with disabilities that limit 12547  
or impair the ability to walk; 12548

(2) Refuse to return or surrender the placard, when required. 12549  
12550

(J)(1) No person or organization to which a parking card is 12551  
issued shall do either of the following: 12552

(a) Display or permit the display of the parking card on any 12553  
motor vehicle when having reasonable cause to believe the motor 12554  
vehicle is being used in connection with an activity that does not 12555  
include providing transportation for a handicapped person; 12556

(b) Refuse to return or surrender the parking card, when 12557  
required. 12558

(2) As used in division (J) of this section: 12559

(a) "Handicapped person" means any person who has lost the 12560  
use of one or both legs or one or both arms, who is blind, deaf, 12561  
or so severely handicapped as to be unable to move about without 12562  
the aid of crutches or a wheelchair, or whose mobility is 12563  
restricted by a permanent cardiovascular, pulmonary, or other 12564  
handicapping condition. 12565

(b) "Organization" means any private organization or 12566  
corporation, or any governmental board, agency, department, 12567  
division, or office, that, as part of its business or program, 12568  
transports handicapped persons on a regular basis in a motor 12569

vehicle that has not been altered for the purposes of providing it 12570  
with special equipment for use by handicapped persons. 12571

(K) If a removable windshield placard, temporary removable 12572  
windshield placard, or parking card is lost, destroyed, or 12573  
mutilated, the placardholder or cardholder may obtain a duplicate 12574  
by doing both of the following: 12575

(1) Furnishing suitable proof of the loss, destruction, or 12576  
mutilation to the registrar; 12577

(2) Paying a service fee equal to the amount specified in 12578  
division (D) or (G) of section 4503.10 of the Revised Code. 12579

Any placardholder or cardholder who loses a placard or card 12580  
and, after obtaining a duplicate, finds the original, immediately 12581  
shall surrender the original placard or card to the registrar. 12582

(L) The registrar shall pay all fees received under this 12583  
section for the issuance of removable windshield placards or 12584  
temporary removable windshield placards or duplicate removable 12585  
windshield placards or cards into the state treasury to the credit 12586  
of the state bureau of motor vehicles fund created in section 12587  
4501.25 of the Revised Code. 12588

(M) For purposes of enforcing this section, every peace 12589  
officer is deemed to be an agent of the registrar. Any peace 12590  
officer or any authorized employee of the bureau of motor vehicles 12591  
who, in the performance of duties authorized by law, becomes aware 12592  
of a person whose placard or parking card has been revoked 12593  
pursuant to this section, may confiscate that placard or parking 12594  
card and return it to the registrar. The registrar shall prescribe 12595  
any forms used by law enforcement agencies in administering this 12596  
section. 12597

No peace officer, law enforcement agency employing a peace 12598  
officer, or political subdivision or governmental agency employing 12599  
a peace officer, and no employee of the bureau is liable in a 12600

civil action for damages or loss to persons arising out of the 12601  
performance of any duty required or authorized by this section. As 12602  
used in this division, "peace officer" has the same meaning as in 12603  
division (B) of section 2935.01 of the Revised Code. 12604

(N) All applications for registration of motor vehicles, 12605  
removable windshield placards, and temporary removable windshield 12606  
placards issued under this section, all renewal notices for such 12607  
items, and all other publications issued by the bureau that relate 12608  
to this section shall set forth the criminal penalties that may be 12609  
imposed upon a person who violates any provision relating to 12610  
special license plates issued under this section, the parking of 12611  
vehicles displaying such license plates, and the issuance, 12612  
procurement, use, and display of removable windshield placards and 12613  
temporary removable windshield placards issued under this section. 12614

(O) Whoever violates this section is guilty of a misdemeanor 12615  
of the fourth degree. 12616

**Sec. 4503.46.** (A) For the purposes of this section, "prisoner 12617  
of war" means any regularly appointed, enrolled, enlisted, or 12618  
inducted member of the military forces of the United States who 12619  
was captured, separated, and incarcerated by an enemy of the 12620  
United States at any time, and any regularly appointed, enrolled, 12621  
or enlisted member of the military forces of Great Britain, 12622  
France, any of the countries that comprised the former Union of 12623  
Soviet Socialist Republics, Australia, Belgium, Brazil, Canada, 12624  
China, Denmark, Greece, the Netherlands, New Zealand, Norway, 12625  
Poland, South Africa, or any of the countries that comprised the 12626  
former Yugoslavia who was a citizen of the United States at the 12627  
time of such appointment, enrollment, or enlistment, and was 12628  
captured, separated, and incarcerated by an enemy of this country 12629  
during World War II. 12630

(B) Any person who has been a prisoner of war may apply to 12631

the registrar of motor vehicles for the registration of one 12632  
passenger car, noncommercial motor vehicle, or other vehicle of a 12633  
class approved by the registrar the person owns or leases. The 12634  
application shall be accompanied by written evidence in the form 12635  
of a record of separation, a letter from one of the armed forces 12636  
of the United States or other country as provided in division (A) 12637  
of this section, or other evidence as the registrar may require by 12638  
rule, that such a person was a prisoner of war and was honorably 12639  
discharged or is presently residing in this state on active duty 12640  
with one of the branches of the armed forces of the United States, 12641  
or was a prisoner of war and was honorably discharged or received 12642  
an equivalent discharge or release from one of the armed forces of 12643  
such other country. 12644

Upon receipt of an application for registration of a motor 12645  
vehicle under this section, and presentation of satisfactory 12646  
evidence of such prisoner-of-war status, the registrar shall issue 12647  
to the applicant the appropriate vehicle registration and a set of 12648  
license plates. In addition to the letters and numbers ordinarily 12649  
inscribed thereon, the license plates shall be inscribed with the 12650  
words "FORMER POW." The license plates shall be issued without 12651  
payment of any registration fee or service fee as required by 12652  
division (B) of section 4503.04 and sections 4503.10 and 4503.102 12653  
of the Revised Code, and without payment of any applicable county, 12654  
township, or municipal motor vehicle tax levied under Chapter 12655  
4504. of the Revised Code. 12656

(C) The spouse of a deceased former prisoner of war who has 12657  
not remarried, if the deceased person received or was eligible to 12658  
receive special license plates issued under division (B) of this 12659  
section, may apply to the registrar for the registration of the 12660  
spouse's personal motor vehicle without the payment of any fee or 12661  
tax as provided by division (B) of this section. The application 12662  
for registration shall be accompanied by documentary evidence of 12663

the deceased person's status as a former prisoner of war and by 12664  
any other evidence that the registrar requires by rule. 12665

Upon receipt of an application for registration under this 12666  
division and presentation of satisfactory evidence as required by 12667  
this division and by the registrar, the registrar shall issue to 12668  
the spouse the appropriate vehicle registration and a set of 12669  
license plates as provided in division (B) of this section. 12670

(D) No person who is not a former prisoner of war or spouse 12671  
of a deceased former prisoner of war who has not remarried shall 12672  
willfully and falsely represent that the person is such a former 12673  
prisoner of war or spouse, for the purpose of obtaining license 12674  
plates under this section. 12675

(E) No person shall own or lease a motor vehicle bearing 12676  
license plates issued under this section unless the person is 12677  
eligible to be issued the license plates. 12678

(F) Whoever violates this section is guilty of a misdemeanor 12679  
of the fourth degree. 12680

**Sec. 4503.47. (A)** Any person who is a volunteer firefighter 12681  
may apply to the registrar of motor vehicles for the registration 12682  
of one passenger car or other vehicle of a class approved by the 12683  
registrar the person owns or leases. The application shall be 12684  
accompanied by such written evidence as the registrar may require 12685  
by rule, that the person is a volunteer firefighter. 12686

Upon receipt of an application for the registration of a 12687  
passenger car or other vehicle of a class approved by the 12688  
registrar under this section and presentation of satisfactory 12689  
evidence of such volunteer firefighter status, the registrar shall 12690  
issue to the applicant the appropriate vehicle registration and a 12691  
set of license plates and a validation sticker, or a validation 12692  
sticker alone when required by section 4503.191 of the Revised 12693

Code. In addition to the letters and numbers ordinarily inscribed 12694  
thereon, the license plates shall be inscribed with the letters 12695  
"F.D." inside a Maltese cross emblem. The license plates and 12696  
validation stickers shall be issued upon payment of the regular 12697  
license fees as prescribed under section 4503.04 of the Revised 12698  
Code and any local motor vehicle tax levied under Chapter 4504. of 12699  
the Revised Code, and upon the payment of an additional fee of ten 12700  
dollars for issuance under this section. The fee shall be for the 12701  
purpose of compensating the bureau of motor vehicles for 12702  
additional services required in the issuing of such license 12703  
plates, and shall be transmitted by the registrar to the treasurer 12704  
of state for deposit in the state bureau of motor vehicles fund 12705  
created by section 4501.25 of the Revised Code. No person shall 12706  
apply for more than one set of volunteer firefighter license 12707  
plates annually. 12708

The chief of a fire department or the fire chief shall 12709  
immediately notify the registrar whenever any person under the 12710  
chief's supervision is no longer a volunteer firefighter. 12711

Whenever a person is no longer eligible to be issued 12712  
volunteer firefighter license plates, the person shall surrender 12713  
the volunteer firefighter license plates to the bureau in exchange 12714  
for plates without the "F.D." emblem. A fee of five dollars shall 12715  
be charged for the services required in the issuing of replacement 12716  
plates when an individual is no longer eligible to be issued 12717  
volunteer firefighter license plates. 12718

Application for volunteer firefighter license plates may be 12719  
made, and such license plates and replacement plates shall be 12720  
issued, at any time of year. 12721

No person who is not a volunteer firefighter shall willfully 12722  
and falsely represent that the person is a volunteer firefighter 12723  
for the purpose of obtaining volunteer firefighter license plates 12724  
under this section. No person shall own a vehicle bearing such 12725

license plates unless the person is eligible to be issued such 12726  
license plates. 12727

(B) Whoever violates this section is guilty of a misdemeanor 12728  
of the fourth degree. 12729

**Sec. 4503.471.** (A) Any person who is a member in good 12730  
standing of the international association of firefighters may 12731  
apply to the registrar of motor vehicles for the registration of 12732  
any passenger car, noncommercial vehicle, motor home, or other 12733  
vehicle of a class approved by the registrar that the person owns 12734  
or leases and the issuance of international association of 12735  
firefighters license plates. The application shall be accompanied 12736  
by the written evidence that the registrar may require by rule 12737  
showing that the person is a member in good standing of the 12738  
international association of firefighters. The application for 12739  
international association of firefighters license plates may be 12740  
combined with a request for a special reserved license plate under 12741  
section 4503.40 or 4503.42 of the Revised Code. 12742

Upon receipt of an application for registration of a vehicle 12743  
under this section and presentation of satisfactory evidence 12744  
showing that the person is a member in good standing of the 12745  
international association of firefighters, the registrar shall 12746  
issue to the applicant the appropriate vehicle registrations, sets 12747  
of license plates and validation stickers, or validation stickers 12748  
alone when required by section 4503.191 of the Revised Code. 12749

In addition to the letters and numbers ordinarily inscribed 12750  
on the license plates, international association of firefighters 12751  
license plates shall be inscribed with a Maltese cross emblem 12752  
designed by the international association of firefighters and 12753  
approved by the registrar. International association of 12754  
firefighters license plates shall bear county identification 12755  
stickers that identify the county of registration by name or 12756



number. 12757

The license plates and validation stickers shall be issued 12758  
upon payment of the regular license fee as prescribed under 12759  
section 4503.04 of the Revised Code, payment of any local motor 12760  
vehicle tax levied under Chapter 4504. of the Revised Code, and 12761  
payment of an additional fee of ten dollars for the purpose of 12762  
compensating the bureau of motor vehicles for additional services 12763  
required in the issuing of license plates under this section. If 12764  
the application for international association of firefighters 12765  
license plates is combined with a request for a special reserved 12766  
license plate under section 4503.40 or 4503.42 of the Revised 12767  
Code, the license plate and validation sticker shall be issued 12768  
upon payment of the fees and taxes contained in this division and 12769  
the additional fee prescribed under section 4503.40 or 4503.42 of 12770  
the Revised Code. The registrar shall deposit the additional fee 12771  
of ten dollars in the state bureau of motor vehicles fund created 12772  
by section 4501.25 of the Revised Code. 12773

Whenever a person no longer is eligible to be issued 12774  
international association of firefighters license plates, the 12775  
person shall surrender the international association of 12776  
firefighters license plates to the bureau in exchange for license 12777  
plates without the Maltese cross emblem described in this section. 12778  
A fee of five dollars shall be charged for the services required 12779  
in the issuing of replacement plates when a person no longer is 12780  
eligible to be issued international association of firefighters 12781  
license plates. 12782

A person may make application for international association 12783  
of firefighters license plates at any time of year, and the 12784  
registrar shall issue international association of firefighters 12785  
license plates and replacement plates at any time of year. 12786

(B) No person who is not a member in good standing of the 12787  
international association of firefighters shall willfully and 12788

falsely represent that the person is a member in good standing of 12789  
the international association of firefighters for the purpose of 12790  
obtaining international association of firefighters license plates 12791  
under this section. No person shall own or lease a vehicle bearing 12792  
international association of firefighters license plates unless 12793  
the person is eligible to be issued international association of 12794  
firefighters license plates. 12795

(C) Whoever violates division (B) of this section is guilty 12796  
of a misdemeanor of the fourth degree. 12797

**Sec. 4505.101. (A)** The owner of any repair garage or place of 12798  
storage in which a motor vehicle with a value of less than two 12799  
thousand five hundred dollars has been left unclaimed for fifteen 12800  
days or more following completion of the requested repair or the 12801  
agreed term of storage may send by certified mail, return receipt 12802  
requested, to the last known address of the owner a notice to 12803  
remove the motor vehicle. If the motor vehicle remains unclaimed 12804  
by the owner for fifteen days after the mailing of the notice, and 12805  
the person on whose property the vehicle has been abandoned has 12806  
received the signed receipt from the certified mail or has been 12807  
notified that the delivery was not possible, the person shall 12808  
obtain a certificate of title to the motor vehicle in the person's 12809  
name in the manner provided in this section. 12810

The owner of the repair garage or place of storage that 12811  
mailed the notice shall execute an affidavit that all of the 12812  
requirements of this section necessary to authorize the issuance 12813  
of a certificate of title for the motor vehicle have been met. The 12814  
affidavit shall set forth the value of the motor vehicle when 12815  
unclaimed as determined in accordance with standards fixed by the 12816  
registrar of motor vehicles; the length of time that the motor 12817  
vehicle has remained unclaimed; the expenses incurred with the 12818  
motor vehicle; that a notice to remove the vehicle has been mailed 12819

to the titled owner, if known, by certified mail, return receipt 12820  
requested; and that a search of the records of the bureau of motor 12821  
vehicles has been made for outstanding liens on the motor vehicle. 12822

No affidavit shall be executed or filed under this section 12823  
until after a search of the records of the bureau of motor 12824  
vehicles has been made. If the research reveals any outstanding 12825  
lien on the motor vehicle, the owner of the repair garage or place 12826  
of storage of the motor vehicle shall notify the mortgagee or 12827  
lienholder by certified mail, return receipt requested, stating 12828  
where the motor vehicle is located and the value of the vehicle. 12829  
Unless the mortgagee or lienholder claims the motor vehicle within 12830  
fifteen days from the mailing of the notice, the mortgagee's 12831  
mortgage or the lienholder's lien shall be invalid. 12832

Upon presentation by the owner of the repair garage or place 12833  
of storage of the affidavit, showing compliance with all 12834  
requirements of this section to the clerk of courts of the county 12835  
in which the repair garage or place of storage is located, the 12836  
clerk of courts shall issue a certificate of title, free and clear 12837  
of all liens and encumbrances, to the owner of the place of 12838  
storage. 12839

The value of the motor vehicle, as determined in accordance 12840  
with standards fixed by the registrar of motor vehicles, less 12841  
expenses incurred by the owner of such repair garage or place of 12842  
storage, shall be paid to the clerk of courts for deposit into the 12843  
county general fund upon receipt of the certificate of title. 12844

(B) Whoever violates this section shall be fined not more 12845  
than two hundred dollars, imprisoned not more than ninety days, or 12846  
both. 12847

**Sec. 4505.102.** (A) If a pawnbroker licensed under Chapter 12848  
4727. of the Revised Code makes a loan that is secured by a motor 12849  
vehicle, watercraft, or outboard motor and has taken possession of 12850

the motor vehicle, watercraft, or outboard motor and the 12851  
certificate of title to the motor vehicle, watercraft, or outboard 12852  
motor, and the owner of the motor vehicle, watercraft, or outboard 12853  
motor fails to redeem or pay interest on the loan for which the 12854  
motor vehicle, watercraft, or outboard motor was pledged within 12855  
two months from the date of the loan or the date on which the last 12856  
interest payment is due, and the pawnbroker notifies the owner by 12857  
mail, with proof of mailing, as required by division (A) of 12858  
section 4727.11 of the Revised Code, of the possible forfeiture of 12859  
the motor vehicle, watercraft, or outboard motor, and the owner 12860  
fails to redeem the motor vehicle, watercraft, or outboard motor 12861  
within the thirty-day period required by that division to be 12862  
specified in the notice, the pawnbroker shall proceed to obtain a 12863  
certificate of title to the motor vehicle, watercraft, or outboard 12864  
motor in the pawnbroker's name in the manner provided in this 12865  
section. 12866

(B) The pawnbroker shall execute an affidavit stating all of 12867  
the following: 12868

(1) That the pawnbroker is a pawnbroker licensed under 12869  
Chapter 4727. of the Revised Code; 12870

(2) That the pawnbroker has made a loan to the owner of a 12871  
motor vehicle, watercraft, or outboard motor, and the security for 12872  
the loan is the motor vehicle, watercraft, or outboard motor; 12873  
12874

(3) That both the motor vehicle, watercraft, or outboard 12875  
motor and the certificate of title to the motor vehicle, 12876  
watercraft, or outboard motor are in the possession of the 12877  
pawnbroker; 12878

(4) That the owner of the motor vehicle, watercraft, or 12879  
outboard motor has failed to redeem the pledged motor vehicle, 12880  
watercraft, or outboard motor or pay interest on the loan for 12881

which the motor vehicle, watercraft, or outboard motor was pledged 12882  
within two months from the date of the loan or the date on which 12883  
the last interest payment was due; 12884

(5) That the pawnbroker has notified the owner of the motor 12885  
vehicle, watercraft, or outboard motor by mail, with proof of 12886  
mailing, as required by division (A) of section 4727.11 of the 12887  
Revised Code, and the owner has failed to redeem the motor 12888  
vehicle, watercraft, or outboard motor within the thirty-day 12889  
period required by that division to be specified in the notice. 12890

Upon presentation by the pawnbroker of a copy of the 12891  
affidavit, a copy of the pawn form, a copy of the proof of 12892  
mailing, and the certificate of title to the motor vehicle, 12893  
watercraft, or outboard motor, a clerk of a court of common pleas 12894  
shall issue, if the record shows no lien or encumbrances exist, a 12895  
certificate of title, free and clear of all liens and 12896  
encumbrances, to the pawnbroker. 12897

(C) No person shall execute or present the affidavit required 12898  
by this section, knowing any entry on the affidavit to be false. 12899  
12900

(D) Whoever violates this section shall be fined not more 12901  
than two hundred dollars, imprisoned not more than ninety days, or 12902  
both. 12903

**Sec. 4505.11.** (A) Each owner of a motor vehicle and each 12904  
person mentioned as owner in the last certificate of title, when 12905  
the motor vehicle is dismantled, destroyed, or changed in such 12906  
manner that it loses its character as a motor vehicle, or changed 12907  
in such manner that it is not the motor vehicle described in the 12908  
certificate of title, shall surrender the certificate of title to 12909  
that motor vehicle to a clerk of a court of common pleas, and the 12910  
clerk, with the consent of any holders of any liens noted on the 12911  
certificate of title, then shall enter a cancellation upon the 12912

clerk's records and shall notify the registrar of motor vehicles 12913  
of the cancellation. 12914

Upon the cancellation of a certificate of title in the manner 12915  
prescribed by this section, any clerk and the registrar of motor 12916  
vehicles may cancel and destroy all certificates and all 12917  
memorandum certificates in that chain of title. 12918

(B) If an Ohio certificate of title or salvage certificate of 12919  
title to a motor vehicle is assigned to a salvage dealer, the 12920  
dealer is not required to obtain an Ohio certificate of title or a 12921  
salvage certificate of title to the motor vehicle in the dealer's 12922  
own name if the dealer dismantles or destroys the motor vehicle, 12923  
indicates the number of the dealer's motor vehicle salvage 12924  
dealer's license on it, marks "FOR DESTRUCTION" across the face of 12925  
the certificate of title or salvage certificate of title, and 12926  
surrenders the certificate of title or salvage certificate of 12927  
title to a clerk of a court of common pleas as provided in 12928  
division (A) of this section. If the salvage dealer retains the 12929  
motor vehicle for resale, the dealer shall make application for a 12930  
salvage certificate of title to the motor vehicle in the dealer's 12931  
own name as provided in division (C)(1) of this section. 12932  
12933

(C)(1) When an insurance company declares it economically 12934  
impractical to repair such a motor vehicle and has paid an agreed 12935  
price for the purchase of the motor vehicle to any insured or 12936  
claimant owner, the insurance company shall receive the 12937  
certificate of title and the motor vehicle and proceed as follows. 12938  
Within thirty days, the insurance company shall deliver the 12939  
certificate of title to a clerk of a court of common pleas and 12940  
shall make application for a salvage certificate of title. The 12941  
clerk shall issue the salvage certificate of title on a form, 12942  
prescribed by the registrar, that shall be easily distinguishable 12943  
from the original certificate of title and shall bear the same 12944

number and information as the original certificate of title. 12945  
Except as provided in division (C)(2) of this section, the salvage 12946  
certificate of title shall be assigned by the insurance company to 12947  
a salvage dealer or any other person for use as evidence of 12948  
ownership upon the sale or other disposition of the motor vehicle, 12949  
and the salvage certificate of title shall be transferrable to any 12950  
other person. The clerk shall charge a fee of four dollars for the 12951  
cost of processing each salvage certificate of title. 12952

12953

(2) If an insurance company considers a motor vehicle as 12954  
described in division (C)(1) of this section to be impossible to 12955  
restore for highway operation, the insurance company may assign 12956  
the certificate of title to the motor vehicle to a salvage dealer 12957  
or scrap metal processing facility and send the assigned 12958  
certificate of title to the clerk of the court of common pleas of 12959  
the county in which the salvage dealer or scrap metal processing 12960  
facility is located. The insurance company shall mark the face of 12961  
the certificate of title "FOR DESTRUCTION" and shall deliver a 12962  
photocopy of the certificate of title to the salvage dealer or 12963  
scrap metal processing facility for its records. 12964

(3) If an insurance company declares it economically 12965  
impractical to repair a motor vehicle, agrees to pay to the 12966  
insured or claimant owner an amount in settlement of a claim 12967  
against a policy of motor vehicle insurance covering the motor 12968  
vehicle, and agrees to permit the insured or claimant owner to 12969  
retain possession of the motor vehicle, the insurance company 12970  
shall not pay the insured or claimant owner any amount in 12971  
settlement of the insurance claim until the owner obtains a 12972  
salvage certificate of title to the vehicle and furnishes a copy 12973  
of the salvage certificate of title to the insurance company. 12974

(D) When a self-insured organization, rental or leasing 12975  
company, or secured creditor becomes the owner of a motor vehicle 12976

that is burned, damaged, or dismantled and is determined to be 12977  
economically impractical to repair, the self-insured organization, 12978  
rental or leasing company, or secured creditor shall do one of the 12979  
following: 12980

(1) Mark the face of the certificate of title to the motor 12981  
vehicle "FOR DESTRUCTION" and surrender the certificate of title 12982  
to a clerk of a court of common pleas for cancellation as 12983  
described in division (A) of this section. The self-insured 12984  
organization, rental or leasing company, or secured creditor then 12985  
shall deliver the motor vehicle, together with a photocopy of the 12986  
certificate of title, to a salvage dealer or scrap metal 12987  
processing facility and shall cause the motor vehicle to be 12988  
dismantled, flattened, crushed, or destroyed. 12989

(2) Obtain a salvage certificate of title to the motor 12990  
vehicle in the name of the self-insured organization, rental or 12991  
leasing company, or secured creditor, as provided in division 12992  
(C)(1) of this section, and then sell or otherwise dispose of the 12993  
motor vehicle. If the motor vehicle is sold, the self-insured 12994  
organization, rental or leasing company, or secured creditor shall 12995  
obtain a salvage certificate of title to the motor vehicle in the 12996  
name of the purchaser from a clerk of a court of common pleas. 12997

(E) If a motor vehicle titled with a salvage certificate of 12999  
title is restored for operation upon the highways, application 13000  
shall be made to a clerk of a court of common pleas for a 13001  
certificate of title. Upon inspection by the state highway patrol, 13002  
which shall include establishing proof of ownership and an 13003  
inspection of the motor number and vehicle identification number 13004  
of the motor vehicle and of documentation or receipts for the 13005  
materials used in restoration by the owner of the motor vehicle 13006  
being inspected, which documentation or receipts shall be 13007  
presented at the time of inspection, the clerk, upon surrender of 13008



the salvage certificate of title, shall issue a certificate of 13009  
title for a fee prescribed by the registrar. The certificate of 13010  
title shall be in the same form as the original certificate of 13011  
title, shall bear the same number as the salvage certificate of 13012  
title and the original certificate of title, and shall bear the 13013  
words "REBUILT SALVAGE" in black boldface letters on its face. 13014  
Every subsequent certificate of title, memorandum certificate of 13015  
title, or duplicate certificate of title issued for the motor 13016  
vehicle also shall bear the words "REBUILT SALVAGE" in black 13017  
boldface letters on its face. The exact location on the face of 13018  
the certificate of title of the words "REBUILT SALVAGE" shall be 13019  
determined by the registrar, who shall develop an automated 13020  
procedure within the automated title processing system to comply 13021  
with this division. The clerk shall use reasonable care in 13022  
performing the duties imposed on the clerk by this division in 13023  
issuing a certificate of title pursuant to this division, but the 13024  
clerk is not liable for any of the clerk's errors or omissions or 13025  
those of the clerk's deputies, or the automated title processing 13026  
system in the performance of those duties. A fee of fifty dollars 13027  
shall be assessed by the state highway patrol for each inspection 13028  
made pursuant to this division and shall be deposited into the 13029  
state highway safety fund established by section 4501.06 of the 13030  
Revised Code. 13031

(F) No person shall operate upon the highways in this state a 13032  
motor vehicle, title to which is evidenced by a salvage 13033  
certificate of title, except to deliver the motor vehicle pursuant 13034  
to an appointment for an inspection under this section. 13035

(G) No motor vehicle the certificate of title to which has 13036  
been marked "FOR DESTRUCTION" and surrendered to a clerk of a 13037  
court of common pleas shall be used for anything except parts and 13038  
scrap metal. 13039

(H)(1) Except as otherwise provided in this division, an 13040

owner of a manufactured or mobile home that will be taxed as real 13041  
property pursuant to division (B) of section 4503.06 of the 13042  
Revised Code shall surrender the certificate of title to the 13043  
auditor of the county containing the taxing district in which the 13044  
home is located. An owner whose home qualifies for real property 13045  
taxation under divisions (B)(1)(a) and (b) of section 4503.06 of 13046  
the Revised Code shall surrender the certificate within fifteen 13047  
days after the home meets the conditions specified in those 13048  
divisions. The auditor shall deliver the certificate of title to 13049  
the clerk of the court of common pleas who issued it. 13050

(2) If the certificate of title for a manufactured or mobile 13051  
home that is to be taxed as real property is held by a lienholder, 13052  
the lienholder shall surrender the certificate of title to the 13053  
auditor of the county containing the taxing district in which the 13054  
home is located, and the auditor shall deliver the certificate of 13055  
title to the clerk of the court of common pleas who issued it. The 13056  
lienholder shall surrender the certificate within thirty days 13057  
after both of the following have occurred: 13058

(a) The homeowner has provided written notice to the 13059  
lienholder requesting that the certificate of title be surrendered 13060  
to the auditor of the county containing the taxing district in 13061  
which the home is located. 13062

(b) The homeowner has either paid the lienholder the 13063  
remaining balance owed to the lienholder, or, with the 13064  
lienholder's consent, executed and delivered to the lienholder a 13065  
mortgage on the home and land on which the home is sited in the 13066  
amount of the remaining balance owed to the lienholder. 13067

(3) Upon the delivery of a certificate of title by the county 13068  
auditor to the clerk, the clerk shall inactivate it and retain it 13069  
for a period of thirty years. 13070

(4) Upon application by the owner of a manufactured or mobile 13071

home that is taxed as real property pursuant to division (B) of 13072  
section 4503.06 of the Revised Code and that no longer satisfies 13073  
divisions (B)(1)(a) and (b) or divisions (B)(2)(a) and (b) of that 13074  
section, the clerk shall reactivate the record of the certificate 13075  
of title that was inactivated under division (H)(3) of this 13076  
section and shall issue a new certificate of title, but only if 13077  
the application contains or has attached to it all of the 13078  
following: 13079

(a) An endorsement of the county treasurer that all real 13080  
property taxes charged against the home under Title LVII of the 13081  
Revised Code and division (B) of section 4503.06 of the Revised 13082  
Code for all preceding tax years have been paid; 13083

(b) An endorsement of the county auditor that the home will 13084  
be removed from the real property tax list; 13085

(c) Proof that there are no outstanding mortgages or other 13086  
liens on the home or, if there are such mortgages or other liens, 13087  
that the mortgagee or lienholder has consented to the reactivation 13088  
of the certificate of title. 13089

(I)(1) Whoever violates division (F) of this section shall be 13090  
fined not more than two thousand dollars, imprisoned not more than 13091  
one year, or both. 13092

(2) Whoever violates division (G) of this section shall be 13093  
fined not more than one thousand dollars, imprisoned not more than 13094  
six months, or both. 13095

**Sec. 4505.111.** (A) Every motor vehicle, other than a motor 13096  
vehicle as provided in divisions (C), (D), and (E) of section 13097  
4505.11 of the Revised Code, that is assembled from component 13098  
parts by a person other than the manufacturer, shall be inspected 13099  
by the state highway patrol prior to issuance of title to the 13100  
motor vehicle. The inspection shall include establishing proof of 13101

ownership and an inspection of the motor number and vehicle 13102  
identification number of the motor vehicle, and any items of 13103  
equipment the director of public safety considers advisable and 13104  
requires to be inspected by rule. A fee of forty dollars in fiscal 13105  
year 1998 and fifty dollars in fiscal year 1999 and thereafter 13106  
shall be assessed by the state highway patrol for each inspection 13107  
made pursuant to this section, and shall be deposited in the state 13108  
highway safety fund established by section 4501.06 of the Revised 13109  
Code. 13110

(B) Whoever violates this section shall be fined not more 13111  
than two thousand dollars, imprisoned not more than one year, or 13112  
both. 13113

**Sec. 4505.15.** (A) Manufacturers and importers shall appoint 13114  
and authorize agents who shall sign manufacturer's or importer's 13115  
certificates. The registrar of motor vehicles may require that a 13116  
certified copy of a list containing the names and the facsimile 13117  
signatures of the authorized agents be furnished ~~him~~ the registrar 13118  
and be forwarded to each clerk of the court of common pleas in the 13119  
respective counties within the state, and the registrar may 13120  
prescribe the form of authorization to be used by manufacturers or 13121  
importers and the method of certification of the names of said 13122  
agents. 13123

(B) Whoever violates this section shall be fined not more 13124  
than two hundred dollars, imprisoned not more than ninety days, or 13125  
both. 13126

**Sec. 4505.17.** (A) Every sheriff, chief of police, constable, 13127  
state highway patrol trooper, employee of the state highway 13128  
patrol, and designated officer of the department of public safety, 13129  
having knowledge of a stolen motor vehicle, immediately shall 13130  
furnish the registrar of motor vehicles with full information 13131

concerning such theft. 13132

Whenever the registrar receives a report of the theft or 13133  
conversion of a motor vehicle, whether the same has been 13134  
registered or not and whether owned in this or any other state, 13135  
the registrar shall make a distinctive record thereof, including 13136  
the make of the stolen vehicle and its manufacturer's vehicle 13137  
identification number. The registrar shall prepare a report 13138  
listing motor vehicles stolen and recovered as disclosed by the 13139  
reports submitted to the registrar, to be distributed as the 13140  
registrar determines advisable. 13141

In the event of the receipt from any clerk of the court of 13142  
common pleas of a copy of a certificate of title to such a motor 13143  
vehicle, the registrar immediately shall notify the rightful owner 13144  
thereof and the clerk who issued such certificate of title, and 13145  
if, upon investigation, it appears that such certificate of title 13146  
was improperly issued, the registrar immediately shall cancel the 13147  
certificate. 13148

In the event of the recovery of a stolen or converted motor 13149  
vehicle, the owner immediately shall notify the registrar, who 13150  
shall remove the record of the theft or conversion from the 13151  
registrar's file. 13152

(B) Whoever violates this section shall be fined not more 13153  
than two hundred dollars, imprisoned not more than ninety days, or 13154  
both. 13155

**Sec. 4505.18.** (A) No person shall do any of the following: 13156

(1) Operate in this state a motor vehicle for which a 13157  
certificate of title is required without having that certificate 13158  
in accordance with this chapter or, if a physical certificate of 13159  
title has not been issued for a motor vehicle, operate the motor 13160  
vehicle in this state knowing that the ownership information 13161

relating to the vehicle has not been entered into the automated 13162  
title processing system by a clerk of a court of common pleas; 13163

(2) Display or display for sale or sell as a dealer or acting 13164  
on behalf of a dealer, a motor vehicle without having obtained a 13165  
manufacturer's or importer's certificate, a certificate of title, 13166  
or an assignment of a certificate of title for it as provided in 13167  
this chapter; 13168

(3) Fail to surrender any certificate of title or any 13169  
certificate of registration or license plates upon cancellation of 13170  
the same by the registrar of motor vehicles and notice of the 13171  
cancellation as prescribed in this chapter; 13172

(4) Fail to surrender the certificate of title to a clerk of 13173  
a court of common pleas as provided in this chapter in case of the 13174  
destruction or dismantling or change of a motor vehicle in such 13175  
respect that it is not the motor vehicle described in the 13176  
certificate of title; 13177

(5) Violate any rules adopted pursuant to this chapter; 13178

(6) Except as otherwise provided in this chapter and Chapter 13179  
4517. of the Revised Code, sell at wholesale a motor vehicle the 13180  
ownership of which is not evidenced by an Ohio certificate of 13181  
title, or the current certificate of title issued for the motor 13182  
vehicle, or the manufacturer's certificate of origin, and all 13183  
title assignments that evidence the seller's ownership of the 13184  
motor vehicle, and an odometer disclosure statement that complies 13185  
with section 4505.06 of the Revised Code and subchapter IV of the 13186  
"Motor Vehicle Information and Cost Savings Act," 86 Stat. 961 13187  
(1972), 15 U.S.C. 1981; 13188

(7) Operate in this state a motor vehicle knowing that the 13189  
certificate of title to the vehicle or ownership of the vehicle as 13190  
otherwise reflected in the automated title processing system has 13191  
been canceled. 13192

(B) This section does not apply to persons engaged in the 13193  
business of warehousing or transporting motor vehicles for the 13194  
purpose of salvage disposition. 13195

(C) Whoever violates this section shall be fined not more 13196  
than two hundred dollars, imprisoned not more than ninety days, or 13197  
both. 13198

**Sec. 4505.19. (A)** No person shall do any of the following: 13199

~~(A)~~(1) Procure or attempt to procure a certificate of title 13200  
or a salvage certificate of title to a motor vehicle, or pass or 13201  
attempt to pass a certificate of title, a salvage certificate of 13202  
title, or any assignment of a certificate of title or salvage 13203  
certificate of title to a motor vehicle, or in any other manner 13204  
gain or attempt to gain ownership to a motor vehicle, knowing or 13205  
having reason to believe that the motor vehicle or any part of the 13206  
motor vehicle has been acquired through commission of a theft 13207  
offense as defined in section 2913.01 of the Revised Code; 13208

~~(B)~~(2) Purport to sell or transfer a motor vehicle without 13209  
delivering to the purchaser or transferee of it a certificate of 13210  
title, a salvage certificate of title, or a manufacturer's or 13211  
importer's certificate to it, assigned to the purchaser as 13212  
provided for in this chapter, except as otherwise provided in this 13213  
chapter; 13214

~~(C)~~(3) With intent to defraud, possess, sell, offer to sell, 13215  
counterfeit, or supply a blank, forged, fictitious, counterfeit, 13216  
stolen, or fraudulently or unlawfully obtained certificate of 13217  
title, registration, bill of sale, or other instruments of 13218  
ownership of a motor vehicle, or conspire to do any of the 13219  
foregoing; 13220

~~(D)~~(4) Knowingly obtain goods, services, credit, or money by 13221  
means of an invalid, fictitious, forged, counterfeit, stolen, or 13222

unlawfully obtained original or duplicate certificate of title, 13223  
registration, bill of sale, or other instrument of ownership of a 13224  
motor vehicle; 13225

~~(E)~~(5) Knowingly obtain goods, services, credit, or money by 13226  
means of a certificate of title to a motor vehicle, which is 13227  
required to be surrendered to the registrar of motor vehicles or 13228  
the clerk of the court of common pleas as provided in this 13229  
chapter. 13230

(B) Whoever violates this section shall be fined not more 13231  
than five thousand dollars or imprisoned in the county jail or 13232  
workhouse not less than six months nor more than one year, or 13233  
both, or in a state correctional institution not less than one 13234  
year nor more than five years. 13235

**Sec. 4505.20.** (A) Notwithstanding division (A)(2) of section 13236  
4505.18 of the Revised Code or any other provision of this chapter 13237  
or Chapter 4517. of the Revised Code, a secured party may 13238  
designate any dealer to display, display for sale, or sell a 13239  
manufactured or mobile home if the home has come into the 13240  
possession of that secured party by a default in the terms of a 13241  
security instrument and the certificate of title remains in the 13242  
name and possession of the secured party. 13243

(B) Notwithstanding division (A)(2) of section 4505.18 of the 13244  
Revised Code or any other provision of this chapter or Chapter 13245  
4517. of the Revised Code, the owner of a recreational vehicle or 13246  
a secured party of a recreational vehicle who has come into 13247  
possession of the vehicle by a default in the terms of a security 13248  
instrument, may designate any dealer to display, display for sale, 13249  
or sell the vehicle while the certificate of title remains in the 13250  
possession of the owner or secured party. No dealer may display or 13251  
offer for sale more than five recreational vehicles at any time 13252  
under this division. No dealer may display or offer for sale a 13253



recreational vehicle under this division unless the dealer 13254  
maintains insurance or the bond of a surety company authorized to 13255  
transact business within this state in an amount sufficient to 13256  
satisfy the fair market value of the vehicle. 13257

13258

(C) The registrar of motor vehicles may adopt rules in 13259  
accordance with Chapter 119. of the Revised Code prescribing the 13260  
maximum number of manufactured or mobile homes that have come into 13261  
the possession of a secured party by a default in the terms of a 13262  
security instrument that any dealer may display or offer for sale 13263  
at any time. The registrar may adopt other reasonable rules 13264  
regarding the resale of such manufactured homes, mobile homes, and 13265  
recreational vehicles that the registrar considers necessary. 13266

13267

(D) The secured party or owner shall provide the dealer with 13268  
written authorization to display, display for sale, or sell the 13269  
manufactured home, mobile home, or recreational vehicle. The 13270  
dealer shall show and explain the written authorization to any 13271  
prospective purchaser. The written authorization shall contain the 13272  
vehicle identification number, make, model, year of manufacture, 13273  
and physical description of the manufactured home, mobile home, or 13274  
recreational vehicle that is provided to the dealer. 13275

13276

(E) As used in this section, "dealer" means a new motor 13277  
vehicle dealer that is licensed under Chapter 4517. of the Revised 13278  
Code. 13279

(F) Whoever violates this section shall be fined not more 13280  
than two hundred dollars, imprisoned not more than ninety days, or 13281  
both. 13282

**Sec. 4505.21.** (A) As used in this section: 13283

- (1) "Certified receipt of title cancellation" means a form 13284  
prescribed by the registrar of motor vehicles for use under this 13285  
section that shall include all of the following: 13286
- (a) The name of the owner who surrenders a certificate of 13287  
title to a vehicle intended to be exported; 13288
- (b) A description of the motor vehicle that shall include the 13289  
year, make, model, style, vehicle identification number, color, 13290  
license registration number, and the state of registration; 13291
- (c) The destination of the motor vehicle; 13292
- (d) Whether the purpose of the export is for sale, lease, 13293  
personal use, or other specified use; 13294
- (e) Such other information as the registrar determines to be 13295  
appropriate. 13296
- (2) A "declaration of temporary export" means a form 13297  
prescribed by the registrar that includes all of the following: 13298
- (a) The items specified in divisions (A)(1)(a) to (e) of this 13299  
section; 13300
- (b) A statement that the vehicle will not be permanently 13301  
located outside of the United States and that the owner intends to 13302  
return the vehicle to the United States; 13303
- (c) The period of time for which it is anticipated that the 13304  
motor vehicle will be located outside of the United States. 13305
- (3) "Export" means the shipping or transportation of a motor 13306  
vehicle from any point inside the United States to a point outside 13307  
of the United States. "Export" does not include operating the 13308  
motor vehicle by means of its own power or that of a motor vehicle 13309  
drawing or towing it unless the purpose of the owner is to avoid 13310  
compliance with division (B) or (C) of this section. 13311
- (4) "Owner" means the person named on a certificate of title 13312

issued by this state as the owner or assignee of the owner of the 13313  
motor vehicle for which the certificate of title has been issued 13314  
and includes any person who is lawfully entitled to the issuance 13315  
of a new certificate of title to the motor vehicle naming the 13316  
person as owner of the vehicle or who is lawfully entitled to 13317  
surrender the certificate of title under this section. "Owner" 13318  
includes a secured party who exports or permits the export of a 13319  
motor vehicle in the exercise of the secured party's rights and 13320  
powers under the security agreement. 13321

(B) No owner of a motor vehicle who exports or permits the 13322  
export of the motor vehicle for permanent location outside of the 13323  
United States shall do any of the following: 13324

(1) Fail to surrender the certificate of title to the motor 13325  
vehicle to the registrar prior to the date that the motor vehicle 13326  
is delivered to any person for export; 13327

(2) Knowingly fail to surrender the certificate of title to 13328  
the motor vehicle to the registrar prior to the date that the 13329  
motor vehicle is delivered to any person for export. 13330

(C) No owner of a motor vehicle who exports or permits the 13331  
export of the motor vehicle for temporary location outside of the 13332  
United States shall do any of the following: 13333

(1) Fail to file a declaration of temporary export with the 13334  
registrar prior to the date that the motor vehicle is delivered to 13335  
any person for export; 13336

(2) Purposely fail to file a declaration of temporary export 13337  
with the registrar prior to the date that the motor vehicle is 13338  
delivered to any person for export in order to facilitate the 13339  
commission of a conspiracy, attempt, complicity, or theft offense 13340  
related to the title of a motor vehicle or the proceeds of a motor 13341  
vehicle insurance policy. 13342

(D)(1) Proof that the defendant acted in good faith and 13343

surrendered the certificate of title to the registrar within a 13344  
reasonable time after delivery of the motor vehicle for export is 13345  
an affirmative defense to a prosecution under division (B)(1) of 13346  
this section. 13347

(2) Proof that the defendant acted in good faith and filed a 13348  
declaration of temporary export with the registrar within a 13349  
reasonable time after delivery of the motor vehicle for export is 13350  
an affirmative defense to a prosecution under division (C)(1) of 13351  
this section. 13352

(E) The registrar shall prescribe forms to be signed by the 13353  
owner who surrenders a certificate of title for cancellation under 13354  
this section and by all secured parties whose uncanceled security 13355  
interests are noted on the certificate. The form shall indicate 13356  
the person to whom a certified receipt of title cancellation is to 13357  
be delivered and any security interests that are to be noted on 13358  
the certified receipt of title cancellation. The registrar shall 13359  
inspect the title surrender form and the certificate of title to 13360  
determine whether any uncanceled security interests have been 13361  
noted on the title under section 4505.13 of the Revised Code and 13362  
whether the person exporting the vehicle is the lawful owner. If 13363  
the registrar determines that the certificate is in proper order 13364  
and that all secured parties having uncanceled security interests 13365  
noted on the certificate have consented to the surrender of the 13366  
certificate, the registrar shall issue a certified receipt of 13367  
title to the owner with such notation of security interests as 13368  
shall be requested upon the title surrender form. 13369

(F) The registrar shall record a declaration of temporary 13370  
export filed under division (B)(2) of this section and retain it 13371  
with the records of the certificate of title until the owner 13372  
notifies the registrar, on a form prescribed by the registrar, 13373  
that the motor vehicle has been returned to the United States. 13374

(G)(1) Whoever violates division (B)(1) or (C)(1) of this 13375

section is guilty of a misdemeanor of the first degree. 13376

(2) Whoever violates division (B)(2) or (C)(2) of this 13377

section is guilty of a felony of the fifth degree. 13378

~~Sec. 4505.99. (A) Whoever violates division (G) of section~~ 13379

~~4505.11 of the Revised Code shall be fined not more than one~~ 13380

~~thousand dollars, imprisoned not more than six months, or both.~~ 13381

~~(B) Whoever violates division (F) of section 4505.11 or~~ 13382

~~section 4505.111 of the Revised Code shall be fined not more than~~ 13383

~~two thousand dollars or imprisoned not more than one year, or~~ 13384

~~both.~~ 13385

~~(C) Whoever violates any provision of sections 4505.01 to~~ 13386

~~4505.21 of the Revised Code for which no penalty is otherwise is~~ 13387

~~provided in this the section that contains the provision violated~~ 13388

~~shall be fined not more than two hundred dollars, imprisoned not~~ 13389

~~more than ninety days, or both.~~ 13390

~~(D) Whoever violates section 4505.19 of the Revised Code~~ 13391

~~shall be fined not more than five thousand dollars or imprisoned~~ 13392

~~in the county jail or workhouse not less than six months nor more~~ 13393

~~than one year, or both, or in a state correctional institution not~~ 13394

~~less than one nor more than five years.~~ 13395

~~(E) Whoever violates division (B)(1) or (C)(1) of section~~ 13396

~~4505.21 of the Revised Code is guilty of a misdemeanor of the~~ 13397

~~first degree.~~ 13398

~~(F) Whoever violates division (B)(2) or (C)(2) of section~~ 13399

~~4505.21 of the Revised Code is guilty of a felony of the fifth~~ 13400

~~degree.~~ 13401

**Sec. 4506.01.** As used in this chapter: 13402

(A) "Alcohol concentration" means the concentration of 13403

alcohol in a person's blood, breath, or urine. When expressed as a 13404

percentage, it means grams of alcohol per the following: 13405

(1) One hundred milliliters of whole blood, blood serum, or 13406  
blood plasma; 13407

(2) Two hundred ten liters of breath; 13408

(3) One hundred milliliters of urine. 13409

(B) "School bus" has the same meaning as in section 4511.01 13410  
of the Revised Code. 13411

(C) "Commercial driver's license" means a license issued in 13412  
accordance with this chapter that authorizes an individual to 13413  
drive a commercial motor vehicle. 13414

(D) "Commercial driver license information system" means the 13415  
information system established pursuant to the requirements of the 13416  
"Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 3207-171, 13417  
49 U.S.C.A. App. 2701. 13418

(E) Except when used in section 4506.25 of the Revised Code, 13419  
"commercial motor vehicle" means any motor vehicle designed or 13420  
used to transport persons or property that meets any of the 13421  
following qualifications: 13422

(1) Any combination of vehicles with a combined gross vehicle 13423  
weight rating of twenty-six thousand one pounds or more, provided 13424  
the gross vehicle weight rating of the vehicle or vehicles being 13425  
towed is in excess of ten thousand pounds; 13426

(2) Any single vehicle with a gross vehicle weight rating of 13427  
twenty-six thousand one pounds or more, or any such vehicle towing 13428  
a vehicle having a gross vehicle weight rating that is not in 13429  
excess of ten thousand pounds; 13430

(3) Any single vehicle or combination of vehicles that is not 13431  
a class A or class B vehicle, but that either is designed to 13432  
transport sixteen or more passengers including the driver, or is 13433  
placarded for hazardous materials; 13434

(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.	13465 13466
(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.	13467 13468 13469
(K) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes an individual to drive.	13470 13471
(L) "Drug of abuse" means any controlled substance, dangerous drug as defined in section 4729.01 of the Revised Code, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes.	13472 13473 13474 13475 13476
(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.	13477 13478 13479 13480
(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.	13481 13482 13483
(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.	13484 13485 13486 13487
(P) "Foreign jurisdiction" means any jurisdiction other than a state.	13488 13489
(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	13490 13491 13492 13493 13494



unit.	13495
(R) "Hazardous materials" means materials identified as such	13496
under regulations adopted under the "Hazardous Materials	13497
Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as	13498
amended.	13499
(S) "Motor vehicle" has the same meaning as in section	13500
4511.01 of the Revised Code.	13501
(T) Except when used in sections 4506.25 and 4506.26 of the	13502
Revised Code, "out-of-service order" means a temporary prohibition	13503
against driving a commercial motor vehicle issued under this	13504
chapter or a similar law of another state or of a foreign	13505
jurisdiction.	13506
(U) "Residence" means any person's residence determined in	13507
accordance with standards prescribed in rules adopted by the	13508
registrar.	13509
(V) "Temporary residence" means residence on a temporary	13510
basis as determined by the registrar in accordance with standards	13511
prescribed in rules adopted by the registrar.	13512
(W) "Serious traffic violation" means a conviction arising	13513
from the operation of a commercial motor vehicle that involves any	13514
of the following:	13515
(1) A single charge of any speed that is in excess of the	13516
posted speed limit by an amount specified by the United States	13517
secretary of transportation and that the director of public safety	13518
designates as such by rule;	13519
(2) Violation of section 4511.20, 4511.201, or 4511.202 of	13520
the Revised Code or any similar ordinance or resolution, or of any	13521
similar law of another state or political subdivision of another	13522
state;	13523
(3) Violation of a law of this state or an ordinance or	13524

resolution relating to traffic control, other than a parking 13525  
violation, or of any similar law of another state or political 13526  
subdivision of another state, that results in a fatal accident; 13527

(4) Violation of any other law of this state or an ordinance 13528  
or resolution relating to traffic control, other than a parking 13529  
violation, that is determined to be a serious traffic violation by 13530  
the United States secretary of transportation and the director 13531  
designates as such by rule. 13532

(X) "State" means a state of the United States and includes 13533  
the District of Columbia. 13534

(Y) "Tank vehicle" means any commercial motor vehicle that is 13535  
designed to transport any liquid and has a maximum capacity 13536  
greater than one hundred nineteen gallons or is designed to 13537  
transport gaseous materials and has a water capacity greater than 13538  
one thousand pounds within a tank that is either permanently or 13539  
temporarily attached to the vehicle or its chassis. "Tank vehicle" 13540  
does not include either of the following: 13541

(1) Any portable tank having a rated capacity of less than 13542  
one thousand gallons; 13543

(2) Tanks used exclusively as a fuel tank for the motor 13544  
vehicle to which it is attached. 13545

(Z) "United States" means the fifty states and the District 13546  
of Columbia. 13547

(AA) "Vehicle" has the same meaning as in section 4511.01 of 13548  
the Revised Code. 13549

(BB) "Peace officer" has the same meaning as in section 13550  
2935.01 of the Revised Code. 13551

(CC) "Portable tank" means a liquid or gaseous packaging 13552  
designed primarily to be loaded on or temporarily attached to a 13553  
vehicle and equipped with skids, mountings, or accessories to 13554

facilitate handling of the tank by mechanical means. 13555

**Sec. 4506.02.** (A) Nothing in this chapter applies to any 13556  
person when engaged in the operation of any of the following: 13557

(1) A farm truck; 13558

(2) Fire equipment for a fire department, volunteer or 13559  
nonvolunteer fire company, fire district, or joint fire district; 13560

(3) A public safety vehicle used to provide transportation or 13561  
emergency medical service for ill or injured persons; 13562

(4) A recreational vehicle; 13563

(5) A commercial motor vehicle within the boundaries of an 13564  
eligible unit of local government, if the person is employed by 13565  
the eligible unit of local government and is operating the 13566  
commercial motor vehicle for the purpose of removing snow or ice 13567  
from a roadway by plowing, sanding, or salting, but only if either 13568  
the employee who holds a commercial driver's license issued under 13569  
this chapter and ordinarily operates a commercial motor vehicle 13570  
for these purposes is unable to operate the vehicle, or the 13571  
employing eligible unit of local government determines that a snow 13572  
or ice emergency exists that requires additional assistance; 13573

(6) A vehicle owned by the department of defense and operated 13574  
by any member or uniformed employee of the armed forces of the 13575  
United States or their reserve components, including the Ohio 13576  
national guard. This exception does not apply to United States 13577  
reserve technicians. 13578

(7) A commercial motor vehicle that is operated for 13579  
nonbusiness purposes. "Operated for nonbusiness purposes" means 13580  
that the commercial motor vehicle is not used in commerce as 13581  
"commerce" is defined in 49 C.F.R. 383.5, as amended, and is not 13582  
regulated by the public utilities commission pursuant to Chapter 13583  
4919., 4921., or 4923. of the Revised Code. 13584

(8) A motor vehicle that is designed primarily for the transportation of goods and not persons, while that motor vehicle is being used for the occasional transportation of personal property by individuals not for compensation and not in the furtherance of a commercial enterprise.

(B) Nothing contained in division (A)(5) of this section shall be construed as preempting or superseding any law, rule, or regulation of this state concerning the safe operation of commercial motor vehicles.

~~(B)~~(C) As used in this section:

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

(2) "Farm truck" means a truck controlled and operated by a farmer for use in the transportation to or from a farm, for a distance of no more than one hundred fifty miles, of products of the farm, including livestock and its products, poultry and its products, floricultural and horticultural products, and in the transportation to the farm, from a distance of no more than one hundred fifty miles, of supplies for the farm, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production, and livestock, poultry, and other animals and things used for breeding, feeding, or other purposes connected with the operation of the farm, when the truck is operated in accordance with this division and is not used in the operations of a motor transportation company or private motor carrier.

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

(4) "Recreational vehicle" includes every vehicle that is defined as a recreational vehicle in section 4501.01 of the

Revised Code and is used exclusively for purposes other than 13616  
engaging in business for profit. 13617

**Sec. 4506.03.** (A) On and after April 1, 1992, the following 13618  
shall apply: 13619

(1) No person shall drive a commercial motor vehicle on a 13620  
highway in this state unless ~~he~~ the person holds a valid 13621  
commercial driver's license with proper endorsements for the motor 13622  
vehicle being driven, issued by the registrar of motor vehicles, a 13623  
valid examiner's commercial driving permit issued under section 13624  
4506.13 of the Revised Code, a valid restricted commercial 13625  
driver's license and waiver for farm-related service industries 13626  
issued under section 4506.24 of the Revised Code, or a valid 13627  
commercial driver's license temporary instruction permit issued by 13628  
the registrar and is accompanied by an authorized state driver's 13629  
license examiner or tester or a person who has been issued and has 13630  
in ~~his~~ the person's immediate possession a current, valid 13631  
commercial driver's license with proper endorsements for the motor 13632  
vehicle being driven. 13633

(2) No person shall be issued a commercial driver's license 13634  
until ~~he~~ the person surrenders to the registrar of motor vehicles 13635  
all valid licenses issued to ~~him~~ the person by another 13636  
jurisdiction recognized by this state. All surrendered licenses 13637  
shall be returned by the registrar to the issuing authority. 13638

(3) No person who has been a resident of this state for 13639  
thirty days or longer shall drive a commercial motor vehicle under 13640  
the authority of a commercial driver's license issued by another 13641  
jurisdiction. 13642

(B) As used in this section and in section 4506.09 of the 13643  
Revised Code, "tester" means a person or entity acting pursuant to 13644  
a valid agreement entered into under division (B) of section 13645  
4506.09 of the Revised Code. 13646

(C) Whoever violates this section is guilty of a misdemeanor of the first degree. 13647  
13648

**Sec. 4506.04.** (A) No person shall do any of the following: 13649

(1) Drive a commercial motor vehicle while having in ~~his~~ the person's possession or otherwise under ~~his~~ the person's control more than one valid driver's license issued by this state, any other state, or by a foreign jurisdiction; 13650  
13651  
13652  
13653

(2) Drive a commercial motor vehicle on a highway in this state in violation of an out-of-service order, while ~~his~~ the person's driving privilege is suspended, revoked, or canceled, or while ~~he~~ the person is subject to disqualification; 13654  
13655  
13656  
13657

(3) Drive a motor vehicle on a highway in this state under authority of a commercial driver's license issued by another state or a foreign jurisdiction, after having been a resident of this state for thirty days or longer; 13658  
13659  
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(4) Knowingly give false information in any application or certification required by section 4506.07 of the Revised Code. 13662  
13663

(B) The department of public safety shall give every conviction occurring out of this state and notice of which is received after December 31, 1989, full faith and credit and treat it for sanctioning purposes under this chapter as though the conviction had occurred in this state. 13664  
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(C)(1) Whoever violates division (A)(1), (2), or (3) of this section is guilty of a misdemeanor of the first degree. 13669  
13670

(2) Whoever violates division (A)(4) of this section is guilty of falsification, a misdemeanor of the first degree. In addition, the provisions of section 4507.19 of the Revised Code apply. 13671  
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13673  
13674

**Sec. 4506.05.** (A) Notwithstanding any other provision of law, 13675

a person may drive a commercial motor vehicle on a highway in this state if all of the following conditions are met:

~~(A) He~~ (1) The person has a valid commercial driver's license or commercial driver's license temporary instruction permit issued by any state in accordance with the minimum standards adopted by the federal highway administration under the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 3207-171, 49 U.S.C.A. App. for issuance of commercial drivers' licenses;

~~(B) His~~ (2) The person's commercial driver's license or permit is not suspended, revoked, or canceled;

~~(C) He~~ (3) The person is not disqualified from driving a commercial motor vehicle;

~~(D) He~~ (4) The person is not subject to an out-of-service order.

(B) Whoever violates this section is guilty of a misdemeanor of the first degree.

**Sec. 4506.06.** (A) The registrar of motor vehicles, upon receiving an application for a commercial driver's temporary instruction permit, may issue the permit to any person who is at least eighteen years of age and holds a valid driver's license, other than a restricted license, issued under Chapter 4507. of the Revised Code. A commercial driver's temporary instruction permit shall not be issued for a period exceeding six months and only one renewal of a permit shall be granted in a two-year period.

The holder of a commercial driver's temporary instruction permit, unless otherwise disqualified, may drive a commercial motor vehicle when having the permit in the holder's actual possession and accompanied by a person who holds a valid commercial driver's license valid for the type of vehicle being driven and who occupies a seat beside the permit holder for the

purpose of giving instruction in driving the motor vehicle. 13706

(B) Whoever violates this section is guilty of a misdemeanor 13707  
of the first degree. 13708

**Sec. 4506.10.** (A) No person who holds a valid commercial 13709  
driver's license shall drive a commercial motor vehicle unless the 13710  
person is physically qualified to do so. Each person who drives or 13711  
expects to drive a commercial motor vehicle in interstate or 13712  
foreign commerce or is otherwise subject to 49 C.F.R. 391, et 13713  
seq., as amended, shall certify to the registrar of motor vehicles 13714  
at the time of application for a commercial driver's license that 13715  
the person is in compliance with these standards. Any person who 13716  
is not subject to 49 C.F.R. 391, et seq., as amended, also shall 13717  
certify at the time of application that the person is not subject 13718  
to these standards. 13719

(B) A person is qualified to drive a class B commercial motor 13720  
vehicle with a school bus endorsement, if the person has been 13721  
certified as medically qualified in accordance with rules adopted 13722  
by the department of education. 13723

(C)(1) Except as provided in division (C)(2) of this section, 13724  
any medical examination required by this section shall be 13725  
performed only by one of the following: 13726

(a) A person licensed under Chapter 4731. of the Revised Code 13727  
to practice medicine or surgery or osteopathic medicine and 13728  
surgery in this state, or licensed under any similar law of 13729  
another state; 13730

(b) A person licensed as a physician assistant under Chapter 13731  
4730. of the Revised Code who practices under the supervision and 13732  
direction of a physician as required under that chapter and who is 13733  
authorized by the supervising physician to perform such a medical 13734  
examination; 13735



(c) A person who is a certified nurse practitioner or a 13736  
clinical nurse specialist licensed under Chapter 4723. of the 13737  
Revised Code who is practicing in accordance with a standard care 13738  
arrangement pursuant to section 4723.431 of the Revised Code. 13739

(2) Any part of an examination required by this section that 13740  
pertains to visual acuity, field of vision, and the ability to 13741  
recognize colors may be performed by a person licensed under 13742  
Chapter 4725. of the Revised Code to practice optometry in this 13743  
state, or licensed under any similar law of another state. 13744

(D) Whenever good cause appears, the registrar, upon issuing 13745  
a commercial driver's license under this chapter, may impose 13746  
restrictions suitable to the licensee's driving ability with 13747  
respect to the type of motor vehicle or special mechanical control 13748  
devices required on a motor vehicle that the licensee may operate, 13749  
or such other restrictions applicable to the licensee as the 13750  
registrar determines to be necessary. 13751

The registrar may either issue a special restricted license 13752  
or may set forth ~~the restrictions~~ upon the usual license form the 13753  
restrictions imposed. 13754

The registrar, upon receiving satisfactory evidence of any 13755  
violation of the restrictions of the license, may ~~suspend or~~ 13756  
~~revoke it~~ impose a class D license suspension of the license for 13757  
the period of time specified in division (B)(4) of section 4510.02 13758  
of the Revised Code. 13759

The registrar, upon receiving satisfactory evidence that an 13760  
applicant or holder of a commercial driver's license has violated 13761  
division (A)(4) of section 4506.04 of the Revised Code and 13762  
knowingly given false information in any application or 13763  
certification required by section 4506.07 of the Revised Code, 13764  
shall cancel the commercial driver's license of the person or any 13765  
pending application from the person for a commercial driver's 13766

license or class D driver's license for a period of at least sixty 13767  
days, during which time no application for a commercial driver's 13768  
license or class D driver's license shall be received from the 13769  
person. 13770

(E) Whoever violates this section is guilty of a misdemeanor 13771  
of the first degree. 13772

**Sec. 4506.11.** (A) Every commercial driver's license shall be 13773  
marked "commercial driver's license" or "CDL" and shall be of such 13774  
material and so designed as to prevent its reproduction or 13775  
alteration without ready detection, and, to this end, shall be 13776  
laminated with a transparent plastic material. The commercial 13777  
driver's license for licensees under twenty-one years of age shall 13778  
have characteristics prescribed by the registrar of motor vehicles 13779  
distinguishing it from that issued to a licensee who is twenty-one 13780  
years of age or older. Every commercial driver's license shall 13781  
display all of the following information: 13782

(1) The name and residence address of the licensee; 13783

(2) A color photograph of the licensee; 13784

(3) A physical description of the licensee, including sex, 13785  
height, weight, and color of eyes and hair; 13786

(4) The licensee's date of birth; 13787

(5) The licensee's social security number if the person has 13788  
requested that the number be displayed in accordance with section 13789  
4501.31 of the Revised Code or if federal law requires the social 13790  
security number to be displayed and any number or other identifier 13791  
the director of public safety considers appropriate and 13792  
establishes by rules adopted under Chapter 119. of the Revised 13793  
Code and in compliance with federal law. 13794

(6) The licensee's signature; 13795

(7) The classes of commercial motor vehicles the licensee is 13796

authorized to drive and any endorsements or restrictions relating 13797  
to the licensee's driving of those vehicles; 13798

(8) A space marked "blood type" in which the licensee may 13799  
specify the licensee's blood type; 13800

(9) The name of this state; 13801

(10) The dates of issuance and of expiration of the license; 13802

(11) If the licensee has certified willingness to make an 13803  
anatomical donation under section 2108.04 of the Revised Code, any 13804  
symbol chosen by the registrar of motor vehicles to indicate that 13805  
the licensee has certified that willingness; 13806

(12) If the licensee has executed a durable power of attorney 13807  
for health care or a declaration governing the use or 13808  
continuation, or the withholding or withdrawal, of life-sustaining 13809  
treatment and has specified that the licensee wishes the license 13810  
to indicate that the licensee has executed either type of 13811  
instrument, any symbol chosen by the registrar to indicate that 13812  
the licensee has executed either type of instrument; 13813

(13) Any other information the registrar considers advisable 13814  
and requires by rule. 13815

(B) The registrar may establish and maintain a file of 13816  
negatives of photographs taken for the purposes of this section. 13817

(C) Neither the registrar nor any deputy registrar shall 13818  
issue a commercial driver's license to anyone under twenty-one 13819  
years of age that does not have the characteristics prescribed by 13820  
the registrar distinguishing it from the commercial driver's 13821  
license issued to persons who are twenty-one years of age or 13822  
older. 13823

(D) Whoever violates division (C) of this section is guilty 13824  
of a minor misdemeanor. 13825

**Sec. 4506.12.** (A) Commercial drivers' licenses shall be 13826  
issued in the following classes and shall include any endorsements 13827  
and restrictions that are applicable. Subject to any such 13828  
endorsements and restrictions, the holder of a valid commercial 13829  
driver's license may drive all commercial motor vehicles in the 13830  
class for which that license is issued and all lesser classes of 13831  
vehicles, except that ~~he~~ the holder shall not operate a motorcycle 13832  
unless ~~he~~ the holder is licensed to do so under Chapter 4507. of 13833  
the Revised Code. 13834

(B) The classes of commercial drivers' licenses and the 13835  
commercial motor vehicles that they authorize the operation of are 13836  
as follows: 13837

(1) Class A--any combination of vehicles with a combined 13838  
gross vehicle weight rating of twenty-six thousand one pounds or 13839  
more, if the gross vehicle weight rating of the vehicle or 13840  
vehicles being towed is in excess of ten thousand pounds. 13841

(2) Class B--any single vehicle with a gross vehicle weight 13842  
rating of twenty-six thousand one pounds or more or any such 13843  
vehicle towing a vehicle having a gross vehicle weight rating that 13844  
is not in excess of ten thousand pounds. 13845

(3) Class C--any single vehicle, or combination of vehicles, 13846  
that is not a class A or class B vehicle, but that either is 13847  
designed to transport sixteen or more passengers, including the 13848  
driver, or is placarded for hazardous materials and any school bus 13849  
with a gross vehicle weight rating of less than twenty-six 13850  
thousand one pounds that is designed to transport fewer than 13851  
sixteen passengers including the driver. 13852

(C) The following endorsements and restrictions apply to 13853  
commercial drivers' licenses: 13854

(1) H--authorizes the driver to drive a vehicle transporting 13855

hazardous materials;	13856
(2) K--restricts the driver to only intrastate operation;	13857
(3) L--restricts the driver to vehicles not equipped with air brakes;	13858 13859
(4) T--authorizes the driver to drive double and triple trailers;	13860 13861
(5) P--authorizes the driver to drive vehicles carrying passengers;	13862 13863
(6) P1--authorizes the driver to drive class A vehicles with fewer than fifteen passengers and all lesser classes of vehicles without restriction as to the number of passengers;	13864 13865 13866
(7) P2--authorizes the driver to drive class A or B vehicles with fewer than fifteen passengers and all lesser classes of vehicles without restriction as to the number of passengers;	13867 13868 13869
(8) P3--restricts the driver to driving class B school buses;	13870 13871
(9) P4--Restricts the driver to driving class C school buses designed to transport fewer than sixteen passengers including the driver.	13872 13873 13874
(10) N--authorizes the driver to drive tank vehicles;	13875
(11) S--authorizes the driver to drive school buses;	13876
(12) X--authorizes the driver to drive tank vehicles transporting hazardous materials;	13877 13878
(13) W--restricts the driver to the operation of commercial motor vehicles in accordance with a waiver for farm-related service industries issued under section 4506.24 of the Revised Code.	13879 13880 13881 13882
(D) No person shall drive any commercial motor vehicle for which an endorsement is required under this section unless the	13883 13884

proper endorsement appears on the person's commercial driver's license. 13885  
13886

(E) Whoever violates this section is guilty of a misdemeanor of the first degree. 13887  
13888

**Sec. 4506.14.** (A) Commercial driver's licenses shall expire as follows: 13889  
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(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. 13891  
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(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. 13897  
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(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. 13908  
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(B) No commercial driver's license shall be issued for a period longer than four years and ninety days. Except as provided 13913  
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in section 4507.12 of the Revised Code, the registrar may waive 13915  
the examination of any person applying for the renewal of a 13916  
commercial driver's license issued under this chapter, provided 13917  
that the applicant presents either an unexpired commercial 13918  
driver's license or a commercial driver's license that has expired 13919  
not more than six months prior to the date of application. 13920

(C) Subject to the requirements of this chapter and except as 13921  
provided in division (A)(2) of this section in regard to a person 13922  
whose temporary residence is in this state, every commercial 13923  
driver's license shall be renewable ninety days before its 13924  
expiration upon payment of the fees required by section 4506.08 of 13925  
the Revised Code. Each person applying for renewal of a commercial 13926  
driver's license shall complete the application form prescribed by 13927  
section 4506.07 of the Revised Code and shall provide all 13928  
certifications required. If the person wishes to retain an 13929  
endorsement authorizing the person to transport hazardous 13930  
materials, the person shall take and successfully complete the 13931  
written test for the endorsement. 13932

(D) Each person licensed as a driver under this chapter shall 13933  
notify the registrar of any change in the person's address within 13934  
ten days following that change. The notification shall be in 13935  
writing on a form provided by the registrar and shall include the 13936  
full name, date of birth, license number, county of residence, 13937  
social security number, and new address of the person. 13938

(E) Whoever violates division (D) of this section is guilty 13939  
of a minor misdemeanor. 13940

**Sec. 4506.15. (A)** No person shall do any of the following: 13941

~~(A)(1)~~ Drive a commercial motor vehicle while having a 13942  
measurable or detectable amount of alcohol or of a controlled 13943  
substance in ~~his~~ the person's blood, breath, or urine; 13944

<del>(B)</del> (2) Drive a commercial motor vehicle while having an alcohol concentration of four-hundredths of one per cent or more;	13945 13946
<del>(C)</del> (3) Drive a commercial motor vehicle while under the influence of a controlled substance;	13947 13948
<del>(D)</del> (4) Knowingly leave the scene of an accident involving a commercial motor vehicle driven by the person;	13949 13950
<del>(E)</del> (5) Use a commercial motor vehicle in the commission of a felony;	13951 13952
<del>(F)</del> (6) Refuse to submit to a test under section 4506.17 of the Revised Code;	13953 13954
<del>(G)</del> (7) Violate an out-of-service order issued under this chapter;	13955 13956
<del>(H)</del> (8) Violate any prohibition described in divisions <del>(B)</del> (A)(2) to <del>(G)</del> (7) of this section while transporting hazardous materials.	13957 13958 13959
<u>(B) Whoever violates this section is guilty of a misdemeanor of the first degree.</u>	13960 13961
<b>Sec. 4506.16.</b> (A) Whoever violates division (A)( <u>1</u> ) 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.	13962 13963 13964 13965 13966 13967
(B) The registrar of motor vehicles shall disqualify any person from operating a commercial motor vehicle as follows:	13968 13969
(1) <del>Upon</del> <u>Subject to division (B)(4) of this section, upon</u> a first conviction for a violation of <u>any provision of</u> divisions <del>(B)</del> (A)(2) to <del>(G)</del> (7) of section 4506.15 of the Revised Code or a similar law of another state or a foreign jurisdiction, one year,	13970 13971 13972 13973



in addition to any other penalty imposed by the Revised Code; 13974

(2) Upon a first conviction for a violation of division 13975  
~~(H)~~(A)(8) of section 4506.15 of the Revised Code or a similar law 13976  
of another state or a foreign jurisdiction, three years, in 13977  
addition to any other penalty imposed by the Revised Code; 13978

(3) Upon a second conviction for a violation of any provision 13979  
of divisions ~~(B)~~(A)(2) to ~~(C)~~(7) of section 4506.15 of the Revised 13980  
Code or a similar law of another state or a foreign jurisdiction, 13981  
or any combination of such violations arising from two or more 13982  
separate incidents, the person shall be disqualified for life or 13983  
for any other period of time as determined by the United States 13984  
secretary of transportation and designated by the director of 13985  
public safety by rule, in addition to any other penalty imposed by 13986  
the Revised Code; 13987

(4) Upon conviction of a violation of division ~~(E)~~(A)(5) of 13988  
section 4506.15 of the Revised Code or a similar law of another 13989  
state or a foreign jurisdiction in connection with the 13990  
manufacture, distribution, or dispensing of a controlled substance 13991  
or the possession with intent to manufacture, distribute, or 13992  
dispense a controlled substance, the person shall be disqualified 13993  
for life, in addition to any other penalty imposed by the Revised 13994  
Code; 13995

(5) Upon conviction of two serious traffic violations 13996  
involving the operation of a commercial motor vehicle by the 13997  
person and arising from separate incidents occurring in a 13998  
three-year period, the person shall be disqualified for sixty 13999  
days, in addition to any other penalty imposed by the Revised 14000  
Code; 14001

(6) Upon conviction of three serious traffic violations 14002  
involving the operation of a commercial motor vehicle by the 14003  
person and arising from separate incidents occurring in a 14004

three-year period, the person shall be disqualified for one 14005  
hundred twenty days, in addition to any other penalty imposed by 14006  
the Revised Code. 14007

(C) For the purposes of this section, conviction of a 14008  
violation for which disqualification is required may be evidenced 14009  
by any of the following: 14010

(1) A judgment entry of a court of competent jurisdiction in 14011  
this or any other state; 14012

(2) An administrative order of a state agency of this or any 14013  
other state having statutory jurisdiction over commercial drivers; 14014

(3) A computer record obtained from or through the commercial 14015  
driver's license information system; 14016

(4) A computer record obtained from or through a state agency 14017  
of this or any other state having statutory jurisdiction over 14018  
commercial drivers or the records of commercial drivers. 14019

(D) Any record described in division (C) of this section 14020  
shall be deemed to be self-authenticating when it is received by 14021  
the bureau of motor vehicles. 14022

(E) When disqualifying a driver, the registrar shall cause 14023  
the records of the bureau to be updated to reflect that action 14024  
within ten days after it occurs. 14025

(F) The registrar immediately shall notify a driver who is 14026  
finally convicted of any offense described in section 4506.15 of 14027  
the Revised Code or division (B)(4), (5), or (6) of this section 14028  
and thereby is subject to disqualification, of the offense or 14029  
offenses involved, of the length of time for which 14030  
disqualification is to be imposed, and that the driver may request 14031  
a hearing within thirty days of the mailing of the notice to show 14032  
cause why the driver should not be disqualified from operating a 14033  
commercial motor vehicle. If a request for such a hearing is not 14034

made within thirty days of the mailing of the notice, the order of 14035  
disqualification is final. The registrar may designate hearing 14036  
examiners who, after affording all parties reasonable notice, 14037  
shall conduct a hearing to determine whether the disqualification 14038  
order is supported by reliable evidence. The registrar shall adopt 14039  
rules to implement this division. 14040

(G) Any person who is disqualified from operating a 14041  
commercial motor vehicle under this section may apply to the 14042  
registrar for a driver's license to operate a motor vehicle other 14043  
than a commercial motor vehicle, provided the person's commercial 14044  
driver's license is not otherwise suspended ~~or revoked~~. A person 14045  
whose commercial driver's license is suspended ~~or revoked~~ shall 14046  
not apply to the registrar for or receive a driver's license under 14047  
Chapter 4507. of the Revised Code during the period of suspension 14048  
~~or revocation~~. 14049

**Sec. 4506.17.** (A) Any person who drives a commercial motor 14050  
vehicle within this state shall be deemed to have given consent to 14051  
a test or tests of the person's whole blood, blood serum or 14052  
plasma, breath, or urine for the purpose of determining the 14053  
person's alcohol concentration or the presence of any controlled 14054  
substance. 14055

(B) A test or tests as provided in division (A) of this 14056  
section may be administered at the direction of a peace officer 14057  
having reasonable ground to stop or detain the person and, after 14058  
investigating the circumstances surrounding the operation of the 14059  
commercial motor vehicle, also having reasonable ground to believe 14060  
the person was driving the commercial vehicle while having a 14061  
measurable or detectable amount of alcohol or of a controlled 14062  
substance in the person's whole blood, blood serum or plasma, 14063  
breath, or urine. Any such test shall be given within two hours of 14064  
the time of the alleged violation. 14065

(C) A person requested to submit to a test under division (A) 14066  
of this section shall be advised by the peace officer requesting 14067  
the test that a refusal to submit to the test will result in the 14068  
person immediately being placed out-of-service for a period of 14069  
twenty-four hours and being disqualified from operating a 14070  
commercial motor vehicle for a period of not less than one year, 14071  
and that the person is required to surrender the person's 14072  
commercial driver's license to the peace officer. 14073

(D) If a person refuses to submit to a test after being 14074  
warned as provided in division (C) of this section or submits to a 14075  
test that discloses the presence of a controlled substance or an 14076  
alcohol concentration of four-hundredths of one per cent or more, 14077  
the person immediately shall surrender the person's commercial 14078  
driver's license to the peace officer. The peace officer shall 14079  
forward the license, together with a sworn report, to the 14080  
registrar of motor vehicles certifying that the test was requested 14081  
pursuant to division (A) of this section and that the person 14082  
either refused to submit to testing or submitted to a test that 14083  
disclosed the presence of a controlled substance or an alcohol 14084  
concentration of four-hundredths of one per cent or more. The form 14085  
and contents of the report required by this section shall be 14086  
established by the registrar by rule, but shall contain the advice 14087  
to be read to the driver and a statement to be signed by the 14088  
driver acknowledging that the driver has been read the advice and 14089  
that the form was shown to the driver. 14090

(E) Upon receipt of a sworn report from a peace officer as 14091  
provided in division (D) of this section, the registrar shall 14092  
disqualify the person named in the report from driving a 14093  
commercial motor vehicle for the period described below: 14094

(1) Upon a first incident, one year; 14095

(2) Upon an incident of refusal or of a prohibited 14096

concentration of alcohol after one or more previous incidents of 14097  
either refusal or of a prohibited concentration of alcohol, the 14098  
person shall be disqualified for life or such lesser period as 14099  
prescribed by rule by the registrar. 14100

(F) A ~~blood~~ test of a person's whole blood or a person's 14101  
blood serum or plasma given under this section shall comply with 14102  
the applicable provisions of division (D) of section 4511.19 of 14103  
the Revised Code and any physician, registered nurse, or qualified 14104  
technician ~~or~~, chemist, or phlebotomist who withdraws whole blood 14105  
or blood serum or plasma from a person under this section, and any 14106  
hospital, first-aid station, ~~or~~ clinic, or other facility at which 14107  
whole blood or blood serum or plasma is withdrawn from a person 14108  
pursuant to this section, is immune from criminal liability, and 14109  
from civil liability that is based upon a claim of assault and 14110  
battery or based upon any other claim of malpractice, for any act 14111  
performed in withdrawing whole blood or blood serum or plasma from 14112  
the person. 14113

(G) When a person submits to a test under this section, the 14114  
results of the test, at the person's request, shall be made 14115  
available to the person, the person's attorney, or the person's 14116  
agent, immediately upon completion of the chemical test analysis. 14117  
The person also may have an additional test administered by a 14118  
physician, a registered nurse, or a qualified technician ~~or~~, 14119  
chemist, or phlebotomist of the person's own choosing as provided 14120  
in division (D) of section 4511.19 of the Revised Code for tests 14121  
administered under that section, and the failure to obtain such a 14122  
test has the same effect as in that division. 14123

(H) No person shall refuse to immediately surrender the 14124  
person's commercial driver's license to a peace officer when 14125  
required to do so by this section. 14126

(I) A peace officer issuing an out-of-service order or 14127  
receiving a commercial driver's license surrendered under this 14128

section may remove or arrange for the removal of any commercial 14129  
motor vehicle affected by the issuance of that order or the 14130  
surrender of that license. 14131

(J)(1) Except for civil actions arising out of the operation 14132  
of a motor vehicle and civil actions in which the state is a 14133  
plaintiff, no peace officer of any law enforcement agency within 14134  
this state is liable in compensatory damages in any civil action 14135  
that arises under the Revised Code or common law of this state for 14136  
an injury, death, or loss to person or property caused in the 14137  
performance of official duties under this section and rules 14138  
adopted under this section, unless the officer's actions were 14139  
manifestly outside the scope of the officer's employment or 14140  
official responsibilities, or unless the officer acted with 14141  
malicious purpose, in bad faith, or in a wanton or reckless 14142  
manner. 14143

(2) Except for civil actions that arise out of the operation 14144  
of a motor vehicle and civil actions in which the state is a 14145  
plaintiff, no peace officer of any law enforcement agency within 14146  
this state is liable in punitive or exemplary damages in any civil 14147  
action that arises under the Revised Code or common law of this 14148  
state for any injury, death, or loss to person or property caused 14149  
in the performance of official duties under this section of the 14150  
Revised Code and rules adopted under this section, unless the 14151  
officer's actions were manifestly outside the scope of the 14152  
officer's employment or official responsibilities, or unless the 14153  
officer acted with malicious purpose, in bad faith, or in a wanton 14154  
or reckless manner. 14155

(K) When disqualifying a driver, the registrar shall cause 14156  
the records of the bureau of motor vehicles to be updated to 14157  
reflect the disqualification within ten days after it occurs. 14158

(L) The registrar immediately shall notify a driver who is 14159  
subject to disqualification of the disqualification, of the length 14160

of the disqualification, and that the driver may request a hearing 14161  
within thirty days of the mailing of the notice to show cause why 14162  
the driver should not be disqualified from operating a commercial 14163  
motor vehicle. If a request for such a hearing is not made within 14164  
thirty days of the mailing of the notice, the order of 14165  
disqualification is final. The registrar may designate hearing 14166  
examiners who, after affording all parties reasonable notice, 14167  
shall conduct a hearing to determine whether the disqualification 14168  
order is supported by reliable evidence. The registrar shall adopt 14169  
rules to implement this division. 14170

(M) Any person who is disqualified from operating a 14171  
commercial motor vehicle under this section may apply to the 14172  
registrar for a driver's license to operate a motor vehicle other 14173  
than a commercial motor vehicle, provided the person's commercial 14174  
driver's license is not otherwise suspended ~~or revoked~~. A person 14175  
whose commercial driver's license is suspended ~~or revoked~~ shall 14176  
not apply to the registrar for or receive a driver's license under 14177  
Chapter 4507. of the Revised Code during the period of suspension 14178  
~~or revocation~~. 14179

(N) Whoever violates division (H) of this section is guilty 14180  
of a misdemeanor of the first degree. 14181

**Sec. 4506.18.** (A) Any driver who holds a commercial driver's 14182  
license issued by this state and is convicted in another state or 14183  
a foreign jurisdiction of violating any law or ordinance relating 14184  
to motor vehicle traffic control, other than a parking violation, 14185  
shall provide written notice of that conviction within thirty days 14186  
after the date of conviction to the bureau of motor vehicles and 14187  
to ~~his~~ the driver's employer in accordance with the provisions of 14188  
49 C.F.R. 383, subpart C, as amended. 14189

(B) Whoever violates this section is guilty of a misdemeanor 14190  
of the first degree. 14191

**Sec. 4506.19.** (A) The provisions of 49 C.F.R. 383, subpart C, 14192  
as amended, shall apply to all commercial drivers or persons who 14193  
apply for employment as commercial drivers. No person shall fail 14194  
to make a report to ~~his~~ the person's employer as required by this 14195  
section. 14196

(B) Whoever violates this section is guilty of a misdemeanor 14197  
of the first degree. 14198

**Sec. 4506.20.** (A) Each employer shall require every applicant 14199  
for employment as a driver of a commercial motor vehicle to 14200  
provide the information specified in section 4506.20 of the 14201  
Revised Code. 14202

(B) No employer shall knowingly permit or authorize any 14203  
driver employed by ~~him~~ the employer to drive a commercial motor 14204  
vehicle during any period in which any of the following apply: 14205

(1) The driver's commercial driver's license is suspended, 14206  
revoked, or canceled by any state or a foreign jurisdiction; 14207

(2) The driver has lost ~~his~~ the privilege to drive, or 14208  
currently is disqualified from driving, a commercial motor vehicle 14209  
in any state or foreign jurisdiction; 14210

(3) The driver is subject to an out-of-service order in any 14211  
state or foreign jurisdiction; 14212

(4) The driver has more than one driver's license. 14213

(C) Whoever violates this section is guilty of a misdemeanor 14214  
of the first degree. 14215

**Sec. 4506.99.** ~~(A) Whoever violates division (A) of section~~ 14216  
~~4506.03, division (A)(1), (2), or (3) of section 4506.04, division~~ 14217  
~~(A) of section 4506.10, division (H) of section 4506.17, or~~ 14218  
~~section 4506.20 of the Revised Code is guilty of a misdemeanor of~~ 14219



~~the first degree.~~ 14220

~~(B) Whoever violates division (A)(4) of section 4506.04 of  
the Revised Code is guilty of falsification, a misdemeanor of the  
first degree. In addition, the provisions of section 4507.19 of  
the Revised Code apply.~~ 14221  
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~~(C) Whoever violates division (C) of section 4506.11 or  
division (D) of section 4506.14 of the Revised Code is guilty of a  
minor misdemeanor.~~ 14225  
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~~(D) Whoever violates any provision of sections 4506.03 to  
4506.20 of the Revised Code for which no penalty is otherwise is  
provided in this the section that contains the provision violated  
is guilty of a misdemeanor of the first degree.~~ 14228  
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**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.~~ 14232  
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~~(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. Whoever violates this division is guilty of a  
misdemeanor of the first degree.~~ 14239  
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~~(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~~ 14247  
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~~property used by the public for purposes of vehicular travel or 14250  
parking in this state unless the person has a valid license as a 14251  
motorcycle operator, that was issued upon application by the 14252  
registrar under this chapter. The license shall be in the form of 14253  
an endorsement, as determined by the registrar, upon a driver's or 14254  
commercial driver's license, if the person has a valid license to 14255  
operate a motor vehicle or commercial motor vehicle, or in the 14256  
form of a restricted license as provided in section 4507.14 of the 14257  
Revised Code, if the person does not have a valid license to 14258  
operate a motor vehicle or commercial motor vehicle. 14259~~

~~(4)(2) No person shall receive a driver's license, or a 14260  
motorcycle operator's endorsement of a driver's or commercial 14261  
driver's license, unless and until the person surrenders to the 14262  
registrar all valid licenses issued to the person by another 14263  
jurisdiction recognized by this state. All surrendered licenses 14264  
shall be returned by the registrar to the issuing authority, 14265  
together with information that a license is now issued in this 14266  
state. No person shall be permitted to have more than one valid 14267  
license at any time. 14268~~

~~(B)(1) No person, whose driver's or commercial driver's 14269  
license or permit or nonresident's operating privilege has been 14270  
suspended or revoked pursuant to Chapter 4509. of the Revised 14271  
Code, shall operate any motor vehicle within this state, or 14272  
knowingly permit any motor vehicle owned by the person to be 14273  
operated by another person in the state, during the period of the 14274  
suspension or revocation, except as specifically authorized by 14275  
Chapter 4509. of the Revised Code. No person shall operate a motor 14276  
vehicle within this state, or knowingly permit any motor vehicle 14277  
owned by the person to be operated by another person in the state, 14278  
during the period in which the person is required by section 14279  
4509.45 of the Revised Code to file and maintain proof of 14280  
financial responsibility for a violation of section 4509.101 of 14281~~

~~the Revised Code, unless proof of financial responsibility is maintained with respect to that vehicle.~~ 14282  
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~~(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.~~ 14284  
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~~(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 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.~~ 14290  
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~~(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.~~ 14298  
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~~(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~~ 14309  
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~~occupational driving privileges by any court shall operate any 14314  
motor vehicle upon the highways or streets in this state except in 14315  
accordance with the terms of those privileges. 14316~~

~~(E)(1) It is an affirmative defense to any prosecution 14317  
brought pursuant to division (B), (C), or (D) of this section that 14318  
the alleged offender drove under suspension or in violation of a 14319  
restriction because of a substantial emergency, provided that no 14320  
other person was reasonably available to drive in response to the 14321  
emergency. 14322~~

~~(2) It is an affirmative defense to any prosecution brought 14323  
pursuant to division (B)(1) of this section that the order of 14324  
suspension resulted from the failure of the alleged offender to 14325  
respond to a financial responsibility random verification request 14326  
under division (A)(3)(c) of section 4509.101 of the Revised Code 14327  
and that, upon a showing of proof of financial responsibility, the 14328  
alleged offender was in compliance with division (A)(1) of section 14329  
4509.101 of the Revised Code at the time of the initial financial 14330  
responsibility random verification request. 14331~~

~~(F)(1) If a person is convicted of a violation of division 14332  
(B), (C), or (D) of this section 4510.11, 4510.14, 4510.16, or 14333  
4510.21 of the Revised Code or if division (F) of section 4507.164 14334  
of the Revised Code applies, the trial judge of any court, in 14335  
addition to or independent of, any other penalties provided by law 14336  
or ordinance, shall impound the identification license plates of 14337  
any motor vehicle registered in the name of the person. The court 14338  
shall send the impounded license plates to the registrar, who may 14339  
retain the license plates until the driver's or commercial 14340  
driver's license of the owner has been reinstated or destroy them 14341  
pursuant to section 4503.232 of the Revised Code. 14342~~

~~If the license plates of a person convicted of a violation of 14343  
division (B), (C), or (D) of this section any provision of those 14344  
sections have been impounded in accordance with the provisions of 14345~~

this division, the court shall notify the registrar of that 14346  
action. The notice shall contain the name and address of the 14347  
driver, the serial number of the driver's driver's or commercial 14348  
driver's license, the serial numbers of the license plates of the 14349  
motor vehicle, and the length of time for which the license plates 14350  
have been impounded. The registrar shall record the data in the 14351  
notice as part of the driver's permanent record. 14352

(2) Any motor vehicle owner who has had the license plates of 14353  
a motor vehicle impounded pursuant to division ~~(F)~~(B)(1) of this 14354  
section may apply to the registrar, or to a deputy registrar, for 14355  
special license plates ~~which~~ that shall conform to the 14356  
requirements of section 4503.231 of the Revised Code. The 14357  
registrar or deputy registrar forthwith shall notify the court of 14358  
the application and, upon approval of the court, shall issue 14359  
special license plates to the applicant. Until the driver's or 14360  
commercial driver's license of the owner is reinstated, any new 14361  
license plates issued to the owner also shall conform to the 14362  
requirements of section 4503.231 of the Revised Code. 14363

The registrar or deputy registrar shall charge the owner of a 14364  
vehicle the fees provided in section 4503.19 of the Revised Code 14365  
for special license plates that are issued in accordance with this 14366  
division, except upon renewal as specified in section 4503.10 of 14367  
the Revised Code, when the regular fee as provided in section 14368  
4503.04 of the Revised Code shall be charged. The registrar or 14369  
deputy registrar shall charge the owner of a vehicle the fees 14370  
provided in section 4503.19 of the Revised Code whenever special 14371  
license plates are exchanged, by reason of the reinstatement of 14372  
the driver's or commercial driver's license of the owner, for 14373  
those ordinarily issued. 14374

(3) If an owner wishes to sell a motor vehicle during the 14375  
time the special license plates provided under division ~~(F)~~(B)(2) 14376  
of this section are in use, the owner may apply to the court that 14377

impounded the license plates of the motor vehicle for permission 14378  
to transfer title to the motor vehicle. If the court is satisfied 14379  
that the sale will be made in good faith and not for the purpose 14380  
of circumventing the provisions of this section, it may certify 14381  
its consent to the owner and to the registrar of motor vehicles 14382  
who shall enter notice of the transfer of the title of the motor 14383  
vehicle in the vehicle registration record. 14384

If, during the time the special license plates provided under 14385  
division ~~(F)~~(B)(2) of this section are in use, the title to a 14386  
motor vehicle is transferred by the foreclosure of a chattel 14387  
mortgage, a sale upon execution, the cancellation of a conditional 14388  
sales contract, or by order of a court, the court shall notify the 14389  
registrar of the action and the registrar shall enter notice of 14390  
the transfer of the title to the motor vehicle in the vehicle 14391  
registration record. 14392

~~(G)~~(C) This section is not intended to change or modify any 14393  
provision of Chapter 4503. of the Revised Code with respect to the 14394  
taxation of motor vehicles or the time within which the taxes on 14395  
motor vehicles shall be paid. 14396

**Sec. 4507.023.** The registrar of motor vehicles may furnish 14397  
the name and social security number of any person whose driver's 14398  
license or commercial driver's license has been suspended or 14399  
~~revoked~~ canceled, or of any person whose certificate of 14400  
registration and license plates are subject to impoundment, to the 14401  
tax commissioner. The tax commissioner may return to the registrar 14402  
the address of any such person as shown on the most recent return 14403  
filed by that person under section 5747.08 of the Revised Code. 14404  
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**Sec. 4507.05.** (A) The registrar of motor vehicles, or a 14406  
deputy registrar, upon receiving an application for a temporary 14407

instruction permit and a temporary instruction permit 14408  
identification card for a driver's license from any person who is 14409  
at least fifteen years and six months of age, may issue such a 14410  
permit and identification card entitling the applicant to drive a 14411  
motor vehicle, other than a commercial motor vehicle, upon the 14412  
highways under the following conditions: 14413

(1) If the permit is issued to a person who is at least 14414  
fifteen years and six months of age, but less than sixteen years 14415  
of age: 14416

(a) The permit and identification card are in the holder's 14417  
immediate possession; 14418

(b) The holder is accompanied by an eligible adult who 14419  
actually occupies the seat beside the permit holder; 14420

(c) The total number of occupants of the vehicle does not 14421  
exceed the total number of occupant restraining devices originally 14422  
installed in the motor vehicle by its manufacturer, and each 14423  
occupant of the vehicle is wearing all of the available elements 14424  
of a properly adjusted occupant restraining device. 14425

(2) If the permit is issued to a person who is at least 14426  
sixteen years of age: 14427

(a) The permit and identification card are in the holder's 14428  
immediate possession; 14429

(b) The holder is accompanied by a licensed operator who is 14430  
at least twenty-one years of age and is actually occupying a seat 14431  
beside the driver; 14432

(c) The total number of occupants of the vehicle does not 14433  
exceed the total number of occupant restraining devices originally 14434  
installed in the motor vehicle by its manufacturer, and each 14435  
occupant of the vehicle is wearing all of the available elements 14436  
of a properly adjusted occupant restraining device. 14437

(B) The registrar or a deputy registrar, upon receiving from 14438  
any person an application for a temporary instruction permit and 14439  
temporary instruction permit identification card to operate a 14440  
motorcycle or motorized bicycle, may issue such a permit and 14441  
identification card entitling the applicant, while having the 14442  
permit and identification card in the applicant's immediate 14443  
possession, to drive a motorcycle or motorized bicycle under 14444  
restrictions determined by the registrar. A temporary instruction 14445  
permit and temporary instruction permit identification card to 14446  
operate a motorized bicycle may be issued to a person fourteen or 14447  
fifteen years old. 14448

(C) Any permit and identification card issued under this 14449  
section shall be issued in the same manner as a driver's license, 14450  
upon a form to be furnished by the registrar. A temporary 14451  
instruction permit to drive a motor vehicle other than a 14452  
commercial motor vehicle shall be valid for a period of one year. 14453

(D) Any person having in the person's possession a valid and 14454  
current driver's license or motorcycle operator's license or 14455  
endorsement issued to the person by another jurisdiction 14456  
recognized by this state is exempt from obtaining a temporary 14457  
instruction permit for a driver's license, but shall submit to the 14458  
regular examination in obtaining a driver's license or motorcycle 14459  
operator's endorsement in this state. 14460

(E) The registrar may adopt rules governing the use of 14461  
temporary instruction permits and temporary instruction permit 14462  
identification cards. 14463

(F)(1) No holder of a permit issued under division (A) of 14464  
this section shall operate a motor vehicle upon a highway or any 14465  
public or private property used by the public for purposes of 14466  
vehicular travel or parking in violation of the conditions 14467  
established under division (A) of this section. 14468



(2) Except as provided in division (F)(2) of this section, no holder of a permit that is issued under division (A) of this section and that is issued on or after the effective date of this amendment, and who has not attained the age of seventeen years, shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking between the hours of one a.m. and five a.m.

The holder of a permit issued under division (A) of this section on or after the effective date of this amendment, who has not attained the age of seventeen years, may operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking between the hours of one a.m. and five a.m. if, at the time of such operation, the holder is accompanied by the holder's parent, guardian, or custodian, and the parent, guardian, or custodian holds a current valid driver's or commercial driver's license issued by this state and is actually occupying a seat beside the permit holder.

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

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

violation of division (F)(2) of this section has been or is being 14501  
committed or for the sole purpose of issuing a ticket, citation, 14502  
or summons for such a violation or for causing the arrest of or 14503  
commencing a prosecution of a person for such violation. 14504

(H) As used in this section: 14505

(1) "Eligible adult" means any of the following: 14506

(a) An instructor of a driver education course approved by 14507  
the department of education or a driver training course approved 14508  
by the department of public safety; 14509

(b) Any of the following persons who holds a current valid 14510  
driver's or commercial driver's license issued by this state: 14511

(i) A parent, guardian, or custodian of the permit holder; 14512

(ii) A person twenty-one years of age or older who acts in 14513  
loco parentis of the permit holder. 14514

(2) "Occupant restraining device" has the same meaning as in 14515  
section 4513.263 of the Revised Code. 14516

(I) Whoever violates division (F)(1) or (2) of this section 14517  
is guilty of a minor misdemeanor. 14518

**Sec. 4507.06.** (A)(1) Every application for a driver's license 14519  
or motorcycle operator's license or endorsement, or duplicate of 14520  
any such license or endorsement, shall be made upon the approved 14521  
form furnished by the registrar of motor vehicles and shall be 14522  
signed by the applicant. 14523

Every application shall state the following: 14524

(a) The applicant's name, date of birth, social security 14525  
number if such has been assigned, sex, general description, 14526  
including height, weight, color of hair, and eyes, residence 14527  
address, including county of residence, duration of residence in 14528  
this state, and country of citizenship; 14529

(b) Whether the applicant previously has been licensed as an operator, chauffeur, driver, commercial driver, or motorcycle operator and, if so, when, by what state, and whether such license is suspended or ~~revoked~~ canceled at the present time and, if so, the date of and reason for the suspension or ~~revocation~~ cancellation;

(c) Whether the applicant is now or ever has been afflicted with epilepsy, or whether the applicant now is suffering from any physical or mental disability or disease and, if so, the nature and extent of the disability or disease, giving the names and addresses of physicians then or previously in attendance upon the applicant;

(d) Whether an applicant for a duplicate driver's license, or duplicate license containing a motorcycle operator endorsement has pending a citation for violation of any motor vehicle law or ordinance, a description of any such citation pending, and the date of the citation;

(e) Whether the applicant wishes to certify willingness to make an anatomical gift under section 2108.04 of the Revised Code, which shall be given no consideration in the issuance of a license or endorsement;

(f) ~~On and after May 1, 1993, whether~~ Whether the applicant has executed a valid durable power of attorney for health care pursuant to sections 1337.11 to 1337.17 of the Revised Code or has executed a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment pursuant to sections 2133.01 to 2133.15 of the Revised Code and, if the applicant has executed either type of instrument, whether the applicant wishes the applicant's license to indicate that the applicant has executed the instrument.

(2) Every applicant for a driver's license shall be

photographed in color at the time the application for the license 14561  
is made. The application shall state any additional information 14562  
that the registrar requires. 14563

(B) The registrar or a deputy registrar, in accordance with 14564  
section 3503.11 of the Revised Code, shall register as an elector 14565  
any person who applies for a driver's license or motorcycle 14566  
operator's license or endorsement under division (A) of this 14567  
section, or for a renewal or duplicate of the license or 14568  
endorsement, if the applicant is eligible and wishes to be 14569  
registered as an elector. The decision of an applicant whether to 14570  
register as an elector shall be given no consideration in the 14571  
decision of whether to issue the applicant a license or 14572  
endorsement, or a renewal or duplicate. 14573

(C) The registrar or a deputy registrar, in accordance with 14574  
section 3503.11 of the Revised Code, shall offer the opportunity 14575  
of completing a notice of change of residence or change of name to 14576  
any applicant for a driver's license or endorsement under division 14577  
(A) of this section, or for a renewal or duplicate of the license 14578  
or endorsement, if the applicant is a registered elector who has 14579  
changed the applicant's residence or name and has not filed such a 14580  
notice. 14581

**Sec. 4507.071.** (A) No driver's license shall be issued to any 14582  
person under eighteen years of age, except that a probationary 14583  
license may be issued to a person who is at least sixteen years of 14584  
age and has held a temporary instruction permit for a period of at 14585  
least six months. 14586

(B) No holder of a probationary driver's license issued on or 14587  
after the effective date of this section who has not attained the 14588  
age of seventeen years shall operate a motor vehicle upon a 14589  
highway or any public or private property used by the public for 14590  
purposes of vehicular travel or parking between the hours of one 14591

a.m. and five a.m. unless the holder is accompanied by the 14592  
holder's parent or guardian. 14593

(C) It is an affirmative defense to a violation of division 14594  
(B) of this section if, at the time of the violation, the holder 14595  
of the probationary driver's license was traveling to or from the 14596  
holder's place of employment or an official function sponsored by 14597  
the school the holder attends, or an emergency existed that 14598  
required the holder to operate a motor vehicle in violation of 14599  
division (B) of this section, or the holder was an emancipated 14600  
minor. 14601

(D) No holder of a probationary license shall operate a motor 14602  
vehicle upon a highway or any public or private property used by 14603  
the public for purposes of vehicular travel or parking unless the 14604  
total number of occupants of the vehicle does not exceed the total 14605  
number of occupant restraining devices originally installed in the 14606  
motor vehicle by its manufacturer, and each occupant of the 14607  
vehicle is wearing all of the available elements of a properly 14608  
adjusted occupant restraining device. 14609

(E) A restricted license may be issued to a person who is 14610  
fourteen or fifteen years of age upon proof of hardship 14611  
satisfactory to the registrar of motor vehicles. 14612

(F) Notwithstanding any other provision of law to the 14613  
contrary, no law enforcement officer shall cause the operator of a 14614  
motor vehicle being operated on any street or highway to stop the 14615  
motor vehicle for the sole purpose of determining whether each 14616  
occupant of the motor vehicle is wearing all of the available 14617  
elements of a properly adjusted occupant restraining device as 14618  
required by division (D) of this section, or for the sole purpose 14619  
of issuing a ticket, citation, or summons if the requirement in 14620  
that division has been or is being violated, or for causing the 14621  
arrest of or commencing a prosecution of a person for a violation 14622  
of that requirement. 14623

(G) Notwithstanding any other provision of law to the contrary, no law enforcement officer shall cause the operator of a motor vehicle being operated on any street or highway to stop the motor vehicle for the sole purpose of determining whether a violation of division (B) of this section has been or is being committed or for the sole purpose of issuing a ticket, citation, or summons for such a violation or for causing the arrest of or commencing a prosecution of a person for such violation.

(H) As used in this section, "occupant restraining device" has the same meaning as in section 4513.263 of the Revised Code.

(I) Whoever violates division (B) or (D) of this section is guilty of a minor misdemeanor.

**Sec. 4507.08.** (A) 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.

(B) 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~~ canceled, under ~~sections 4507.01 to 4507.39~~ Chapter 4510. or any other provision of the Revised Code, ~~until the expiration of one year after the license was revoked.~~

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(C) No temporary instruction permit or driver's license shall 14654  
be issued to any person whose commercial driver's license is 14655  
suspended under ~~section 1905.201, 3123.58, 4507.16, 4507.34,~~ 14656  
~~4507.99, 4511.191, or 4511.196 of the Revised Code Chapter 4510.~~ 14657  
or ~~under~~ any other provision of the Revised Code during the period 14658  
of the suspension. 14659

No temporary instruction permit or driver's license shall be 14660  
issued to any person when issuance is prohibited by division (A) 14661  
of section 4507.091 of the Revised Code. 14662

(D) No temporary instruction permit or driver's license shall 14663  
be issued to, or retained by, any of the following persons: 14664

(1) Any person who is an alcoholic, or is addicted to the use 14665  
of controlled substances to the extent that the use constitutes an 14666  
impairment to the person's ability to operate a motor vehicle with 14667  
the required degree of safety; 14668

(2) Any person who is under the age of eighteen and has been 14669  
adjudicated an unruly or delinquent child or a juvenile traffic 14670  
offender for having committed any act that if committed by an 14671  
adult would be a drug abuse offense, as defined in section 2925.01 14672  
of the Revised Code, a violation of division (B) of section 14673  
2917.11, or a violation of division (A) of section 4511.19 of the 14674  
Revised Code, unless the person has been required by the court to 14675  
attend a drug abuse or alcohol abuse education, intervention, or 14676  
treatment program specified by the court and has satisfactorily 14677  
completed the program; 14678

(3) Any person who, in the opinion of the registrar, is 14679  
afflicted with or suffering from a physical or mental disability 14680  
or disease that prevents the person from exercising reasonable and 14681  
ordinary control over a motor vehicle while operating the vehicle 14682  
upon the highways, except that a restricted license effective for 14683  
six months may be issued to any person otherwise qualified who is 14684

or has been subject to any condition resulting in episodic 14685  
impairment of consciousness or loss of muscular control and whose 14686  
condition, in the opinion of the registrar, is dormant or is 14687  
sufficiently under medical control that the person is capable of 14688  
exercising reasonable and ordinary control over a motor vehicle. A 14689  
restricted license effective for six months shall be issued to any 14690  
person who ~~is~~ otherwise is qualified and who is subject to any 14691  
condition that causes episodic impairment of consciousness or a 14692  
loss of muscular control if the person presents a statement from a 14693  
licensed physician that the person's condition is under effective 14694  
medical control and the period of time for which the control has 14695  
been continuously maintained, unless, thereafter, a medical 14696  
examination is ordered and, pursuant thereto, cause for denial is 14697  
found. 14698

A person to whom a six-month restricted license has been 14699  
issued shall give notice of the person's medical condition to the 14700  
registrar on forms provided by the registrar and signed by the 14701  
licensee's physician. The notice shall be sent to the registrar 14702  
six months after the issuance of the license. Subsequent 14703  
restricted licenses issued to the same individual shall be 14704  
effective for six months. 14705

(4) Any person who is unable to understand highway warnings 14706  
or traffic signs or directions given in the English language; 14707

(5) Any person making an application whose driver's license 14708  
or driving privileges are under cancellation, revocation, or 14709  
suspension in the jurisdiction where issued or any other 14710  
jurisdiction, until the expiration of one year after the license 14711  
was canceled or revoked or until the period of suspension ends. 14712  
Any person whose application is denied under this division may 14713  
file a petition in the municipal court or county court in whose 14714  
jurisdiction the person resides agreeing to pay the cost of the 14715  
proceedings and alleging that the conduct involved in the offense 14716



that resulted in suspension, cancellation, or revocation in the 14717  
foreign jurisdiction would not have resulted in a suspension, 14718  
cancellation, or revocation had the offense occurred in this 14719  
state. If the petition is granted, the petitioner shall notify the 14720  
registrar by a certified copy of the court's findings and a 14721  
license shall not be denied under this division. 14722

(6) Any person who is under a class one or two suspension 14723  
imposed for a violation of section 2903.04, 2903.06, or 2903.08 of 14724  
the Revised Code or whose driver's or commercial driver's license 14725  
or permit has been was permanently revoked prior to the effective 14726  
date of this amendment for a substantially equivalent violation 14727  
pursuant to ~~division (C)~~ of section 4507.16 of the Revised Code; 14728

(7) Any person who is not a resident or temporary resident of 14729  
this state. 14730

**Sec. 4507.081.** (A) Upon the expiration of a restricted 14731  
license issued under division (D)(3) of section 4507.08 of the 14732  
Revised Code and submission of a statement as provided in division 14733  
(C) of this section, the registrar of motor vehicles may issue a 14734  
driver's license to the person to whom the restricted license was 14735  
issued. A driver's license issued under this section, unless 14736  
otherwise ~~revoked~~ suspended or canceled, shall be effective for 14737  
one year. 14738

(B) A driver's license issued under this section may be 14739  
renewed annually, for no more than three consecutive years, 14740  
whenever the person to whom the license has been issued submits to 14741  
the registrar, by certified mail and no sooner than thirty days 14742  
prior to the expiration date of the license or renewal thereof, a 14743  
statement as provided in division (C) of this section. A renewal 14744  
of a driver's license, unless the license is otherwise ~~revoked~~ 14745  
suspended or canceled, shall be effective for one year following 14746  
the expiration date of the license or renewal thereof, and shall 14747

be evidenced by a validation sticker. The renewal validation 14748  
sticker shall be in a form prescribed by the registrar and shall 14749  
be affixed to the license. 14750

(C) No person may be issued a driver's license under this 14751  
section, and no such driver's license may be renewed, unless the 14752  
person presents a signed statement from a licensed physician that 14753  
the person's condition either is dormant or is under effective 14754  
medical control, that the control has been maintained continuously 14755  
for at least one year prior to the date on which application for 14756  
the license is made, and that, if continued medication is 14757  
prescribed to control the condition, the person may be depended 14758  
upon to take the medication. 14759

The statement shall be made on a form provided by the 14760  
registrar, shall be in not less than duplicate, and shall contain 14761  
any other information the registrar considers necessary. The 14762  
duplicate copy of the statement may be retained by the person 14763  
requesting the license renewal and, when in the person's immediate 14764  
possession and used in conjunction with the original license, 14765  
shall entitle the person to operate a motor vehicle during a 14766  
period of no more than thirty days following the date of 14767  
submission of the statement to the registrar, except when the 14768  
registrar denies the request for the license renewal and so 14769  
notifies the person. 14770

(D) Whenever the registrar receives a statement indicating 14771  
that the condition of a person to whom a driver's license has been 14772  
issued under this section no longer is dormant or under effective 14773  
medical control, the registrar shall ~~revoke~~ cancel the person's 14774  
driver's license. 14775

(E) Nothing in this section shall require a person submitting 14776  
a signed statement from a licensed physician to obtain a medical 14777  
examination prior to the submission of the statement. 14778

(F) Any person whose driver's license has been ~~revoked~~ 14779  
canceled under this section may apply for a subsequent restricted 14780  
license according to the provisions of section 4507.08 of the 14781  
Revised Code. 14782

**Sec. 4507.111.** On receipt of a notice pursuant to section 14783  
3123.54 of the Revised Code, the registrar of motor vehicles shall 14784  
comply with sections 3123.52 to 3123.614 of the Revised Code and 14785  
any applicable rules adopted under section 3123.63 of the Revised 14786  
Code with respect to a any driver's or commercial license or 14787  
permit, motorcycle operator's license or endorsement, or temporary 14788  
instruction permit or commercial driver's temporary instruction 14789  
permit issued ~~pursuant to this chapter by this state that is the~~ 14790  
subject of the notice. 14791

**Sec. 4507.12.** (A) Except as provided in division (C) of 14792  
section 4507.10 of the Revised Code, each person applying for the 14793  
renewal of a driver's license shall submit to a screening of ~~his~~ 14794  
the person's vision before the license may be renewed. The vision 14795  
screening shall be conducted at the office of the deputy registrar 14796  
receiving the application for license renewal. 14797

(B) When the results of a vision screening given under 14798  
division (A) of this section indicate that the vision of the 14799  
person examined meets the standards required for licensing, the 14800  
deputy registrar may renew the person's driver's license at that 14801  
time. 14802

(C) When the results of a vision screening given under 14803  
division (A) of this section indicate that the vision of the 14804  
person screened may not meet the standards required for licensing, 14805  
the deputy registrar shall not renew the person's driver's license 14806  
at that time but shall refer the person to a driver's license 14807  
examiner appointed by the superintendent of the state highway 14808

patrol under section 5503.21 of the Revised Code for a further 14809  
examination of ~~his~~ the person's vision. When a person referred to 14810  
a driver's license examiner by a deputy registrar does not meet 14811  
the vision standards required for licensing, the driver's license 14812  
examiner shall retain the person's operator's or chauffeur's 14813  
license and shall immediately notify the registrar of motor 14814  
vehicles of that fact. No driver's license shall be issued to any 14815  
such person, until the person's vision is corrected to meet the 14816  
standards required for licensing and the person passes the vision 14817  
screening required by this section. Any person who operates a 14818  
motor vehicle on a highway, or on any public or private property 14819  
used by the public for purposes of vehicular travel or parking, 14820  
during the time ~~his~~ the person's driver's license is held by a 14821  
driver's license examiner under this division, shall be deemed to 14822  
be operating a motor vehicle in violation of division (A) of 14823  
section ~~4507.02~~ 4510.12 of the Revised Code. 14824

(D) The registrar shall adopt rules and shall provide any 14825  
forms necessary to properly conduct vision screenings at the 14826  
office of a deputy registrar. 14827

(E) No person conducting vision screenings under this section 14828  
shall be personally liable for damages for injury or loss to 14829  
persons or property and for death caused by the operation of a 14830  
motor vehicle by any person whose driver's license was renewed by 14831  
the deputy registrar under division (B) of this section. 14832

**Sec. 4507.13.** (A) The registrar of motor vehicles shall issue 14833  
a driver's license to every person licensed as an operator of 14834  
motor vehicles other than commercial motor vehicles. No person 14835  
licensed as a commercial motor vehicle driver under Chapter 4506. 14836  
of the Revised Code need procure a driver's license, but no person 14837  
shall drive any commercial motor vehicle unless licensed as a 14838  
commercial motor vehicle driver. 14839

Every driver's license shall display on it the distinguishing number assigned to the licensee and shall display the licensee's name and date of birth; 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 the licensee's blood type; a notation, in a manner prescribed by the registrar, indicating any condition described in division (D)(3) of section 4507.08 of the Revised Code to which the licensee is subject; if the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument; and any additional information that the registrar requires by rule. No license shall display the licensee's social security number unless the licensee specifically requests that the licensee's social security number be displayed on the license. If federal law requires the licensee's social security number to be displayed on the license, the social security number shall be displayed on the license notwithstanding this section.

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

The driver's license issued to a temporary resident shall

contain the word "nonrenewable" and shall have any additional 14872  
characteristics prescribed by the registrar distinguishing it from 14873  
a license issued to a resident. 14874

Every driver's or commercial driver's license displaying a 14875  
motorcycle operator's endorsement and every restricted license to 14876  
operate a motor vehicle also shall display the designation 14877  
"novice," if the endorsement or license is issued to a person who 14878  
is eighteen years of age or older and previously has not been 14879  
licensed to operate a motorcycle by this state or another 14880  
jurisdiction recognized by this state. The "novice" designation 14881  
shall be effective for one year after the date of issuance of the 14882  
motorcycle operator's endorsement or license. 14883

Each license issued under this section shall be of such 14884  
material and so designed as to prevent its reproduction or 14885  
alteration without ready detection and, to this end, shall be 14886  
laminated with a transparent plastic material. 14887

(B) Except in regard to a driver's license issued to a person 14888  
who applies no more than thirty days before the applicant's 14889  
twenty-first birthday, neither the registrar nor any deputy 14890  
registrar shall issue a driver's license to anyone under 14891  
twenty-one years of age that does not have the characteristics 14892  
prescribed by the registrar distinguishing it from the driver's 14893  
license issued to persons who are twenty-one years of age or 14894  
older. 14895

(C) Whoever violates division (B) of this section is guilty 14896  
of a minor misdemeanor. 14897

**Sec. 4507.14.** The registrar of motor vehicles upon issuing a 14898  
driver's license, a motorcycle operator's endorsement, a driver's 14899  
license renewal, or the renewal of any other license issued under 14900  
this chapter, whenever good cause appears, may impose restrictions 14901  
suitable to the licensee's driving ability with respect to the 14902

type of or special mechanical control devices required on a motor 14903  
vehicle ~~which~~ that the licensee may operate, or ~~such~~ any other 14904  
restrictions applicable to the licensee ~~as~~ that the registrar 14905  
determines to be necessary. 14906

When issuing a license to a person with impaired hearing, the 14907  
registrar shall require that a motor vehicle operated by the 14908  
person be equipped with two outside rear vision mirrors, one on 14909  
the left side and the other on the right side. 14910

The registrar either may issue a special restricted license 14911  
or may set forth ~~such~~ any restrictions applicable to the license 14912  
upon the usual license form. 14913

The registrar, upon receiving satisfactory evidence of any 14914  
violation of the restrictions of ~~such~~ any license, after an 14915  
opportunity for a hearing in accordance with Chapter 119. of the 14916  
Revised Code, may ~~suspend the license for a period of six months~~ 14917  
impose upon the offender a class D suspension of the license from 14918  
the range specified in division (B)(4) of section 4510.02 of the 14919  
Revised Code. 14920

**Sec. 4507.15.** For the purpose of enforcing ~~sections 4507.01~~ 14921  
~~to 4507.39, inclusive,~~ this chapter and Chapter 4510. of the 14922  
Revised Code, any court of record having criminal jurisdiction 14923  
shall have county-wide jurisdiction within the county in which it 14924  
is located to hear and finally determine cases arising under ~~such~~ 14925  
~~sections~~ this chapter and Chapter 4510. of the Revised Code. ~~Such~~ 14926  
~~actions~~ An action arising under this section shall be commenced by 14927  
the filing of an affidavit, and the right of trial by jury is 14928  
preserved, but indictments are not required in misdemeanor cases 14929  
arising under ~~such sections~~ this chapter and Chapter 4510. of the 14930  
Revised Code. The registrar shall prepare and furnish blanks for 14931  
the use of ~~said~~ the court in making reports of ~~said~~ convictions 14932  
and bond forfeitures arising under this chapter and Chapter 4510. 14933

of the Revised Code. 14934

**Sec. 4507.16.** (A)~~(1)~~ The trial judge of any court of record, 14935  
in addition to or independent of all other penalties provided by 14936  
law or by ordinance, shall ~~suspend for not less than thirty days~~ 14937  
~~or more than three years or shall revoke the driver's or~~ 14938  
~~commercial driver's license or permit or nonresident operating~~ 14939  
~~privilege of any person who is convicted of or pleads guilty to~~ 14940  
~~any of the following:~~ 14941

~~(a) Perjury impose upon any person who is convicted of or~~ 14942  
~~pleads guilty to perjury or the making of a false affidavit under~~ 14943  
this chapter, or any other law of this state requiring the 14944  
registration of motor vehicles or regulating their operation on 14945  
the highway; 14946

~~(b) Any crime punishable as a felony under the motor vehicle~~ 14947  
~~laws of this state or any other felony in the commission of which~~ 14948  
~~a motor vehicle is used;~~ 14949

~~(c) Failing to stop and disclose identity at the scene of the~~ 14950  
~~accident when required by law or ordinance to do so;~~ 14951

~~(d) Street racing as defined in section 4511.251 of the~~ 14952  
~~Revised Code or any substantially similar municipal ordinance;~~ 14953

~~(e) Willfully eluding or fleeing a police officer;~~ 14954

~~(f) Trafficking in cigarettes with the intent to avoid~~ 14955  
~~payment of the cigarette tax under division (A) of section~~ 14956  
~~5743.112 of the Revised Code.~~ 14957

~~(2) Subject to division (D)(1) of this section, the trial~~ 14958  
~~judge of any court of record, in addition to or independent of all~~ 14959  
~~other penalties provided by law or by ordinance, shall suspend the~~ 14960  
~~driver's or commercial driver's license or permit or nonresident~~ 14961  
~~operating privilege of any person who is convicted of or pleads~~ 14962  
~~guilty to a violation of section 2903.06 or 2903.08 of the Revised~~ 14963



~~Code. The suspension shall be for the period of time specified in 14964  
section 2903.06 or 2903.08 of the Revised Code, whichever is 14965  
applicable. 14966~~

~~(3) If a person is convicted of or pleads guilty to a 14967  
violation of section 2907.24 of the Revised Code, an attempt to 14968  
commit a violation of that section, or a violation of or an 14969  
attempt to commit a violation of a municipal ordinance that is 14970  
substantially equivalent to that section and if the person, in 14971  
committing or attempting to commit the violation, was in, was on, 14972  
or used a motor vehicle, the trial judge of a court of record, in 14973  
addition to or independent of all other penalties provided by law 14974  
or ordinance, shall suspend for thirty days the person's driver's 14975  
or commercial driver's license or permit. 14976~~

~~The trial judge of any court of record, in addition to 14977  
suspensions or revocations of licenses, permits, or privileges 14978  
pursuant to this division and in addition to or independent of all 14979  
other penalties provided by law or by ordinance, shall impose a 14980  
suspended jail sentence not to exceed six months, if imprisonment 14981  
was not imposed for the offense for which the person was 14982  
convicted, a class six suspension of the offender's driver's 14983  
license, commercial driver's license, temporary instruction 14984  
permit, probationary license, or nonresident operating privilege 14985  
from the range specified in division (A)(6) of section 4510.02 of 14986  
the Revised Code. No judge shall suspend the first three months of 14987  
suspension of an offender's license, permit, or privilege required 14988  
by this division. 14989~~

~~(4)(B) If the trial judge of any court of record suspends or 14990  
revokes the driver's or commercial driver's license or permit or 14991  
nonresident operating privilege of a person who is convicted of or 14992  
pleads guilty to any offense for which such a suspension or 14993  
revocation of that type is provided by law or ordinance, in 14994  
addition to all other penalties provided by law or ordinance, the 14995~~

judge may issue an order prohibiting the offender from 14996  
registering, renewing, or transferring the registration of any 14997  
vehicle during the period that the offender's license, permit, or 14998  
privilege is suspended ~~or revoked~~. The court promptly shall send a 14999  
copy of the order to the registrar of motor vehicles. 15000

Upon receipt of ~~such an~~ the order from the court, neither the 15001  
registrar nor any deputy registrar shall accept any application 15002  
for the registration, registration renewal, or transfer of 15003  
registration of any motor vehicle owned or leased by the person 15004  
named in the order during the period that the person's license, 15005  
permit, or privilege is suspended ~~or revoked~~, unless the registrar 15006  
is properly notified by the court that the order of suspension ~~or~~ 15007  
~~revocation~~ has been canceled. When the period of suspension ~~or~~ 15008  
~~revocation~~ expires or the order is canceled, the registrar or 15009  
deputy registrar shall accept the application for registration, 15010  
registration renewal, or transfer of registration of the person 15011  
named in the order. 15012

~~(B) Except as otherwise provided in this section, the trial 15013  
judge of any court of record and the mayor of a mayor's court, in 15014  
addition to or independent of all other penalties provided by law 15015  
or by ordinance, shall revoke the driver's or commercial driver's 15016  
license or permit or nonresident operating privilege of any person 15017  
who is convicted of or pleads guilty to a violation of division 15018  
(A) of section 4511.19 of the Revised Code, of a municipal 15019  
ordinance relating to operating a vehicle while under the 15020  
influence of alcohol, a drug of abuse, or alcohol and a drug of 15021  
abuse, or of a municipal ordinance that is substantially 15022  
equivalent to division (A) of section 4511.19 of the Revised Code 15023  
relating to operating a vehicle with a prohibited concentration of 15024  
alcohol in the blood, breath, or urine or suspend the license, 15025  
permit, or privilege as follows:~~ 15026

~~(1) Except when division (B)(2), (3), or (4) of this section 15027~~

~~applies and the judge or mayor is required to suspend or revoke 15028  
the offender's license or permit pursuant to that division, the 15029  
judge or mayor shall suspend the offender's driver's or commercial 15030  
driver's license or permit or nonresident operating privilege for 15031  
not less than six months nor more than three years. 15032~~

~~(2) Subject to division (B)(4) of this section, if, within 15033  
six years of the offense, the offender has been convicted of or 15034  
pleaded guilty to one violation of division (A) or (B) of section 15035  
4511.19 of the Revised Code, a municipal ordinance relating to 15036  
operating a vehicle while under the influence of alcohol, a drug 15037  
of abuse, or alcohol and a drug of abuse, a municipal ordinance 15038  
relating to operating a motor vehicle with a prohibited 15039  
concentration of alcohol in the blood, breath, or urine, section 15040  
2903.04 of the Revised Code in a case in which the offender was 15041  
subject to the sanctions described in division (D) of that 15042  
section, section 2903.06 or 2903.08 of the Revised Code, former 15043  
section 2903.07 of the Revised Code, or a municipal ordinance that 15044  
is substantially similar to former section 2903.07 of the Revised 15045  
Code in a case in which the jury or judge found that the offender 15046  
was under the influence of alcohol, a drug of abuse, or alcohol 15047  
and a drug of abuse, or a statute of the United States or of any 15048  
other state or a municipal ordinance of a municipal corporation 15049  
located in any other state that is substantially similar to 15050  
division (A) or (B) of section 4511.19 of the Revised Code, the 15051  
judge shall suspend the offender's driver's or commercial driver's 15052  
license or permit or nonresident operating privilege for not less 15053  
than one year nor more than five years. 15054~~

~~(3) Subject to division (B)(4) of this section, if, within 15055  
six years of the offense, the offender has been convicted of or 15056  
pleaded guilty to two violations described in division (B)(2) of 15057  
this section, or a statute of the United States or of any other 15058  
state or a municipal ordinance of a municipal corporation located 15059~~

~~in any other state that is substantially similar to division (A) 15060  
or (B) of section 4511.19 of the Revised Code, the judge shall 15061  
suspend the offender's driver's or commercial driver's license or 15062  
permit or nonresident operating privilege for not less than one 15063  
year nor more than ten years. 15064~~

~~(4) If, within six years of the offense, the offender has 15065  
been convicted of or pleaded guilty to three or more violations 15066  
described in division (B)(2) of this section, a statute of the 15067  
United States or of any other state or a municipal ordinance of a 15068  
municipal corporation located in any other state that is 15069  
substantially similar to division (A) or (B) of section 4511.19 of 15070  
the Revised Code, or if the offender previously has been convicted 15071  
of or pleaded guilty to a violation of division (A) of section 15072  
4511.19 of the Revised Code under circumstances in which the 15073  
violation was a felony and regardless of when the violation and 15074  
the conviction or guilty plea occurred, the judge shall suspend 15075  
the offender's driver's or commercial driver's license or permit 15076  
or nonresident operating privilege for a period of time set by the 15077  
court but not less than three years, and the judge may permanently 15078  
revoke the offender's driver's or commercial driver's license or 15079  
permit or nonresident operating privilege. 15080~~

~~(5) The filing of an appeal by a person whose driver's or 15081  
commercial driver's license is suspended or revoked under division 15082  
(B)(1), (2), (3), or (4) of this section regarding any aspect of 15083  
the person's trial or sentence does not stay the operation of the 15084  
suspension or revocation. 15085~~

~~(C) The trial judge of any court of record or the mayor of a 15086  
mayor's court, in addition to or independent of all other 15087  
penalties provided by law or by ordinance, may suspend the 15088  
driver's or commercial driver's license or permit or nonresident 15089  
operating privilege of any person who violates a requirement or 15090  
prohibition of the court imposed under division (F) of this 15091~~

~~section or division (C)(1) of section 2951.02 of the Revised Code~~ 15092  
~~as follows:~~ 15093

~~(1) For not more than one year, upon conviction for a first~~ 15094  
~~violation of the requirement or prohibition:~~ 15095

~~(2) For not more than five years, upon conviction for a~~ 15096  
~~second or subsequent violation of the requirement or prohibition~~ 15097  
~~during the same period of required use of an ignition interlock~~ 15098  
~~device that is certified pursuant to section 4511.83 of the~~ 15099  
~~Revised Code.~~ 15100

~~(D)(1) The trial judge of any court of record, in addition to~~ 15101  
~~or independent of all other penalties provided by law or by~~ 15102  
~~ordinance, shall permanently revoke the driver's or commercial~~ 15103  
~~driver's license or permit or nonresident operating privilege of~~ 15104  
~~any person who is convicted of or pleads guilty to a violation of~~ 15105  
~~section 2903.04 or 2903.06 of the Revised Code in a case in which~~ 15106  
~~division (D) of section 2903.04 or division (B) of section 2903.06~~ 15107  
~~of the Revised Code requires the judge to permanently revoke the~~ 15108  
~~license, permit, or privilege.~~ 15109

~~(2) In addition to any prison term authorized or required by~~ 15110  
~~the section that establishes the offense and sections 2929.13 and~~ 15111  
~~2929.14 of the Revised Code, and in addition to any other sanction~~ 15112  
~~imposed for the offense under the section that establishes the~~ 15113  
~~offense or sections 2929.11 to 2929.182 of the Revised Code, the~~ 15114  
~~court that sentences an offender who is convicted of or pleads~~ 15115  
~~guilty to a violation of section 2925.02, 2925.03, 2925.04,~~ 15116  
~~2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14,~~ 15117  
~~2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the~~ 15118  
~~Revised Code either shall revoke or, if it does not revoke, shall~~ 15119  
~~suspend for not less than six months or more than five years, as~~ 15120  
~~specified in the section that establishes the offense, the~~ 15121  
~~person's driver's or commercial driver's license or permit. If the~~ 15122  
~~person's driver's or commercial driver's license or permit is~~ 15123

~~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 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)(1) A person is not entitled to request, and a judge or mayor shall not grant to the person, occupational driving privileges under division (F) of this section if a person's~~

~~driver's or commercial driver's license or permit or nonresident 15156  
operating privilege has been suspended pursuant to division (B) or 15157  
(C) of this section or pursuant to division (F) of section 15158  
4511.191 of the Revised Code, and the person, within the preceding 15159  
seven years, has been convicted of or pleaded guilty to three or 15160  
more violations of one or more of the following: 15161~~

~~(a) Division (A) or (B) of section 4511.19 of the Revised 15162  
Code; 15163~~

~~(b) A municipal ordinance relating to operating a vehicle 15164  
while under the influence of alcohol, a drug of abuse, or alcohol 15165  
and a drug of abuse; 15166~~

~~(c) A municipal ordinance relating to operating a vehicle 15167  
with a prohibited concentration of alcohol in the blood, breath, 15168  
or urine; 15169~~

~~(d) Section 2903.04 of the Revised Code in a case in which 15170  
the person was subject to the sanctions described in division (D) 15171  
of that section; 15172~~

~~(e) Division (A)(1) of section 2903.06 or division (A)(1) of 15173  
section 2903.08 of the Revised Code or a municipal ordinance that 15174  
is substantially similar to either of those divisions; 15175~~

~~(f) Division (A)(2), (3), or (4) of section 2903.06, division 15176  
(A)(2) of section 2903.08, or former section 2903.07 of the 15177  
Revised Code, or a municipal ordinance that is substantially 15178  
similar to any of those divisions or that former section, in a 15179  
case in which the jury or judge found that the person was under 15180  
the influence of alcohol, a drug of abuse, or alcohol and a drug 15181  
of abuse; 15182~~

~~(g) A statute of the United States or of any other state or a 15183  
municipal ordinance of a municipal corporation located in any 15184  
other state that is substantially similar to division (A) or (B) 15185  
of section 4511.19 of the Revised Code. 15186~~

~~(2) Any other person who is not described in division (F)(1) of this section and 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 for employment as a driver of commercial motor vehicles to any person who is disqualified from operating a commercial motor vehicle under section 3123.611 or 4506.16 of the Revised Code or whose commercial driver's license or commercial driver's temporary instruction permit has been suspended under section 3123.58 of the Revised Code, and shall not grant occupational driving privileges during any of the following periods of time:~~

~~(a) 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 15219  
exercise the occupational driving privileges unless the vehicles 15220  
the offender operates are equipped with ignition interlock 15221  
devices. 15222~~

~~(b) The first thirty days of suspension imposed upon an 15223  
offender whose license, permit, or privilege is suspended pursuant 15224  
to division (B)(2) of this section or division (F)(2) of section 15225  
4511.191 of the Revised Code. On or after the thirty first day of 15226  
suspension, the court may grant the offender occupational driving 15227  
privileges, but the court may provide that the offender shall not 15228  
exercise the occupational driving privileges unless the vehicles 15229  
the offender operates are equipped with ignition interlock 15230  
devices. 15231~~

~~(c) The first one hundred eighty days of suspension imposed 15232  
upon an offender whose license, permit, or privilege is suspended 15233  
pursuant to division (B)(3) of this section or division (F)(3) of 15234  
section 4511.191 of the Revised Code. The judge may grant 15235  
occupational driving privileges to an offender who receives a 15236  
suspension under either of those divisions on or after the one 15237  
hundred eighty first day of the suspension only if division (F) of 15238  
this section does not prohibit the judge from granting the 15239  
privileges and only if the judge, at the time of granting the 15240  
privileges, also issues an order prohibiting the offender, while 15241  
exercising the occupational driving privileges during the period 15242  
commencing with the one hundred eighty first day of suspension and 15243  
ending with the first year of suspension, from operating any motor 15244  
vehicle unless it is equipped with a certified ignition interlock 15245  
device. After the first year of the suspension, the court may 15246  
authorize the offender to continue exercising the occupational 15247  
driving privileges in vehicles that are not equipped with ignition 15248  
interlock devices. If the offender does not petition for 15249  
occupational driving privileges until after the first year of 15250~~

~~suspension and if division (F) of this section does not prohibit 15251  
the judge from granting the privileges, the judge may grant the 15252  
offender occupational driving privileges without requiring the use 15253  
of a certified ignition interlock device. 15254~~

~~(d) The first three years of suspension imposed upon an 15255  
offender whose license, permit, or privilege is suspended pursuant 15256  
to division (B)(4) of this section or division (F)(4) of section 15257  
4511.191 of the Revised Code. The judge may grant occupational 15258  
driving privileges to an offender who receives a suspension under 15259  
either of those divisions after the first three years of 15260  
suspension only if division (F) of this section does not prohibit 15261  
the judge from granting the privileges and only if the judge, at 15262  
the time of granting the privileges, also issues an order 15263  
prohibiting the offender from operating any motor vehicle, for the 15264  
period of suspension following the first three years of 15265  
suspension, unless the motor vehicle is equipped with a certified 15266  
ignition interlock device. 15267~~

~~(G) If a person's driver's or commercial driver's license or 15268  
permit or nonresident operating privilege has been suspended under 15269  
division (E) of this section, and the person, within the preceding 15270  
seven years, has been convicted of or pleaded guilty to three or 15271  
more violations identified in division (F)(1) of this section, the 15272  
person is not entitled to request, and the judge or mayor shall 15273  
not grant to the person, occupational driving privileges under 15274  
this division. Any other person whose driver's or commercial 15275  
driver's license or nonresident operating privilege has been 15276  
suspended under division (E) of this section may file a petition 15277  
that alleges that the suspension would seriously affect the 15278  
person's ability to continue the person's employment. The petition 15279  
shall be filed in the municipal, county, or mayor's court that has 15280  
jurisdiction over the place of arrest. Upon satisfactory proof 15281  
that there is reasonable cause to believe that the suspension 15282~~

~~would seriously affect the person's ability to continue the 15283  
person's employment, the judge of the court or mayor of the 15284  
mayor's court may grant the person occupational driving privileges 15285  
during the period during which the suspension otherwise would be 15286  
imposed, except that the judge or mayor shall not grant 15287  
occupational driving privileges for employment as a driver of 15288  
commercial motor vehicles to any person who is disqualified from 15289  
operating a commercial motor vehicle under section 4506.16 of the 15290  
Revised Code, and shall not grant occupational driving privileges 15291  
during the first sixty days of suspension imposed upon an offender 15292  
whose driver's or commercial driver's license or permit or 15293  
nonresident operating privilege is suspended pursuant to division 15294  
(E) of this section. 15295~~

~~(H)(1) After a driver's or commercial driver's license or 15296  
permit has been suspended or revoked pursuant to this section, the 15297  
judge of the court or mayor of the mayor's court that suspended or 15298  
revoked the license or permit shall cause the offender to deliver 15299  
the license or permit to the court. The judge, mayor, or clerk of 15300  
the court or mayor's court, if the license or permit has been 15301  
suspended or revoked in connection with any of the offenses listed 15302  
in this section, forthwith shall forward it to the registrar with 15303  
notice of the action of the court. 15304~~

~~(2) Suspension of a commercial driver's license under this 15305  
section shall be concurrent with any period of disqualification 15306  
under section 3123.611 or 4506.16 of the Revised Code or any 15307  
period of suspension under section 3123.58 of the Revised Code. No 15308  
person who is disqualified for life from holding a commercial 15309  
driver's license under section 4506.16 of the Revised Code shall 15310  
be issued a driver's license under this chapter during the period 15311  
for which the commercial driver's license was suspended under this 15312  
section, and no person whose commercial driver's license is 15313  
suspended under this section shall be issued a driver's license 15314~~

~~under this chapter during the period of the suspension.~~ 15315

~~(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.~~ 15316  
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~~(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.~~ 15334  
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~~(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.~~ 15343  
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15345

~~(L)(1) If a court issues an ignition interlock order under~~ 15346

~~division (F) of this section, the order shall authorize the 15347  
offender during the specified period to operate a motor vehicle 15348  
only if it is equipped with a certified ignition interlock device. 15349  
The court shall provide the offender with a copy of an ignition 15350  
interlock order issued under division (F) of this section, and the 15351  
copy of the order shall be used by the offender in lieu of an Ohio 15352  
driver's or commercial driver's license or permit until the 15353  
registrar or a deputy registrar issues the offender a restricted 15354  
license. 15355~~

~~An order issued under division (F) of this section does not 15356  
authorize or permit the offender to whom it has been issued to 15357  
operate a vehicle during any time that the offender's driver's or 15358  
commercial driver's license or permit is suspended or revoked 15359  
under any other provision of law. 15360~~

~~(2) The offender may present the ignition interlock order to 15361  
the registrar or to a deputy registrar. Upon presentation of the 15362  
order to the registrar or a deputy registrar, the registrar or 15363  
deputy registrar shall issue the offender a restricted license. A 15364  
restricted license issued under this division shall be identical 15365  
to an Ohio driver's license, except that it shall have printed on 15366  
its face a statement that the offender is prohibited during the 15367  
period specified in the court order from operating any motor 15368  
vehicle that is not equipped with a certified ignition interlock 15369  
device, and except that the date of commencement and the date of 15370  
termination of the period shall be indicated conspicuously upon 15371  
the face of the license. 15372~~

~~(3) As used in this section: 15373~~

~~(a) "Ignition interlock device" has the same meaning as in 15374  
section 4511.83 of the Revised Code. 15375~~

~~(b) "Certified ignition interlock device" means an ignition 15376  
interlock device that is certified pursuant to section 4511.83 of 15377~~

~~the Revised Code.~~ 15378

**Sec. 4507.164.** (A) Except as provided in divisions (C) to (E) 15380  
of this section, when the license of any person is suspended ~~or~~ 15381  
~~revoked~~ pursuant to any provision of the Revised Code other than 15382  
division ~~(B)~~(G) of section ~~4507.16~~ 4511.19 of the Revised Code and 15383  
other than section 4510.07 of the Revised Code for a violation of 15384  
a municipal OVI ordinance, the trial judge may impound the 15385  
identification license plates of any motor vehicle registered in 15386  
the name of the person. 15387

(B)(1) When the license of any person is suspended ~~or revoked~~ 15388  
pursuant to division ~~(B)(1)~~(G)(1)(a) of section ~~4507.16~~ 4511.19 of 15389  
the Revised Code, or pursuant to section 4510.07 of the Revised 15390  
Code for a municipal OVI offense when the suspension is equivalent 15391  
in length to the suspension under division (G) of section 4511.19 15392  
of the Revised Code that is specified in this division, the trial 15393  
judge of the court of record or the mayor of the mayor's court 15394  
that suspended ~~or revoked~~ the license may impound the 15395  
identification license plates of any motor vehicle registered in 15396  
the name of the person. 15397

(2) When the license of any person is suspended ~~or revoked~~ 15398  
pursuant to division ~~(B)(2)~~(G)(1)(b) of section ~~4507.16~~ 4511.19 of 15399  
the Revised Code, or pursuant to section 4510.07 of the Revised 15400  
Code for a municipal OVI offense when the suspension is equivalent 15401  
in length to the suspension under division (G) of section 4511.19 15402  
of the Revised Code that is specified in this division, the trial 15403  
judge of the court of record that suspended ~~or revoked~~ the license 15404  
shall order the impoundment of the identification license plates 15405  
of the motor vehicle the offender was operating at the time of the 15406  
offense and the immobilization of that vehicle in accordance with 15407  
section 4503.233 and division ~~(A)(2),, (6), or (7)~~(G)(1)(b) of 15408  
section ~~4511.99~~ 4511.19 or division (B)(2)(i) ~~or (ii)~~(a) of 15409

section 4511.193 of the Revised Code and may impound the 15410  
identification license plates of any other motor vehicle 15411  
registered in the name of the person whose license is suspended ~~or~~ 15412  
~~revoked~~. 15413

(3) When the license of any person is suspended ~~or revoked~~ 15414  
pursuant to division ~~(B)(3)(G)(1)(c), (d), or (4)(e)~~ of section 15415  
~~4507.16~~ 4511.19 of the Revised Code, or pursuant to section 15416  
4510.07 of the Revised Code for a municipal OVI offense when the 15417  
suspension is equivalent in length to the suspension under 15418  
division (G) of section 4511.19 of the Revised Code that is 15419  
specified in this division, the trial judge of the court of record 15420  
that suspended ~~or revoked~~ the license shall order the criminal 15421  
forfeiture to the state of the motor vehicle the offender was 15422  
operating at the time of the offense in accordance with section 15423  
4503.234 and division ~~(A)(3) or (4)(G)(1)(c), (d), or (8)(e)~~ of 15424  
section ~~4511.99~~ 4511.19 or division (B)(2)(b)~~(iii)~~ of section 15425  
4511.193 of the Revised Code and may impound the identification 15426  
license plates of any other motor vehicle registered in the name 15427  
of the person whose license is suspended ~~or revoked~~. 15428

(C)(1) When a person is convicted of or pleads guilty to a 15429  
violation of ~~division (D)(2) of section 4507.02~~ 4510.14 of the 15430  
Revised Code or a substantially equivalent municipal ordinance and 15431  
division (B)(1) or (2) of section ~~4507.99~~ 4510.14 or division 15432  
(C)(1) or (2) of section ~~4507.36~~ 4510.161 of the Revised Code 15433  
applies, the trial judge of the court of record or the mayor of 15434  
the mayor's court that imposes sentence shall order the 15435  
immobilization of the vehicle the person was operating at the time 15436  
of the offense and the impoundment of its identification license 15437  
plates in accordance with section 4503.233 and division (B)(1) or 15438  
(2) of section ~~4507.99~~ 4510.14 or division (C)(1) or (2) of 15439  
section ~~4507.361~~ 4510.161 of the Revised Code and may impound the 15440  
identification license plates of any other vehicle registered in 15441

the name of that person. 15442

(2) When a person is convicted of or pleads guilty to a 15443  
violation of ~~division (D)(2)~~ of section ~~4507.02~~ 4510.14 of the 15444  
Revised Code or a substantially equivalent municipal ordinance and 15445  
division (B)(3) of section ~~4507.99~~ 4510.14 or division (C)(3) of 15446  
section ~~4507.361~~ 4510.161 of the Revised Code applies, the trial 15447  
judge of the court of record that imposes sentence shall order the 15448  
criminal forfeiture to the state of the vehicle the person was 15449  
operating at the time of the offense in accordance with section 15450  
4503.234 and division (B)(3) of section ~~4507.99~~ 4510.14 or 15451  
division (C)(3) of section ~~4507.361~~ 4510.161 of the Revised Code 15452  
and may impound the identification license plates of any other 15453  
vehicle registered in the name of that person. 15454

(D)(1) When a person is convicted of or pleads guilty to a 15455  
violation of division ~~(B)(1)(A)~~ of section ~~4507.02~~ 4510.16 of the 15456  
Revised Code or a substantially equivalent municipal ordinance and 15457  
division ~~(C)(1)(B)(2)~~ or ~~(2)(3)~~ of section ~~4507.99~~ 4510.16 or 15458  
division (B)(1) or (2) of section ~~4507.361~~ 4510.161 of the Revised 15459  
Code applies, the trial judge of the court of record or the mayor 15460  
of the mayor's court that imposes sentence shall order the 15461  
immobilization of the vehicle the person was operating at the time 15462  
of the offense and the impoundment of its identification license 15463  
plates in accordance with section 4503.233 and division 15464  
~~(C)(1)(B)(2)~~ or ~~(2)(3)~~ of section ~~4507.99~~ 4510.16 or division 15465  
(B)(1) or (2) of section ~~4507.361~~ 4510.161 of the Revised Code and 15466  
may impound the identification license plates of any other vehicle 15467  
registered in the name of that person. 15468

(2) When a person is convicted of or pleads guilty to a 15469  
violation of division ~~(B)(1)(A)~~ of section ~~4507.02~~ 4510.16 of the 15470  
Revised Code or a substantially equivalent municipal ordinance and 15471  
division ~~(C)(3)(B)(4)~~ of section ~~4507.99~~ 4510.16 or division 15472  
(B)(3) of section ~~4507.361~~ 4510.161 of the Revised Code applies, 15473



the trial judge of the court of record that imposes sentence shall 15474  
order the criminal forfeiture to the state of the vehicle the 15475  
person was operating at the time of the offense in accordance with 15476  
section 4503.234 and division ~~(C)(3)~~(B)(4) of section ~~4507.99~~ 15477  
4510.16 or division (B)(3) of section ~~4507.361~~ 4510.161 of the 15478  
Revised Code and may impound the identification license plates of 15479  
any other vehicle registered in the name of that person. 15480

(E)(1) When a person is convicted of or pleads guilty to a 15481  
violation of section ~~4507.33~~ 4511.203 of the Revised Code and the 15482  
person is sentenced pursuant to division ~~(E)(C)(1)~~ or (2) of 15483  
section ~~4507.99~~ 4511.203 of the Revised Code, the trial judge of 15484  
the court of record or the mayor of the mayor's court that imposes 15485  
sentence shall order the immobilization of the vehicle that was 15486  
involved in the commission of the offense and the impoundment of 15487  
its identification license plates in accordance with division 15488  
~~(E)(C)(1)~~ or (2) of section ~~4507.99~~ 4511.203 and section 4503.233 15489  
of the Revised Code and may impound the identification license 15490  
plates of any other vehicle registered in the name of that person. 15491

(2) When a person is convicted of or pleads guilty to a 15492  
violation of section ~~4507.33~~ 4511.203 of the Revised Code and the 15493  
person is sentenced pursuant to division ~~(E)(2)(C)(3)~~ of section 15494  
~~4507.99~~ 4511.203 of the Revised Code, the trial judge of the court 15495  
of record or the mayor of the mayor's court that imposes sentence 15496  
shall order the criminal forfeiture to the state of the vehicle 15497  
that was involved in the commission of the offense in accordance 15498  
with division ~~(E)(2)(C)(3)~~ of section ~~4507.99~~ 4511.203 and section 15499  
4503.234 of the Revised Code and may impound the identification 15500  
license plates of any other vehicle registered in the name of that 15501  
person. 15502

(F) Except as provided in section 4503.233 or 4503.234 of the 15503  
Revised Code, when the certificate of registration, the 15504  
identification license plates, or both have been impounded, 15505

division ~~(F)~~(B) of section 4507.02 of the Revised Code is 15506  
applicable. 15507

(G) As used in this section, "municipal OVI offense" has the 15508  
same meaning as in section 4511.181 of the Revised Code. 15509

**Sec. 4507.17.** Any person whose license is suspended or 15510  
~~revoked under sections 4507.01 to 4507.39, inclusive, of the~~ 15511  
~~Revised Code,~~ canceled is not entitled to apply for or receive a 15512  
new license during the effective dates of ~~such~~ the suspension or 15513  
~~revocation~~ cancellation. 15514

**Sec. 4507.19.** The registrar of motor vehicles may ~~suspend or~~ 15515  
~~cancel any driver's license upon determination that such license~~ 15516  
was obtained unlawfully, was issued in error, or has been altered 15517  
or willfully destroyed. 15518

**Sec. 4507.20.** The registrar of motor vehicles, ~~upon~~ 15519  
~~determination that any person has more than seven points charged~~ 15520  
~~against him under section 4507.021 of the Revised Code, and is not~~ 15521  
~~subject to the provisions of section 4507.022 of the Revised Code,~~ 15522  
~~or, having~~ when the registrar has good cause to believe that the 15523  
holder of a driver's or commercial driver's license is incompetent 15524  
or otherwise not qualified to be licensed, shall upon written 15525  
notice of at least ~~five~~ thirty days sent to the licensee's last 15526  
known address, require ~~him~~ the licensee to submit to a driver's 15527  
license examination ~~or,~~ a physical examination, or both, or a 15528  
commercial driver's license examination. Upon the conclusion of 15529  
the examination, the registrar may suspend ~~or revoke~~ the license 15530  
of the person, ~~or~~ may permit ~~him~~ the licensee to retain the 15531  
license, or may issue ~~him~~ the licensee a restricted license. 15532  
Refusal or neglect of the licensee to submit to the examination is 15533  
ground for suspension ~~or revocation~~ of ~~his~~ the licensee's license. 15534

Sec. 4507.21. (A) Each applicant for a driver's license shall 15535  
file an application in the office of the registrar of motor 15536  
vehicles or of a deputy registrar. 15537

(B)(1) Each person under eighteen years of age applying for a 15538  
driver's license issued in this state shall present satisfactory 15539  
evidence of having successfully completed any one of the 15540  
following: 15541

(a) A driver education course approved by the state 15542  
department of education. 15543

(b) A driver training course approved by the director of 15544  
public safety. 15545

(c) A driver training course comparable to a driver education 15546  
or driver training course described in division (B)(1)(a) or (b) 15547  
of this section and administered by a branch of the armed forces 15548  
of the United States and completed by the applicant while residing 15549  
outside this state for the purpose of being with or near any 15550  
person serving in the armed forces of the United States. 15551

(2) Each person under eighteen years of age applying for a 15553  
driver's license also shall present, on a form prescribed by the 15554  
registrar, an affidavit signed by an eligible adult attesting that 15555  
the person has acquired at least fifty hours of actual driving 15556  
experience, with at least ten of those hours being at night. 15557

(C) If the registrar or deputy registrar determines that the 15558  
applicant is entitled to the driver's license, it shall be issued. 15559  
If the application shows that the applicant's license has been 15560  
previously ~~revoked~~ canceled or suspended, the deputy registrar 15561  
shall forward the application to the registrar, who shall 15562  
determine whether the license shall be granted. 15563

(D) All applications shall be filed in duplicate, and the 15564

deputy registrar issuing the license shall immediately forward to 15565  
the office of the registrar the original copy of the application, 15566  
together with the duplicate copy of the certificate, if issued. 15567  
The registrar shall prescribe rules as to the manner in which the 15568  
deputy registrar files and maintains the applications and other 15569  
records. The registrar shall file every application for a driver's 15570  
or commercial driver's license and index them by name and number, 15571  
and shall maintain a suitable record of all licenses issued, all 15572  
convictions and bond forfeitures, all applications for licenses 15573  
denied, and all licenses ~~which that~~ have been suspended or ~~revoked~~ 15574  
canceled. 15575

(E) For purposes of section 2313.06 of the Revised Code, the 15576  
registrar shall maintain accurate and current lists of the 15577  
residents of each county who are eighteen years of age or older, 15578  
have been issued, on and after January 1, 1984, driver's or 15579  
commercial driver's licenses that are valid and current, and would 15580  
be electors if they were registered to vote, regardless of whether 15581  
they actually are registered to vote. The lists shall contain the 15582  
names, addresses, dates of birth, duration of residence in this 15583  
state, citizenship status, and social security numbers, if the 15584  
numbers are available, of the licensees, and may contain any other 15585  
information that the registrar considers suitable. 15586

(F) Each person under eighteen years of age applying for a 15587  
motorcycle operator's endorsement or a restricted license enabling 15588  
the applicant to operate a motorcycle shall present satisfactory 15589  
evidence of having completed the courses of instruction in the 15590  
motorcycle safety and education program described in section 15591  
4508.08 of the Revised Code or a comparable course of instruction 15592  
administered by a branch of the armed forces of the United States 15593  
and completed by the applicant while residing outside this state 15594  
for the purpose of being with or near any person serving in the 15595  
armed forces of the United States. If the registrar or deputy 15596

registrar then determines that the applicant is entitled to the 15597  
endorsement or restricted license, it shall be issued. 15598

(G) No person shall knowingly make a false statement in an 15599  
affidavit presented in accordance with division (B)(2) of this 15600  
section. 15601

(H) As used in this section, "eligible adult" means any of 15602  
the following persons: 15603

(1) A parent, guardian, or custodian of the applicant; 15604

(2) A person over the age of twenty-one who acts in loco 15605  
parentis of the applicant and who maintains proof of financial 15606  
responsibility with respect to the operation of a motor vehicle 15607  
owned by the applicant or with respect to the applicant's 15608  
operation of any motor vehicle. 15609

(I) Whoever violates division (G) of this section is guilty 15610  
of a minor misdemeanor and shall be fined one hundred dollars. 15611

**Sec. 4507.30.** No person shall do any of the following: 15612

(A) Display, or cause or permit to be displayed, or possess 15613  
any identification card, driver's or commercial driver's license, 15614  
temporary instruction permit, or commercial driver's license 15615  
temporary instruction permit knowing the same to be fictitious, or 15616  
to have been canceled, ~~revoked~~, suspended, or altered; 15617

(B) Lend to a person not entitled thereto, or knowingly 15618  
permit ~~him~~ a person not entitled thereto to use any identification 15619  
card, driver's or commercial driver's license, temporary 15620  
instruction permit, or commercial driver's license temporary 15621  
instruction permit issued to the person so lending or permitting 15622  
the use thereof; 15623

(C) Display, or represent as one's own, any identification 15624  
card, driver's or commercial driver's license, temporary 15625  
instruction permit, or commercial driver's license temporary 15626

instruction permit not issued to the person so displaying the 15627  
same; 15628

(D) Fail to surrender to the registrar of motor vehicles, 15629  
upon ~~his~~ the registrar's demand, any identification card, driver's 15630  
or commercial driver's license, temporary instruction permit, or 15631  
commercial driver's license temporary instruction permit ~~which~~ 15632  
that has been suspended, or canceled, ~~or revoked~~; 15633

(E) In any application for an identification card, driver's 15634  
or commercial driver's license, temporary instruction permit, or 15635  
commercial driver's license temporary instruction permit, or any 15636  
renewal or duplicate thereof, knowingly conceal a material fact, 15637  
or present any physician's statement required under section 15638  
4507.08 or 4507.081 of the Revised Code when knowing the same to 15639  
be false or fictitious. 15640

(F) Whoever violates any division of this section is guilty 15641  
of a misdemeanor of the first degree. 15642

**Sec. 4507.31.** (A) No person shall cause or knowingly permit 15643  
any minor ~~under eighteen~~ to drive a motor vehicle upon a highway 15644  
as an operator, unless ~~such~~ the minor has first obtained a license 15645  
or permit to drive a motor vehicle under ~~sections 4507.01 to~~ 15646  
~~4507.39, inclusive, of the Revised Code~~ this chapter. 15647

(B) Whoever violates this section is guilty of a misdemeanor 15648  
of the first degree. 15649

**Sec. 4507.321.** (A) Notwithstanding the definition of 15650  
"chauffeur" in section 4501.01 of the Revised Code, no person 15651  
shall employ, any minor for the purpose of operating a taxicab, 15652  
~~any minor under eighteen years of age.~~ 15653

(B) Whoever violates this section is guilty of a misdemeanor 15654  
of the first degree. 15655

Sec. 4507.35. (A) The operator of a motor vehicle shall 15656  
display ~~his~~ the operator's driver's license, or furnish 15657  
satisfactory proof that ~~he~~ the operator has ~~such a driver's~~ 15658  
license, upon demand of any peace officer or of any person damaged 15659  
or injured in any collision in which ~~such~~ the licensee may be 15660  
involved. When a demand is properly made and the operator has ~~his~~ 15661  
the operator's driver's license on or about ~~his~~ the operator's 15662  
person, ~~he~~ the operator shall not refuse to display ~~said~~ the 15663  
license. ~~Failure~~ A person's failure to furnish satisfactory 15664  
evidence that ~~such~~ the person is licensed under ~~sections 4507.01~~ 15665  
~~to 4507.30 of the Revised Code~~ this chapter when ~~such~~ the person 15666  
does not have ~~his~~ the person's license on or about ~~his~~ the 15667  
person's person shall be prima-facie evidence of ~~his~~ the person's 15668  
not having obtained ~~such a driver's~~ license. 15669

(B) Whoever violates this section is guilty of a misdemeanor 15670  
of the first degree. 15671

Sec. 4507.36. (A) No person shall knowingly make a false 15672  
statement to any matter or thing required by ~~sections 4507.01 to~~ 15673  
~~4507.39, inclusive, of the Revised Code~~ this chapter. 15674

(B) Whoever violates this section is guilty of a misdemeanor 15675  
of the first degree. 15676

Sec. 4507.45. If a person's driver's license, commercial 15677  
driver's license, or nonresident operating privilege is suspended, 15678  
disqualified, or ~~revoked~~ canceled for an indefinite period of time 15679  
or for a period of at least ninety days, and if at the end of the 15680  
period of suspension, disqualification, or ~~revocation~~ cancellation 15681  
the person is eligible to have the license or privilege 15682  
reinstated, the registrar of motor vehicles shall collect a 15683  
reinstatement fee of thirty dollars when the person requests 15684  
reinstatement. However, the registrar shall not collect the fee 15685

prescribed by this section if a different driver's license, 15686  
commercial driver's license, or nonresident operating privilege 15687  
reinstatement fee is prescribed by law. 15688

**Sec. 4507.50.** (A) The registrar of motor vehicles or a deputy 15689  
registrar, upon receipt of an application filed in compliance with 15690  
section 4507.51 of the Revised Code by any person who is a 15691  
resident or a temporary resident of this state and, except as 15692  
otherwise provided in this section, is not licensed as an operator 15693  
of a motor vehicle in this state or another licensing 15694  
jurisdiction, and, except as provided in division (B) of this 15695  
section, upon receipt of a fee of three dollars and fifty cents, 15696  
shall issue an identification card to that person. 15697

Any person who is a resident or temporary resident of this 15698  
state whose Ohio driver's or commercial driver's license has been 15699  
suspended or ~~revoked~~ canceled, upon application in compliance with 15700  
section 4507.51 of the Revised Code and, except as provided in 15701  
division (B) of this section, payment of a fee of three dollars 15702  
and fifty cents, may be issued a temporary identification card. 15703  
The temporary identification card shall be identical to an 15704  
identification card, except that it shall be printed on its face 15705  
with a statement that the card is valid during the effective dates 15706  
of the suspension or ~~revocation~~ cancellation of the cardholder's 15707  
license, or until the birthday of the cardholder in the fourth 15708  
year after the date on which it is issued, whichever is shorter. 15709  
The cardholder shall surrender the identification card to the 15710  
registrar or any deputy registrar before the cardholder's driver's 15711  
or commercial driver's license is restored or reissued. 15712

Except as provided in division (B) of this section, the 15713  
deputy registrar shall be allowed a fee of two dollars and 15714  
seventy-five cents commencing on July 1, 2001, three dollars and 15715  
twenty-five cents commencing on January 1, 2003, and three dollars 15716



and fifty cents commencing on January 1, 2004, for each 15717  
identification card issued under this section. The fee allowed to 15718  
the deputy registrar shall be in addition to the fee for issuing 15719  
an identification card. 15720

Neither the registrar nor any deputy registrar shall charge a 15721  
fee in excess of one dollar and fifty cents for laminating an 15722  
identification card or temporary identification card. A deputy 15723  
registrar laminating such a card shall retain the entire amount of 15724  
the fee charged for lamination, less the actual cost to the 15725  
registrar of the laminating materials used for that lamination, as 15726  
specified in the contract executed by the bureau for the 15727  
laminating materials and laminating equipment. The deputy 15728  
registrar shall forward the amount of the cost of the laminating 15729  
materials to the registrar for deposit as provided in this 15730  
section. 15731

The fee collected for issuing an identification card under 15732  
this section, except the fee allowed to the deputy registrar, 15733  
shall be paid into the state treasury to the credit of the state 15734  
bureau of motor vehicles fund created in section 4501.25 of the 15735  
Revised Code. 15736

(B) A disabled veteran who has a service-connected disability 15737  
rated at one hundred per cent by the veterans' administration may 15738  
apply to the registrar or a deputy registrar for the issuance to 15739  
that veteran of an identification card or a temporary 15740  
identification card under this section without payment of any fee 15741  
prescribed in division (A) of this section, including any 15742  
lamination fee. 15743

If the identification card or temporary identification card 15744  
of a disabled veteran described in this division is laminated by a 15745  
deputy registrar who is acting as a deputy registrar pursuant to a 15746  
contract with the registrar that is in effect on the effective 15747  
date of this amendment, the disabled veteran shall pay the deputy 15748

registrar the lamination fee prescribed in division (A) of this 15749  
section. If the identification card or temporary identification 15750  
card is laminated by a deputy registrar who is acting as a deputy 15751  
registrar pursuant to a contract with the registrar that is 15752  
executed after July 29, 1998, the disabled veteran is not required 15753  
to pay the deputy registrar the lamination fee prescribed in 15754  
division (A) of this section. 15755

A disabled veteran whose identification card or temporary 15756  
identification card is laminated by the registrar is not required 15757  
to pay the registrar any lamination fee. 15758

An application made under division (A) of this section shall 15759  
be accompanied by such documentary evidence of disability as the 15760  
registrar may require by rule. 15761

**Sec. 4507.52. (A)** Each identification card issued by the 15762  
registrar of motor vehicles or a deputy registrar shall display a 15763  
distinguishing number assigned to the cardholder, and shall 15764  
display the following inscription: 15765

"STATE OF OHIO IDENTIFICATION CARD 15766

This card is not valid for the purpose of operating a motor 15767  
vehicle. It is provided solely for the purpose of establishing the 15768  
identity of the bearer described on the card, who currently is not 15769  
licensed to operate a motor vehicle in the state of Ohio." 15770

The identification card shall display substantially the same 15771  
information as contained in the application and as described in 15772  
division (A)(1) of section 4507.51 of the Revised Code, but shall 15773  
not display the cardholder's social security number unless the 15774  
cardholder specifically requests that the cardholder's social 15775  
security number be displayed on the card. If federal law requires 15776  
the cardholder's social security number to be displayed on the 15777  
identification card, the social security number shall be displayed 15778  
on the card notwithstanding this section. The identification card 15779

also shall display the color photograph of the cardholder. If the 15780  
cardholder has executed a durable power of attorney for health 15781  
care or a declaration governing the use or continuation, or the 15782  
withholding or withdrawal, of life-sustaining treatment and has 15783  
specified that the cardholder wishes the identification card to 15784  
indicate that the cardholder has executed either type of 15785  
instrument, the card also shall display any symbol chosen by the 15786  
registrar to indicate that the cardholder has executed either type 15787  
of instrument. The card shall be sealed in transparent plastic or 15788  
similar material and shall be so designed as to prevent its 15789  
reproduction or alteration without ready detection. 15790

15791

The identification card for persons under twenty-one years of 15792  
age shall have characteristics prescribed by the registrar 15793  
distinguishing it from that issued to a person who is twenty-one 15794  
years of age or older, except that an identification card issued 15795  
to a person who applies no more than thirty days before the 15796  
applicant's twenty-first birthday shall have the characteristics 15797  
of an identification card issued to a person who is twenty-one 15798  
years of age or older. 15799

Every identification card issued to a resident of this state 15800  
shall expire, unless canceled or surrendered earlier, on the 15801  
birthday of the cardholder in the fourth year after the date on 15802  
which it is issued. Every identification card issued to a 15803  
temporary resident shall expire in accordance with rules adopted 15804  
by the registrar and is nonrenewable, but may be replaced with a 15805  
new identification card upon the applicant's compliance with all 15806  
applicable requirements. A cardholder may renew the cardholder's 15807  
identification card within ninety days prior to the day on which 15808  
it expires by filing an application and paying the prescribed fee 15809  
in accordance with section 4507.50 of the Revised Code. 15810

If a cardholder applies for a driver's or commercial driver's 15811

license in this state or another licensing jurisdiction, the 15812  
cardholder shall surrender the cardholder's identification card to 15813  
the registrar or any deputy registrar before the license is 15814  
issued. 15815

(B) If a card is lost, destroyed, or mutilated, the person to 15816  
whom the card was issued may obtain a duplicate by doing both of 15817  
the following: 15818

~~(A)~~(1) Furnishing suitable proof of the loss, destruction, or 15819  
mutilation to the registrar or a deputy registrar; 15820

~~(B)~~(2) Filing an application and presenting documentary 15821  
evidence under section 4507.51 of the Revised Code. 15822

Any person who loses a card and, after obtaining a duplicate, 15823  
finds the original, immediately shall surrender the original to 15824  
the registrar or a deputy registrar. 15825

A cardholder may obtain a replacement identification card 15826  
that reflects any change of the cardholder's name by furnishing 15827  
suitable proof of the change to the registrar or a deputy 15828  
registrar and surrendering the cardholder's existing card. 15829

When a cardholder applies for a duplicate or obtains a 15830  
replacement identification card, the cardholder shall pay a fee of 15831  
two dollars and fifty cents. A deputy registrar shall be allowed 15832  
an additional fee of two dollars and seventy-five cents commencing 15833  
on July 1, 2001, three dollars and twenty-five cents commencing on 15834  
January 1, 2003, and three dollars and fifty cents commencing on 15835  
January 1, 2004, for issuing a duplicate or replacement 15836  
identification card. A disabled veteran who is a cardholder and 15837  
has a service-connected disability rated at one hundred per cent 15838  
by the veterans' administration may apply to the registrar or a 15839  
deputy registrar for the issuance of a duplicate or replacement 15840  
identification card without payment of any fee prescribed in this 15841  
section, and without payment of any lamination fee if the disabled 15842

veteran would not be required to pay a lamination fee in 15843  
connection with the issuance of an identification card or 15844  
temporary identification card as provided in division (B) of 15845  
section 4507.50 of the Revised Code. 15846

A duplicate or replacement identification card shall expire 15847  
on the same date as the card it replaces. 15848

(C) The registrar shall cancel any card upon determining that 15849  
the card was obtained unlawfully, issued in error, or was altered. 15850  
The registrar also shall cancel any card that is surrendered to 15851  
the registrar or to a deputy registrar after the holder has 15852  
obtained a duplicate, replacement, or driver's or commercial 15853  
driver's license. 15854

(D)(1) No agent of the state or its political subdivisions 15855  
shall condition the granting of any benefit, service, right, or 15856  
privilege upon the possession by any person of an identification 15857  
card. Nothing in this section shall preclude any publicly operated 15858  
or franchised transit system from using an identification card for 15859  
the purpose of granting benefits or services of the system. 15860

(2) No person shall be required to apply for, carry, or 15862  
possess an identification card. 15863

~~(C)~~(E) Except in regard to an identification card issued to a 15864  
person who applies no more than thirty days before the applicant's 15865  
twenty-first birthday, neither the registrar nor any deputy 15866  
registrar shall issue an identification card to a person under 15867  
twenty-one years of age that does not have the characteristics 15868  
prescribed by the registrar distinguishing it from the 15869  
identification card issued to persons who are twenty-one years of 15870  
age or older. 15871

(F) Whoever violates division (E) of this section is guilty 15872  
of a minor misdemeanor. 15873

~~Sec. 4507.99. (A) Whoever violates division (B)(2) or (D)(1) of section 4507.02 of the Revised Code is guilty of driving under suspension or revocation or in violation of license restrictions, a misdemeanor of the first degree. Whoever violates division (C) of section 4507.02 of the Revised Code is guilty of driving without paying a license reinstatement fee, a misdemeanor of the first degree. Except as otherwise provided in division (D) of section 4507.162 of the Revised Code, 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 division (B)(2), (C), or (D)(1) of section 4507.02 of the Revised Code.~~

~~(B) Whoever violates division (D)(2) of section 4507.02 of the Revised Code is guilty of driving under OMVI suspension or revocation and shall be punished as provided in division (B)(1), (2), or (3) and divisions (B)(4) to (8) of this section.~~

~~(1) Except as otherwise provided in division (B)(2) or (3) of this section, driving under OMVI suspension or revocation is a misdemeanor of the first degree, and the court shall sentence the offender to a term of imprisonment of not less than three 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 (B)(6) of this section, the court may sentence the offender to a term of not less than thirty consecutive days of electronically monitored house arrest as defined in division (A)(4) of section 2929.23 of the Revised Code. The period of electronically monitored house arrest shall not exceed six months. In addition, the court shall impose upon~~

~~the offender a fine of not less than two hundred fifty and not  
more than one thousand dollars.~~ 15905  
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~~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 or  
independent of any other sentence that it imposes upon the  
offender and subject to section 4503.235 of the Revised Code,  
shall order the immobilization for thirty days of the vehicle the  
offender was operating at the time of the offense and the  
impoundment for thirty days of the identification license plates  
of that vehicle. The order for immobilization and impoundment  
shall be issued and enforced in accordance with section 4503.233  
of the Revised Code.~~ 15907  
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~~(2) If, within five years of the offense, the offender has  
been convicted of or pleaded guilty to one violation of division  
(D)(2) of section 4507.02 of the Revised Code or a municipal  
ordinance that is substantially equivalent to that division,  
driving under OMVI suspension or revocation is a misdemeanor, and  
the court shall sentence the offender to a term of imprisonment of  
not less than ten 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 (B)(6) of this  
section, the court may sentence the offender to a term of not less  
than ninety consecutive days of electronically monitored house  
arrest as defined in division (A)(4) of section 2929.23 of the  
Revised Code. The period of electronically monitored house arrest  
shall not exceed one year. 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.~~ 15918  
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~~Regardless of whether the vehicle the offender was operating  
at the time of the offense is registered in the offender's name or~~ 15935  
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~~in the name of another person, the court, in addition to or 15937  
independent of any other sentence that it imposes upon the 15938  
offender and subject to section 4503.235 of the Revised Code, 15939  
shall order the immobilization for sixty days of the vehicle the 15940  
offender was operating at the time of the offense and the 15941  
impoundment for sixty days of the identification license plates of 15942  
that vehicle. The order for immobilization and impoundment shall 15943  
be issued and enforced in accordance with section 4503.233 of the 15944  
Revised Code. 15945~~

~~(3) If, within five years of the offense, the offender has 15946  
been convicted of or pleaded guilty to two or more violations of 15947  
division (D)(2) of section 4507.02 of the Revised Code or a 15948  
municipal ordinance that is substantially equivalent to that 15949  
division, driving under OMVI suspension or revocation is guilty of 15950  
a misdemeanor. The court shall sentence the offender to a term of 15951  
imprisonment of not less than thirty consecutive days and may 15952  
sentence the offender to a longer definite term of imprisonment of 15953  
not more than one year. The court shall not sentence the offender 15954  
to a term of electronically monitored house arrest as defined in 15955  
division (A)(4) of section 2929.23 of the Revised Code. In 15956  
addition, the court shall impose upon the offender a fine of not 15957  
less than five hundred and not more than two thousand five hundred 15958  
dollars. 15959~~

~~Regardless of whether the vehicle the offender was operating 15960  
at the time of the offense is registered in the offender's name or 15961  
in the name of another person, the court, in addition to or 15962  
independent of any other sentence that it imposes upon the 15963  
offender and subject to section 4503.235 of the Revised Code, 15964  
shall order the criminal forfeiture to the state of the vehicle 15965  
the offender was operating at the time of the offense. The order 15966  
of criminal forfeiture shall be issued and enforced in accordance 15967  
with section 4503.234 of the Revised Code. 15968~~



~~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.~~

~~(4) In addition to or independent of all other penalties  
provided by law or ordinance, the trial judge of any court of  
record or the mayor of a mayor's court shall suspend for a period  
not to exceed one year the driver's or commercial driver's license  
or permit or nonresident operating privilege of an offender who is  
sentenced under division (B)(1), (2), or (3) of this section.~~

~~(5) Fifty per cent of any fine imposed by a court under  
division (B)(1), (2), or (3) of this section 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.~~

~~(6) No court shall impose the alternative sentence of not  
less than thirty consecutive days of electronically monitored  
house arrest permitted to be imposed by division (B)(1) of this  
section or the alternative sentence of a term of not less than  
ninety consecutive days of electronically monitored house arrest  
permitted to be imposed by division (B)(2) 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 begin serving 16001  
that term of imprisonment within the sixty day period following 16002  
the date of sentencing. If the court issues such a finding, the 16003  
court may impose the alternative sentence comprised of or 16004  
including electronically monitored house arrest permitted to be 16005  
imposed by division (B)(1) or (2) of this section. 16006~~

~~(7) An offender sentenced under this section to a period of 16007  
electronically monitored house arrest shall be permitted work 16008  
release during such period. The duration of the work release shall 16009  
not exceed the time necessary each day for the offender to commute 16010  
to and from the place of employment and the offender's home or 16011  
other place specified by the sentencing court and the time 16012  
actually spent under employment. 16013~~

~~(8) Suspension of a commercial driver's license under this 16014  
section shall be concurrent with any period of disqualification 16015  
under section 3123.611 or 4506.16 of the Revised Code or any 16016  
period of suspension under section 3123.58 of the Revised Code. No 16017  
person who is disqualified for life from holding a commercial 16018  
driver's license under section 4506.16 of the Revised Code shall 16019  
be issued a driver's license under this chapter during the period 16020  
for which the commercial driver's license was suspended under this 16021  
section, and no person whose commercial driver's license is 16022  
suspended under this section shall be issued a driver's license 16023  
under this chapter during the period of the suspension. 16024~~

~~(C) Whoever violates division (B)(1) of section 4507.02 of 16025  
the Revised Code is guilty of driving under financial 16026  
responsibility law suspension or revocation and shall be punished 16027  
as provided in division (C)(1), (2), or (3) and division (C)(4) of 16028  
this section. 16029~~

~~(1) Except as otherwise provided in division (C)(2) or (3) of 16030  
this section, driving under financial responsibility law 16031  
suspension or revocation is a misdemeanor of the first degree. 16032~~

~~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 or independent of any other sentence that it imposes upon the offender and subject to section 4503.235 of the Revised Code, shall order the immobilization for thirty days of the vehicle the offender was operating at the time of the offense and the impoundment for thirty days of the identification license plates of that vehicle. The order for immobilization and impoundment shall be issued and enforced in accordance with section 4503.233 of the Revised Code.~~

~~(2) If, within five years of the offense, the offender has been convicted of or pleaded guilty to one violation of division (B)(1) of section 4507.02 of the Revised Code or a municipal ordinance that is substantially equivalent to that division, driving under financial responsibility law suspension or revocation is a misdemeanor of the first degree.~~

~~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 or independent of any other sentence that it imposes upon the offender and subject to section 4503.235 of the Revised Code, shall order the immobilization for sixty days of the vehicle the offender was operating at the time of the offense and the impoundment for sixty days of the identification license plates of that vehicle. The order for immobilization and impoundment shall be issued and enforced in accordance with section 4503.233 of the Revised Code.~~

~~(3) If, within five years of the offense, the offender has been convicted of or pleaded guilty to two or more violations of division (B)(1) of section 4507.02 of the Revised Code or a municipal ordinance that is substantially equivalent to that~~

~~division, driving under financial responsibility law suspension or 16065  
revocation is a misdemeanor of the first degree. 16066~~

~~Regardless of whether the vehicle the offender was operating 16067  
at the time of the offense is registered in the offender's name or 16068  
in the name of another person, the court, in addition to or 16069  
independent of any other sentence that it imposes upon the 16070  
offender and subject to section 4503.235 of the Revised Code, 16071  
shall order the criminal forfeiture to the state of the vehicle 16072  
the offender was operating at the time of the offense. The order 16073  
of criminal forfeiture shall be issued and enforced in accordance 16074  
with section 4503.234 of the Revised Code. 16075~~

~~If title to a motor vehicle that is subject to an order for 16076  
criminal forfeiture under this section is assigned or transferred 16077  
and division (C)(2) or (3) of section 4503.234 of the Revised Code 16078  
applies, in addition to or independent of any other penalty 16079  
established by law, the court may fine the offender the value of 16080  
the vehicle as determined by publications of the national auto 16081  
dealer's association. The proceeds from any fine imposed under 16082  
this division shall be distributed in accordance with division 16083  
(D)(4) of section 4503.234 of the Revised Code. 16084~~

~~(4) Except as otherwise provided in division (D) of section 16085  
4507.162 of the Revised Code, the court, in addition to or 16086  
independent of all other penalties provided by law, may suspend 16087  
for a period not to exceed one year the driver's or commercial 16088  
driver's license or permit or nonresident operating privilege of 16089  
an offender who is sentenced under division (C)(1), (2), or (3) of 16090  
this section. 16091~~

~~(5) The court shall not release a vehicle from the 16092  
immobilization ordered under division (C)(1) or (2) of this 16093  
section unless the court is presented with current proof of 16094  
financial responsibility with respect to that vehicle. 16095~~

~~(D) Whoever violates division (A)(1) or (3) of section 4507.02 of the Revised Code by operating a motor vehicle when the offender's driver's or commercial driver's license has been expired for no more than six months is guilty of a minor misdemeanor. Whoever violates division (B) of section 4507.13 or division (C) of section 4507.52 of the Revised Code is guilty of a minor misdemeanor.~~ 16096  
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~~(E) Whoever violates section 4507.33 of the Revised Code is guilty of permitting the operation of a vehicle by a person with no legal right to operate a vehicle and shall be punished as provided in division (E)(1) or (2) of this section.~~ 16103  
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~~(1) Except as otherwise provided in division (E)(2) of this section, permitting the operation of a vehicle by a person with no legal right to operate a vehicle is a misdemeanor of the first degree. In addition to or independent of any other sentence that it imposes upon the offender and subject to section 4503.235 of the Revised Code, the court shall order the immobilization for thirty days of the vehicle involved in the offense and the impoundment for thirty days of the identification license plates of that vehicle. The order for immobilization and impoundment shall be issued and enforced in accordance with section 4503.233 of the Revised Code.~~ 16107  
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~~(2) If the offender previously has been convicted of or pleaded guilty to one or more violations of section 4507.33 of the Revised Code, permitting the operation of a vehicle by a person with no legal right to operate a vehicle is a misdemeanor of the first degree. In addition to or independent of any other sentence that it imposes upon the offender and subject to section 4503.235 of the Revised Code, the court shall order the criminal forfeiture to the state of the vehicle involved in the offense. The order of criminal forfeiture shall be issued and enforced in accordance with section 4503.234 of the Revised Code.~~ 16118  
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~~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.~~

~~(F) Whoever violates division (F)(1) or (2) of section  
4507.05, or division (B) or (D) of section 4507.071 of the Revised  
Code is guilty of a minor misdemeanor.~~

~~(G) Whoever violates division (G) of section 4507.21 of the  
Revised Code shall be fined one hundred dollars.~~

~~(H) Except as provided in divisions (A) to (E) of this  
section and unless Unless another penalty is provided by the  
section that contains the provision violated or otherwise is  
provided by the laws of this state, whoever violates any provision  
of sections 4507.01 to 4507.081 or 4507.10 to 4507.37 of the  
Revised Code is guilty of a misdemeanor of the first degree.~~

~~(I) Whenever a person is found guilty of a violation of  
section 4507.32 of the Revised Code, the trial judge of any court  
of record, in addition to or independent of all other penalties  
provided by law or ordinance, 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.~~

~~(J)(B) Whenever a person is found guilty of a violation of a  
traffic offense specified in Traffic Rule 13(B) that requires the  
person's appearance in court, the court shall require the person  
to verify the existence at the time of the offense of proof of~~

financial responsibility covering the person's operation of the 16159  
motor vehicle, or the motor vehicle if registered in the person's 16160  
name, and notify the registrar pursuant to division (D) of section 16161  
4509.101 of the Revised Code if the person fails to verify the 16162  
existence of such proof of financial responsibility. 16163

**Sec. 4508.03.** (A) No driver training school shall be 16164  
established nor any such existing school continued unless the 16165  
school applies for and obtains from the director of public safety 16166  
a license in the manner and form prescribed by the director. 16167

The rules shall state the requirements for a school license, 16168  
including requirements concerning location, equipment, courses of 16169  
instruction, instructors, previous records of the school and 16170  
instructors, financial statements, schedule of fees and charges, 16171  
character and reputation of the operators, insurance in ~~such~~ the 16172  
sum and with ~~such~~ those provisions as the director considers 16173  
necessary to protect adequately the interests of the public, and 16174  
~~such~~ any other matters as the director may prescribe for the 16175  
protection of the public. The rules also shall require financial 16176  
responsibility information as part of the driver education 16177  
curriculum. 16178

(B) Any school that offers a driver training program for 16179  
disabled persons shall provide specially trained instructors for 16180  
the driver training of such persons. No school shall operate a 16181  
driver training program for disabled persons after June 30, 1978, 16182  
unless it has been licensed for such operation by the director. No 16183  
person shall act as a specially trained instructor in a driver 16184  
training program for disabled persons operated by a school after 16185  
June 30, 1978, unless that person has been licensed by the 16186  
director. 16187

(C) The director shall certify instructors to teach driver 16188  
training to disabled persons in accordance with training program 16189

requirements established by the department of public safety. 16190

(D) No person shall operate a driver training school unless 16191  
the person has a valid license issued by the director under this 16192  
section. 16193

(E) Whoever violates division (D) of this section is guilty 16194  
of operating a driver training school without a valid license, a 16195  
minor misdemeanor. On a second or subsequent offense within two 16196  
years after the first offense, the person is guilty of a 16197  
misdemeanor of the fourth degree. 16198

**Sec. 4508.04.** (A) No person shall act as a driver training 16199  
instructor and on and after June 30, 1978, no person shall act as 16200  
a driver training instructor for disabled persons unless such 16201  
person applies for and obtains from the director of public safety 16202  
a license in the manner and form prescribed by the director. The 16203  
director shall provide by rule for instructors' license 16204  
requirements including moral character, physical condition, 16205  
knowledge of the courses of instruction, motor vehicle laws and 16206  
safety principles, previous personal and employment records, and 16207  
such other matters as the director may prescribe for the 16208  
protection of the public. Driver training instructors for disabled 16209  
persons shall meet such additional requirements and receive such 16210  
additional classroom and practical instruction as the director 16211  
shall prescribe by rule. 16212

(B)(1) No license shall be issued under this section to a 16213  
person if, within ten years of the date of application for the 16214  
license, the person has pleaded guilty to or been convicted of a 16215  
felony under the laws of this state or the comparable laws of 16216  
another jurisdiction. 16217

(2) No license shall be issued under this section to a person 16218  
if, within five years of the date of application for the license, 16219  
the person has pleaded guilty to or been convicted of a 16220



misdemeanor of the first or second degree that is reasonably 16221  
related to the person's fitness to be issued such a license. 16222

(C) No person shall knowingly make a false statement on a 16223  
license application submitted under this section. 16224

(D)(1) Whoever violates division (A) of this section is 16225  
guilty of acting as a driver training instructor without a valid 16226  
license, a misdemeanor of the fourth degree. 16227

(2) Whoever violates division (C) of this section may be 16228  
charged with falsification under section 2921.13 of the Revised 16229  
Code. 16230

**Sec. 4508.06.** (A) The director of public safety may refuse to 16231  
issue, or may suspend or revoke, a license in any case where in 16232  
which the director finds the applicant or licensee has violated 16233  
any of the provisions of this chapter, or any of the regulations 16234  
adopted by the director. A No person whose license has been 16235  
suspended or revoked license under this section shall be returned 16236  
fail to return the license to the director by the licensee. 16237

(B) Whoever violates division (A) of this section is guilty 16238  
of failing to return a suspended or revoked license, a minor 16239  
misdemeanor or, on a second or subsequent offense within two years 16240  
after the first offense, a misdemeanor of the fourth degree. 16241

**Sec. 4508.091.** (A) No person who operates a driver training 16242  
school shall use or cause to be used in the operation of the 16243  
driving school and upon any public property or private property 16244  
used for vehicular traffic any vehicle that does not meet the 16245  
minimum standards that are established by the director of public 16246  
safety and that are applicable to vehicles used in the operation 16247  
of a driving school. 16248

(B) Whoever violates this section is guilty of using an 16249  
unsafe vehicle at a driving school, a minor misdemeanor or, on a 16250

second or subsequent offense within two years after the first 16251  
offense, a misdemeanor of the fourth degree. 16252

**Sec. 4509.02.** As used in sections ~~4509.31~~ 4509.291 to 16253  
4509.67, ~~inclusive,~~ of the Revised Code: 16254

(A) "Judgment" means any judgment which has become final by 16255  
expiration without appeal of the time within which an appeal might 16256  
have been perfected, or by final affirmation on appeal, rendered 16257  
by a court of competent jurisdiction of any state or of the United 16258  
States, upon a cause of action arising out of the ownership, 16259  
maintenance, or use of any motor vehicle for damages, including 16260  
damages for care and loss of services because of bodily injury to 16261  
or death of any person, or for damages because of injury to or 16262  
destruction of property, including the loss of use thereof, or 16263  
upon a cause of action on an agreement of settlement for such 16264  
damages. 16265

(B) "State" means any state, territory, or possession of the 16266  
United States, the District of Columbia, or any province of the 16267  
Dominion of Canada. 16268

**Sec. 4509.101.** (A)(1) No person shall operate, or permit the 16269  
operation of, a motor vehicle in this state, unless proof of 16270  
financial responsibility is maintained continuously throughout the 16271  
registration period with respect to that vehicle, or, in the case 16272  
of a driver who is not the owner, with respect to that driver's 16273  
operation of that vehicle. 16274

(2) Whoever violates division (A)(1) of this section shall be 16275  
subject to the following civil penalties: 16276

(a) ~~Suspension of the person's operating privileges~~ Subject 16277  
to divisions (A)(2)(b) and (c) of this section, a class E 16278  
suspension of the person's driver's license, commercial driver's 16279  
license, temporary instruction permit, probationary license, or 16280

nonresident operating privilege for the period of time specified 16281  
in division (B)(5) of section 4510.02 of the Revised Code and 16282  
impoundment of the person's license until the person complies with 16283  
division (A)(5) of this section. The suspension shall be for a 16284  
period of not less than ninety days except that if, . The court may 16285  
grant limited driving privileges to the person only if the person 16286  
presents proof of financial responsibility and has complied with 16287  
division (A)(5) of this section. 16288

(b) If, within five years of the violation, the person's 16289  
operating privileges are again suspended and the person's license 16290  
again is impounded one or more times for a violation of division 16291  
(A)(1) of this section, a class C suspension of the person's 16292  
driver's license, commercial driver's license, temporary 16293  
instruction permit, probationary license, or nonresident operating 16294  
privilege for the period of time specified in division (B)(3) of 16295  
section 4510.02 of the Revised Code. The court may grant limited 16296  
driving privileges to the person only if the person presents proof 16297  
of financial responsibility and has complied with division (A)(5) 16298  
of this section, and no court may grant limited driving privileges 16299  
for the first fifteen days of the suspension shall be for a period 16300  
of not less than one year. Except as provided by section 4509.105 16301  
of the Revised Code, the suspension is not subject to revocation, 16302  
suspension, or occupational or other limited operating privileges. 16303

(b)(c) If, within five years of the violation, the person's 16304  
operating privileges are suspended and the person's license is 16305  
impounded two or more times for a violation of division (A)(1) of 16306  
this section, a class B suspension of the person's driver's 16307  
license, commercial driver's license, temporary instruction 16308  
permit, probationary license, or nonresident operating privilege 16309  
for the period of time specified in division (B)(2) of section 16310  
4510.02 of the Revised Code. No court may grant limited driving 16311  
privileges during the suspension. 16312

(d) In addition to the suspension of an owner's license under 16313  
division (A)(2)(a), (b), or (c) of this section, the suspension of 16314  
the rights of the owner to register the motor vehicle and the 16315  
impoundment of the owner's certificate of registration and license 16316  
plates until the owner complies with division (A)(5) of this 16317  
section. 16318

(3) A person to whom this state has issued a certificate of 16319  
registration for a motor vehicle or a license to operate a motor 16320  
vehicle or who is determined to have operated any motor vehicle or 16321  
permitted the operation in this state of a motor vehicle owned by 16322  
the person shall be required to verify the existence of proof of 16323  
financial responsibility covering the operation of the motor 16324  
vehicle or the person's operation of the motor vehicle under any 16325  
of the following circumstances: 16326

(a) The person or a motor vehicle owned by the person is 16327  
involved in a traffic accident that requires the filing of an 16328  
accident report under section 4509.06 of the Revised Code. 16329

(b) The person receives a traffic ticket indicating that 16330  
proof of the maintenance of financial responsibility was not 16331  
produced upon the request of a peace officer or state highway 16332  
patrol trooper made in accordance with division (D)(2) of this 16333  
section. 16334

(c) Whenever, in accordance with rules adopted by the 16335  
registrar, the person is randomly selected by the registrar and 16336  
requested to provide such verification. 16337

(4) An order of the registrar that suspends and impounds a 16338  
license or registration, or both, shall state the date on or 16339  
before which the person is required to surrender the person's 16340  
license or certificate of registration and license plates. The 16341  
person is deemed to have surrendered the license or certificate of 16342  
registration and license plates, in compliance with the order, if 16343

the person does either of the following: 16344

(a) On or before the date specified in the order, personally 16345  
delivers the license or certificate of registration and license 16346  
plates, or causes the delivery of the items, to the registrar; 16347

(b) Mails the license or certificate of registration and 16348  
license plates to the registrar in an envelope or container 16349  
bearing a postmark showing a date no later than the date specified 16350  
in the order. 16351

(5) Except as provided in division (A)(6) or (L) of this 16352  
section, the registrar shall not restore any operating privileges 16353  
or registration rights suspended under this section, return any 16354  
license, certificate of registration, or license plates impounded 16355  
under this section, or reissue license plates under section 16356  
4503.232 of the Revised Code, if the registrar destroyed the 16357  
impounded license plates under that section, or reissue a license 16358  
under section ~~4507.54~~ 4510.52 of the Revised Code, if the 16359  
registrar destroyed the suspended license under that section, 16360  
unless the rights are not subject to suspension or revocation 16361  
under any other law and unless the person, in addition to 16362  
complying with all other conditions required by law for 16363  
reinstatement of the operating privileges or registration rights, 16364  
complies with all of the following: 16365

(a) Pays a financial responsibility reinstatement fee of 16366  
seventy-five dollars for the first violation of division (A)(1) of 16367  
this section, two hundred fifty dollars for a second violation of 16368  
that division, and five hundred dollars for a third or subsequent 16369  
violation of that division; 16370

(b) If the person has not voluntarily surrendered the 16371  
license, certificate, or license plates in compliance with the 16372  
order, pays a financial responsibility nonvoluntary compliance fee 16373  
in an amount, not to exceed fifty dollars, determined by the 16374

registrar; 16375

(c) Files and continuously maintains proof of financial 16376  
responsibility under sections 4509.44 to 4509.65 of the Revised 16377  
Code. 16378

(6) If the registrar issues an order under division (A)(2) of 16379  
this section resulting from the failure of a person to respond to 16380  
a financial responsibility random verification request under 16381  
division (A)(3)(c) of this section and the person successfully 16382  
maintains an affirmative defense to a violation of section ~~4507.02~~ 16383  
4510.16 of the Revised Code or is determined by the registrar or a 16384  
deputy registrar to have been in compliance with division (A)(1) 16385  
of this section at the time of the initial financial 16386  
responsibility random verification request, the registrar shall do 16387  
both of the following: 16388

(a) Terminate the order of suspension or impoundment; 16389

(b) Restore the operating privileges and registration rights 16390  
of the person without payment of the fees established in divisions 16391  
(A)(5)(a) and (b) of this section and without a requirement to 16392  
file proof of financial responsibility. 16393

(B)(1) Every party required to file an accident report under 16394  
section 4509.06 of the Revised Code also shall include with the 16395  
report a document described in division (G)(1) of this section. 16396

If the registrar determines, within forty-five days after the 16397  
report is filed, that an operator or owner has violated division 16398  
(A)(1) of this section, the registrar shall do all of the 16399  
following: 16400

(a) Order the impoundment, with respect to the motor vehicle 16401  
involved, required under division (A)(2)~~(b)~~(d) of this section, of 16402  
the certificate of registration and license plates of any owner 16403  
who has violated division (A)(1) of this section; 16404

(b) Order the suspension required under division (A)(2)(a), (b), or (c) of this section of the license of any operator or owner who has violated division (A)(1) of this section;

(c) Record the name and address of the person whose certificate of registration and license plates have been impounded or are under an order of impoundment, or whose license has been suspended or is under an order of suspension; the serial number of the person's license; the serial numbers of the person's certificate of registration and license plates; and the person's social security account number, if assigned, or, where the motor vehicle is used for hire or principally in connection with any established business, the person's federal taxpayer identification number. The information shall be recorded in such a manner that it becomes a part of the person's permanent record, and assists the registrar in monitoring compliance with the orders of suspension or impoundment.

(d) Send written notification to every person to whom the order pertains, at the person's last known address as shown on the records of the bureau. The person, within ten days after the date of the mailing of the notification, shall surrender to the registrar, in a manner set forth in division (A)(4) of this section, any certificate of registration and registration plates under an order of impoundment, or any license under an order of suspension.

(2) The registrar shall issue any order under division (B)(1) of this section without a hearing. Any person adversely affected by the order, within ten days after the issuance of the order, may request an administrative hearing before the registrar, who shall provide the person with an opportunity for a hearing in accordance with this paragraph. A request for a hearing does not operate as a suspension of the order. The scope of the hearing shall be limited to whether the person in fact demonstrated to the registrar proof

of financial responsibility in accordance with this section. The 16437  
registrar shall determine the date, time, and place of any 16438  
hearing, provided that the hearing shall be held, and an order 16439  
issued or findings made, within thirty days after the registrar 16440  
receives a request for a hearing. If requested by the person in 16441  
writing, the registrar may designate as the place of hearing the 16442  
county seat of the county in which the person resides or a place 16443  
within fifty miles of the person's residence. The person shall pay 16444  
the cost of the hearing before the registrar, if the registrar's 16445  
order of suspension or impoundment is upheld. 16446

(C) Any order of suspension or impoundment issued under this 16447  
section or division (B) of section 4509.37 of the Revised Code may 16448  
be terminated at any time if the registrar determines upon a 16449  
showing of proof of financial responsibility that the operator or 16450  
owner of the motor vehicle was in compliance with division (A)(1) 16451  
of this section at the time of the traffic offense, motor vehicle 16452  
inspection, or accident that resulted in the order against the 16453  
person. A determination may be made without a hearing. This 16454  
division does not apply unless the person shows good cause for the 16455  
person's failure to present satisfactory proof of financial 16456  
responsibility to the registrar prior to the issuance of the 16457  
order. 16458

(D)(1) For the purpose of enforcing this section, every peace 16459  
officer is deemed an agent of the registrar. 16460

(a) Except as provided in division (D)(1)(b) of this section, 16461  
any peace officer who, in the performance of the peace officer's 16462  
duties as authorized by law, becomes aware of a person whose 16463  
license is under an order of suspension, or whose certificate of 16464  
registration and license plates are under an order of impoundment, 16465  
pursuant to this section, may confiscate the license, certificate 16466  
of registration, and license plates, and return them to the 16467  
registrar. 16468



(b) Any peace officer who, in the performance of the peace officer's duties as authorized by law, becomes aware of a person whose license is under an order of suspension, or whose certificate of registration and license plates are under an order of impoundment resulting from failure to respond to a financial responsibility random verification, shall not, for that reason, arrest the owner or operator or seize the vehicle or license plates. Instead, the peace officer shall issue a citation for a violation of ~~division (B)(1) of section 4507.02~~ 4510.16 of the Revised Code specifying the circumstances as failure to respond to a financial responsibility random verification.

(2) A peace officer shall request the owner or operator of a motor vehicle to produce proof of financial responsibility in a manner described in division (G) of this section at the time the peace officer acts to enforce the traffic laws of this state and during motor vehicle inspections conducted pursuant to section 4513.02 of the Revised Code.

(3) A peace officer shall indicate on every traffic ticket whether the person receiving the traffic ticket produced proof of the maintenance of financial responsibility in response to the officer's request under division (D)(2) of this section. The peace officer shall inform every person who receives a traffic ticket and who has failed to produce proof of the maintenance of financial responsibility that the person must submit proof to the traffic violations bureau with any payment of a fine and costs for the ticketed violation or, if the person is to appear in court for the violation, the person must submit proof to the court.

(4)(a) If a person who has failed to produce proof of the maintenance of financial responsibility appears in court for a ticketed violation, the court may permit the defendant to present evidence of proof of financial responsibility to the court at such time and in such manner as the court determines to be necessary or

appropriate. The clerk of courts shall provide the registrar with 16501  
the identity of any person who fails to submit proof of the 16502  
maintenance of financial responsibility pursuant to division 16503  
(D)(3) of this section. 16504

(b) If a person who has failed to produce proof of the 16505  
maintenance of financial responsibility also fails to submit that 16506  
proof to the traffic violations bureau with payment of a fine and 16507  
costs for the ticketed violation, the traffic violations bureau 16508  
shall notify the registrar of the identity of that person. 16509

(5)(a) Upon receiving notice from a clerk of courts or 16510  
traffic violations bureau pursuant to division (D)(4) of this 16511  
section, the registrar shall order the suspension of the license 16512  
of the person required under division (A)(2)(a), (b), or (c) of 16513  
this section and the impoundment of the person's certificate of 16514  
registration and license plates required under division 16515  
(A)(2)~~(b)~~(d) of this section, effective thirty days after the date 16516  
of the mailing of notification. The registrar also shall notify 16517  
the person that the person must present the registrar with proof 16518  
of financial responsibility in accordance with this section, 16519  
surrender to the registrar the person's certificate of 16520  
registration, license plates, and license, or submit a statement 16521  
subject to section 2921.13 of the Revised Code that the person did 16522  
not operate or permit the operation of the motor vehicle at the 16523  
time of the offense. Notification shall be in writing and shall be 16524  
sent to the person at the person's last known address as shown on 16525  
the records of the bureau of motor vehicles. The person, within 16526  
fifteen days after the date of the mailing of notification, shall 16527  
present proof of financial responsibility, surrender the 16528  
certificate of registration, license plates, and license to the 16529  
registrar in a manner set forth in division (A)(4) of this 16530  
section, or submit the statement required under this section 16531  
together with other information the person considers appropriate. 16532

If the registrar does not receive proof or the person does not surrender the certificate of registration, license plates, and license, in accordance with this division, the registrar shall permit the order for the suspension of the license of the person and the impoundment of the person's certificate of registration and license plates to take effect.

(b) In the case of a person who presents, within the fifteen-day period, documents to show proof of financial responsibility, the registrar shall terminate the order of suspension and the impoundment of the registration and license plates required under division (A)(2)~~(b)~~(d) of this section and shall send written notification to the person, at the person's last known address as shown on the records of the bureau.

(c) Any person adversely affected by the order of the registrar under division (D)(5)(a) or (b) of this section, within ten days after the issuance of the order, may request an administrative hearing before the registrar, who shall provide the person with an opportunity for a hearing in accordance with this paragraph. A request for a hearing does not operate as a suspension of the order. The scope of the hearing shall be limited to whether the person in fact demonstrated to the registrar proof of financial responsibility in accordance with this section. The registrar shall determine the date, time, and place of any hearing; provided, that the hearing shall be held, and an order issued or findings made, within thirty days after the registrar receives a request for a hearing. If requested by the person in writing, the registrar may designate as the place of hearing the county seat of the county in which the person resides or a place within fifty miles of the person's residence. Such person shall pay the cost of the hearing before the registrar, if the registrar's order of suspension or impoundment under division (D)(5)(a) or (b) of this section is upheld.

(6) A peace officer may charge an owner or operator of a motor vehicle with a violation of ~~division (B)(1)~~ of section ~~4507.02~~ 4510.16 of the Revised Code when the owner or operator fails to show proof of the maintenance of financial responsibility pursuant to a peace officer's request under division (D)(2) of this section, if a check of the owner or operator's driving record indicates that the owner or operator, at the time of the operation of the motor vehicle, is required to file and maintain proof of financial responsibility under section 4509.45 of the Revised Code for a previous violation of this chapter.

(7) Any forms used by law enforcement agencies in administering this section shall be prescribed, supplied, and paid for by the registrar.

(8) No peace officer, law enforcement agency employing a peace officer, or political subdivision or governmental agency that employs a peace officer shall be liable in a civil action for damages or loss to persons arising out of the performance of any duty required or authorized by this section.

(9) As used in this division and divisions (E) and (G) of this section, "peace officer" has the meaning set forth in section 2935.01 of the Revised Code.

(E) All fees, except court costs, collected under this section shall be paid into the state treasury to the credit of the financial responsibility compliance fund. The financial responsibility compliance fund shall be used exclusively to cover costs incurred by the bureau in the administration of this section and sections 4503.20, 4507.212, and 4509.81 of the Revised Code, and by any law enforcement agency employing any peace officer who returns any license, certificate of registration, and license plates to the registrar pursuant to division (C) of this section, except that the director of budget and management may transfer

excess money from the financial responsibility compliance fund to 16596  
the state bureau of motor vehicles fund if the registrar 16597  
determines that the amount of money in the financial 16598  
responsibility compliance fund exceeds the amount required to 16599  
cover such costs incurred by the bureau or a law enforcement 16600  
agency and requests the director to make the transfer. 16601

All investment earnings of the financial responsibility 16602  
compliance fund shall be credited to the fund. 16603

(F) Chapter 119. of the Revised Code applies to this section 16604  
only to the extent that any provision in that chapter is not 16605  
clearly inconsistent with this section. 16606

(G)(1) The registrar, court, traffic violations bureau, or 16607  
peace officer may require proof of financial responsibility to be 16608  
demonstrated by use of a standard form prescribed by the 16609  
registrar. If the use of a standard form is not required, a person 16610  
may demonstrate proof of financial responsibility under this 16611  
section by presenting to the traffic violations bureau, court, 16612  
registrar, or peace officer any of the following documents or a 16613  
copy of the documents: 16614

(a) A financial responsibility identification card as 16615  
provided in section ~~4509.104~~ 4509.103 of the Revised Code; 16616

(b) A certificate of proof of financial responsibility on a 16617  
form provided and approved by the registrar for the filing of an 16618  
accident report required to be filed under section 4509.06 of the 16619  
Revised Code; 16620

(c) A policy of liability insurance, a declaration page of a 16621  
policy of liability insurance, or liability bond, if the policy or 16622  
bond complies with section 4509.20 or sections 4509.49 to 4509.61 16623  
of the Revised Code; 16624

(d) A bond or certification of the issuance of a bond as 16625  
provided in section 4509.59 of the Revised Code; 16626

(e) A certificate of deposit of money or securities as provided in section 4509.62 of the Revised Code;	16627 16628
(f) A certificate of self-insurance as provided in section 4509.72 of the Revised Code.	16629 16630
(2) If a person fails to demonstrate proof of financial responsibility in a manner described in division (G)(1) of this section, the person may demonstrate proof of financial responsibility under this section by any other method that the court or the bureau, by reason of circumstances in a particular case, may consider appropriate.	16631 16632 16633 16634 16635 16636
(3) A motor carrier certificated by the interstate commerce commission or by the public utilities commission may demonstrate proof of financial responsibility by providing a statement designating the motor carrier's operating authority and averring that the insurance coverage required by the certificating authority is in full force and effect.	16637 16638 16639 16640 16641 16642
(4)(a) A finding by the registrar or court that a person is covered by proof of financial responsibility in the form of an insurance policy or surety bond is not binding upon the named insurer or surety or any of its officers, employees, agents, or representatives and has no legal effect except for the purpose of administering this section.	16643 16644 16645 16646 16647 16648
(b) The preparation and delivery of a financial responsibility identification card or any other document authorized to be used as proof of financial responsibility under this division does not do any of the following:	16649 16650 16651 16652
(i) Create any liability or estoppel against an insurer or surety, or any of its officers, employees, agents, or representatives;	16653 16654 16655
(ii) Constitute an admission of the existence of, or of any	16656

liability or coverage under, any policy or bond; 16657

(iii) Waive any defenses or counterclaims available to an 16658  
insurer, surety, agent, employee, or representative in an action 16659  
commenced by an insured or third-party claimant upon a cause of 16660  
action alleged to have arisen under an insurance policy or surety 16661  
bond or by reason of the preparation and delivery of a document 16662  
for use as proof of financial responsibility. 16663

(c) Whenever it is determined by a final judgment in a 16664  
judicial proceeding that an insurer or surety, which has been 16665  
named on a document accepted by a court or the registrar as proof 16666  
of financial responsibility covering the operation of a motor 16667  
vehicle at the time of an accident or offense, is not liable to 16668  
pay a judgment for injuries or damages resulting from such 16669  
operation, the registrar, notwithstanding any previous contrary 16670  
finding, shall forthwith suspend the operating privileges and 16671  
registration rights of the person against whom the judgment was 16672  
rendered as provided in division (A)(2) of this section. 16673

(H) In order for any document described in division (G)(1)(b) 16674  
of this section to be used for the demonstration of proof of 16675  
financial responsibility under this section, the document shall 16676  
state the name of the insured or obligor, the name of the insurer 16677  
or surety company, and the effective and expiration dates of the 16678  
financial responsibility, and designate by explicit description or 16679  
by appropriate reference all motor vehicles covered which may 16680  
include a reference to fleet insurance coverage. 16681

(I) For purposes of this section, "owner" does not include a 16682  
licensed motor vehicle leasing dealer as defined in section 16683  
4517.01 of the Revised Code, but does include a motor vehicle 16684  
renting dealer as defined in section 4549.65 of the Revised Code. 16685  
Nothing in this section or in section 4509.51 of the Revised Code 16686  
shall be construed to prohibit a motor vehicle renting dealer from 16687  
entering into a contractual agreement with a person whereby the 16688

person renting the motor vehicle agrees to be solely responsible 16689  
for maintaining proof of financial responsibility, in accordance 16690  
with this section, with respect to the operation, maintenance, or 16691  
use of the motor vehicle during the period of the motor vehicle's 16692  
rental. 16693

(J) The purpose of this section is to require the maintenance 16694  
of proof of financial responsibility with respect to the operation 16695  
of motor vehicles on the highways of this state, so as to minimize 16696  
those situations in which persons are not compensated for injuries 16697  
and damages sustained in motor vehicle accidents. The general 16698  
assembly finds that this section contains reasonable civil 16699  
penalties and procedures for achieving this purpose. 16700

(K) Nothing in this section shall be construed to be subject 16702  
to section 4509.78 of the Revised Code. 16703

(L) The registrar may terminate any suspension imposed under 16704  
this section and not require the owner to comply with divisions 16705  
(A)(5)(a), (b), and (c) of this section if the registrar with or 16706  
without a hearing determines that the owner of the vehicle has 16707  
established by clear and convincing evidence that all of the 16708  
following apply: 16709

(1) The owner customarily maintains proof of financial 16710  
responsibility. 16711

(2) Proof of financial responsibility was not in effect for 16712  
the vehicle on the date in question for one of the following 16713  
reasons: 16714

(a) The vehicle was inoperable. 16715

(b) The vehicle is operated only seasonally, and the date in 16716  
question was outside the season of operation. 16717

(c) A person other than the vehicle owner or driver was at 16718



fault for the lapse of proof of financial responsibility through 16719  
no fault of the owner or driver. 16720

(d) The lapse of proof of financial responsibility was caused 16721  
by excusable neglect under circumstances that are not likely to 16722  
recur and do not suggest a purpose to evade the requirements of 16723  
this chapter. 16724

(3) The owner or driver has not previously been granted 16725  
relief under division (L) of this section. 16726

(M) The registrar shall adopt rules in accordance with 16727  
Chapter 119. of the Revised Code that are necessary to administer 16728  
and enforce this section. The rules shall include procedures for 16729  
the surrender of license plates upon failure to maintain proof of 16730  
financial responsibility and provisions relating to reinstatement 16731  
of registration rights, acceptable forms of proof of financial 16732  
responsibility, and verification of the existence of financial 16733  
responsibility during the period of registration. 16734

**Sec. 4509.17.** Except as provided in sections 4509.01 to 16735  
4509.78 of the Revised Code, upon failure of any person to request 16736  
a hearing as provided for in section 4509.13 of the Revised Code, 16737  
or to deposit the security required under section 4509.12 of the 16738  
Revised Code within thirty days after the registrar of motor 16739  
vehicles has sent the notice provided for in section 4509.13 of 16740  
the Revised Code, the registrar shall ~~suspend the license of such~~ 16741  
impose a class F suspension of the person's driver's license, 16742  
commercial driver's license, temporary instruction permit, 16743  
probationary license, or nonresident operating privilege for the 16744  
period of time specified in division (B)(6) of section 4510.02 of 16745  
the Revised Code on the person and the registrations of all motor 16746  
vehicles owned by ~~such~~ the person. If the person is a nonresident, 16747  
the suspension shall include the privilege of operating any motor 16748  
vehicle within this state or permitting the operation within this 16749

state of any motor vehicle owned by the nonresident. 16750

16751

**Sec. 4509.24.** (A) The persons involved in or affected by a 16752  
motor vehicle accident may at any time enter into a written 16753  
agreement for the payment of an agreed amount with respect to all 16754  
claims for bodily injury to or death of any person or property 16755  
damage arising from the accident which may provide for payment in 16756  
installments. A signed copy of the agreement may be filed with the 16757  
registrar of motor vehicles. 16758

(B) The registrar, upon filing of any such written agreement, 16759  
shall not require the deposit of security by any party to the 16760  
agreement for the benefit or protection of any party to the 16761  
agreement. The registrar shall modify appropriately any prior 16762  
order of suspension with reference to such persons, or if security 16763  
has been deposited, the registrar immediately shall return to the 16764  
depositor or the depositor's personal representative any deposit 16765  
for the benefit or protection of any party to the agreement. 16766

(C) If the registrar receives satisfactory evidence that any 16767  
person obliged to make payment under any such agreement has 16768  
defaulted in payment, the registrar shall ~~issue an order of impose~~ 16769  
a class F suspension with respect to that of the offender's 16770  
driver's license, commercial driver's license, temporary 16771  
instruction permit, probationary license, or nonresident operating 16772  
privilege for the period of time specified in division (B)(6) of 16773  
section 4510.02 of the Revised Code on the person as provided in 16774  
section 4509.17 of the Revised Code. Such an order of suspension 16775  
remains in effect until any of the following occurs: 16776

(1) Security is deposited by the person to whom the 16777  
suspension applies in such amount as the registrar may then 16778  
determine; 16779

(2) The registrar receives satisfactory evidence that the 16780

entire obligation has been paid or released; 16781

(3) A period of two years has elapsed following the breach of 16782  
agreement and satisfactory evidence is filed with the registrar 16783  
that no action has been instituted on the agreement during that 16784  
period. 16785

**Sec. 4509.291.** (A) When a nonresident's operating privilege 16786  
is suspended pursuant to section 4509.101, 4509.17, or 4509.24 of 16787  
the Revised Code for a violation of any provision of sections 16788  
4509.01 to 4509.78, inclusive, of the Revised Code, the registrar 16789  
of motor vehicles shall transmit a certified copy of the record of 16790  
such action to the official in charge of the issuance of licenses 16791  
and registration certificates in the state in which such 16792  
nonresident resides, if the law of such other state provides for 16793  
action in relation thereto similar to the provision set forth in 16794  
division (B) of this section. 16795

(B) Upon receipt of a certification that the operating 16796  
privilege of a resident of this state has been suspended or 16797  
revoked in any other state pursuant to a law providing for its 16798  
suspension or revocation for failure to deposit security for the 16799  
payment of judgments arising out of a motor vehicle accident or 16800  
failure to give proof of financial responsibility, under 16801  
circumstances which would require the registrar to suspend a 16802  
nonresident's operating privilege had the accident occurred in 16803  
this state, the registrar shall ~~suspend the license~~ impose a class 16804  
F suspension of the person's driver's license, commercial driver's 16805  
license, temporary instruction permit, probationary license, or 16806  
nonresident operating privilege for the period of time specified 16807  
in division (B)(6) of section 4510.02 of the Revised Code on the 16808  
person and all registrations of such resident. Such suspension 16809  
shall continue until such resident furnishes evidence of ~~his~~ the 16810  
person's compliance with the law of such other state relating to 16811

the deposit of such security or to the giving of proof of 16812  
financial responsibility. 16813

**Sec. 4509.33.** If a nonresident by final order or judgment of 16814  
a court of record or mayor's court is convicted of, or forfeits 16815  
bail or collateral deposited to secure an appearance for trial 16816  
for, any offense ~~enumerated in section 4507.16 of the Revised Code~~ 16817  
for which the suspension of a license is provided, the registrar 16818  
of motor vehicles shall ~~suspend or revoke~~ impose a suspension of 16819  
the privilege of the nonresident to operate a motor vehicle for 16820  
the same period for which suspension ~~or revocation~~ of a license by 16821  
a court of record is authorized by the applicable section ~~4507.16~~ 16822  
of the Revised Code. The suspension ~~or revocation~~ shall remain in 16823  
effect until the expiration of the period so ordered and 16824  
thereafter until the nonresident gives and thereafter maintains 16825  
proof of financial responsibility in accordance with section 16826  
4509.45 of the Revised Code. 16827

The registrar shall also suspend the privilege of the use in 16828  
this state of every motor vehicle owned by the nonresident, except 16829  
that the registrar shall not suspend the privilege if the owner 16830  
has given or immediately gives and thereafter maintains proof of 16831  
financial responsibility with respect to all motor vehicles owned 16832  
by the nonresident. The registrar shall restore such privilege of 16833  
a nonresident owner when the owner gives and thereafter maintains 16834  
proof of financial responsibility in accordance with section 16835  
4509.45 of the Revised Code. 16836

**Sec. 4509.34.** (A) The suspension ~~or revocation~~ of a license 16837  
referred to in ~~sections~~ section 4509.291 ~~and 4509.31~~ of the 16838  
Revised Code shall remain in effect and the registrar of motor 16839  
vehicles shall not issue to any person whose license is so 16840  
suspended ~~or revoked~~ any new or renewal license until permitted 16841  
under the motor vehicle laws, and not then until such person gives 16842

and thereafter maintains proof of financial responsibility in 16843  
accordance with section 4509.45 of the Revised Code. 16844

(B) The suspension of registration referred to in such 16845  
sections shall remain in effect and the registrar shall not 16846  
register or reregister in the name of any person whose 16847  
registration is so suspended as owner of any motor vehicle, nor 16848  
return or re-issue license plates for such vehicle, until such 16849  
person gives and thereafter maintains proof of financial 16850  
responsibility in accordance with section 4509.45 of the Revised 16851  
Code. 16852

**Sec. 4509.35.** Whenever any person fails within thirty days to 16853  
satisfy a judgment rendered within this state, upon the written 16854  
request of the judgment creditor or ~~his~~ the judgment creditor's 16855  
attorney, the clerk of the court which rendered the judgment, or 16856  
the judge of the court or mayor of the mayor's court if the court 16857  
has no clerk, immediately shall forward a certified copy of the 16858  
judgment to the registrar of motor vehicles. 16859

Whenever any nonresident has been convicted of ~~the offenses~~ 16860  
~~enumerated in section 4507.16~~ an offense for which the court is 16861  
required to impose a license suspension under any provision of the 16862  
Revised Code or has forfeited bail given to secure ~~his~~ the 16863  
nonresident's appearance for trial upon a charge of any offense 16864  
~~enumerated in that section~~ for which the court is required to 16865  
impose a license suspension under any provision of the Revised 16866  
Code, the clerk of every court of record and the mayor of every 16867  
mayor's court immediately shall forward to the registrar a 16868  
certified copy or transcript of the conviction or order forfeiture 16869  
of bail. 16870

**Sec. 4509.37.** (A) The registrar of motor vehicles upon 16871  
receipt of a certified copy of a judgment, shall ~~forthwith suspend~~ 16872

impose a class F suspension for the period of time specified in 16873  
division (B)(6) of section 4510.02 of the Revised Code of the 16874  
license and registration and any nonresident's operating privilege 16875  
of any person against whom such judgment was rendered, except as 16876  
provided in sections 4509.01 to 4509.78 of the Revised Code. 16877

Such certified copy of a judgment shall include the last 16878  
known address, the social security number, if known, and the 16879  
operator's license number, of the judgment debtor. 16880

(B) The registrar shall also impose the civil penalties 16881  
specified in division (A)(2) of section 4509.101 of the Revised 16882  
Code unless either of the following applies: 16883

(1) The judgment debtor presents proof of financial 16884  
responsibility to the registrar proving that the judgment debtor 16885  
was covered, at the time of the motor vehicle accident out of 16886  
which the cause of action arose, by proof of financial 16887  
responsibility in compliance with section 4509.101 of the Revised 16888  
Code. 16889

(2) The judgment debtor proves to the registrar that the 16890  
judgment debtor's registration and license have been previously 16891  
suspended under section 4509.101 of the Revised Code by reason of 16892  
the judgment debtor's failure to prove that the judgment debtor 16893  
was covered, at the time of the motor vehicle accident out of 16894  
which the cause of action arose, by proof of financial 16895  
responsibility. 16896

**Sec. 4509.40.** ~~Any license, registration, and nonresident's~~ 16897  
~~operating privilege suspended~~ The registrar of motor vehicles 16898  
shall impose a class F suspension of the person's driver's 16899  
license, commercial driver's license, temporary instruction 16900  
permit, probationary license, or nonresident operating privilege 16901  
for the period of time specified in division (B)(6) of section 16902  
4510.02 of the Revised Code for nonpayment of a judgment ~~shall~~ 16903

~~remain so suspended for a period of seven years from the effective~~ 16904  
~~date of suspension,~~ and while such order is in force no license, 16905  
registration, or permit to operate a motor vehicle shall be issued 16906  
in the name of such person, including any such person not 16907  
previously licensed. The registrar shall vacate the order of 16908  
suspension upon proof that such judgment is stayed, or satisfied 16909  
in full or to the extent provided in section 4509.41 of the 16910  
Revised Code, subject to the exemptions stated in sections 16911  
4509.37, 4509.38, 4509.39, and 4509.42 of the Revised Code, and 16912  
upon such person's filing with the registrar of motor vehicles 16913  
evidence of financial responsibility in accordance with section 16914  
4509.45 of the Revised Code. 16915

**Sec. 4509.42.** (A) A judgment debtor upon due notice to the 16916  
judgment creditor may apply to the court in which the judgment was 16917  
rendered for the privilege of paying the judgment in installments 16918  
and the court, in its discretion and without prejudice to any 16919  
other legal remedies which the judgment creditor has, may order 16920  
and fix the amounts and times of payment of the installments. 16921

(B) The registrar of motor vehicles shall not suspend for 16922  
nonpayment of a judgment, a license, registration, or 16923  
nonresident's operating privilege, and shall restore the license, 16924  
registration, or nonresident's operating privilege suspended for 16925  
nonpayment, when the judgment debtor gives proof of financial 16926  
responsibility and maintains it in accordance with section 4509.45 16927  
of the Revised Code, and obtains an order permitting the payment 16928  
of the judgment in installments, and while the payment of any 16929  
installment is not in default. 16930

(C) If the judgment debtor fails to pay any installment as 16931  
specified by such order, then upon notice of default the registrar 16932  
shall ~~forthwith suspend~~ impose a class F suspension of the 16933  
license, registration, or nonresident's operating privilege of the 16934

judgment debtor until such judgment is satisfied as specified in 16935  
division (B)(6) of section 4510.02 of the Revised Code. 16936

**Sec. 4509.45.** (A) Proof of financial responsibility when 16937  
required under section ~~4507.022~~, 4509.101, ~~4509.32~~, 4509.33, 16938  
4509.34, 4509.38, 4509.40, 4509.42, ~~or~~ 4509.44, or 4510.038 of the 16939  
Revised Code may be given by filing any of the following: 16940

~~(A)~~(1) A financial responsibility identification card as 16941  
provided in section 4509.104 of the Revised Code; 16942

~~(B)~~(2) A certificate of insurance as provided in section 16943  
4509.46 or 4509.47 of the Revised Code; 16944

~~(C)~~(3) A bond as provided in section 4509.59 of the Revised 16945  
Code; 16946

~~(D)~~(4) A certificate of deposit of money or securities as 16947  
provided in section 4509.62 of the Revised Code; 16948

~~(E)~~(5) A certificate of self-insurance, as provided in 16949  
section 4509.72 of the Revised Code, supplemented by an agreement 16950  
by the self-insurer that, with respect to accidents occurring 16951  
while the certificate is in force, ~~he~~ the self-insurer will pay 16952  
the same amounts that an insurer would have been obligated to pay 16953  
under an owner's motor vehicle liability policy if it had issued 16954  
such a policy to the self-insurer. 16955

~~Such proof~~ (B) Proof under division (A) of this section shall 16956  
be filed and maintained for five years from the date of the 16957  
registrar's imposition of a class A, B, or C suspension of 16958  
operating privileges ~~by the registrar of motor vehicles~~ and shall 16959  
be filed and maintained for three years from the date of the 16960  
registrar's imposition of a class D, E, or F suspension of 16961  
operating privileges. 16962

**Sec. 4509.74.** (A) No person shall fail to report a motor 16963



vehicle accident as required under the laws of this state. 16964

(B) Whoever violates this section is guilty of a minor 16965  
misdemeanor. 16966

**Sec. 4509.77.** (A) No person shall willfully fail to return a 16967  
license or registration as required in section 4509.69 of the 16968  
Revised Code. 16969

(B) Whoever violates this section shall be fined not more 16970  
than five hundred dollars, imprisoned for not more than thirty 16971  
days, or both. 16972

**Sec. 4509.78.** (A) No person shall violate section 4509.01 to 16973  
4509.78, ~~inclusive,~~ of the Revised Code for which no penalty is 16974  
otherwise provided. 16975

(B) Whoever violates this section shall be fined not more 16976  
than five hundred dollars, imprisoned not more than ninety days, 16977  
or both. 16978

**Sec. 4509.79.** (A) As used in this section, "ridesharing 16979  
arrangement" means the transportation of persons in a motor 16980  
vehicle where such transportation is incidental to another purpose 16981  
of a volunteer driver and includes ridesharing arrangements known 16982  
as carpools, vanpools, and buspools. 16983

(B) Every owner registering as a passenger car a motor 16984  
vehicle designed and used for carrying more than nine but not more 16985  
than fifteen passengers or registering a bus under division (H)(8) 16986  
of section 4503.04 of the Revised Code shall have in effect, 16987  
whenever the motor vehicle is used in a ridesharing arrangement, a 16988  
policy of liability insurance with respect to the motor vehicle in 16989  
amounts and coverage no less than: 16990

(1) One hundred thousand dollars because of bodily injury to 16991  
or death of one person in any one accident; 16992

(2) Three hundred thousand dollars because of bodily injury to or death of two or more persons in any one accident;	16993 16994
(3) Fifty thousand dollars because of injury to property of others in any one accident.	16995 16996
<u>(C) Whoever violates this section shall be fined not more than five thousand dollars.</u>	16997 16998
<b>Sec. 4509.80.</b> (A) Every owner registering a chauffeured limousine shall furnish and maintain proof of financial responsibility with respect to the limousine by filing with the registrar of motor vehicles any of the following:	16999 17000 17001 17002
(1) A certificate of insurance as provided in section 4509.46 or 4509.47 of the Revised Code;	17003 17004
(2) A policy of liability insurance, a declaration page of a policy of liability insurance, or liability bond, if the policy or bond provides coverage in accordance with division (B) of this section and otherwise complies with sections 4509.49 to 4509.61 of the Revised Code, and if the policy or bond provides that such policy or bond shall not be canceled or terminated prior to not less than ten days after a written notice of cancellation or termination is filed with the registrar;	17005 17006 17007 17008 17009 17010 17011 17012
(3) A bond or certification of the issuance of a bond if the bond provides coverage in the amount of three hundred thousand dollars and otherwise complies with section 4509.59 of the Revised Code;	17013 17014 17015 17016
(4) A certificate of deposit of money or securities if the certificate of deposit provides coverage in the amount of three hundred thousand dollars and otherwise complies with section 4509.62 of the Revised Code;	17017 17018 17019 17020
(5) A certificate of self-insurance as provided in section 4509.72 of the Revised Code.	17021 17022

(B) As used in this section and section 4509.81 of the Revised Code, "proof of financial responsibility" means proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance, or use of a chauffeured limousine in the amount of one hundred thousand dollars because of bodily injury to or death of one person in any one accident, three hundred thousand dollars because of bodily injury to or death of two or more persons in any one accident, and fifty thousand dollars because of injury to property of others in any one accident.

(C) Upon the request of a law enforcement officer, the operator of any chauffeured limousine shall produce proof of compliance with this section. The law enforcement officer requesting such proof shall notify the registrar of any violation of this section. The notice to the registrar shall be on a form prescribed by the registrar and supplied by the registrar at the registrar's expense, and shall include the license plate number of the chauffeured limousine and any other information the registrar requires.

(D) The owner, or ~~his~~ the owner's designee, shall provide written notice to the registrar of cancellation or termination of the coverage required by this section not less than ten days prior to the effective date of cancellation, and, on or before the effective date of cancellation, shall voluntarily surrender the livery license plate sticker for the vehicle or vehicles for which the cancellation is effective. If the livery license plate sticker is timely and voluntarily surrendered, the registrar shall, upon the filing of proof of financial responsibility as required by this section, reinstate the livery registration of the vehicle and issue a current livery license plate sticker for the vehicle.

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(E) Whoever violates this section is guilty of a misdemeanor 17055  
of the first degree. 17056

**Sec. 4509.81.** (A) Upon receipt of a notification of violation 17057  
as provided in division (C) of section 4509.80 of the Revised 17058  
Code; upon failure of a timely surrender of the livery license 17059  
plate sticker as required by division (D) of section 4509.80 of 17060  
the Revised Code; or if the registrar of motor vehicles, upon 17061  
receipt of notification from an insurer of the imminent 17062  
cancellation or termination of coverage required by section 17063  
4509.80 of the Revised Code, fails to receive evidence of a 17064  
continuation or substitution of coverage prior to the cancellation 17065  
or termination date, the registrar shall order the immediate 17066  
suspension of the rights of the owner of the chauffeured limousine 17067  
described in the notice to register the limousine and the 17068  
impoundment of the certificate of registration and registration 17069  
plates for the limousine. The registrar shall notify the owner 17070  
that the owner must surrender the certificate of registration and 17071  
registration plates to the registrar. The notification shall be in 17072  
writing and sent to the owner at the owner's last known address as 17073  
shown in the records of the bureau of motor vehicles. Proceedings 17074  
under this section are deemed special, summary statutory 17075  
proceedings. 17076

(B) The order of suspension and impoundment of a registration 17077  
shall state the date on or before which the owner of the 17078  
chauffeured limousine involved is required to surrender the 17079  
certificate of registration and registration plates to the 17080  
registrar. The owner shall be deemed to have surrendered the 17081  
certificate of registration and registration plates if the owner 17082  
causes the items to be delivered to the registrar on or before the 17083  
date specified in the order or mails the items to the registrar in 17084  
an envelope or container bearing a postmark showing a date no 17085

later than the date specified in the order. 17086

(C) The registrar shall not restore any registration rights 17087  
suspended under this section, return any certificate of 17088  
registration or registration plates impounded under this section, 17089  
or reissue registration plates under section 4503.232 of the 17090  
Revised Code, if the registrar destroyed the impounded 17091  
registration plates under that section, unless those rights are 17092  
not subject to suspension ~~or revocation~~ under any other law and 17093  
unless the owner complies with both of the following: 17094

(1) Pays a financial responsibility reinstatement fee of 17095  
thirty dollars. The reinstatement fee may be increased, upon 17096  
approval of the controlling board, up to an amount not exceeding 17097  
fifty dollars. 17098

(2) Files and maintains proof of financial responsibility 17099  
under section 4509.80 of the Revised Code. 17100

(D) Any owner adversely affected by the order of the 17101  
registrar under this section may, within ten days after the 17102  
issuance of the order, request an administrative hearing before 17103  
the registrar, who shall provide the owner with an opportunity for 17104  
a hearing in accordance with this division. A request for a 17105  
hearing does not operate as a suspension of the order unless the 17106  
owner establishes to the satisfaction of the registrar that the 17107  
operation of the owner's chauffeured limousine will be covered by 17108  
proof of financial responsibility during the pendency of the 17109  
appeal. The scope of the hearing shall be limited to whether the 17110  
owner in fact demonstrated to the registrar proof of financial 17111  
responsibility in accordance with section 4509.80 of the Revised 17112  
Code. The registrar shall determine the date, time, and place of 17113  
any hearing, provided that the hearing shall be held and an order 17114  
issued or findings made within thirty days after the registrar 17115  
receives a request for a hearing. If requested by the owner in 17116  
writing, the registrar may designate as the place of hearing the 17117

county seat of the county in which the owner resides or a place 17118  
within fifty miles of the owner's residence. The owner shall pay 17119  
the cost of the hearing before the registrar, if the registrar's 17120  
order of suspension or impoundment is upheld. 17121

(E) Any order of suspension or impoundment issued under this 17122  
section may be terminated at any time if the registrar determines 17123  
upon a showing of proof of financial responsibility that the owner 17124  
of the limousine was in compliance with section 4509.80 of the 17125  
Revised Code at the time of the incident that resulted in the 17126  
order against the owner. Such a determination may be made without 17127  
a hearing. 17128

(F) All fees collected under this section shall be paid into 17129  
the state treasury to the credit of the financial responsibility 17130  
compliance fund created by section 4509.101 of the Revised Code. 17131

(G) Chapter 119. of the Revised Code applies to this section 17132  
only to the extent that any provision in that chapter is not 17133  
clearly inconsistent with this section. 17134

(H)(1) Proof of financial responsibility may be demonstrated 17135  
by any of the methods authorized in section 4509.80 of the Revised 17136  
Code. 17137

(2) Divisions (G)(4)(a) and (b) of section 4509.101 of the 17138  
Revised Code apply to any finding by the registrar under this 17139  
section that an owner is covered by proof of financial 17140  
responsibility. 17141

Sec. 4510.01. As used in this title and in Title XXIX of the 17142  
Revised Code: 17143

(A) "Cancel" or "cancellation" means the annulment or 17144  
termination by the bureau of motor vehicles of a driver's license, 17145  
commercial driver's license, temporary instruction permit, 17146  
probationary license, or nonresident operating privilege because 17147

it was obtained unlawfully, issued in error, altered, or willfully 17148  
destroyed, or because the holder no longer is entitled to the 17149  
license, permit, or privilege. 17150

(B) "Drug abuse offense" has the same meaning as in section 17151  
2925.01 of the Revised Code. 17152

(C) "Ignition interlock device" means a device approved by 17153  
the director of public safety that connects a breath analyzer to a 17154  
motor vehicle's ignition system, that is constantly available to 17155  
monitor the concentration by weight of alcohol in the breath of 17156  
any person attempting to start that motor vehicle by using its 17157  
ignition system, and that deters starting the motor vehicle by use 17158  
of its ignition system unless the person attempting to start the 17159  
vehicle provides an appropriate breath sample for the device and 17160  
the device determines that the concentration by weight of alcohol 17161  
in the person's breath is below a preset level. 17162

(D) "Immobilizing or disabling device" means a device 17163  
approved by the director of public safety that may be ordered by a 17164  
court to be used by an offender as a condition of limited driving 17165  
privileges. "Immobilizing or disabling device" includes an 17166  
ignition interlock device, and any prototype device that is used 17167  
according to protocols designed to ensure efficient and effective 17168  
monitoring of limited driving privileges granted by a court to an 17169  
offender. 17170

(E) "Moving violation" means any violation of any statute or 17171  
ordinance that regulates the operation of vehicles, streetcars, or 17172  
trackless trolleys on the highways or streets. "Moving violation" 17173  
does not include a violation of section 4513.263 of the Revised 17174  
Code or a substantially equivalent municipal ordinance, a 17175  
violation of any statute or ordinance regulating pedestrians or 17176  
the parking of vehicles, vehicle size or load limitations, vehicle 17177  
fitness requirements, or vehicle registration. 17178

(F) "Municipal OVI ordinance" and "municipal OVI offense" 17179  
have the same meanings as in section 4511.181 of the Revised Code. 17180

(G) "Prototype device" means any testing device to monitor 17181  
limited driving privileges that has not yet been approved or 17182  
disapproved by the director of public safety. 17183

(H) "Suspend" or "suspension" means the permanent or 17184  
temporary withdrawal, by action of a court or the bureau of motor 17185  
vehicles, of a driver's license, commercial driver's license, 17186  
temporary instruction permit, probationary license, or nonresident 17187  
operating privilege for the period of the suspension or the 17188  
permanent or temporary withdrawal of the privilege to obtain a 17189  
license, permit, or privilege of that type for the period of the 17190  
suspension. 17191

**Sec. 4510.02.** (A) When a court elects or is required to 17192  
suspend the driver's license, commercial driver's license, 17193  
temporary instruction permit, probationary license, or nonresident 17194  
operating privilege of any offender from a specified suspension 17195  
class, for each of the following suspension classes, the court 17196  
shall impose a definite period of suspension from the range 17197  
specified for the suspension class: 17198

(1) For a class one suspension, a definite period for the 17199  
life of the person subject to the suspension; 17200

(2) For a class two suspension, a definite period of three 17201  
years to life; 17202

(3) For a class three suspension, a definite period of two to 17203  
ten years; 17204

(4) For a class four suspension, a definite period of one to 17205  
five years; 17206

(5) For a class five suspension, a definite period of six 17207  
months to three years; 17208



<u>(6) For a class six suspension, a definite period of three months to two years;</u>	17209
	17210
<u>(7) For a class seven suspension, a definite period not to exceed one year.</u>	17211
	17212
<u>(B) When the bureau of motor vehicles elects or is required to suspend the driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege of any person from a specified suspension class, for each of the following suspension classes, the period of suspension shall be as follows:</u>	17213
	17214
	17215
	17216
	17217
	17218
<u>(1) For a class A suspension, three years;</u>	17219
<u>(2) For a class B suspension, two years;</u>	17220
<u>(3) For a class C suspension, one year;</u>	17221
<u>(4) For a class D suspension, six months;</u>	17222
<u>(5) For a class E suspension, three months;</u>	17223
<u>(6) For a class F suspension, until conditions are met.</u>	17224
<u>(C) The court may require a person to successfully complete a remedial driving course as a condition for the return of full driving privileges after a suspension period imposed from any range in division (A) of this section or otherwise imposed by the court pursuant to any other provision of law ends.</u>	17225
	17226
	17227
	17228
	17229
<u>(D) When a court or the bureau suspends the driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege of any offender or person pursuant to any provision of law that does not provide for the suspension to be from a class set forth in division (A) or (B) of this section, except as otherwise provided in the provision that authorizes or requires the suspension, the suspension shall be subject to and governed by this chapter.</u>	17230
	17231
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Sec. 4510.021. (A) Unless expressly prohibited by section 17239  
2919.22, section 4510.13, or any other section of the Revised 17240  
Code, a court may grant limited driving privileges for any purpose 17241  
described in division (A)(1), (2), or (3) of this section during 17242  
any suspension imposed by the court. In granting the privileges, 17243  
the court shall specify the purposes, times, and places of the 17244  
privileges and may impose any other reasonable conditions on the 17245  
person's driving of a motor vehicle. The privileges shall be for 17246  
any of the following limited purposes: 17247

(1) Occupational, educational, vocational, or medical 17248  
purposes; 17249

(2) Taking the driver's or commercial driver's license 17250  
examination; 17251

(3) Attending court-ordered treatment. 17252

(B) Unless expressly authorized by a section of the Revised 17253  
Code, a court may not grant limited driving privileges during any 17254  
suspension imposed by the bureau of motor vehicles. To obtain 17255  
limited driving privileges during a suspension imposed by the 17256  
bureau, a petition may be filed in a court of record in the county 17257  
in which the person under suspension resides. A person who is not 17258  
a resident of this state shall file any petition for privileges in 17259  
the Franklin county municipal court, or, if the person is a minor, 17260  
in the Franklin county juvenile court. If a court grants limited 17261  
driving privileges as described in this division, the privileges 17262  
shall be for any of the limited purposes identified in division 17263  
(A) of this section. 17264

(C) When the use of an immobilizing or disabling device is 17265  
not otherwise required by law, the court, as a condition of 17266  
granting limited driving privileges, may require that the person's 17267  
vehicle be equipped with an immobilizing or disabling device, 17268

except as provided in division (C) of section 4510.43 of the 17269  
Revised Code. When the use of restricted license plates issued 17270  
under section 4503.231 of the Revised Code is not otherwise 17271  
required by law, the court, as a condition of granting limited 17272  
driving privileges, may require that the person's vehicle be 17273  
equipped with restricted license plates of that nature, except as 17274  
provided in division (B) of that section. 17275

(D) When the court grants limited driving privileges under 17276  
section 4510.31 of the Revised Code or any other provision of law 17277  
during the suspension of the temporary instruction permit or 17278  
probationary driver's license of a person who is under eighteen 17279  
years of age, the court may include as a purpose of the privilege 17280  
the person's practicing of driving with the person's parent, 17281  
guardian, or other custodian during the period of the suspension. 17282  
If the court grants limited driving privileges for this purpose, 17283  
the court, in addition to all other conditions it imposes, shall 17284  
impose as a condition that the person exercise the privilege only 17285  
when a parent, guardian, or custodian of the person who holds a 17286  
current valid driver's or commercial driver's license issued by 17287  
this state actually occupies the seat beside the person in the 17288  
vehicle the person is operating. 17289

(E) Before granting limited driving privileges under this 17290  
section, the court shall require the offender to provide proof of 17291  
financial responsibility pursuant to section 4509.45 of the 17292  
Revised Code. 17293

**Sec. 4510.03.** (A) Every county court judge, mayor of a 17294  
mayor's court, and clerk of a court of record shall keep a full 17295  
record of every case in which a person is charged with any 17296  
violation of any provision of sections 4511.01 to 4511.771 or 17297  
4513.01 to 4513.36 of the Revised Code or of any other law or 17298  
ordinance regulating the operation of vehicles, streetcars, and 17299

trackless trolleys on highways or streets. 17300

(B) If a person is convicted of or forfeits bail in relation 17301  
to a violation of any section listed in division (A) of this 17302  
section or a violation of any other law or ordinance regulating 17303  
the operation of vehicles, streetcars, and trackless trolleys on 17304  
highways or streets, the county court judge, mayor of a mayor's 17305  
court, or clerk, within ten days after the conviction or bail 17306  
forfeiture, shall prepare and immediately forward to the bureau of 17307  
motor vehicles an abstract, certified by the preparer to be true 17308  
and correct, of the court record covering the case in which the 17309  
person was convicted or forfeited bail. Every court of record also 17310  
shall forward to the bureau of motor vehicles an abstract of the 17311  
court record as described in division (C) of this section upon the 17312  
conviction of any person of aggravated vehicular homicide or 17313  
vehicular homicide or of a felony in the commission of which a 17314  
vehicle was used. 17315

(C) Each abstract required by this section shall be made upon 17316  
a form approved and furnished by the bureau and shall include the 17317  
name and address of the person charged, the number of the person's 17318  
driver's or commercial driver's license, probationary driver's 17319  
license, or temporary instruction permit, the registration number 17320  
of the vehicle involved, the nature of the offense, the date of 17321  
the offense, the date of hearing, the plea, the judgment, or 17322  
whether bail was forfeited, and the amount of the fine or 17323  
forfeiture. 17324

**Sec. 4510.031.** (A) A United States district court that has 17325  
jurisdiction within this state may utilize the provisions of 17326  
section 4510.03 of the Revised Code in regard to any case in which 17327  
a person is charged with any violation of any provision of 17328  
sections 4511.01 to 4511.771 or 4513.01 to 4513.36 of the Revised 17329  
Code or of any other law or ordinance regulating the operation of 17330

vehicles, streetcars, and trackless trolleys on highways or 17331  
streets located on federal property within this state. The court 17332  
also may forward to the bureau an abstract upon the conviction of 17333  
any person of aggravated vehicular homicide or vehicular homicide 17334  
or of a felony in the commission of which a vehicle was used. 17335

(B) If a United States district court acts under this 17336  
section, it shall follow the procedures established in section 17337  
4510.03 of the Revised Code. 17338

(C) The bureau of motor vehicles shall accept and process an 17339  
abstract received from a United States district court under this 17340  
section in the same manner as it accepts and processes an abstract 17341  
received from a county court judge, mayor of a mayor's court, or 17342  
clerk of a court of record. 17343

Sec. 4510.032. (A) If a person is charged with a violation of 17344  
section 4511.19 of the Revised Code or a violation of any 17345  
municipal OVI ordinance; if that charge is dismissed or reduced; 17346  
if the person is convicted of or forfeits bail in relation to a 17347  
violation of any other section of the Revised Code or of any 17348  
ordinance that regulates the operation of vehicles, streetcars, 17349  
and trackless trolleys on highways and streets but that does not 17350  
relate to operating a vehicle while under the influence of 17351  
alcohol, a drug of abuse, or a combination of them or to operating 17352  
a vehicle with a prohibited concentration of alcohol in the whole 17353  
blood, blood serum or plasma, breath, or urine; and if the 17354  
violation of which the person was convicted or in relation to 17355  
which the person forfeited bail arose out of the same facts and 17356  
circumstances and the same act as did the charge that was 17357  
dismissed or reduced, the abstract prepared under section 4510.03 17358  
of the Revised Code also shall set forth the charge that was 17359  
dismissed or reduced, indicate that it was dismissed or reduced, 17360  
and indicate that the violation resulting in the conviction or 17361

bail forfeiture arose out of the same facts and circumstances and 17362  
the same act as did the charge that was dismissed or reduced. 17363

(B) If a charge against a person of a violation of division 17364  
(A) of section 4510.11, division (A) of section 4510.14, or 17365  
division (A) of section 4510.16 of the Revised Code or any 17366  
municipal ordinance that is substantially equivalent to any of 17367  
those divisions is dismissed or reduced and if the person is 17368  
convicted of or forfeits bail in relation to a violation of any 17369  
other section of the Revised Code or any other ordinance that 17370  
regulates the operation of vehicles, streetcars, and trackless 17371  
trolleys on highways and streets that arose out of the same facts 17372  
and circumstances as did the charge that was dismissed or reduced, 17373  
the abstract also shall set forth the charge that was dismissed or 17374  
reduced, indicate that it was dismissed or reduced, and indicate 17375  
that the violation resulting in the conviction or bail forfeiture 17376  
arose out of the same facts and circumstances and the same act as 17377  
did the charge that was dismissed or reduced. 17378

(C)(1) If a child has been adjudicated an unruly or 17379  
delinquent child or a juvenile traffic offender for having 17380  
committed any act that if committed by an adult would be a drug 17381  
abuse offense or any violation of division (B) of section 2917.11 17382  
or of section 4511.19 of the Revised Code, the court shall notify 17383  
the bureau, by means of an abstract of the court record as 17384  
described in divisions (B) and (C) of section 4510.03 of the 17385  
Revised Code, within ten days after the adjudication. 17386

(2) If a court requires a child to attend a drug abuse or 17387  
alcohol abuse education, intervention, or treatment program, the 17388  
abstract required by division (C)(1) of this section and forwarded 17389  
to the bureau also shall include the name and address of the 17390  
operator of the program and the date that the child entered the 17391  
program. If the child satisfactorily completes the program, the 17392  
court, immediately upon receipt of the information, shall send to 17393

the bureau an updated abstract that also shall contain the date on 17394  
which the child satisfactorily completed the program. 17395

Sec. 4510.034. (A) Division (B) of this section applies in 17396  
relation to persons who are convicted of or plead guilty to any of 17397  
the following: 17398

(1) A violation of division (A) of section 4510.11, division 17399  
(A) of section 4510.14, or division (A) of section 4510.16 of the 17400  
Revised Code; 17401

(2) A violation of a municipal ordinance substantially 17402  
equivalent to any division set forth in division (A)(1) of this 17403  
section; 17404

(3) A violation of division (A) of section 4511.19 of the 17405  
Revised Code or a violation of section 4511.203 of the Revised 17406  
Code; 17407

(4) A violation of a municipal OVI ordinance. 17408

(B) If a person is convicted of or pleads guilty to any 17409  
violation set forth in division (A) of this section and if 17410  
division (D) of section 4503.234 of the Revised Code prohibits the 17411  
registrar of motor vehicles and all deputy registrars from 17412  
accepting an application for the registration of, or registering, 17413  
any motor vehicle in the name of that person, the abstract 17414  
prepared pursuant to section 4510.03, 4510.031, or 4510.032 of the 17415  
Revised Code shall specifically set forth these facts and clearly 17416  
indicate the date on which the order of criminal forfeiture was 17417  
issued or would have been issued but for the operation of section 17418  
4503.234 of the Revised Code. If the registrar receives an 17419  
abstract containing this information relating to a person, the 17420  
registrar, in accordance with sections 4503.12 and 4503.234 of the 17421  
Revised Code, shall take all necessary measures to prevent the 17422  
registrar's office or any deputy registrar from accepting from the 17423

person, for the period of time ending five years after the date on 17424  
which the order was issued or would have been issued and as 17425  
described in section 4503.234 of the Revised Code, any new 17426  
application for the registration of any motor vehicle in the name 17427  
of the person. 17428

Sec. 4510.035. The purposeful failure or refusal of any 17429  
person to comply with any provision of section 4510.03, 4510.032, 17430  
4510.034, 4510.036, or 4510.037 of the Revised Code constitutes 17431  
misconduct in office and is a ground for removal of the person 17432  
from the office. 17433

Sec. 4510.036. (A) The bureau of motor vehicles shall record 17434  
within ten days, after receipt, and shall keep at its main office, 17435  
all abstracts received under this section or section 4510.03, 17436  
4510.031, 4510.032, or 4510.034 of the Revised Code and shall 17437  
maintain records of convictions and bond forfeitures for any 17438  
violation of a state law or a municipal ordinance regulating the 17439  
operation of vehicles, streetcars, and trackless trolleys on 17440  
highways and streets, except a violation related to parking a 17441  
motor vehicle. 17442

(B) Every court of record or mayor's court before which a 17443  
person is charged with a violation for which points are chargeable 17444  
by this section shall assess and transcribe to the abstract of 17445  
conviction that is furnished by the bureau to the court the number 17446  
of points chargeable by this section in the correct space assigned 17447  
on the reporting form. A United States district court that has 17448  
jurisdiction within this state and before which a person is 17449  
charged with a violation for which points are chargeable by this 17450  
section may assess and transcribe to the abstract of conviction 17451  
report that is furnished by the bureau the number of points 17452  
chargeable by this section in the correct space assigned on the 17453  
reporting form. If the federal court so assesses and transcribes 17454



the points chargeable for the offense and furnishes the report to 17455  
the bureau, the bureau shall record the points in the same manner 17456  
as those assessed and transcribed by a court of record or mayor's 17457  
court. 17458

(C) A court shall assess the following points for an offense 17459  
based on the following formula: 17460

(1) Aggravated vehicular homicide, vehicular homicide, 17461  
vehicular manslaughter, aggravated vehicular assault, or vehicular 17462  
assault when the offense involves the operation of a vehicle, 17463  
streetcar, or trackless trolley on a highway or street ..... 17464  
6 points 17465

(2) A violation of section 2921.331 of the Revised Code or 17466  
any ordinance prohibiting the willful fleeing or eluding of a law 17467  
enforcement officer ..... 6 points 17468

(3) A violation of section 4549.02 or 4549.021 of the Revised 17469  
Code or any ordinance requiring the driver of a vehicle to stop 17470  
and disclose identity at the scene of an accident ..... 6 17471  
points 17472

(4) A violation of section 4511.251 of the Revised Code or 17473  
any ordinance prohibiting street racing ..... 6 points 17474

(5) A violation of section 4510.11, 4510.14, 4510.16, or 17475  
4510.21 of the Revised Code or any ordinance prohibiting the 17476  
operation of a motor vehicle while the driver's or commercial 17477  
driver's license is under suspension ..... 6 points 17478

(6) A violation of division (A) of section 4511.19 of the 17479  
Revised Code, any ordinance prohibiting the operation of a vehicle 17480  
while under the influence of alcohol, a drug of abuse, or a 17481  
combination of them, or any ordinance substantially equivalent to 17482  
division (A) of section 4511.19 of the Revised Code prohibiting 17483  
the operation of a vehicle with a prohibited concentration of 17484  
alcohol in the whole blood, blood serum or plasma, breath, or 17485

<u>urine ..... 6 points</u>	17486
<u>(7) A violation of section 2913.03 of the Revised Code that does not involve an aircraft or motorboat or any ordinance prohibiting the operation of a vehicle without the consent of the owner ..... 6 points</u>	17487 17488 17489 17490
<u>(8) Any offense under the motor vehicle laws of this state that is a felony, or any other felony in the commission of which a motor vehicle was used ..... 6 points</u>	17491 17492 17493
<u>(9) A 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 whole blood, blood serum or plasma, breath, or urine ..... 4 points</u>	17494 17495 17496 17497 17498
<u>(10) A 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</u>	17499 17500 17501 17502
<u>(11) A violation of any law or ordinance pertaining to speed:</u>	17503
	17504
<u>(a) Notwithstanding divisions (C)(11)(b) and (c) of this section, when the speed exceeds the lawful speed limit by thirty miles per hour or more ..... 4 points</u>	17505 17506 17507
<u>(b) When the speed exceeds the lawful speed limit of fifty-five miles per hour or more by more than ten miles per hour ..... 2 points</u>	17508 17509 17510
<u>(c) When the speed exceeds the lawful speed limit of less than fifty-five miles per hour by more than five miles per hour ..... 2 points</u>	17511 17512 17513
<u>(d) When the speed does not exceed the amounts set forth in divisions (C)(11)(a), (b), or (c) of this section ..... 0</u>	17514 17515

<u>points</u>	17516
<u>(12) Operating a motor vehicle in violation of a restriction imposed by the registrar ..... 2 points</u>	17517 17518
<u>(13) All other moving violations reported under this section ..... 2 points</u>	17519 17520
<u>(D) Upon receiving notification from the proper court, including a United States district court that has jurisdiction within this state, the bureau shall delete any points entered for a bond forfeiture if the driver is acquitted of the offense for which bond was posted.</u>	17521 17522 17523 17524 17525
<u>(E) If 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 shall be charged only for that offense.</u>	17526 17527 17528 17529 17530 17531 17532
<u><b>Sec. 4510.037.</b> (A) When the registrar of motor vehicles determines that the total points charged against any person under section 4510.036 of the Revised Code exceed five, the registrar shall send a warning letter to the person at the person's last known address by regular mail. The warning letter shall list the reported violations that are the basis of the points charged, list the number of points charged for each violation, and outline the suspension provisions of this section.</u>	17533 17534 17535 17536 17537 17538 17539 17540
<u>(B) When the registrar determines that the total points charged against any person under section 4510.036 of the Revised Code within any two-year period beginning on the date of the first conviction within the two-year period is equal to twelve or more, the registrar shall send a written notice to the person at the</u>	17541 17542 17543 17544 17545

person's last known address by regular mail. The notice shall list 17546  
the reported violations that are the basis of the points charged, 17547  
list the number of points charged for each violation, and state 17548  
that, because the total number of points charged against the 17549  
person within the applicable two-year period is equal to twelve or 17550  
more, the registrar is imposing a class D suspension of the 17551  
person's driver's or commercial driver's license or permit or 17552  
nonresident operating privileges for the period of time specified 17553  
in division (B)(4) of section 4510.02 of the Revised Code. The 17554  
notice also shall state that the suspension is effective on the 17555  
twentieth day after the mailing of the notice, unless the person 17556  
files a petition appealing the determination and suspension in the 17557  
municipal court, county court, or, if the person is under the age 17558  
of eighteen, the juvenile division of the court of common pleas in 17559  
whose jurisdiction the person resides or, if the person is not a 17560  
resident of this state, in the Franklin county municipal court or 17561  
juvenile division of the Franklin county court of common pleas. By 17562  
filing the appeal of the determination and suspension, the person 17563  
agrees to pay the cost of the proceedings in the appeal of the 17564  
determination and suspension and alleges that the person can show 17565  
cause why the person's driver's or commercial driver's license or 17566  
permit or nonresident operating privileges should not be 17567  
suspended. 17568

(C)(1) Any person against whom at least two but less than 17569  
twelve points have been charged under section 4510.036 of the 17570  
Revised Code may enroll in a course of remedial driving 17571  
instruction that is approved by the director of public safety. 17572  
Upon the person's completion of an approved course of remedial 17573  
driving instruction, the person may apply to the registrar on a 17574  
form prescribed by the registrar for a credit of two points on the 17575  
person's driving record. Upon receipt of the application and proof 17576  
of completion of the approved remedial driving course, the 17577  
registrar shall approve the two-point credit. The registrar shall 17578

not approve any credits for a person who completes an approved 17579  
course of remedial driving instruction pursuant to a judge's order 17580  
under section 4510.02 of the Revised Code. 17581

(2) In any three-year period, the registrar shall approve 17582  
only one two-point credit on a person's driving record under 17583  
division (C)(1) of this section. The registrar shall approve not 17584  
more than five two-point credits on a person's driving record 17585  
under division (C)(1) of this section during that person's 17586  
lifetime. 17587

(D) When a judge of a court of record suspends a person's 17588  
driver's or commercial driver's license or permit or nonresident 17589  
operating privilege and charges points against the person under 17590  
section 4510.036 of the Revised Code for the offense that resulted 17591  
in the suspension, the registrar shall credit that period of 17592  
suspension against the time of any subsequent suspension imposed 17593  
under this section for which those points were used to impose the 17594  
subsequent suspension. When a United States district court that 17595  
has jurisdiction within this state suspends a person's driver's or 17596  
commercial driver's license or permit or nonresident operating 17597  
privileges pursuant to the "Assimilative Crimes Act," 102 Stat. 17598  
4381 (1988), 18 U.S.C.A. 13, as amended, the district court 17599  
prepares an abstract pursuant to section 4510.031 of the Revised 17600  
Code, and the district court charges points against the person 17601  
under section 4510.036 of the Revised Code for the offense that 17602  
resulted in the suspension, the registrar shall credit the period 17603  
of suspension imposed by the district court against the time of 17604  
any subsequent suspension imposed under this section for which the 17605  
points were used to impose the subsequent suspension. 17606

(E) The registrar, upon the written request of a licensee who 17607  
files a petition under division (B) of this section, shall furnish 17608  
the licensee a certified copy of the registrar's record of the 17609  
convictions and bond forfeitures of the person. This record shall 17610

include the name, address, and date of birth of the licensee; the 17611  
name of the court in which each conviction or bail forfeiture took 17612  
place; the nature of the offense that was the basis of the 17613  
conviction or bond forfeiture; and any other information that the 17614  
registrar considers necessary. If the record indicates that twelve 17615  
points or more have been charged against the person within a 17616  
two-year period, it is prima-facie evidence that the person is a 17617  
repeat traffic offender, and the registrar shall suspend the 17618  
person's driver's or commercial driver's license or permit or 17619  
nonresident operating privilege pursuant to division (B) of this 17620  
section. 17621

In hearing the petition and determining whether the person 17622  
filing the petition has shown cause why the person's driver's or 17623  
commercial driver's license or permit or nonresident operating 17624  
privilege should not be suspended, the court shall decide the 17625  
issue on the record certified by the registrar and any additional 17626  
relevant, competent, and material evidence that either the 17627  
registrar or the person whose license is sought to be suspended 17628  
submits. 17629

(F) If a petition is filed under division (B) of this section 17630  
in a county court, the prosecuting attorney of the county in which 17631  
the case is pending shall represent the registrar in the 17632  
proceedings, except that, if the petitioner resides in a municipal 17633  
corporation within the jurisdiction of the county court, the city 17634  
director of law, village solicitor, or other chief legal officer 17635  
of the municipal corporation shall represent the registrar in the 17636  
proceedings. If a petition is filed under division (B) of this 17637  
section in a municipal court, the registrar shall be represented 17638  
in the resulting proceedings as provided in section 1901.34 of the 17639  
Revised Code. 17640

(G) If the court determines from the evidence submitted that 17641  
a person who filed a petition under division (B) of this section 17642

has failed to show cause why the person's driver's or commercial 17643  
driver's license or permit or nonresident operating privileges 17644  
should not be suspended, the court shall assess against the person 17645  
the cost of the proceedings in the appeal of the determination and 17646  
suspension and shall impose the applicable suspension under this 17647  
section or suspend all or a portion of the suspension and impose 17648  
any conditions or probation upon the person that the court 17649  
considers proper. If the court determines from the evidence 17650  
submitted that a person who filed a petition under division (B) of 17651  
this section has shown cause why the person's driver's or 17652  
commercial driver's license or permit or nonresident operating 17653  
privileges should not be suspended, the costs of the appeal 17654  
proceeding shall be paid out of the county treasury of the county 17655  
in which the proceedings were held. 17656

(H) Any person whose driver's or commercial driver's license 17657  
or permit or nonresident operating privileges are suspended under 17658  
this section is not entitled to apply for or receive a new 17659  
driver's or commercial driver's license or permit or to request or 17660  
be granted nonresident operating privileges during the effective 17661  
period of the suspension. 17662

(I) Upon the termination of any suspension or other penalty 17663  
imposed under this section involving the surrender of license or 17664  
permit and upon the request of the person whose license or permit 17665  
was suspended or surrendered, the registrar shall return the 17666  
license or permit to the person upon determining that the person 17667  
has complied with all provisions of section 4510.038 of the 17668  
Revised Code or, if the registrar destroyed the license or permit 17669  
pursuant to section 4510.52 of the Revised Code, shall reissue the 17670  
person's license or permit. 17671

(J) Any person whose driver's or commercial driver's license 17672  
or permit or nonresident operating privileges are suspended as a 17673  
repeat traffic offender under this section and who, during the 17674

suspension, operates any motor vehicle upon any public roads and 17675  
highways is guilty of a misdemeanor of the first degree, and the 17676  
court shall sentence the offender to a minimum term of three days 17677  
in jail. No court shall suspend the first three days of jail time 17678  
imposed pursuant to this division. 17679

(K) The registrar, in accordance with specific statutory 17680  
authority, may suspend the privilege of driving a motor vehicle on 17681  
the public roads and highways of this state that is granted to 17682  
nonresidents by section 4507.04 of the Revised Code. 17683

**Sec. ~~4507.022~~ 4510.038.** Any person whose driver's or 17684  
commercial driver's license or permit is suspended, or who is ~~put~~ 17685  
~~on probation or granted limited or occupational~~ driving 17686  
~~privileges,~~ under section 4507.021 or ~~division (E) of section~~ 17687  
~~4507.16~~ 4510.037, under division (H) of section 4511.19, or under 17688  
section 4510.07 of the Revised Code for a violation of a municipal 17689  
ordinance that is substantially equivalent to division (B) of 17690  
section 4511.19 of the Revised Code, is not eligible to retain the 17691  
~~person's~~ license, or to have the ~~person's~~ driving privileges 17692  
reinstated, until each of the following has occurred: 17693

(A) The person successfully completes a course of remedial 17694  
driving instruction approved by the director of public safety, 17695  
~~provided the person commences taking the course after the person's~~ 17696  
~~driver's or commercial driver's license or permit is suspended~~ 17697  
~~under section 4507.021 or division (E) of section 4507.16 of the~~ 17698  
~~Revised Code.~~ A minimum of twenty-five per cent of the number of 17699  
hours of instruction included in the course shall be devoted to 17700  
instruction on driver attitude. 17701

The course also shall devote a number of hours to instruction 17702  
in the area of alcohol and drugs and the operation of ~~motor~~ 17703  
vehicles. The instruction shall include, but not be limited to, a 17704  
review of the laws governing the operation of a ~~motor~~ vehicle 17705



while under the influence of alcohol, drugs, or ~~both~~ a combination 17706  
of them, the dangers of operating a ~~motor~~ vehicle while under the 17707  
influence of alcohol, drugs, or ~~both~~ a combination of them, and 17708  
other information relating to the operation of ~~motor~~ vehicles and 17709  
the consumption of alcoholic beverages and use of drugs. The 17710  
director, in consultation with the director of alcohol and drug 17711  
addiction services, shall prescribe the content of the 17712  
instruction. The number of hours devoted to the area of alcohol 17713  
and drugs and the operation of ~~motor~~ vehicles shall comprise a 17714  
minimum of twenty-five per cent of the number of hours of 17715  
instruction included in the course. 17716

(B) The person is examined in the manner provided for in 17717  
section 4507.20 of the Revised Code, and found by the registrar of 17718  
motor vehicles to be qualified to operate a motor vehicle; 17719

(C) The person gives and maintains proof of financial 17720  
responsibility, in accordance with section 4509.45 of the Revised 17721  
Code. 17722

**Sec. 4510.04.** It is an affirmative defense to any prosecution 17723  
brought under section 4510.11, 4510.14, 4510.16, or 4510.21 of the 17724  
Revised Code or under any substantially equivalent municipal 17725  
ordinance that the alleged offender drove under suspension, 17726  
without a valid permit or driver's or commercial driver's license, 17727  
or in violation of a restriction because of a substantial 17728  
emergency, and because no other person was reasonably available to 17729  
drive in response to the emergency. 17730

It is an affirmative defense to any prosecution brought under 17731  
section 4510.16 of the Revised Code that the order of suspension 17732  
resulted from the failure of the alleged offender to respond to a 17733  
financial responsibility random verification request under 17734  
division (A)(3)(c) of section 4509.101 of the Revised Code and 17735  
that, at the time of the initial financial responsibility random 17736

verification request, the alleged offender was in compliance with 17737  
division (A)(1) of section 4509.101 of the Revised Code as shown 17738  
by proof of financial responsibility that was in effect at the 17739  
time of that request. 17740

**Sec. ~~4507.1611~~ 4510.05.** Except as ~~may~~ otherwise ~~be~~ provided 17741  
in section 4510.07 or in any other provision of the Revised Code, 17742  
whenever an offender is convicted of or pleads guilty to a 17743  
violation of a municipal ordinance that is substantially similar 17744  
to a provision of the Revised Code, and a court is permitted or 17745  
required to suspend ~~or revoke~~ a person's driver's or commercial 17746  
driver's license or permit for a violation of that provision, a 17747  
court, in addition to any other penalties ~~it is~~ authorized by law 17748  
~~to impose upon the offender~~, may suspend the offender's driver's 17749  
or commercial driver's license or permit or nonresident operating 17750  
privileges for the period of time the court determines 17751  
appropriate, ~~or may revoke the license or permit~~, but ~~in no case~~ 17752  
~~shall~~ the period of suspension imposed for the violation of the 17753  
municipal ordinance shall not exceed the period of suspension that 17754  
is permitted or required to be imposed for the violation of the 17755  
provision of the Revised Code to which the municipal ordinance is 17756  
substantially similar. 17757

**Sec. ~~4507.1610~~ 4510.06.** If a United States district court 17758  
whose jurisdiction lies within this state suspends, ~~revokes~~, or 17759  
cancels, ~~or forfeits~~ the driver's or commercial driver's license 17760  
~~or~~, permit, or nonresident operating privileges of any person 17761  
pursuant to the "Assimilative Crimes Act," 102 Stat. 4381 (1988), 17762  
18 U.S.C.A. 13, as amended, that suspension, ~~revocation~~, or 17763  
cancellation, ~~or forfeiture~~ is deemed to ~~operate in the same~~ 17764  
~~manner and to~~ have the same effect throughout this state as if it 17765  
were imposed under the laws of this state ~~by a judge of a court of~~ 17766  
~~record of this state~~. In ~~such a~~ that type of case, if the United 17767

States district court observes the procedures prescribed by the 17768  
Revised Code and utilizes the forms prescribed by the registrar of 17769  
motor vehicles, the bureau of motor vehicles shall make the 17770  
appropriate notation or record and shall take any other action 17771  
that is prescribed or permitted by the Revised Code. 17772

**Sec. ~~4507.1613~~ 4510.07.** The court imposing a sentence upon an 17773  
offender for any violation of a municipal ordinance that is 17774  
substantially equivalent to a violation of section 2903.06 or 17775  
2907.24 of the Revised Code or for any violation of a municipal 17776  
OVI ordinance also shall impose a suspension of the offender's 17777  
driver's license, commercial driver's license, temporary 17778  
instruction permit, probationary license, or nonresident operating 17779  
privilege from the range specified in division (B) of section 17780  
4510.02 of the Revised Code that is equivalent in length to the 17781  
suspension required for a violation of section 2903.06 or 2907.24 17782  
or division (A) or (B) of section 4511.19 of the Revised Code 17783  
under similar circumstances. 17784

**Sec. 4510.10.** (A) As used in this section, "reinstatement 17785  
fees" means the fees that are required under section 4507.1612, 17786  
4507.45, 4509.101, 4509.81, 4511.191, 4511.951, or any other 17787  
provision of the Revised Code, or under a schedule established by 17788  
the bureau of motor vehicles, in order to reinstate a driver's or 17789  
commercial driver's license or permit or nonresident operating 17790  
privilege of an offender under a suspension. 17791

(B) When a municipal court or county court determines in a 17792  
pending case involving an offender that the offender cannot 17793  
reasonably pay reinstatement fees due and owing by the offender 17794  
relative to a suspension that has been or that will be imposed in 17795  
the case, then the court, by order, may undertake either of the 17796  
following, in order of preference: 17797

(1) Establish a reasonable payment plan of not less than 17798  
fifty dollars per month, to be paid by the offender to the bureau 17799  
of motor vehicles in all succeeding months until all reinstatement 17800  
fees required of the offender are paid in full; 17801

(2) If the offender, but for the payment of the reinstatement 17802  
fees, otherwise would be entitled to operate a vehicle in this 17803  
state or to obtain reinstatement of the offender's operating 17804  
privileges, permit the offender to operate a motor vehicle, as 17805  
authorized by the court, until a future date upon which date all 17806  
reinstatement fees must be paid in full. A payment extension 17807  
granted under this division shall not exceed one hundred eighty 17808  
days, and any operating privileges granted under this division 17809  
shall be solely for the purpose of permitting the offender 17810  
occupational or "family necessity" privileges in order to enable 17811  
the offender to reasonably acquire the delinquent reinstatement 17812  
fees due and owing. 17813

(C) If a municipal court or county court, by order, 17814  
undertakes either activity described in division (B)(1) or (2) of 17815  
this section, the court, at any time after the issuance of the 17816  
order, may determine that a change of circumstances has occurred 17817  
and may amend the order as justice requires, provided that the 17818  
amended order also shall be an order that is permitted under 17819  
division (B)(1) or (2) of this section. 17820

(D) If a court enters an order of the type described in 17821  
division (B)(1), (B)(2), or (C) of this section, during the 17822  
pendency of the order, the offender in relation to whom it applies 17823  
is not subject to prosecution for failing to pay the reinstatement 17824  
fees covered by the order. 17825

**Sec. 4510.11.** (A) No person whose driver's or commercial 17826  
driver's license or permit or nonresident operating privilege has 17827  
been suspended under any provision of the Revised Code, other than 17828

Chapter 4509. of the Revised Code, or under any applicable law in 17829  
any other jurisdiction in which the person's license or permit was 17830  
issued shall operate any motor vehicle upon the public roads and 17831  
highways or upon any public or private property used by the public 17832  
for purposes of vehicular travel or parking within this state 17833  
during the period of suspension unless the person is granted 17834  
limited driving privileges and is operating the vehicle in 17835  
accordance with the terms of the limited driving privileges. 17836

17837

(B) No person shall operate any motor vehicle upon a highway 17838  
or any public or private property used by the public for purposes 17839  
of vehicular travel or parking in this state in violation of any 17840  
restriction of the person's driver's or commercial driver's 17841  
license or permit imposed under division (D) of section 4506.10 or 17842  
under section 4507.14 of the Revised Code. 17843

(C)(1) Whoever violates this section is guilty of driving 17844  
under suspension or in violation of a license restriction, a 17845  
misdemeanor of the first degree. The court shall impose upon the 17846  
offender a class seven suspension of the offender's driver's 17847  
license, commercial driver's license, temporary instruction 17848  
permit, probationary license, or nonresident operating privilege 17849  
from the range specified in division (A)(7) of section 4510.02 of 17850  
the Revised Code. 17851

(2) Except as provided in division (C)(3) or (4) of this 17852  
section, the court, in addition to any other penalty that it 17853  
imposes on the offender and if the vehicle is registered in the 17854  
offender's name, shall order the immobilization of the vehicle 17855  
involved in the offense for thirty days in accordance with section 17856  
4503.233 of the Revised Code and the impoundment of that vehicle's 17857  
license plates for thirty days. 17858

(3) If the offender previously has been convicted of or 17859  
pleaded guilty to one violation of this section or of a 17860

substantially similar municipal ordinance, the court, in addition 17861  
to any other sentence that it imposes on the offender and if the 17862  
vehicle is registered in the offender's name, shall order the 17863  
immobilization of the vehicle involved in the offense for sixty 17864  
days in accordance with section 4503.233 of the Revised Code and 17865  
the impoundment of that vehicle's license plates for sixty days. 17866

(4) If the offender previously has been convicted of or 17867  
pleaded guilty to two or more violations of this section or of a 17868  
substantially similar municipal ordinance, the court, in addition 17869  
to any other sentence that it imposes on the offender and if the 17870  
vehicle is registered in the offender's name, shall order the 17871  
criminal forfeiture of the vehicle involved in the offense to the 17872  
state. 17873

(D) Any order for immobilization and impoundment under this 17874  
section shall be issued and enforced under section 4503.233 of the 17875  
Revised Code. The court shall not release a vehicle from 17876  
immobilization ordered under this section unless the court is 17877  
presented with current proof of financial responsibility with 17878  
respect to that vehicle. 17879

(E) Any order of criminal forfeiture under this section shall 17880  
be issued and enforced under section 4503.234 of the Revised Code. 17881  
Upon receipt of the copy of the order from the court, neither the 17882  
registrar of motor vehicles nor a deputy registrar shall accept 17883  
any application for the registration or transfer of registration 17884  
of any motor vehicle owned or leased by the person named in the 17885  
declaration of forfeiture. The period of registration denial shall 17886  
be five years after the date of the order, unless, during that 17887  
period, the court having jurisdiction of the offense that led to 17888  
the order terminates the forfeiture and notifies the registrar of 17889  
the termination. The registrar then shall take necessary measures 17890  
to permit the person to register a vehicle owned or leased by the 17891  
person or to transfer registration of the vehicle. 17892

17893

Sec. 4510.12. (A)(1) No person, except those expressly 17894  
exempted under sections 4507.03, 4507.04, and 4507.05 of the 17895  
Revised Code, shall operate any motor vehicle upon a public road 17896  
or highway or any public or private property used by the public 17897  
for purposes of vehicular travel or parking in this state unless 17898  
the person has a valid driver's license issued under Chapter 4507. 17899  
of the Revised Code or a commercial driver's license issued under 17900  
Chapter 4506. of the Revised Code. 17901

(2) No person, except a person expressly exempted under 17902  
sections 4507.03, 4507.04, and 4507.05 of the Revised Code, shall 17903  
operate any motorcycle upon a public road or highway or any public 17904  
or private property used by the public for purposes of vehicular 17905  
travel or parking in this state unless the person has a valid 17906  
license as a motorcycle operator that was issued upon application 17907  
by the registrar of motor vehicles under Chapter 4507. of the 17908  
Revised Code. The license shall be in the form of an endorsement, 17909  
as determined by the registrar, upon a driver's or commercial 17910  
driver's license, if the person has a valid license to operate a 17911  
motor vehicle or commercial motor vehicle, or in the form of a 17912  
restricted license as provided in section 4507.14 of the Revised 17913  
Code, if the person does not have a valid license to operate a 17914  
motor vehicle or commercial motor vehicle. 17915

(B) Whoever violates this section is guilty of operating a 17916  
motor vehicle without a valid license and shall be punished as 17917  
follows: 17918

(1) If the offender's driver's or commercial driver's license 17919  
or permit was expired at the time of the offense for no more than 17920  
six months, subject to divisions (B)(3) to (5) of this section, 17921  
the offense is a minor misdemeanor. 17922

(2) If the offender's driver's or commercial driver's license 17923

or permit was expired at the time of the offense for more than six months, subject to divisions (B)(3) to (5) of this section, the offense is a misdemeanor of the fourth degree. 17924  
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(3) If the offender previously was convicted of or pleaded guilty to one violation of this section or a substantially equivalent municipal ordinance within the past three years, the offense is a misdemeanor of the third degree. 17927  
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(4) If the offender previously was convicted of or pleaded guilty to two violations of this section or a substantially equivalent municipal ordinance within the past three years, the offense is a misdemeanor of the second degree. 17931  
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(5) If the offender previously was convicted of or pleaded guilty to three or more violations of this section or a substantially equivalent municipal ordinance within the past three years, the offense is a misdemeanor of the first degree. 17935  
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(C) The court shall not impose a license suspension for a first violation of this section or if more than three years have passed since the offender's last violation of this section or a substantially equivalent municipal ordinance. 17939  
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(D) If the offender was convicted of or pleaded guilty to one or more violations of this section or a substantially equivalent municipal ordinance within the past three years, and if the offender's license was expired for more than six months at the time of the offense, the court shall impose a class seven suspension of the offender's driver license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code. 17943  
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**Sec. 4510.13.** (A)(1) Divisions (A)(2) to (7) of this section apply to a judge or mayor regarding the suspension of, or the 17952  
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grant of limited driving privileges during, a suspension of an 17954  
offender's driver's or commercial driver's license or permit or 17955  
nonresident operating privilege imposed under division (G) or (H) 17956  
of section 4511.19 of the Revised Code, under division (B) or (C) 17957  
of section 4511.191 of the Revised Code, or under section 4510.07 17958  
of the Revised Code for a conviction of a violation of a municipal 17959  
OVI ordinance. 17960

(2) No judge or mayor shall suspend the following portions of 17961  
the suspension of an offender's driver's or commercial driver's 17962  
license or permit or nonresident operating privilege imposed under 17963  
division (G) or (H) of section 4511.19 of the Revised Code or 17964  
under section 4510.07 of the Revised Code for a conviction of a 17965  
violation of a municipal OVI ordinance, provided that division 17966  
(A)(2) of this section does not limit a court or mayor in 17967  
crediting any period of suspension imposed pursuant to division 17968  
(B) or (C) of section 4511.191 of the Revised Code against any 17969  
time of judicial suspension imposed pursuant to section 4511.19 or 17970  
4510.07 of the Revised Code, as described in divisions (B)(2) and 17971  
(C)(2) of section 4511.191 of the Revised Code: 17972

(a) The first six months of a suspension imposed under 17973  
division (G)(1)(a) of section 4511.19 of the Revised Code or of a 17974  
comparable length suspension imposed under section 4510.07 of the 17975  
Revised Code; 17976

(b) The first year of a suspension imposed under division 17977  
(G)(1)(b) or (c) of section 4511.19 of the Revised Code or of a 17978  
comparable length suspension imposed under section 4510.07 of the 17979  
Revised Code; 17980

(c) The first three years of a suspension imposed under 17981  
division (G)(1)(d) or (e) of section 4511.19 of the Revised Code 17982  
or of a comparable length suspension imposed under section 4510.07 17983  
of the Revised Code; 17984

(d) The first sixty days of a suspension imposed under 17985  
division (H) of section 4511.19 of the Revised Code or of a 17986  
comparable length suspension imposed under section 4510.07 of the 17987  
Revised Code. 17988

(3) No judge or mayor shall grant limited driving privileges 17989  
to an offender whose driver's or commercial driver's license or 17990  
permit or nonresident operating privilege has been suspended under 17991  
division (G) or (H) of section 4511.19 of the Revised Code, under 17992  
division (C) of section 4511.191 of the Revised Code, or under 17993  
section 4510.07 of the Revised Code for a municipal OVI conviction 17994  
if the offender, within the preceding six years, has been 17995  
convicted of or pleaded guilty to three or more violations of one 17996  
or more of the Revised Code sections, municipal ordinances, 17997  
statutes of the United States or another state, or municipal 17998  
ordinances of a municipal corporation of another state that are 17999  
identified in divisions (G)(2)(b) to (h) of section 2919.22 of the 18000  
Revised Code. 18001

Additionally, no judge or mayor shall grant limited driving 18002  
privileges to an offender whose driver's or commercial driver's 18003  
license or permit or nonresident operating privilege has been 18004  
suspended under division (B) of section 4511.191 of the Revised 18005  
Code if the offender, within the preceding six years, has refused 18006  
three previous requests to consent to a chemical test of the 18007  
person's whole blood, blood serum or plasma, breath, or urine to 18008  
determine its alcohol content. 18009

(4) No judge or mayor shall grant limited driving privileges 18010  
for employment as a driver of commercial motor vehicles to an 18011  
offender whose driver's or commercial driver's license or permit 18012  
or nonresident operating privilege has been suspended under 18013  
division (G) or (H) of section 4511.19 of the Revised Code, under 18014  
division (B) or (C) of section 4511.191 of the Revised Code, or 18015  
under section 4510.07 of the Revised Code for a municipal OVI 18016

conviction if the offender is disqualified from operating a 18017  
commercial motor vehicle, or whose license or permit has been 18018  
suspended, under section 3123.58 or 4506.16 of the Revised Code. 18019

(5) No judge or mayor shall grant limited driving privileges 18020  
to an offender whose driver's or commercial driver's license or 18021  
permit or nonresident operating privilege has been suspended under 18022  
division (G) or (H) of section 4511.19 of the Revised Code, under 18023  
division (C) of section 4511.191 of the Revised Code, or under 18024  
section 4510.07 of the Revised Code for a conviction of a 18025  
violation of a municipal OVI ordinance during any of the following 18026  
periods of time: 18027

(a) The first fifteen days of a suspension imposed under 18028  
division (G)(1)(a) of section 4511.19 of the Revised Code or a 18029  
comparable length suspension imposed under section 4510.07 of the 18030  
Revised Code, or of a suspension imposed under division (C)(1)(a) 18031  
of section 4511.191 of the Revised Code. On or after the sixteenth 18032  
day of the suspension, the court may grant limited driving 18033  
privileges, but the court may require that the offender shall not 18034  
exercise the privileges unless the vehicles the offender operates 18035  
are equipped with immobilizing or disabling devices that monitor 18036  
the offender's alcohol consumption or any other type of 18037  
immobilizing or disabling devices, except as provided in division 18038  
(C) of section 4510.43 of the Revised Code. 18039

(b) The first thirty days of a suspension imposed under 18040  
division (G)(1)(b) of section 4511.19 of the Revised Code or a 18041  
comparable length suspension imposed under section 4510.07 of the 18042  
Revised Code, or of a suspension imposed under division (C)(1)(b) 18043  
of section 4511.191 of the Revised Code. On or after the 18044  
thirty-first day of suspension, the court may grant limited 18045  
driving privileges, but the court may require that the offender 18046  
shall not exercise the privileges unless the vehicles the offender 18047  
operates are equipped with immobilizing or disabling devices that 18048

monitor the offender's alcohol consumption or any other type of 18049  
immobilizing or disabling devices, except as provided in division 18050  
(C) of section 4510.43 of the Revised Code. 18051

(c) The first sixty days of a suspension imposed under 18052  
division (H) of section 4511.19 of the Revised Code or a 18053  
comparable length suspension imposed under section 4510.07 of the 18054  
Revised Code. 18055

(d) The first one hundred eighty days of a suspension imposed 18056  
under division (G)(1)(c) of section 4511.19 of the Revised Code or 18057  
a comparable length suspension imposed under section 4510.07 of 18058  
the Revised Code, or of a suspension imposed under division 18059  
(C)(1)(c) of section 4511.191 of the Revised Code. The judge may 18060  
grant limited driving privileges on or after the one hundred 18061  
eighty-first day of the suspension only if the judge, at the time 18062  
of granting the privileges, also issues an order prohibiting the 18063  
offender, while exercising the privileges during the period 18064  
commencing with the one hundred eighty-first day of suspension and 18065  
ending with the first year of suspension, from operating any motor 18066  
vehicle unless it is equipped with an immobilizing or disabling 18067  
device that monitors the offender's alcohol consumption. After the 18068  
first year of the suspension, the court may authorize the offender 18069  
to continue exercising the privileges in vehicles that are not 18070  
equipped with immobilizing or disabling devices that monitor the 18071  
offender's alcohol consumption, except as provided in division (C) 18072  
of section 4510.43 of the Revised Code. If the offender does not 18073  
petition for limited driving privileges until after the first year 18074  
of suspension, the judge may grant limited driving privileges 18075  
without requiring the use of an immobilizing or disabling device 18076  
that monitors the offender's alcohol consumption. 18077

(e) The first three years of a suspension imposed under 18079  
division (G)(1)(d) or (e) of section 4511.19 of the Revised Code 18080

or a comparable length suspension imposed under section 4510.07 of 18081  
the Revised Code, or of a suspension imposed under division 18082  
(C)(1)(d) of section 4511.191 of the Revised Code. The judge may 18083  
grant limited driving privileges after the first three years of 18084  
suspension only if the judge, at the time of granting the 18085  
privileges, also issues an order prohibiting the offender from 18086  
operating any motor vehicle, for the period of suspension 18087  
following the first three years of suspension, unless the motor 18088  
vehicle is equipped with an immobilizing or disabling device that 18089  
monitors the offender's alcohol consumption, except as provided in 18090  
division (C) of section 4510.43 of the Revised Code. 18091

(6) No judge or mayor shall grant limited driving privileges 18092  
to an offender whose driver's or commercial driver's license or 18093  
permit or nonresident operating privilege has been suspended under 18094  
division (B) of section 4511.191 of the Revised Code during any of 18095  
the following periods of time: 18096

(a) The first thirty days of suspension imposed under 18097  
division (B)(1)(a) of section 4511.191 of the Revised Code; 18098

(b) The first ninety days of suspension imposed under 18099  
division (B)(1)(b) of section 4511.191 of the Revised Code; 18100

(c) The first year of suspension imposed under division 18101  
(B)(1)(c) of section 4511.191 of the Revised Code; 18102

(d) The first three years of suspension imposed under 18103  
division (B)(1)(d) of section 4511.191 of the Revised Code. 18104

(7) In any case in which a judge or mayor grants limited 18105  
driving privileges to an offender whose driver's or commercial 18106  
driver's license or permit or nonresident operating privilege has 18107  
been suspended under division (G) of section 4511.19 of the 18108  
Revised Code or under section 4510.07 of the Revised Code for a 18109  
municipal OVI conviction, the judge or mayor shall impose as a 18110  
condition of the privileges that the offender must display on the 18111

vehicle that is driven subject to the privileges restricted 18112  
license plates that are issued under section 4503.231 of the 18113  
Revised Code, except as provided in division (B) of that section. 18114

(B) Any person whose driver's or commercial driver's license 18115  
or permit or nonresident operating privilege has been suspended 18116  
pursuant to section 4511.19 or 4511.191 of the Revised Code or 18117  
under section 4510.07 of the Revised Code for a violation of a 18118  
municipal OVI ordinance may file a petition for limited driving 18119  
privileges during the suspension. The person shall file the 18120  
petition in the court that has jurisdiction over the place of 18121  
arrest. Subject to division (A) of this section, the court may 18122  
grant the person limited driving privileges during the period 18123  
during which the suspension otherwise would be imposed. However, 18124  
the court shall not grant the privileges for employment as a 18125  
driver of a commercial motor vehicle to any person who is 18126  
disqualified from operating a commercial motor vehicle under 18127  
section 4506.16 of the Revised Code or during any of the periods 18128  
prescribed by division (A) of this section. 18129

(C)(1) After a driver's or commercial driver's license or 18130  
permit or nonresident operating privilege has been suspended 18131  
pursuant to section 2903.06, 2903.08, 2907.24, 2921.331, 4511.19, 18132  
4511.251, 4549.02, 4549.021, or 5743.99 of the Revised Code, any 18133  
provision of Chapter 2925. of the Revised Code, or section 4510.07 18134  
of the Revised Code for a violation of a municipal OVI ordinance, 18135  
the judge of the court or mayor of the mayor's court that 18136  
suspended the license, permit, or privilege shall cause the 18137  
offender to deliver to the court the license or permit. The judge, 18138  
mayor, or clerk of the court or mayor's court shall forward to the 18139  
registrar the license or permit together with notice of the action 18140  
of the court. 18141

(2) A suspension of a commercial driver's license under any 18142  
section or chapter identified in division (C)(1) of this section 18143

shall be concurrent with any period of suspension or 18144  
disqualification under section 3123.58 or 4506.16 of the Revised 18145  
Code. No person who is disqualified for life from holding a 18146  
commercial driver's license under section 4506.16 of the Revised 18147  
Code shall be issued a driver's license under this chapter during 18148  
the period for which the commercial driver's license was suspended 18149  
under this section, and no person whose commercial driver's 18150  
license is suspended under any section or chapter identified in 18151  
division (C)(1) of this section shall be issued a driver's license 18152  
under Chapter 4507. of the Revised Code during the period of the 18153  
suspension. 18154

(3) No judge or mayor shall suspend any class one suspension, 18155  
or any portion of any class one suspension, required by section 18156  
2903.04 or 2903.06 of the Revised Code. No judge or mayor shall 18157  
suspend the first thirty days of any class two, class three, class 18158  
four, class five, or class six suspension imposed under section 18159  
2903.06 or 2903.08 of the Revised Code. 18160

(D) The judge of the court or mayor of the mayor's court 18161  
shall credit any time during which an offender was subject to an 18162  
administrative suspension of the offender's driver's or commercial 18163  
driver's license or permit or nonresident operating privilege 18164  
imposed pursuant to section 4511.191 or 4511.192 of the Revised 18165  
Code or a suspension imposed by a judge, referee, or mayor 18166  
pursuant to division (B)(1) or (2) of section 4511.196 of the 18167  
Revised Code against the time to be served under a related 18168  
suspension imposed pursuant to any section or chapter identified 18169  
in division (C)(1) of this chapter. 18170

(E) The judge or mayor shall notify the bureau of motor 18171  
vehicles of any determinations made pursuant to this section and 18172  
of any suspension imposed pursuant to any section or chapter 18173  
identified in division (C)(1) of this section. 18174

(F)(1) If a court issues an immobilizing or disabling device 18175

order under section 4510.43 of the Revised Code, the order shall 18176  
authorize the offender during the specified period to operate a 18177  
motor vehicle only if it is equipped with an immobilizing or 18178  
disabling device, except as provided in division (C) of that 18179  
section. The court shall provide the offender with a copy of an 18180  
immobilizing or disabling device order issued under section 18181  
4510.43 of the Revised Code, and the offender shall use the copy 18182  
of the order in lieu of an Ohio driver's or commercial driver's 18183  
license or permit until the registrar or a deputy registrar issues 18184  
the offender a restricted license. 18185

An order issued under section 4510.43 of the Revised Code 18186  
does not authorize or permit the offender to whom it has been 18187  
issued to operate a vehicle during any time that the offender's 18188  
driver's or commercial driver's license or permit is suspended 18189  
under any other provision of law. 18190

(2) An offender may present an immobilizing or disabling 18191  
device order to the registrar or to a deputy registrar. Upon 18192  
presentation of the order to the registrar or a deputy registrar, 18193  
the registrar or deputy registrar shall issue the offender a 18194  
restricted license. A restricted license issued under this 18195  
division shall be identical to an Ohio driver's license, except 18196  
that it shall have printed on its face a statement that the 18197  
offender is prohibited during the period specified in the court 18198  
order from operating any motor vehicle that is not equipped with 18199  
an immobilizing or disabling device. The date of commencement and 18200  
the date of termination of the period of suspension shall be 18201  
indicated conspicuously upon the face of the license. 18202

**Sec. 4510.14.** (A) No person whose driver's or commercial 18203  
driver's license or permit or nonresident operating privilege has 18204  
been suspended under section 4511.19, 4511.191, or 4511.196 of the 18205  
Revised Code or under section 4510.07 of the Revised Code for a 18206



conviction of a violation of a municipal OVI ordinance shall 18207  
operate any motor vehicle upon the public roads or highways within 18208  
this state during the period of the suspension. 18209

(B) Whoever violates this section is guilty of driving under 18210  
OVI suspension. The court shall sentence the offender under 18211  
Chapter 2929. of the Revised Code, subject to the differences 18212  
authorized or required by this section. 18213

(1) Except as otherwise provided in division (B)(2) or (3) of 18214  
this section, driving under OVI suspension is a misdemeanor of the 18215  
first degree. The court shall sentence the offender to all of the 18216  
following: 18217

(a) A mandatory jail term of three consecutive days. The 18218  
three-day term shall be imposed, unless, subject to division (C) 18219  
of this section, the court instead imposes a sentence of not less 18220  
than thirty consecutive days of electronically monitored house 18221  
arrest. A period of electronically monitored house arrest imposed 18222  
under this division shall not exceed six months. If the court 18223  
imposes a mandatory three-day jail term under this division, the 18224  
court may impose a jail term in addition to that term, provided 18225  
that in no case shall the cumulative jail term imposed for the 18226  
offense exceed six months. 18227

(b) A fine of not less than two hundred fifty and not more 18228  
than one thousand dollars; 18229

(c) A license suspension under division (E) of this section; 18230

(d) If the vehicle the offender was operating at the time of 18231  
the offense is registered in the offender's name, immobilization 18232  
for thirty days of the offender's vehicle and impoundment for 18233  
thirty days of the identification license plates of that vehicle. 18234  
The order for immobilization and impoundment shall be issued and 18235  
enforced in accordance with section 4503.233 of the Revised Code. 18236

(2) If, within six years of the offense, the offender 18237

previously has been convicted of or pleaded guilty to one 18238  
violation of this section or one equivalent offense, driving under 18239  
OVI suspension is a misdemeanor of the first degree. The court 18240  
shall sentence the offender to all of the following: 18241

(a) A mandatory jail term of ten consecutive days. 18242  
Notwithstanding the terms of imprisonment provided in Chapter 18243  
2929. of the Revised Code, the court may sentence the offender to 18244  
a longer jail term of not more than one year. The ten-day 18245  
mandatory jail term shall be imposed unless, subject to division 18246  
(C) of this section, the court instead imposes a sentence of not 18247  
less than ninety consecutive days of electronically monitored 18248  
house arrest. The period of electronically monitored house arrest 18249  
shall not exceed one year. 18250

(b) Notwithstanding the fines provided for in Chapter 2929. 18251  
of the Revised Code, a fine of not less than five hundred and not 18252  
more than two thousand five hundred dollars; 18253

(c) A license suspension under division (E) of this section; 18254

(d) If the vehicle the offender was operating at the time of 18255  
the offense is registered in the offender's name, immobilization 18256  
of the offender's vehicle for sixty days and the impoundment for 18257  
sixty days of the identification license plates of that vehicle. 18258  
The order for immobilization and impoundment shall be issued and 18259  
enforced in accordance with section 4503.233 of the Revised Code. 18260

(3) If, within six years of the offense, the offender 18261  
previously has been convicted of or pleaded guilty to two or more 18262  
violations of this section or two or more equivalent offenses, 18263  
driving under OVI suspension is a misdemeanor. The court shall 18264  
sentence the offender to all of the following: 18265

(a) A mandatory jail term of thirty consecutive days. 18266  
Notwithstanding the terms of imprisonment provided in Chapter 18267  
2929. of the Revised Code, the court may sentence the offender to 18268

a longer jail term of not more than one year. The court shall not 18269  
sentence the offender to a term of electronically monitored house 18270  
arrest in lieu of the mandatory portion of the jail term. 18271

(b) Notwithstanding the fines set forth in Chapter 2929. of 18272  
the Revised Code, a fine of not less than five hundred and not 18273  
more than two thousand five hundred dollars; 18274

(c) A license suspension under division (E) of this section; 18275

(d) If the vehicle the offender was operating at the time of 18276  
the offense is registered in the offender's name, criminal 18277  
forfeiture to the state of the offender's vehicle. The order of 18278  
criminal forfeiture shall be issued and enforced in accordance 18279  
with section 4503.234 of the Revised Code. If title to a motor 18280  
vehicle that is subject to an order for criminal forfeiture under 18281  
this division is assigned or transferred and division (B)(2) or 18282  
(3) of section 4503.234 of the Revised Code applies, the court may 18283  
fine the offender the value of the vehicle as determined by 18284  
publications of the national auto dealer's association. The 18285  
proceeds from any fine so imposed shall be distributed in 18286  
accordance with division (C)(2) of section 4503.234 of the Revised 18287  
Code. 18288

(C) No court shall impose an alternative sentence of 18289  
electronically monitored house arrest under division (B)(1) or (2) 18290  
of this section unless, within sixty days of the date of 18291  
sentencing, the court issues a written finding on the record that, 18292  
due to the unavailability of space at the jail where the offender 18293  
is required to serve the jail term imposed, the offender will not 18294  
be able to begin serving that term within the sixty-day period 18295  
following the date of sentencing. 18296

An offender sentenced under this section to a period of 18297  
electronically monitored house arrest shall be permitted work 18298  
release during that period. 18299

(D) Fifty per cent of any fine imposed by a court under 18300  
division (B)(1), (2), or (3) of this section shall be deposited 18301  
into the county indigent drivers alcohol treatment fund or 18302  
municipal indigent drivers alcohol treatment fund under the 18303  
control of that court, as created by the county or municipal 18304  
corporation pursuant to division (H) of section 4511.191 of the 18305  
Revised Code. 18306

(E) In addition to or independent of all other penalties 18307  
provided by law or ordinance, the trial judge of any court of 18308  
record or the mayor of a mayor's court shall impose on an offender 18309  
who is convicted of or pleads guilty to a violation of this 18310  
section a class seven suspension of the offender's driver's or 18311  
commercial driver's license or permit or nonresident operating 18312  
privilege from the range specified in division (A)(7) of section 18313  
4510.02 of the Revised Code. 18314

When permitted as specified in section 4510.021 of the 18315  
Revised Code, if the court grants limited driving privileges 18316  
during a suspension imposed under this section, the privileges 18317  
shall be granted on the additional condition that the offender 18318  
must display restricted license plates, issued under section 18319  
4503.231 of the Revised Code, on the vehicle driven subject to the 18320  
privileges, except as provided in division (B) of that section. 18321

A suspension of a commercial driver's license under this 18322  
section shall be concurrent with any period of suspension or 18323  
disqualification under section 3123.58 or 4506.16 of the Revised 18324  
Code. No person who is disqualified for life from holding a 18325  
commercial driver's license under section 4506.16 of the Revised 18326  
Code shall be issued a driver's license under Chapter 4507. of the 18327  
Revised Code during the period for which the commercial driver's 18328  
license was suspended under this section, and no person whose 18329  
commercial driver's license is suspended under this section shall 18330  
be issued a driver's license under Chapter 4507. of the Revised 18331

<u>Code during the period of the suspension.</u>	18332
<u>(F) As used in this section:</u>	18333
<u>(1) "Electronically monitored house arrest" has the same meaning as in section 2929.23 of the Revised Code.</u>	18334 18335
<u>(2) "Equivalent offense" means any of the following:</u>	18336
<u>(a) A violation of a municipal ordinance, law of another state, or law of the United States that is substantially equivalent to division (A) of this section;</u>	18337 18338 18339
<u>(b) A violation of a former law of this state that was substantially equivalent to division (A) of this section.</u>	18340 18341
<u>(3) "Jail" has the same meaning as in section 2929.01 of the Revised Code.</u>	18342 18343
<u>(4) "Mandatory jail term" means the mandatory term in jail of three, ten, or thirty consecutive days that must be imposed under division (B)(1), (2), or (3) of this section upon an offender convicted of a violation of division (A) of this section and in relation to which all of the following apply:</u>	18344 18345 18346 18347 18348
<u>(a) Except as specifically authorized under this section, the term must be served in a jail.</u>	18349 18350
<u>(b) Except as specifically authorized under this section, the term cannot be suspended, reduced, or otherwise modified pursuant to section 2929.51, 2951.02, or any other provision of the Revised Code.</u>	18351 18352 18353 18354
<b>Sec. 4507.34 4510.15.</b> Whenever a person is found guilty of <u>reckless operation of a motor vehicle</u> under the laws of this state or under any ordinance of any political subdivision of this state, <del>of operating a motor vehicle in violation of such laws or ordinances, relating to reckless operation,</del> the trial court of any court of record <del>may</del> , in addition to or independent of all other	18355 18356 18357 18358 18359 18360

penalties provided by law, ~~suspend for any period of time or~~ 18361  
~~revoke the~~ may impose a class five suspension of the offender's 18362  
~~driver's license or commercial driver's license of any person so~~ 18363  
~~convicted or pleading guilty to such offenses for any period that~~ 18364  
~~it determines, not to exceed one year or permit or nonresident~~ 18365  
operating privilege from the range specified in division (A)(5) of 18366  
section 4510.02 of the Revised Code. 18367

Suspension of a commercial driver's license under this 18368  
section shall be concurrent with any period of suspension 18369  
disqualification under section ~~3123.611~~ 3123.58 or 4506.16 of the 18370  
Revised Code ~~or period of suspension under section 3123.58 of the~~ 18371  
~~Revised Code.~~ No person who is disqualified for life from holding 18372  
a commercial driver's license under section 4506.16 of the Revised 18373  
Code shall be issued a driver's license under ~~this chapter~~ Chapter 18374  
4507. of the Revised Code during the period for which the 18375  
commercial driver's license was suspended under this section, and 18376  
no person whose commercial driver's license is suspended under 18377  
this section shall be issued a driver's license under ~~this chapter~~ 18378  
Chapter 4507. of the Revised Code during the period of the 18379  
suspension. 18380

**Sec. 4510.16.** (A) No person, whose driver's or commercial 18381  
driver's license or temporary instruction permit or nonresident's 18382  
operating privilege has been suspended or canceled pursuant to 18383  
Chapter 4509. of the Revised Code, shall operate any motor vehicle 18384  
within this state, or knowingly permit any motor vehicle owned by 18385  
the person to be operated by another person in the state, during 18386  
the period of the suspension or cancellation, except as 18387  
specifically authorized by Chapter 4509. of the Revised Code. No 18388  
person shall operate a motor vehicle within this state, or 18389  
knowingly permit any motor vehicle owned by the person to be 18390  
operated by another person in the state, during the period in 18391  
which the person is required by section 4509.45 of the Revised 18392

Code to file and maintain proof of financial responsibility for a 18393  
violation of section 4509.101 of the Revised Code, unless proof of 18394  
financial responsibility is maintained with respect to that 18395  
vehicle. 18396

(B)(1) Whoever violates this section is guilty of driving 18397  
under financial responsibility law suspension or cancellation, a 18398  
misdemeanor of the first degree. The court shall impose a class 18399  
seven suspension of the offender's driver's or commercial driver's 18400  
license or permit or nonresident operating privilege for the 18401  
period of time specified in division (A)(7) of section 4510.02 of 18402  
the Revised Code. 18403

(2) If the vehicle is registered in the offender's name, the 18404  
court, in addition to or independent of any other sentence that it 18405  
imposes upon the offender, shall do one of the following: 18406

(a) Except as otherwise provided in division (B)(2)(b) or (c) 18407  
of this section, order the immobilization for thirty days of the 18408  
vehicle involved in the offense and the impoundment for thirty 18409  
days of the license plates of that vehicle; 18410

(b) If the offender previously has been convicted of or 18411  
pleaded guilty to one violation of this section or a substantially 18412  
similar municipal ordinance, order the immobilization for sixty 18413  
days of the vehicle involved in the offense and impoundment for 18414  
sixty days of the license plates of that vehicle; 18415

(c) If the offender previously has been convicted of or 18416  
pleaded guilty to two or more violations of this section or a 18417  
substantially similar municipal ordinance, order the criminal 18418  
forfeiture to the state of the vehicle involved in the offense. If 18419  
title to a motor vehicle that is subject to an order for criminal 18420  
forfeiture under this division is assigned or transferred and 18421  
division (B)(2) or (3) of section 4503.234 of the Revised Code 18422  
applies, in addition to or independent of any other penalty 18423

established by law, the court may fine the offender the value of 18424  
the vehicle as determined by publications of the national auto 18425  
dealers association. The proceeds from any fine so imposed shall 18426  
be distributed in accordance with division (C)(2) of that section. 18427

(C) Any order for immobilization and impoundment under this 18428  
section shall be issued and enforced in accordance with sections 18429  
4503.233 and 4507.02 of the Revised Code, as applicable. Any order 18430  
of criminal forfeiture shall be issued and enforced in accordance 18431  
with section 4503.234 of the Revised Code. The court shall not 18432  
release a vehicle from immobilization orders under this section 18433  
unless the court is presented with current proof of financial 18434  
responsibility with respect to that vehicle. 18435

**Sec. ~~4507.361~~ 4510.161.** (A) The requirements and sanctions 18436  
imposed by divisions (B) and (C) of this section are an adjunct to 18437  
and derive from the state's exclusive authority over the 18438  
registration and titling of motor vehicles and do not comprise a 18439  
part of the criminal sentence to be imposed upon a person who 18440  
violates a municipal ordinance that is substantially equivalent to 18441  
section 4510.14 or to division ~~(B)(1) or (D)(2)~~(A) of section 18442  
4507.02 4510.16 of the Revised Code. 18443

(B) If a person is convicted of or pleads guilty to a 18444  
municipal ordinance that is substantially equivalent to division 18445  
~~(B)(1)(A)~~ of section ~~4507.02~~ 4510.16 of the Revised Code, the 18446  
court, in addition to and independent of any sentence that it 18447  
imposes upon the offender for the offense, ~~regardless of whether~~ 18448  
if the vehicle the offender was operating at the time of the 18449  
offense is registered in ~~his~~ the offender's name ~~or in the name of~~ 18450  
~~another person, and subject to section 4503.235 of the Revised~~ 18451  
~~Code,~~ shall do whichever of the following is applicable: 18452

(1) If, within five years of the current offense, the 18453  
offender has not been convicted of or pleaded guilty to a 18454



violation of division (A) of section 4510.16 or former division 18455  
(B)(1) of section 4507.02 of the Revised Code or a municipal 18456  
ordinance that is substantially equivalent to ~~that~~ either 18457  
division, the court shall order the immobilization for thirty days 18458  
of the vehicle the offender was operating at the time of the 18459  
offense and the impoundment for thirty days of the identification 18460  
license plates of that vehicle. 18461

(2) If, within five years of the current offense, the 18462  
offender has been convicted of or pleaded guilty to one violation 18463  
of division (A) of section 4510.16 or former division (B)(1) of 18464  
section 4507.02 of the Revised Code or a municipal ordinance that 18465  
is substantially equivalent to ~~that~~ either division, the court 18466  
shall order the immobilization for sixty days of the vehicle the 18467  
offender was operating at the time of the offense and the 18468  
impoundment for sixty days of the identification license plates of 18469  
that vehicle. 18470

(3) If, within five years of the current offense, the 18471  
offender has been convicted of or pleaded guilty to two or more 18472  
violations of division (A) of section 4510.16 or former division 18473  
(B)(1) of section 4507.02 of the Revised Code or a municipal 18474  
ordinance that is substantially equivalent to ~~that~~ either 18475  
division, the court shall order the criminal forfeiture to the 18476  
state of the vehicle the offender was operating at the time of the 18477  
offense. The order of criminal forfeiture shall be issued and 18478  
enforced in accordance with section 4503.234 of the Revised Code. 18479

(C) If a person is convicted of or pleads guilty to a 18480  
municipal ordinance that is substantially equivalent to ~~division~~ 18481  
~~(D)(2) of section 4507.02~~ 4510.14 of the Revised Code, the court, 18482  
in addition to and independent of any sentence that it imposes 18483  
upon the offender for the offense, ~~regardless of whether~~ if the 18484  
vehicle the offender was operating at the time of the offense is 18485  
registered in ~~his~~ the offender's name ~~or in the name of another~~ 18486

~~person, and subject to section 4503.235 of the Revised Code, shall~~ 18487  
do whichever of the following is applicable: 18488

(1) If, within five years of the current offense, the 18489  
offender has not been convicted of or pleaded guilty to a 18490  
violation of section 4510.14 or former division (D)(2) of section 18491  
4507.02 of the Revised Code or a municipal ordinance that is 18492  
substantially equivalent to that section or former division, the 18493  
court shall order the immobilization for thirty days of the 18494  
vehicle the offender was operating at the time of the offense and 18495  
the impoundment for thirty days of the identification license 18496  
plates of that vehicle. 18497

(2) If, within five years of the current offense, the 18498  
offender has been convicted of or pleaded guilty to one violation 18499  
of section 4510.14 or former division (D)(2) of section 4507.02 of 18500  
the Revised Code or a municipal ordinance that is substantially 18501  
equivalent to that section or former division, the court shall 18502  
order the immobilization for sixty days of the vehicle the 18503  
offender was operating at the time of the offense and the 18504  
impoundment for sixty days of the identification license plates of 18505  
that vehicle. 18506

(3) If, within five years of the current offense, the 18507  
offender has been convicted of or pleaded guilty to two or more 18508  
violations of section 4510.14 or former division (D)(2) of section 18509  
4507.02 of the Revised Code or a municipal ordinance that is 18510  
substantially equivalent to that section or former division, the 18511  
court shall order the criminal forfeiture to the state of the 18512  
vehicle the offender was operating at the time of the offense. 18513

(D) An order of criminal forfeiture issued pursuant to this 18514  
section shall be issued and enforced in accordance with section 18515  
4503.234 of the Revised Code. An order for the immobilization and 18516  
impoundment of a vehicle that issued pursuant to this section 18517  
shall be issued and enforced in accordance with section 4503.233 18518

of the Revised Code. 18519

**Sec. ~~4507.169~~ 4510.17.** (A) The registrar of motor vehicles 18520  
shall ~~suspend for the period of time specified in this division~~ 18521  
~~the driver's or commercial driver's license or permit of, or deny~~ 18522  
~~for such period of time the issuance of a driver's or commercial~~ 18523  
~~driver's license or permit to,~~ impose a class D suspension of the 18524  
person's driver's license, commercial driver's license, temporary 18525  
instruction permit, probationary license, or nonresident operating 18526  
privilege for the period of time specified in division (B)(4) of 18527  
section 4510.02 of the Revised Code on any person who is a 18528  
resident of this state and is convicted of or pleads guilty to a 18529  
violation of a statute of any other state or any federal statute 18530  
that is substantially similar to section 2925.02, 2925.03, 18531  
2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 18532  
2925.14, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 18533  
of the Revised Code. Upon receipt of a report from a court, court 18534  
clerk, or other official of any other state or from any federal 18535  
authority that a resident of this state was convicted of or 18536  
pleaded guilty to an offense described in this division, the 18537  
registrar shall send a notice by regular first class mail to the 18538  
person, at the person's last known address as shown in the records 18539  
of the bureau of motor vehicles, informing the person of the 18540  
suspension ~~or denial~~, that the suspension ~~or denial~~ will take 18541  
effect twenty-one days from the date of the notice, and that, if 18542  
the person wishes to appeal the suspension or denial, the person 18543  
must file a notice of appeal within twenty-one days of the date of 18544  
the notice requesting a hearing on the matter. If the person 18545  
requests a hearing, the registrar shall hold the hearing not more 18546  
than forty days after receipt by the registrar of the notice of 18547  
appeal. The filing of a notice of appeal does not stay the 18548  
operation of the suspension ~~or denial~~ that must be imposed 18549  
pursuant to this division. The scope of the hearing shall be 18550

limited to whether the person actually was convicted of or pleaded 18551  
guilty to the offense for which the suspension ~~or denial~~ is to be 18552  
imposed. 18553

The ~~period of~~ suspension ~~or denial~~ the registrar is required 18554  
to impose under this division shall end either on the last day of 18555  
~~any period of~~ the class D suspension period or of the suspension 18556  
of the person's nonresident operating privilege imposed by the 18557  
state or federal court ~~located in the other state, or the date six~~ 18558  
~~months and twenty one days from the date of the notice sent by the~~ 18559  
~~registrar to the person under this division,~~ whichever is earlier. 18560

The registrar shall subscribe to or otherwise participate in 18561  
any information system or register, or enter into reciprocal and 18562  
mutual agreements with other states and federal authorities, in 18563  
order to facilitate the exchange of information with other states 18564  
and the United States government regarding persons who plead 18565  
guilty to or are convicted of offenses described in this division 18566  
and therefore are subject to the suspension or denial described in 18567  
this division. 18568

(B) The registrar shall ~~suspend for the period of time~~ 18569  
~~specified in this division the driver's or commercial driver's~~ 18570  
~~license or permit of, or deny for such period of time the issuance~~ 18571  
~~of a driver's or commercial driver's license or permit to, impose~~ 18572  
a class D suspension of the person's driver's license, commercial 18573  
driver's license, temporary instruction permit, probationary 18574  
license, or nonresident operating privilege for the period of time 18575  
specified in division (B)(4) of section 4510.02 of the Revised 18576  
Code on any person who is a resident of this state and is 18577  
convicted of or pleads guilty to a violation of a statute of any 18578  
other state or a municipal ordinance of a municipal corporation 18579  
located in any other state that is substantially similar to 18580  
section 4511.19 of the Revised Code. Upon receipt of a report from 18581  
another state made pursuant to section ~~4507.60~~ 4510.61 of the 18582

Revised Code indicating that a resident of this state was 18583  
convicted of or pleaded guilty to an offense described in this 18584  
division, the registrar shall send a notice by regular first class 18585  
mail to the person, at the person's last known address as shown in 18586  
the records of the bureau of motor vehicles, informing the person 18587  
of the suspension ~~or denial~~, that the suspension or denial will 18588  
take effect twenty-one days from the date of the notice, and that, 18589  
if the person wishes to appeal the suspension ~~or denial~~, the 18590  
person must file a notice of appeal within twenty-one days of the 18591  
date of the notice requesting a hearing on the matter. If the 18592  
person requests a hearing, the registrar shall hold the hearing 18593  
not more than forty days after receipt by the registrar of the 18594  
notice of appeal. The filing of a notice of appeal does not stay 18595  
the operation of the suspension ~~or denial~~ that must be imposed 18596  
pursuant to this division. The scope of the hearing shall be 18597  
limited to whether the person actually was convicted of or pleaded 18598  
guilty to the offense for which the suspension ~~or denial~~ is to be 18599  
imposed. 18600

The ~~period of~~ suspension ~~or denial~~ the registrar is required 18601  
to impose under this division shall end either on the last day of 18602  
~~any period of~~ the class D suspension period or of the suspension 18603  
of the person's nonresident operating privilege imposed by the 18604  
state or federal court ~~located in the other state, or the date six~~ 18605  
~~months and twenty one days from the date of the notice sent by the~~ 18606  
~~registrar to the person under this division, whichever is earlier.~~ 18607

(C) The registrar shall ~~suspend for the period of time~~ 18608  
~~specified in this division the driver's or commercial driver's~~ 18609  
~~license or permit of, or deny for such period of time the issuance~~ 18610  
~~of a driver's or commercial driver's license or permit to, impose~~ 18611  
a class D suspension of the child's driver's license, commercial 18612  
driver's license, temporary instruction permit, or nonresident 18613  
operating privilege for the period of time specified in division 18614

(B)(4) of section 4510.02 of the Revised Code on any child who is 18615  
a resident of this state and is convicted of or pleads guilty to a 18616  
violation of a statute of any other state or any federal statute 18617  
that is substantially similar to section 2925.02, 2925.03, 18618  
2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 18619  
2925.14, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 18620  
of the Revised Code. Upon receipt of a report from a court, court 18621  
clerk, or other official of any other state or from any federal 18622  
authority that a child who is a resident of this state was 18623  
convicted of or pleaded guilty to an offense described in this 18624  
division, the registrar shall send a notice by regular first class 18625  
mail to the child, at the child's last known address as shown in 18626  
the records of the bureau of motor vehicles, informing the child 18627  
of the suspension ~~or denial~~, that the suspension or denial will 18628  
take effect twenty-one days from the date of the notice, and that, 18629  
if the child wishes to appeal the suspension ~~or denial~~, the child 18630  
must file a notice of appeal within twenty-one days of the date of 18631  
the notice requesting a hearing on the matter. If the child 18632  
requests a hearing, the registrar shall hold the hearing not more 18633  
than forty days after receipt by the registrar of the notice of 18634  
appeal. The filing of a notice of appeal does not stay the 18635  
operation of the suspension ~~or denial~~ that must be imposed 18636  
pursuant to this division. The scope of the hearing shall be 18637  
limited to whether the child actually was convicted of or pleaded 18638  
guilty to the offense for which the suspension ~~or denial~~ is to be 18639  
imposed. 18640

The ~~period of~~ suspension the registrar is required to impose 18641  
under this division shall end either on the last day of ~~any period~~ 18642  
of the class D suspension period or of the suspension of the 18643  
child's nonresident operating privilege imposed by the state or 18644  
federal court ~~located in the other state, or the date six months~~ 18645  
~~and twenty one days from the date of the notice sent by the~~ 18646  
~~registrar to the child under this division,~~ whichever is earlier. 18647

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 the period of time specified in this division the driver's or commercial driver's license or permit of, or deny for such period of time the issuance of a driver's or commercial driver's license or permit to,~~ impose a class D suspension of the child's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for the period of time specified in division (B)(4) of section 4510.02 of the Revised Code on 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 ~~4507.60~~ 4510.61 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 18680  
registrar shall send a notice by regular first class mail to the 18681  
child, at the child's last known address as shown in the records 18682  
of the bureau of motor vehicles, informing the child of the 18683  
suspension ~~or denial~~, that the suspension ~~or denial~~ will take 18684  
effect twenty-one days from the date of the notice, and that, if 18685  
the child wishes to appeal the suspension ~~or denial~~, the child 18686  
must file a notice of appeal within twenty-one days of the date of 18687  
the notice requesting a hearing on the matter. If the child 18688  
requests a hearing, the registrar shall hold the hearing not more 18689  
than forty days after receipt by the registrar of the notice of 18690  
appeal. The filing of a notice of appeal does not stay the 18691  
operation of the suspension ~~or denial~~ that must be imposed 18692  
pursuant to this division. The scope of the hearing shall be 18693  
limited to whether the child actually was convicted of or pleaded 18694  
guilty to the offense for which the suspension ~~or denial~~ is to be 18695  
imposed. 18696

The ~~period of~~ suspension the registrar is required to impose 18697  
under this division shall end either on the last day of ~~any period~~ 18698  
~~of the class D suspension period or of the suspension of the~~ 18699  
child's nonresident operating privilege imposed by the state or 18700  
federal court ~~located in the other state, or the date six months~~ 18701  
~~and twenty one days from the date of the notice sent by the~~ 18702  
~~registrar to the child under this division~~, whichever is earlier. 18703  
If the child is a resident of this state who is sixteen years of 18704  
age or older and does not have a current, valid Ohio driver's or 18705  
commercial driver's license or permit, the notice shall inform the 18706  
child that the child will be denied issuance of a driver's or 18707  
commercial driver's license or permit for six months beginning on 18708  
the date of the notice. If the child has not attained the age of 18709  
sixteen years on the date of the notice, the notice shall inform 18710  
the child that the period of denial of six months shall commence 18711  
on the date the child attains the age of sixteen years. 18712



(E) Any person whose license or permit has been suspended 18713  
pursuant to division (B) or (D) of this section may file a 18714  
petition in the municipal or county court, or in case the person 18715  
is under eighteen years of age, the juvenile court, in whose 18716  
jurisdiction the person resides, agreeing to pay the cost of the 18717  
proceedings and alleging that the suspension would seriously 18718  
affect the person's ability to continue the person's employment. 18719  
Upon satisfactory proof that there is reasonable cause to believe 18720  
that the suspension would seriously affect the person's ability to 18721  
continue the person's employment, the judge may grant the person 18722  
~~occupational~~ limited driving privileges during the period during 18723  
which the suspension otherwise would be imposed, except that the 18724  
judge shall not grant ~~occupational~~ limited driving privileges for 18725  
employment as a driver of a commercial motor vehicle to any person 18726  
who would be disqualified from operating a commercial motor 18727  
vehicle under section 4506.16 of the Revised Code if the violation 18728  
had occurred in this state, or during any of the following periods 18729  
of time: 18730

(1) The first fifteen days of the suspension, if the person 18731  
has not been convicted within ~~five~~ six years of the date of the 18732  
offense giving rise to the suspension under this section of a 18733  
violation of any of the following: 18734

(a) Section 4511.19 of the Revised Code, of a municipal 18735  
ordinance relating to operating a vehicle while under the 18736  
influence of alcohol, a drug of abuse, or alcohol and a drug of 18737  
abuse; 18738

(b) A municipal ordinance relating to operating a motor 18739  
vehicle with a prohibited concentration of alcohol in the blood, 18740  
breath, or urine; 18741

(c) Section 2903.04 of the Revised Code in a case in which 18742  
the person was subject to the sanctions described in division (D) 18743

of that section; 18744

(d) Division (A)(1) of section 2903.06 or division (A)(1) of 18745  
section 2903.08 of the Revised Code or a municipal ordinance that 18746  
is substantially similar to either of those divisions; 18747

(e) Division (A)(2), (3), or (4) of section 2903.06, division 18748  
(A)(2) of section 2903.08, or ~~former~~ as it existed prior to March 18749  
23, 2000 section 2903.07 of the Revised Code, or a municipal 18750  
ordinance that is substantially similar to any of those divisions 18751  
or that former section, in a case in which the jury or judge found 18752  
that the person was under the influence of alcohol, a drug of 18753  
abuse, or alcohol and a drug of abuse. 18754

(2) The first thirty days of the suspension, if the person 18755  
has been convicted one time within ~~five~~ six years of the date of 18756  
the offense giving rise to the suspension under this section of 18757  
any violation identified in division (E)(1) of this section. 18758

(3) The first one hundred eighty days of the suspension, if 18759  
the person has been convicted two times within ~~five~~ six years of 18760  
the date of the offense giving rise to the suspension under this 18761  
section of any violation identified in division (E)(1) of this 18762  
section. 18763

(4) No ~~occupational~~ limited driving privileges may be granted 18764  
if the person has been convicted three or more times within five 18765  
years of the date of the offense giving rise to the suspension 18766  
under this section of any violation identified in division (E)(1) 18767  
of this section. 18768

If a person petitions for ~~occupational~~ limited driving 18769  
privileges under division (E) of this section, the registrar shall 18770  
be represented by the county prosecutor of the county in which the 18771  
person resides if the petition is filed in a juvenile court or 18772  
county court, except that if the person resides within a city or 18773  
village that is located within the jurisdiction of the county in 18774

which the petition is filed, the city director of law or village 18775  
solicitor of that city or village shall represent the registrar. 18776  
If the petition is filed in a municipal court, the registrar shall 18777  
be represented as provided in section 1901.34 of the Revised Code. 18778

In granting ~~occupational~~ limited driving privileges under 18779  
division (E) of this section, the court may impose any condition 18780  
it considers reasonable and necessary to limit the use of a 18781  
vehicle by the person. The court shall deliver to the person a 18782  
permit card, in a form to be prescribed by the court, setting 18783  
forth the time, place, and other conditions limiting the person's 18784  
use of a motor vehicle. The grant of ~~occupational~~ limited driving 18785  
privileges shall be conditioned upon the person's having the 18786  
permit in the person's possession at all times during which the 18787  
person is operating a vehicle. 18788

A person granted ~~occupational~~ limited driving privileges who 18789  
operates a vehicle for other than ~~occupational~~ limited purposes, 18790  
in violation of any condition imposed by the court or without 18791  
having the permit in the person's possession, is guilty of a 18792  
violation of ~~division (D)(1) of section 4507.02~~ 4510.11 of the 18793  
Revised Code. 18794

(F) As used in divisions (C) and (D) of this section: 18795

(1) "Child" means a person who is under the age of eighteen 18796  
years, except that any person who violates a statute or ordinance 18797  
described in division (C) or (D) of this section prior to 18798  
attaining eighteen years of age shall be deemed a "child" 18799  
irrespective of the person's age at the time the complaint or 18800  
other equivalent document is filed in the other state or a 18801  
hearing, trial, or other proceeding is held in the other state on 18802  
the complaint or other equivalent document, and irrespective of 18803  
the person's age when the period of license suspension or denial 18804  
prescribed in division (C) or (D) of this section is imposed. 18805

(2) "Is convicted of or pleads guilty to" means, as it 18806  
relates to a child who is a resident of this state, that in a 18807  
proceeding conducted in a state or federal court located in 18808  
another state for a violation of a statute or ordinance described 18809  
in division (C) or (D) of this section, the result of the 18810  
proceeding is any of the following: 18811

(a) Under the laws that govern the proceedings of the court, 18812  
the child is adjudicated to be or admits to being a delinquent 18813  
child or a juvenile traffic offender for a violation described in 18814  
division (C) or (D) of this section that would be a crime if 18815  
committed by an adult; 18816

(b) Under the laws that govern the proceedings of the court, 18817  
the child is convicted of or pleads guilty to a violation 18818  
described in division (C) or (D) of this section; 18819

(c) Under the laws that govern the proceedings of the court, 18820  
irrespective of the terminology utilized in those laws, the result 18821  
of the court's proceedings is the functional equivalent of 18822  
division (F)(2)(a) or (b) of this section. 18823

Sec. 4510.21. (A) No person whose driver's license, 18824  
commercial driver's license, temporary instruction permit, or 18825  
nonresident's operating privilege has been suspended shall operate 18826  
any motor vehicle upon a public road or highway or any public or 18827  
private property after the suspension has expired unless the 18828  
person has complied with all license reinstatement requirements 18829  
imposed by the court, the bureau of motor vehicles, or another 18830  
provision of the Revised Code. 18831

(B) Whoever violates this section is guilty of failure to 18832  
reinstate a license, a misdemeanor of the first degree. The court 18833  
may impose upon the offender a class seven suspension of the 18834  
offender's driver's license, commercial driver's license, 18835

temporary instruction permit, probationary driver's license, or 18836  
nonresident operating privilege from the range specified in 18837  
division (A)(7) of section 4510.02 of the Revised Code. 18838

**Sec. ~~4507.168~~ 4510.22.** (A) If a person who has a current 18839  
valid Ohio driver's ~~or~~, commercial driver's license, or temporary 18840  
instruction permit is charged with a violation of any provision in 18841  
sections 4511.01 to 4511.76, ~~section 4511.84, any provision in~~ 18842  
~~sections 4513.01 to 4513.65, or any provision in sections 4549.01~~ 18843  
to 4549.65 of the Revised Code that is classified as a misdemeanor 18844  
of the first, second, third, or fourth degree or with a violation 18845  
of any substantially equivalent municipal ordinance ~~that is~~ 18846  
~~substantially comparable to any provision of any of these sections~~ 18847  
and if the person either fails to appear in court at the required 18848  
time and place to answer the charge or pleads guilty to or is 18849  
found guilty of the violation and fails within the time allowed by 18850  
the court to pay the fine imposed by the court, the court shall 18851  
declare the ~~forfeiture~~ suspension of the person's license. Thirty 18852  
days after the declaration ~~of forfeiture~~, the court shall inform 18853  
the registrar of motor vehicles of the ~~forfeiture~~ declaration by 18854  
entering information relative to the ~~forfeiture~~ declaration on a 18855  
form approved and furnished by the registrar and sending the form 18856  
to the registrar. The court also shall forward the person's 18857  
license, if it is in the possession of the court, to the 18858  
registrar. ~~The~~ 18859

The registrar shall ~~suspend~~ impose a class F suspension of 18860  
the person's driver's or commercial driver's license, or temporary 18861  
instruction permit for the period of time specified in division 18862  
(B)(6) of section 4510.02 of the Revised Code on any person who is 18863  
named in a declaration received by the registrar under this 18864  
section. The registrar shall send written notification of the 18865  
suspension to the person ~~of the suspension~~ at the person's last 18866  
known address, and, if the person is in possession of the license, 18867

order the person to surrender the person's ~~driver's or commercial~~ 18868  
~~driver's~~ license or permit to the registrar within forty-eight 18869  
hours. ~~No~~ 18870

No valid driver's or commercial driver's license shall be 18871  
granted to the person after the suspension, unless the court 18872  
having jurisdiction of the offense that led to the suspension 18873  
orders that the ~~forfeiture~~ suspension be terminated. The court 18874  
shall ~~se~~ order the termination of the suspension if the person, 18875  
~~after having failed to appear in court at the required time and~~ 18876  
~~place to answer the charge or after having pleaded guilty to or~~ 18877  
~~been found guilty of the violation and having failed within the~~ 18878  
~~time allowed by the court to pay the fine imposed by the court,~~ 18879  
thereafter appears to answer the charge and pays any fine imposed 18880  
by the court or pays the fine originally imposed by the court. The 18881  
court shall inform the registrar of the termination of the 18882  
~~forfeiture~~ suspension by entering information relative to the 18883  
termination on a form approved and furnished by the registrar and 18884  
sending the form to the registrar. The ~~court also shall charge and~~ 18885  
~~collect from the person~~ shall pay to the bureau of motor vehicles 18886  
a fifteen-dollar processing fee to cover the costs of the bureau 18887  
~~of motor vehicles~~ in administering this section. The ~~clerk of the~~ 18888  
~~court shall transmit monthly all such processing fees to the~~ 18889  
registrar ~~for~~ shall deposit the fee into the state bureau of motor 18890  
vehicles fund created by section 4501.25 of the Revised Code. 18891

(B) In addition to suspending the driver's or commercial 18893  
driver's license or permit of the person named in a declaration of 18894  
~~forfeiture~~ suspension, the registrar, upon receipt from the court 18895  
of the copy of the declaration of ~~forfeiture~~ suspension, shall 18896  
take any measures that may be necessary to ensure that neither the 18897  
registrar nor any deputy registrar accepts any application for the 18898  
registration or transfer of registration of any motor vehicle 18899

owned or leased by the person named in the declaration of ~~of~~ 18900  
~~forfeiture~~. However, for a motor vehicle leased by a person named 18901  
in a declaration of ~~of forfeiture~~, the registrar shall not implement 18902  
the preceding sentence until the registrar adopts procedures for 18903  
that implementation under section 4503.39 of the Revised Code. The 18904  
period of denial of registration or transfer shall continue until 18905  
such time as the court having jurisdiction of the offense that led 18906  
to the suspension of ~~the person's driver's or commercial driver's~~ 18907  
~~license~~ orders the ~~forfeiture~~ suspension to be terminated. Upon 18908  
receipt by the registrar of an order terminating the ~~forfeiture~~ 18909  
suspension, the registrar also shall take any measures that may be 18910  
necessary to permit the person to register a motor vehicle owned 18911  
or leased by the person or to transfer the registration of such a 18912  
motor vehicle, if the person later makes application to take such 18913  
action and otherwise is eligible to register the motor vehicle or 18914  
to transfer its registration. 18915

The registrar shall not be required to give effect to any 18916  
declaration of ~~forfeiture~~ suspension or order terminating a 18917  
~~forfeiture~~ suspension provided by a court under this section 18918  
unless the information contained in the declaration or order is 18919  
transmitted to the registrar by means of an electronic transfer 18920  
system. 18921

~~(C) The period of license suspension imposed pursuant to~~ 18922  
~~division (A) of this section is independent of any other period of~~ 18923  
~~license suspension that the court having jurisdiction over the~~ 18924  
~~offense may impose, and the period of license suspension imposed~~ 18925  
~~pursuant to that division and the period of denial relating to the~~ 18926  
issuance or transfer of a certificate of registration for a motor 18927  
vehicle imposed pursuant to this division ~~(B) of this section~~ 18928  
remains in effect until the person pays any fine imposed by the 18929  
court relative to the offense. 18930

**Sec. ~~4507.161~~ 4510.23.** When any person having a driver's or 18931  
commercial driver's license is adjudicated incompetent for the 18932  
purpose of holding the license, as provided in section 5122.301 of 18933  
the Revised Code, the probate judge shall order the license of 18934  
~~such the~~ person delivered to the court. The court shall forward 18935  
~~such the~~ license with notice of ~~such the~~ adjudication to the 18936  
registrar of motor vehicles. The registrar ~~of motor vehicles~~ shall 18937  
~~suspend such license~~ impose a class F suspension of the person's 18938  
driver's or commercial driver's license for the period of time 18939  
specified in division (B)(6) of section 4510.02 of the Revised 18940  
Code. The suspension shall remain in effect until receipt of 18941  
written notice by the head of the hospital, or other agency which 18942  
has or had custody of such person, that such person's mental 18943  
illness is not an impairment to such person's ability to operate a 18944  
motor vehicle, or upon receipt of notice from the adjudicating 18945  
court that such person has been restored to competency by court 18946  
decree. 18947

**Sec. ~~4507.162~~ 4510.31.** (A)(1) Except as provided in division 18948  
(C) of this section, the registrar of motor vehicles shall suspend 18949  
the probationary driver's license, restricted license, or 18950  
temporary instruction permit issued to any person when the person 18951  
has been convicted of, pleaded guilty to, or been adjudicated in 18952  
juvenile court of having committed, prior to the person's 18953  
eighteenth birthday, any of the following: 18954

~~(1)(a)~~ (a) Three separate violations of section 2903.06, 2903.08, 18955  
2921.331, 4511.12, 4511.13, 4511.15, 4511.191, ~~4511.192~~, 4511.20, 18956  
4511.201, 4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 18957  
4511.57 to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the 18958  
Revised Code, section 4510.14 of the Revised Code involving a 18959  
suspension imposed under section 4511.191 or 4511.196 of the 18960  
Revised Code, section 2903.04 of the Revised Code in a case in 18961



which the person would have been subject to the sanctions 18962  
described in division (D) of that section had the person been 18963  
convicted of the violation of that section, former section 2903.07 18964  
of the Revised Code, or any municipal ordinances similarly 18965  
relating to the offenses referred to in those sections; 18966

~~(2)(b)~~ One violation of section 4511.19 of the Revised Code 18967  
or a substantially similar municipal ordinance; 18968

~~(3)(c)~~ Two separate violations of any of the Revised Code 18969  
sections referred to in division (A)(1)(a) of this section, or any 18970  
municipal ordinance that is substantially similar to any of those 18971  
sections. 18972

(2) Any person whose license or permit is suspended under 18973  
division (A)(1)(a), ~~(2)(b)~~, or ~~(3)(c)~~ of this section shall mail 18974  
or deliver the person's probationary driver's license, restricted 18975  
license, or temporary instruction permit to the registrar within 18976  
fourteen days of notification of the suspension. The registrar 18977  
shall retain the license or permit during the period of the 18978  
suspension. A suspension pursuant to division (A)(1)(a) of this 18979  
section shall ~~remain in effect until one year has elapsed since~~ 18980  
~~the date of suspension of the probationary driver's license,~~ 18981  
~~restricted license, or temporary instruction permit~~ be a class C 18982  
suspension, a suspension pursuant to division (A)~~(2)(1)(b)~~ of this 18983  
section shall ~~remain in effect until six months have elapsed since~~ 18984  
~~the date of the suspension~~ be a class D suspension, and a 18985  
suspension pursuant to division (A)~~(3)(1)(c)~~ of this section shall 18986  
~~remain in effect until ninety days have elapsed since the date of~~ 18987  
~~the suspension~~ be a class E suspension, all for the periods of 18988  
time specified in division (B) of section 4510.02 of the Revised 18989  
Code. If the person's probationary driver's license, restricted 18990  
license, or temporary instruction permit is under suspension on 18991  
the date the court imposes sentence upon the person for a 18992  
violation described in division (A)~~(2)(1)(b)~~ of this section, the 18993

suspension shall take effect on the next day immediately following 18994  
the end of that period of suspension. If the person is sixteen 18995  
years of age or older and pleads guilty to or is convicted of a 18996  
violation described in division (A)~~(2)~~(1)(b) of this section and 18997  
the person does not have a current, valid probationary driver's 18998  
license, restricted license, or temporary instruction permit, the 18999  
registrar shall deny the issuance to the person of a probationary 19000  
driver's license, restricted license, driver's license, commercial 19001  
driver's license, or temporary instruction permit, as the case may 19002  
be, for six months beginning on the date the court imposes 19003  
sentence upon the person for the violation. If the person has not 19004  
attained the age of sixteen years on the date the court imposes 19005  
sentence upon the person for the violation, the period of denial 19006  
shall commence on the date the person attains the age of sixteen 19007  
years. 19008

(B) The registrar also shall ~~suspend~~ impose a class D 19009  
suspension for the period of time specified in division (B)(4) of 19010  
section 4510.02 of the Revised Code of the temporary instruction 19011  
permit or probationary driver's license of any person under the 19012  
age of eighteen who has been adjudicated an unruly child, 19013  
delinquent child, or a juvenile traffic offender for having 19014  
committed any act that if committed by an adult would be a drug 19015  
abuse offense ~~as defined in section 2925.01 of the Revised Code,~~ 19016  
or a violation of division (B) of section 2917.11 of the Revised 19017  
Code ~~until the person reaches the age of eighteen years or~~ 19018  
~~attends.~~ The registrar, in the registrar's discretion, may 19019  
terminate the suspension if the child, at the discretion of the 19020  
court, attends and satisfactorily completes a drug abuse or 19021  
alcohol abuse education, intervention, or treatment program 19022  
specified by the court. Any person whose temporary instruction 19023  
permit or probationary driver's license is suspended under this 19024  
division shall mail or deliver the person's permit or license to 19025  
the registrar within fourteen days of notification of the 19026

suspension. The registrar shall retain the permit or license 19027  
during the period of the suspension. 19028

~~(C)(1) A person is not entitled to request, and a court shall 19029  
not grant to the person, occupational driving privileges under 19030  
division (C) of this section if a person is convicted of, pleads 19031  
guilty to, or is adjudicated in juvenile court of having committed 19032  
a third violation of section 4511.12, 4511.13, 4511.15, 4511.20 to 19033  
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 19034  
4511.75 of the Revised Code or any similar municipal ordinances, 19035  
and the person, within the preceding seven years, has been 19036  
convicted of, pleaded guilty to, or adjudicated in juvenile court 19037  
of having committed three or more violations of one or more of the 19038  
following: 19039~~

~~(a) Division (A) or (B) of section 4511.19 of the Revised 19040  
Code; 19041~~

~~(b) A municipal ordinance relating to operating a vehicle 19042  
while under the influence of alcohol, a drug of abuse, or alcohol 19043  
and a drug of abuse; 19044~~

~~(c) A municipal ordinance relating to operating a vehicle 19045  
with a prohibited concentration of alcohol in the blood, breath, 19046  
or urine; 19047~~

~~(d) Section 2903.04 of the Revised Code in a case in which 19048  
the person was subject to the sanctions described in division (D) 19049  
of that section; 19050~~

~~(e) Division (A)(1) of section 2903.06 or division (A)(1) of 19051  
section 2903.08 of the Revised Code or a municipal ordinance that 19052  
is substantially similar to either of those divisions; 19053~~

~~(f) Division (A)(2), (3), or (4) of section 2903.06, division 19054  
(A)(2) of section 2903.08, or former section 2903.07 of the 19055  
Revised Code, or a municipal ordinance that is substantially 19056  
similar to any of those divisions or that former section, in a 19057~~

~~ease 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.~~ 19058  
19059  
19060

~~(2) For~~ Except as provided in division (C)(3) of this 19061  
section, for any other person who is not described in division 19062  
~~(C)(1) of this section and who is~~ convicted of, pleads guilty to, 19063  
or is adjudicated in juvenile court of having committed a second 19064  
or third violation of section 4511.12, 4511.13, 4511.15, 4511.20 19065  
to 4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 19066  
4511.75 of the Revised Code or any similar municipal ordinances 19067  
and whose license or permit is suspended under division (A)(1)(a) 19068  
or (c) of this section, the court in which the second or third 19069  
conviction, finding, plea, or adjudication resulting in the 19070  
suspension was made, upon petition of the person, may grant the 19071  
person ~~occupational~~ limited driving privileges during the period 19072  
during which the suspension otherwise would be imposed under 19073  
division (A)(1)(a) or (c) of this section if the court finds ~~that~~ 19074  
~~the person will reach the person's eighteenth birthday before the~~ 19075  
~~period of suspension required to be imposed under division (A)(1)~~ 19076  
~~of this section expires and further finds~~ reasonable cause to 19077  
believe that the suspension, ~~if continued beyond the person's~~ 19078  
~~eighteenth birthday,~~ will seriously affect the person's ability to 19079  
continue in employment, educational training, vocational training, 19080  
or treatment. The ~~occupational driving privileges granted under~~ 19081  
~~this division shall be effective on the person's eighteenth~~ 19082  
~~birthday and during the period following such birthday for which~~ 19083  
~~the suspension otherwise would be imposed.~~ In granting 19084  
~~occupational~~ the limited driving privileges, the court shall 19085  
specify the purposes, times, and places at which the person may 19086  
drive of the privileges and may impose any other conditions upon 19087  
the person's ~~use of~~ driving a motor vehicle that the court 19088  
considers reasonable and necessary. 19089

A court that grants ~~occupational~~ limited driving privileges 19090  
to a person under this division shall retain the person's 19091  
probationary driver's license, restricted license, or temporary 19092  
instruction permit during the period the license or permit is 19093  
suspended and also during the period for which ~~occupational~~ 19094  
limited driving privileges are granted, and shall deliver to the 19095  
person a permit card, in a form to be prescribed by the court, 19096  
setting forth the date on which the ~~occupational~~ limited driving 19097  
privileges will become effective, the purposes for which the 19098  
person may drive, the times and places at which the person may 19099  
drive, and any other conditions imposed upon the person's use of a 19100  
motor vehicle. 19101

The court immediately shall notify the registrar, in writing, 19102  
of a grant of ~~occupational~~ limited driving privileges under this 19103  
division. The notification shall specify the date on which the 19104  
~~occupational~~ limited driving privileges will become effective, the 19105  
purposes for which the person may drive, the times and places at 19106  
which the person may drive, and any other conditions imposed upon 19107  
the person's use of a motor vehicle. The registrar shall not 19108  
suspend the probationary driver's license, restricted license, or 19109  
temporary instruction permit of any person pursuant to division 19110  
(A) of this section during any period for which the person has 19111  
been granted ~~occupational~~ limited driving privileges as provided 19112  
in this division, if the registrar has received the notification 19113  
described in this division from the court. 19114

(2) Except as provided in division (C)(3) of this section, in 19115  
any case in which the temporary instruction permit or probationary 19116  
driver's license of a person under eighteen years of age has been 19117  
suspended under division (A) or (B) of this section or any other 19118  
provision of law, the court may grant the person limited driving 19119  
privileges for the purpose of the person's practicing of driving 19120  
with the person's parent, guardian, or other custodian during the 19121

period of the suspension. Any grant of limited driving privileges 19122  
under this division shall comply with division (D) of section 19123  
4510.021 of the Revised Code. 19124

(3) A court shall not grant limited driving privileges to a 19125  
person identified in division (C)(1) or (2) of this section if the 19126  
person, within the preceding six years, has been convicted of, 19127  
pleaded guilty to, or adjudicated in juvenile court of having 19128  
committed three or more violations of one or more of the divisions 19129  
or sections set forth in divisions (G)(2)(b) to (g) of section 19130  
2919.22 of the Revised Code. 19131

(D) If a person who has been granted ~~occupational~~ limited 19132  
driving privileges under division (C) of this section is convicted 19133  
of, pleads guilty to, or is adjudicated in juvenile court of 19134  
having committed, a violation of ~~section 4507.02~~ Chapter 4510. of 19135  
the Revised Code, or a ~~fourth or~~ subsequent violation of any of 19136  
the ~~other~~ sections of the Revised Code listed in division 19137  
(A)(1)(a) of this section or any similar municipal ordinance 19138  
during the period for which the person was granted ~~occupational~~ 19139  
limited driving privileges, the court that granted the 19140  
~~occupational~~ limited driving privileges shall ~~revoke them and~~ 19141  
~~cancel~~ suspend the person's permit card. The court or the clerk of 19142  
the court immediately shall forward the person's probationary 19143  
driver's license, restricted license, or temporary instruction 19144  
permit together with written notification of the court's action to 19145  
the registrar. Upon receipt of the license or permit and 19146  
notification, the registrar shall ~~suspend~~ impose a class C 19147  
suspension of the person's probationary driver's license, 19148  
restricted license, or temporary instruction permit for ~~a~~ the 19149  
period of ~~one year~~ time specified in division (B)(3) of section 19150  
4510.02 of the Revised Code. The registrar shall retain the 19151  
license or permit during the period of suspension, and no further 19152  
~~occupational~~ limited driving privileges shall be granted during 19153

that period. 19154

(E) No application for a driver's or commercial driver's 19155  
license shall be received from any person whose probationary 19156  
driver's license, restricted license, or temporary instruction 19157  
permit has been suspended under this section until each of the 19158  
following has occurred: 19159

(1) The suspension period has expired; 19160

(2) A temporary instruction permit or commercial driver's 19161  
license temporary instruction permit has been issued; 19162

(3) The person successfully completes a juvenile driver 19163  
improvement program approved by the registrar under ~~division (F)~~ 19164  
~~of this~~ section 4510.311 of the Revised Code; 19165

(4) The applicant has submitted to the examination for a 19166  
driver's license as provided for in section 4507.11 or a 19167  
commercial driver's license as provided in Chapter 4506. of the 19168  
Revised Code. 19169

~~(F) The registrar shall establish standards for juvenile 19170  
driver improvement programs and shall approve any such programs 19171  
that meet the established standards. The standards established by 19172  
the registrar shall require a minimum of five hours of classroom 19173  
instruction, with at least three hours devoted to driver skill 19174  
requirements and two hours devoted to juvenile driver information 19175  
related to the driving records of drivers under the age of 19176  
eighteen, driver perceptions, and the value of the traffic laws. 19177  
The standards also shall require a person whose probationary 19178  
driver's license was suspended under this section to undertake and 19179  
pass, as successful completion of an approved juvenile driver 19180  
improvement program, the driver's license examination that a 19181  
person who holds a temporary instruction permit is required to 19182  
undertake and pass in order to be issued a probationary driver's 19183  
license. The person shall pay the applicable fee that is required 19184~~

~~to accompany an application for a driver's license as prescribed 19185  
in division (E) of section 4507.23 of the Revised Code. The 19186  
registrar shall prescribe the requirements for the curriculum to 19187  
be provided as well as other program directives. Only those 19188  
programs approved by the registrar shall be acceptable for 19189  
reinstatement of the driving privileges of a person whose 19190  
probationary driver's license was suspended under this section. 19191~~

Sec. 4510.311. The registrar of motor vehicles shall 19192  
establish standards for juvenile driver improvement programs and 19193  
shall approve any programs that meet the established standards. 19194  
The standards established by the registrar shall require a minimum 19195  
of five hours of classroom instruction, with at least three hours 19196  
devoted to driver skill requirements and two hours devoted to 19197  
juvenile driver information related to the driving records of 19198  
drivers under eighteen years of age, driver perceptions, and the 19199  
value of the traffic laws. The standards also shall require a 19200  
person whose probationary driver's license was suspended under 19201  
section 4510.31 of the Revised Code to undertake and pass, as 19202  
successful completion of an approved juvenile driver improvement 19203  
program, the driver's license examination that a person who holds 19204  
a temporary instruction permit is required to undertake and pass 19205  
in order to be issued a probationary driver's license. The person 19206  
shall pay the applicable fee that is required to accompany an 19207  
application for a driver's license as prescribed in division (E) 19208  
of section 4507.23 of the Revised Code. The registrar shall 19209  
prescribe the requirements for the curriculum to be provided as 19210  
well as other program directives. Only those programs approved by 19211  
the registrar shall be acceptable for reinstatement of the driving 19212  
privileges of a person whose probationary driver's license was 19213  
suspended under section 4510.31 of the Revised Code. 19214

~~Sec. 4507.061~~ 4510.32. (A) The registrar of motor vehicles 19215



shall record within ten days of receipt and keep at the main 19216  
office of the bureau of motor vehicles all information provided to 19217  
the registrar by the superintendent of a school district in 19218  
accordance with division (B) of section 3321.13 of the Revised 19219  
Code. 19220

(B) Whenever the registrar receives a notice under division 19221  
(B) of section 3321.13 of the Revised Code, the registrar shall 19222  
~~suspend~~ impose a class F suspension of the temporary instruction 19223  
permit or driver's license of the person who is the subject of the 19224  
notice for the period of time specified in division (B)(6) of 19225  
section 4510.02 of the Revised Code, or, if the person has not 19226  
been issued ~~such~~ a temporary instruction permit or driver's 19227  
license, the registrar shall deny to the person the issuance of a 19228  
~~temporary instruction~~ permit or ~~driver's~~ license. The requirements 19229  
of the second paragraph of section 119.06 of the Revised Code do 19230  
not apply to a suspension of a person's temporary instruction 19231  
permit or driver's license or a denial of a person's opportunity 19232  
to obtain a temporary instruction permit or driver's license by 19233  
the registrar under this division. 19234

(C) Upon suspending the temporary instruction permit or 19235  
driver's license of any person or denying any person the 19236  
opportunity to be issued such a license or permit as provided in 19237  
division (B) of this section, the registrar immediately shall 19238  
notify the person in writing of the suspension or denial and 19239  
inform the person that the person may petition for a hearing as 19240  
provided in division (E) of this section. 19241

(D) Any person whose permit or license is suspended under 19242  
this section shall mail or deliver the person's permit or license 19243  
to the registrar of motor vehicles within twenty days of 19244  
notification of the suspension; however, the person's permit or 19245  
license and the person's driving privileges shall be suspended 19246  
immediately upon receipt of the notification. The registrar may 19247

retain the permit or license during the period of the suspension 19248  
or the registrar may destroy it under section ~~4507.54~~ 4510.52 of 19249  
the Revised Code. ~~Any such suspension of a person's permit or~~ 19250  
~~license or denial of a person's opportunity to obtain a permit or~~ 19251  
~~license under this section shall remain in effect until the person~~ 19252  
~~attains eighteen years of age or until it is terminated prior to~~ 19253  
~~the child's attainment of that age pursuant to division (F) of~~ 19254  
~~this section.~~ 19255

(E) Any person whose temporary instruction permit or driver's 19256  
license has been suspended, or whose opportunity to obtain such a 19257  
permit or license has been denied pursuant to this section, may 19258  
file a petition in the juvenile court in whose jurisdiction the 19259  
person resides alleging error in the action taken by the registrar 19260  
~~of motor vehicles~~ under division (B) of this section or alleging 19261  
one or more of the matters within the scope of the hearing, as 19262  
described in this division, or both. The petitioner shall notify 19263  
the registrar and the superintendent of the school district who 19264  
gave the notice to the registrar and juvenile judge under division 19265  
(B) of section 3321.13 of the Revised Code of the filing of the 19266  
petition and send them copies of the petition. The scope of the 19267  
hearing is limited to the issues of whether the notice given by 19268  
the superintendent to the registrar was in error and whether the 19269  
suspension or denial of driving privileges will result in 19270  
substantial hardship to the petitioner. 19271

The registrar shall furnish the court a copy of the record 19272  
created in accordance with division (A) of this section. The 19273  
registrar and the superintendent shall furnish the court with any 19274  
other relevant information required by the court. 19275

In hearing the matter and determining whether the petitioner 19276  
has shown that the petitioner's temporary instruction permit or 19277  
driver's license should not be suspended or that the petitioner's 19278  
opportunity to obtain such a permit or license should not be 19279

denied, the court shall decide the issue upon the information 19280  
furnished by the registrar and the superintendent and any such 19281  
additional evidence that the registrar, the superintendent, or the 19282  
petitioner submits. 19283

If the court finds from the evidence submitted that the 19284  
petitioner has failed to show error in the action taken by the 19285  
registrar under division (B) of this section and has failed to 19286  
prove any of the matters within the scope of the hearing, then the 19287  
court may assess the cost of the proceeding against the petitioner 19288  
and shall uphold the suspension of the petitioner's permit or 19289  
license or the denial of the petitioner's opportunity to obtain a 19290  
permit or license. If the court finds that the petitioner has 19291  
shown error in the action taken by the registrar under division 19292  
(B) of this section or has proved one or more of the matters 19293  
within the scope of the hearing, or both, the cost of the 19294  
proceeding shall be paid out of the county treasury of the county 19295  
in which the proceedings were held, and the suspension of the 19296  
petitioner's permit or license or the denial of the person's 19297  
opportunity to obtain a permit or license shall be terminated. 19298

(F) The registrar shall cancel the record created under this 19299  
section of any person who is the subject of a notice given under 19300  
division (B) of section 3321.13 of the Revised Code and shall 19301  
terminate the suspension of the person's permit or license or the 19302  
denial of the person's opportunity to obtain a permit or license, 19303  
if any of the following applies: 19304

(1) The person is at least eighteen years of age. 19305

(2) The person provides evidence, as the registrar shall 19306  
require by rule, of receipt of a high school diploma or a general 19307  
educational development certificate of high school equivalence. 19308

(3) The superintendent of a school district informs the 19309  
registrar that the notification of withdrawal, habitual absence 19310

without legitimate excuse, suspension, or expulsion concerning the 19311  
person was in error. 19312

(4) The suspension or denial was imposed subsequent to a 19313  
notification given under division (B)(3) or (4) of section 3321.13 19314  
of the Revised Code, and the superintendent of a school district 19315  
informs the registrar that the person in question has satisfied 19316  
any terms or conditions established by the school as necessary to 19317  
terminate the suspension or denial of driving privileges. 19318

(5) The suspension or denial was imposed subsequent to a 19319  
notification given under division (B)(1) of section 3321.13 of the 19320  
Revised Code, and the superintendent of a school district informs 19321  
the registrar that the person in question is now attending school 19322  
or enrolled in and attending an approved program to obtain a 19323  
diploma or its equivalent to the satisfaction of the school 19324  
superintendent. 19325

(6) The suspension or denial was imposed subsequent to a 19326  
notification given under division (B)(2) of section 3321.13 of the 19327  
Revised Code, the person has completed at least one semester or 19328  
term of school after the one in which the notification was given, 19329  
the person requests the superintendent of the school district to 19330  
notify the registrar that the person no longer is habitually 19331  
absent without legitimate excuse, the superintendent determines 19332  
that the person has not been absent from school without legitimate 19333  
excuse in the current semester or term, as determined under that 19334  
division, for more than ten consecutive school days or for more 19335  
than fifteen total school days, and the superintendent informs the 19336  
registrar of that fact. If a person described in division (F)(6) 19337  
of this section requests the superintendent of the school district 19338  
to notify the registrar that the person no longer is habitually 19339  
absent without legitimate excuse and the superintendent makes the 19340  
determination described in this division, the superintendent shall 19341  
provide the information described in division (F)(6) of this 19342

section to the registrar within five days after receiving the request. 19343  
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(7) The suspension or denial was imposed subsequent to a notification given under division (B)(2) of section 3321.13 of the Revised Code, and the superintendent of a school district informs the registrar that the person in question has received an age and schooling certificate in accordance with section 3331.01 of the Revised Code. 19345  
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(8) The person filed a petition in court under division (E) of this section and the court found that the person showed error in the action taken by the registrar under division (B) of this section or proved one or more of the matters within the scope of the hearing on the petition, as set forth in division (E) of this section, or both. 19351  
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At the end of the suspension period under this section and upon the request of the person whose temporary instruction permit or driver's license was suspended, the registrar shall return the driver's license or permit to the person or reissue the person's license or permit under section ~~4507.54~~ 4510.52 of the Revised Code, if the registrar destroyed the suspended license or permit under that section. 19357  
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**Sec. ~~4507.163~~ 4510.33.** (A) ~~Any~~ No 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~~ shall display as proof that 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 the person's own, ~~shall thereby forfeit the driving privileges authorized by.~~ The registrar of motor vehicles shall impose a class C suspension of the person's ~~own~~ driver's license, probationary driver's license, commercial driver's license, 19364  
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temporary instruction permit, or commercial driver's license 19374  
temporary instruction permit ~~and be denied the issuance or~~ 19375  
~~reissuance of any such license or permit by the registrar of motor~~ 19376  
~~vehicles for one year beginning with the date on which~~ 19377  
~~notification of such forfeiture and denial is mailed to the person~~ 19378  
~~by the registrar for the period of time specified in division~~ 19379  
(B)(3) of section 4510.02 of the Revised Code upon the offender 19380  
and shall not issue or reissue a license or permit of that type to 19381  
the offender during the suspension period. 19382

(B) In any prosecution, or in any proceeding before the 19383  
liquor control commission, in which the defense authorized by 19384  
section 4301.639 of the Revised Code is sustained, the clerk of 19385  
the court in which the prosecution was had, or the clerk of the 19386  
liquor control commission, shall certify to the registrar the 19387  
facts ascertainable from the clerk's records evidencing violation 19388  
of division (A) or (C) of section 4507.30 of the Revised Code by a 19389  
person of insufficient age to purchase intoxicating liquor or 19390  
beer, including in the certification the person's name and 19391  
residence address. 19392

(C) The registrar, upon receipt of the certification, shall 19393  
suspend the person's license or permit to drive subject to review 19394  
as provided in this section, and shall mail to the person, at the 19395  
person's last known address, a notice of the suspension and of the 19396  
hearing provided in division (D) of this section. 19397

(D) Any person whose license or permit to drive has been 19398  
suspended under this section, within twenty days of the mailing of 19399  
the notice provided above, may file a petition in the municipal 19400  
court or county court, or in case the person is under the age of 19401  
eighteen years, in the juvenile court, in whose jurisdiction the 19402  
person resides, agreeing to pay the cost of the proceedings, and 19403  
alleging error by the registrar in the suspension of the license 19404  
or permit to drive, or in one or more of the matters within the 19405

scope of the hearing as provided in this section, or both. The 19406  
petitioner shall notify the registrar of the filing of the 19407  
petition and send the registrar a copy thereof. The scope of the 19408  
hearing shall be limited to whether a court of record did in fact 19409  
find that the petitioner displayed, or, if the original 19410  
proceedings were before the liquor control commission, whether the 19411  
petitioner did in fact display, as proof that the person was of 19412  
sufficient age to purchase intoxicating liquor or beer, a driver's 19413  
or commercial driver's license knowing the same to be fictitious, 19414  
altered, or not the person's own, and whether the person was at 19415  
that time of insufficient age legally to make a purchase of 19416  
intoxicating liquor or beer. 19417

(E) In any hearing authorized by this section, the registrar 19418  
shall be represented by the prosecuting attorney of the county 19419  
where the petitioner resides. 19420

(F) If the court finds from the evidence submitted that the 19421  
person has failed to show error in the action by the registrar or 19422  
in one or more of the matters within the scope of the hearing as 19423  
limited in division (D) of this section, or both, the court shall 19424  
assess the cost of the proceeding against the person and shall 19425  
impose the suspension provided in divisions (A) and (C) of this 19426  
section. If the court finds that the person has shown error in the 19427  
action taken by the registrar, or in one or more of the matters 19428  
within the scope of the hearing as limited in division (B) of this 19429  
section, or both, the cost of the proceeding shall be paid out of 19430  
the county treasury of the county in which the proceedings were 19431  
held, and the suspension provided in divisions (A) and (C) of this 19432  
section shall not be imposed. The court shall inform the registrar 19433  
in writing of the action taken. 19434

**Sec. ~~4507.167~~ 4510.34.** (A) The registrar of motor vehicles 19435  
shall ~~revoke~~ impose a class F suspension for the period of time 19436

specified in division (B)(6) of section 4510.02 of the Revised 19437  
Code of the probationary motorized bicycle license issued to any 19438  
person when the person has been convicted of, ~~pleaded no contest~~ 19439  
~~to and been found guilty of, or pleaded guilty to, in any court of~~ 19440  
~~competent jurisdiction,~~ or has been adjudicated in juvenile court 19441  
of having committed, a violation of division (A) or (D) of section 19442  
4511.521 of the Revised Code, or of any other section of the 19443  
Revised Code or similar municipal ordinance for which points are 19444  
chargeable under section ~~4507.021~~ 4510.036 of the Revised Code. 19445

(B) Any person whose license is ~~revoked~~ suspended under this 19446  
section shall mail or deliver ~~his~~ the person's probationary 19447  
motorized bicycle license to the registrar within fourteen days of 19448  
notification of ~~such revocation~~ the suspension. The registrar 19449  
shall retain ~~such~~ the license during the period of ~~revocation.~~ Any 19450  
~~such revocation shall remain in effect until the person reaches~~ 19451  
~~sixteen years of age~~ suspension. 19452

(C) No application for a motorized bicycle license or 19453  
probationary motorized bicycle license shall be received from any 19454  
person whose probationary motorized bicycle license has been 19455  
~~revoked~~ suspended under this section until the person reaches 19456  
sixteen years of age. 19457

**Sec. ~~4507.38~~ 4510.41.** (A) As used in this section: 19458

(1) "Arrested person" means a person who is arrested for a 19459  
violation of ~~division (B)(1) or (D)(2) of section 4507.02 or~~ 19460  
section ~~4507.33~~ 4510.14, 4510.16, or 4511.203 of the Revised Code, 19461  
or a municipal ordinance that is substantially equivalent to any 19462  
of those ~~Revised Code provisions~~ sections, and whose arrest 19463  
results in a vehicle being seized under division (B) of this 19464  
section. 19465

(2) "Vehicle owner" means either of the following: 19466



(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) "Interested party" includes the owner of a vehicle seized under this section, all lienholders ~~of such a vehicle~~, the arrested person, 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 (B)(1) or (D)(2) of section 4507.02 or section 4507.33~~ 4510.14, 4510.16, or 4511.203 of the Revised Code, or a municipal ordinance that is substantially equivalent to any of those ~~Revised Code provisions~~ sections, 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 any other provision of law, shall seize the vehicle that the person was operating at the time of, or that was involved in, the alleged offense if the vehicle is registered in the arrested person's name 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 arrested person 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~~ A law enforcement agency that employs a law enforcement officer who makes an arrest

of a type that is described in this division ~~(B)(1) of this~~ 19499  
~~section~~ and that involves a rented or leased vehicle ~~of this type~~ 19500  
that is being rented or leased for a period of thirty days or less 19501  
shall notify, within twenty-four hours after the officer makes the 19502  
arrest, the lessor or owner of the vehicle regarding the 19503  
circumstances of the arrest and the location at which the vehicle 19504  
may be picked up. At the time of the seizure of the vehicle, the 19505  
law enforcement officer who made the arrest shall give the 19506  
arrested person written notice that the vehicle and its license 19507  
plates have been seized; that the vehicle either will be kept by 19508  
the officer's law enforcement agency or will be immobilized at 19509  
least until the person's initial appearance on the charge of the 19510  
offense for which the arrest was made; that, at the initial 19511  
appearance, the court in certain circumstances may order that the 19512  
vehicle and license plates be released to the ~~vehicle owner~~ 19513  
arrested person until the disposition of that charge; that, if the 19514  
arrested person is convicted of that charge, the court generally 19515  
must order the immobilization of the vehicle and the impoundment 19516  
of its license plates or the forfeiture of the vehicle; and that, 19517  
~~if the arrested person is not the vehicle owner, the arrested~~ 19518  
~~person immediately should inform the vehicle owner that the~~ 19519  
~~vehicle and its license plates have been seized and that the~~ 19520  
~~vehicle owner may be able to obtain their release at the initial~~ 19521  
~~appearance or thereafter~~ may be charged expenses or charges 19522  
incurred under this section and section 4503.233 of the Revised 19523  
Code for the removal and storage of the vehicle. 19524

(2) The arresting officer or a law enforcement officer of the 19525  
agency that employs the arresting officer shall give written 19526  
notice of the seizure to the court that will conduct the initial 19527  
appearance of the arrested person ~~the arrested person~~ on the 19528  
charges arising out of the arrest. ~~The notice shall be given when~~ 19529  
~~the charges are filed against the arrested person.~~ Upon receipt of 19530  
the notice, the court promptly shall determine whether the 19531

arrested person is the vehicle owner ~~and whether there are any~~ 19532  
~~liens recorded on the certificate of title to the vehicle.~~ If the 19533  
court determines that the arrested person is not the vehicle 19534  
owner, it promptly shall send by regular mail written notice of 19535  
the seizure ~~of the motor vehicle~~ to the vehicle's 19536  
registered owner ~~and to all lienholders recorded on the~~ 19537  
~~certificate of title.~~ The written notice ~~to the vehicle owner and~~ 19538  
~~lienholders~~ shall contain all of the information required by 19539  
division (B)(1) of this section to be in a notice to be given to 19540  
the arrested person and also shall specify the date, time, and 19541  
place of the arrested person's initial appearance ~~the arrested~~ 19542  
~~person.~~ The notice also shall inform the vehicle owner that if 19543  
title to a motor vehicle that is subject to an order for criminal 19544  
forfeiture under this section is assigned or transferred and 19545  
division (B)(2) or (3) of section 4503.234 of the Revised Code 19546  
applies, the court may fine the arrested person the value of the 19547  
vehicle. The notice ~~to the vehicle owner~~ also shall state that if 19548  
the vehicle is immobilized under division (A) of section 4503.233 19549  
of the Revised Code, seven days after the end of the period of 19550  
immobilization a law enforcement agency will send the vehicle 19551  
owner a notice, informing the owner that if the ~~owner does not~~ 19552  
~~obtain the~~ release of the vehicle is not obtained in accordance 19553  
with division (D)(3) of section 4503.233 of the Revised Code, the 19554  
vehicle shall be forfeited. The notice also shall inform the 19555  
vehicle owner that the owner may be charged expenses or charges 19556  
incurred under this section and section 4503.233 of the Revised 19557  
Code for the removal and storage of the vehicle. 19558

The written notice that is given ~~or delivered~~ to the ~~vehicle~~ 19559  
~~owner~~ arrested person also shall state that if the ~~arrested~~ person 19560  
~~pleads guilty to or~~ is convicted of or pleads guilty to the 19561  
offense ~~for which the arrested person was arrested~~ and the court 19562  
issues an immobilization and impoundment order relative to that 19563  
vehicle, division (D)(4) of section 4503.233 of the Revised Code 19564

prohibits the vehicle from being sold during the period of 19565  
immobilization without the prior approval of the court. 19566

(3) At or before the initial appearance, the vehicle owner 19567  
may file a motion requesting the court to order that the vehicle 19568  
and its license plates be released to the vehicle owner. Except as 19569  
provided in this division and subject to the payment of expenses 19570  
or charges incurred in the removal and storage of the vehicle, the 19571  
court, in its discretion, then may issue an order releasing the 19572  
vehicle and its license plates to the vehicle owner. Such an order 19573  
may be conditioned upon such terms as the court determines 19574  
appropriate, including the posting of a bond in an amount 19575  
determined by the court. If the arrested person is not the vehicle 19576  
owner and if the vehicle owner is not present at the arrested 19577  
person's initial appearance, and if the court believes that the 19578  
vehicle owner was not provided with adequate notice of the initial 19579  
appearance, the court, in its discretion, may allow the vehicle 19580  
owner to file a motion within seven days of the initial 19581  
appearance. If the court allows the vehicle owner to file such a 19582  
motion after the initial appearance, the extension of time granted 19583  
by the court does not extend the time within which the initial 19584  
appearance is to be conducted. If the court issues an order for 19585  
the release of the vehicle and its license plates, a copy of the 19586  
order shall be made available to the vehicle owner. If the vehicle 19587  
owner presents a copy of the order to the law enforcement agency 19588  
that employs the law enforcement officer who arrested the arrested 19589  
person ~~who was operating the vehicle~~, the law enforcement agency 19590  
promptly shall release the vehicle and its license plates to the 19591  
vehicle owner upon payment by the vehicle owner of any expenses or 19592  
charges incurred in the removal or storage of the vehicle. 19593

19594

(4) A vehicle seized under division (B)(1) of this section 19595  
either shall be towed to a place specified by the law enforcement 19596

agency that employs the arresting officer to be safely kept by the 19597  
agency at that place for the time and in the manner specified in 19598  
this section or shall be otherwise immobilized for the time and in 19599  
the manner specified in this section. A law enforcement officer of 19600  
that agency shall remove the identification license plates of the 19601  
vehicle, and they shall be safely kept by the agency for the time 19602  
and in the manner specified in this section. No vehicle that is 19603  
seized and either towed or immobilized pursuant to this division 19604  
shall be considered contraband for purposes of section 2933.41, 19605  
2933.42, or 2933.43 of the Revised Code. The vehicle shall not be 19606  
immobilized at any place other than a commercially operated 19607  
private storage lot, a place owned by a law enforcement or other 19608  
government agency, or a place to which one of the following 19609  
applies: 19610

(a) The place is leased by or otherwise under the control of 19611  
a law enforcement or other government agency. 19612

(b) The place is owned by the arrested person, the arrested 19613  
person's spouse, or a parent or child of the arrested person. 19614

(c) The place is owned by a private person or entity, and, 19615  
prior to the immobilization, the private entity or person that 19616  
owns the place, or the authorized agent of that private entity or 19617  
person, has given express written consent for the immobilization 19618  
to be carried out at that place. 19619

(d) The place is a public street or highway on which the 19620  
vehicle is parked in accordance with the law. 19621

(C)(1) A vehicle ~~that is~~ seized under division (B) of this 19622  
section shall be safely kept at the place to which it is towed or 19623  
otherwise moved by the law enforcement agency that employs the 19624  
arresting officer until the initial appearance of the arrested 19625  
person relative to the charge ~~the arrested person~~ in question. The 19626  
license plates of the vehicle that are removed pursuant to 19627

division (B) of this section shall be safely kept by the law 19628  
enforcement agency that employs the arresting officer until at 19629  
least the initial appearance of the arrested person relative to 19630  
the charge in question. 19631

(2)(a) ~~the owner's the owner the owner the owner's the owner~~ 19632  
~~the owner's the owner's the arrested person the vehicle owner's~~ 19633  
~~the owner's the owner's the arrested person the court also shall~~ 19634  
~~notify the arrested person, and the movant if the movant is not~~ 19635  
~~the arrested person, that if title to a motor vehicle that is~~ 19636  
~~subject to an order for criminal forfeiture under this section is~~ 19637  
~~assigned or transferred and division (C)(2) or (3) of section~~ 19638  
~~4503.234 of the Revised Code applies, the court may fine the~~ 19639  
~~offender the value of the vehicle. the owner's~~ At the initial 19640  
appearance or not less than seven days prior to the date of final 19641  
disposition, the court shall notify the arrested person that, if 19642  
title to a motor vehicle that is subject to an order for criminal 19643  
forfeiture under this section is assigned or transferred and 19644  
division (B)(2) or (3) of section 4503.234 of the Revised Code 19645  
applies, the court may fine the arrested person the value of the 19646  
vehicle. If, at the initial appearance, the arrested person pleads 19647  
guilty to the violation of ~~division (B)(1) or (D)(2) of section~~ 19648  
~~4507.02 or section 4507.33~~ 4510.14, 4510.16, or 4511.203 of the 19649  
Revised Code, or a municipal ordinance that is substantially 19650  
equivalent to any of those ~~Revised Code provisions~~ sections or 19651  
pleads no contest to and is convicted of the violation, the court 19652  
shall impose sentence upon the ~~arrested~~ person as provided by law 19653  
or ordinance; ~~the court, except as provided in this division and~~ 19654  
~~subject to section 4503.235 of the Revised Code,~~ shall order the 19655  
immobilization of the vehicle ~~the arrested person was operating at~~ 19656  
the time of, or that was involved in, the offense if registered in 19657  
the arrested person's name and the impoundment of its license 19658  
plates under section 4503.233 and section ~~4507.361 or 4507.99~~ 19659  
4510.14, 4510.16, 4510.161, or 4511.203 of the Revised Code or the 19660

criminal forfeiture to the state of the vehicle if registered in 19661  
the arrested person's name under section 4503.234 and section 19662  
~~4507.361 or 4507.99~~ 4510.14, 4510.16, 4510.161, or 4511.203 of the 19663  
Revised Code, whichever is applicable; and the vehicle and its 19664  
~~identification~~ license plates shall not be returned or released to 19665  
the ~~vehicle owner~~ arrested person. ~~If the arrested person is not~~ 19666  
~~the vehicle owner and the vehicle owner the owner's is not present~~ 19667  
~~at the arrested person's initial appearance and if the court~~ 19668  
~~believes that the vehicle owner was not provided adequate notice~~ 19669  
~~of the initial appearance, the court, in its discretion, may~~ 19670  
~~refrain for a period of time not exceeding seven days from~~ 19671  
~~ordering the immobilization of the vehicle and the impoundment of~~ 19672  
~~its license plates or the criminal forfeiture of the vehicle so~~ 19673  
~~that the vehicle owner the owner's may appear before the court to~~ 19674  
~~present evidence as to why the court should not order the~~ 19675  
~~immobilization of the vehicle and the impoundment of its license~~ 19676  
~~plates or the criminal forfeiture of the vehicle. If the court~~ 19677  
~~refrains from ordering the immobilization of the vehicle and the~~ 19678  
~~impoundment of its license plates or the criminal forfeiture of~~ 19679  
~~the vehicle, section 4503.235 of the Revised Code applies relative~~ 19680  
~~to the order of immobilization and impoundment or the order of~~ 19681  
~~forfeiture.~~ 19682

(b) If, at any time, the charge that the arrested person 19683  
violated ~~division (B)(1) or (D)(2) of section 4507.02 or section~~ 19684  
~~4507.33~~ 4510.14, 4510.16, or 4511.203 of the Revised Code, or a 19685  
municipal ordinance that is substantially equivalent to any of 19686  
those ~~Revised Code provisions~~ sections is dismissed for any 19687  
reason, the court shall order that the vehicle seized at the time 19688  
of the arrest and its license plates immediately be released to 19689  
the ~~vehicle owner~~ subject to the payment of expenses or the 19690  
~~owner's charges incurred in the removal and storage of the vehicle~~ 19691  
person. 19692

(D) If a vehicle ~~is~~ and its license plates are seized under 19693  
division (B) of this section ~~the arrested person and it is~~ are not 19694  
returned or released to the ~~vehicle owner the owner's~~ arrested 19695  
person pursuant to division (C) of this section, the vehicle and 19696  
its license plates shall be retained until the final disposition 19697  
of the charge in question. Upon the final disposition of that 19698  
charge, the court shall do whichever of the following is 19699  
applicable: 19700

(1) If the arrested person is convicted of or pleads guilty 19701  
to the violation of ~~division (B)(1) or (D)(2) of section 4507.02~~ 19702  
~~or~~ section ~~4507.33~~ 4510.14, 4510.16, or 4511.203 of the Revised 19703  
Code, or a municipal ordinance that is substantially equivalent to 19704  
any of those ~~Revised Code provisions~~ sections, the court shall 19705  
impose sentence upon the ~~arrested~~ person as provided by law or 19706  
ordinance and, ~~subject to section 4503.235 of the Revised Code,~~ 19707  
shall order the immobilization of the vehicle the ~~arrested~~ person 19708  
was operating at the time of, or that was involved in, the offense 19709  
if it is registered in the arrested person's name and the 19710  
impoundment of its license plates under section 4503.233 and 19711  
section ~~4507.361 or 4507.99~~ 4510.14, 4510.16, 4510.161, or 19712  
4511.203 of the Revised Code or the criminal forfeiture of the 19713  
vehicle if it is registered in the arrested person's name under 19714  
section 4503.234 and section ~~4507.361 or 4507.99~~ 4510.14, 4510.16, 19715  
4510.161, or 4511.203 of the Revised Code, whichever is 19716  
applicable. 19717

(2) If the arrested person is found not guilty of the 19718  
violation of ~~division (B)(1) or (D)(2) of section 4507.02 or~~ 19719  
section ~~4507.33~~ 4510.14, 4510.16, or 4511.203 of the Revised Code, 19720  
or a municipal ordinance that is substantially equivalent to any 19721  
of those ~~Revised Code provisions~~ sections, the court shall order 19722  
that the vehicle and its license plates immediately be released to 19723  
the ~~vehicle owner upon the payment of any expenses or the owner's~~ 19724



~~charges incurred in its removal and storage~~ arrested person. 19725

(3) If the charge that the arrested person violated ~~division~~ 19726  
~~(B)(1) or (D)(2) of section 4507.02 or section 4507.33~~ 4510.14, 19727  
4510.16, or 4511.203 of the Revised Code, or a municipal ordinance 19728  
that is substantially equivalent to any of those ~~Revised Code~~ 19729  
~~provisions~~ sections is dismissed for any reason, the court shall 19730  
order that the vehicle and its license plates immediately be 19731  
released to the ~~vehicle owner upon the payment of any expenses or~~ 19732  
~~the owner's charges incurred in its removal and storage~~ arrested 19733  
person. 19734

~~the arrested person the owner's the owner's the arrested~~ 19735  
~~person~~ 19736

(4) If the impoundment of the vehicle was not authorized 19737  
under this section, the court shall order that the vehicle and its 19738  
license plates be returned immediately to the arrested person or, 19739  
if the arrested person is not the vehicle owner, to the vehicle 19740  
owner and shall order that the state or political subdivision of 19741  
the law enforcement agency served by the law enforcement officer 19742  
who seized the vehicle pay all expenses and charges incurred in 19743  
its removal and storage. 19744

(E) If a vehicle is seized under division (B) of this 19745  
section, the time between the seizure of the vehicle and either 19746  
its release to the ~~vehicle owner the owner's~~ arrested person 19747  
pursuant to division (C) of this section or the issuance of an 19748  
order of immobilization of the vehicle under section 4503.233 of 19749  
the Revised Code shall be credited against the period of 19750  
immobilization ordered by the court. 19751

(F)(1) ~~The vehicle owner~~ Except as provided in division 19752  
(D)(4) of this section, the arrested person may be charged 19753  
expenses or charges incurred in the removal and storage of the 19754  
immobilized vehicle. The court with jurisdiction over the case, 19755

after notice to all interested parties, including lienholders, and 19756  
after an opportunity for them to be heard, ~~if the vehicle owner~~ 19757  
~~fails to appear in person, without good cause, or~~ if the court 19758  
finds that the ~~vehicle owner~~ arrested person does not intend to 19759  
seek release of the vehicle at the end of the period of 19760  
immobilization under section 4503.233 of the Revised Code or that 19761  
the ~~vehicle owner~~ arrested person is not or will not be able to 19762  
pay the expenses and charges incurred in its removal and storage, 19763  
may order that title to the vehicle be transferred, in order of 19764  
priority, first into the name of the person or entity that removed 19765  
it, next into the name of a lienholder, or lastly into the name of 19766  
the owner of the place of storage. 19767

Any lienholder that receives title under a court order shall 19768  
do so on the condition that it pay any expenses or charges 19769  
incurred in the vehicle's removal and storage. If the person or 19770  
entity that receives title to the vehicle is the person or entity 19771  
that removed it, the person or entity shall receive title on the 19772  
condition that it pay any lien on the vehicle. The court shall not 19773  
order that title be transferred to any person or entity other than 19774  
the owner of the place of storage if the person or entity refuses 19775  
to receive the title. Any person or entity that receives title 19776  
either may keep title to the vehicle or may dispose of the vehicle 19777  
in any legal manner that it considers appropriate, including 19778  
assignment of the certificate of title to the motor vehicle to a 19779  
salvage dealer or a scrap metal processing facility. The person or 19780  
entity shall not transfer the vehicle to the person who is the 19781  
vehicle's immediate previous owner. 19782

If the person or entity that receives title assigns the motor 19783  
vehicle to a salvage dealer or scrap metal processing facility, 19784  
the person or entity shall send the assigned certificate of title 19785  
to the motor vehicle to the clerk of the court of common pleas of 19786  
the county in which the salvage dealer or scrap metal processing 19787

facility is located. The person or entity shall mark the face of 19788  
the certificate of title with the words "FOR DESTRUCTION" and 19789  
shall deliver a photocopy of the certificate of title to the 19790  
salvage dealer or scrap metal processing facility for its records. 19791

(2) Whenever a court issues an order under division (F)(1) of 19792  
this section, the court also shall order removal of the license 19793  
plates from the vehicle and cause them to be sent to the registrar 19794  
if they have not already been sent to the registrar. Thereafter, 19795  
no further proceedings shall take place under this section or 19796  
under section 4503.233 of the Revised Code. 19797

(3) Prior to initiating a proceeding under division (F)(1) of 19798  
this section, and upon payment of the fee under division (B) of 19799  
section 4505.14, any interested party may cause a search to be 19800  
made of the public records of the bureau of motor vehicles or the 19801  
clerk of the court of common pleas, to ascertain the identity of 19802  
any lienholder of the vehicle. The initiating party shall furnish 19803  
this information to the clerk of the court with jurisdiction over 19804  
the case, and the clerk shall provide notice to the ~~vehicle owner,~~ 19805  
~~the defendant~~ arrested person, any lienholder, and any other 19806  
interested parties listed by the initiating party, at the last 19807  
known address supplied by the initiating party, by certified mail, 19808  
or, at the option of the initiating party, by personal service or 19809  
ordinary mail. 19810

~~the offender~~ 19811

Sec. 4510.43. (A)(1) The director of public safety, upon 19812  
consultation with the director of health and in accordance with 19813  
Chapter 119. of the Revised Code, shall certify immobilizing and 19814  
disabling devices and shall publish and make available to the 19815  
courts, without charge, a list of approved devices together with 19816  
information about the manufacturers of the devices and where they 19817  
may be obtained. The manufacturer of an immobilizing or disabling 19818

device shall pay the cost of obtaining the certification of the 19819  
device to the director of public safety, and the director shall 19820  
deposit the payment in the drivers' treatment and intervention 19821  
fund established by sections 4511.19 and 4511.191 of the Revised 19822  
Code. 19823

(2) The director of public safety, in accordance with Chapter 19824  
119. of the Revised Code, shall adopt and publish rules setting 19825  
forth the requirements for obtaining the certification of an 19826  
immobilizing or disabling device. The director of public safety 19827  
shall not certify an immobilizing or disabling device under this 19828  
section unless it meets the requirements specified and published 19829  
by the director in the rules adopted pursuant to this division. A 19830  
certified device may consist of an ignition interlock device, an 19831  
ignition blocking device initiated by time or magnetic or 19832  
electronic encoding, an activity monitor, or any other device that 19833  
reasonably assures compliance with an order granting limited 19834  
driving privileges. 19835

The requirements for an immobilizing or disabling device that 19836  
is an ignition interlock device shall include provisions for 19837  
setting a minimum and maximum calibration range and shall include, 19838  
but shall not be limited to, specifications that the device 19839  
complies with all of the following: 19840

(a) It does not impede the safe operation of the vehicle. 19841

(b) It has features that make circumvention difficult and 19842  
that do not interfere with the normal use of the vehicle. 19843

(c) It correlates well with established measures of alcohol 19844  
impairment. 19845

(d) It works accurately and reliably in an unsupervised 19846  
environment. 19847

(e) It is resistant to tampering and shows evidence of 19848  
tampering if tampering is attempted. 19849

(f) It is difficult to circumvent and requires premeditation to do so. 19850  
19851

(g) It minimizes inconvenience to a sober user. 19852

(h) It requires a proper, deep-lung breath sample or other accurate measure of the concentration by weight of alcohol in the breath. 19853  
19854  
19855

(i) It operates reliably over the range of automobile environments. 19856  
19857

(j) It is made by a manufacturer who is covered by product liability insurance. 19858  
19859

(3) The director of public safety may adopt, in whole or in part, the guidelines, rules, regulations, studies, or independent laboratory tests performed and relied upon by other states, or their agencies or commissions, in the certification or approval of immobilizing or disabling devices. 19860  
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19862  
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(4) The director of public safety shall adopt rules in accordance with Chapter 119. of the Revised Code for the design of a warning label that shall be affixed to each immobilizing or disabling device upon installation. The label shall contain a warning that any person tampering, circumventing, or otherwise misusing the device is subject to a fine, imprisonment, or both and may be subject to civil liability. 19865  
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(B) A court considering the use of a prototype device in a pilot program shall advise the director of public safety, thirty days before the use, of the prototype device and its protocol, methodology, manufacturer, and licensor, lessor, other agent, or owner, and the length of the court's pilot program. A prototype device shall not be used for a violation of section 4510.14 or 4511.19 of the Revised Code, a violation of a municipal OVI ordinance, or in relation to a suspension imposed under section 19872  
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4511.191 of the Revised Code. A court that uses a prototype device 19880  
in a pilot program, periodically during the existence of the 19881  
program and within fourteen days after termination of the program, 19882  
shall report in writing to the director of public safety regarding 19883  
the effectiveness of the prototype device and the program. 19884

19885

(C) If a person has been granted limited driving privileges 19886  
with a condition of the privileges being that the motor vehicle 19887  
that is operated under the privileges must be equipped with an 19888  
immobilizing or disabling device, all of the following apply: 19889

(1) If a motor vehicle to be driven under the limited driving 19890  
privileges is owned by the person's employer and if the person is 19891  
required to operate that motor vehicle in the course and scope of 19892  
the offender's employment, the person may operate that vehicle 19893  
without the installation of an immobilizing or disabling device, 19894  
provided that the employer has been notified that the person has 19895  
limited driving privileges and of the nature of the restriction 19896  
and that the person has proof of the employer's notification in 19897  
the person's possession while operating the employer's vehicle for 19898  
normal business duties. A motor vehicle owned by a business that 19899  
is partly or entirely owned or controlled by a person with limited 19900  
driving privileges is not a motor vehicle owned by an employer, 19901  
for purposes of this division. 19902

(2) If the motor vehicle to be driven under the limited 19903  
driving privileges is registered in a state other than this state, 19904  
instead of installing on that vehicle an immobilizing or disabling 19905  
device, the person with the limited driving privileges shall 19906  
display on the vehicle a decal, as prescribed by the registrar of 19907  
motor vehicles, that states that the vehicle is subject to limited 19908  
driving privileges in this state and that describes the 19909  
restriction. The decal shall be displayed on the bottom left 19910  
corner of the back window of the vehicle or, if there is no back 19911

window, on the bottom left corner of the windshield of the 19912  
vehicle. 19913

Sec. 4510.44. (A)(1) No offender with limited driving 19914  
privileges, during any period that the offender is required to 19915  
operate only a motor vehicle equipped with an immobilizing or 19916  
disabling device, shall request or permit any other person to 19917  
breathe into the device if it is an ignition interlock device or 19918  
another type of device that monitors the concentration of alcohol 19919  
in a person's breath or to otherwise start the motor vehicle 19920  
equipped with the device, for the purpose of providing the 19921  
offender with an operable motor vehicle. 19922

(2)(a) Except as provided in division (A)(2)(b) of this 19923  
section, no person shall breathe into an immobilizing or disabling 19924  
device that is an ignition interlock device or another type of 19925  
device that monitors the concentration of alcohol in a person's 19926  
breath or otherwise start a motor vehicle equipped with an 19927  
immobilizing or disabling device, for the purpose of providing an 19928  
operable motor vehicle to an offender with limited driving 19929  
privileges who is permitted to operate only a motor vehicle 19930  
equipped with an immobilizing or disabling device. 19931

(b) Division (A)(2)(a) of this section does not apply to a 19932  
person in the following circumstances: 19933

(i) The person is an offender with limited driving 19934  
privileges. 19935

(ii) The person breathes into an immobilizing or disabling 19936  
device that is an ignition interlock device or another type of 19937  
device that monitors the concentration of alcohol in a person's 19938  
breath or otherwise starts a motor vehicle equipped with an 19939  
immobilizing or disabling device. 19940

(iii) The person breathes into the device or starts the 19941

vehicle for the purpose of providing the person with an operable 19942  
motor vehicle. 19943

(3) No unauthorized person shall tamper with or circumvent 19944  
the operation of an immobilizing or disabling device. 19945

(B) Whoever violates this section is guilty of an 19946  
immobilizing or disabling device violation, a misdemeanor of the 19947  
first degree. 19948

**Sec. ~~4507.54~~ 4510.52.** (A) Upon the receipt of any driver's 19949  
license or commercial driver's license or permit that has been 19950  
suspended, ~~revoked, or~~ canceled, ~~or forfeited~~ under any provision 19951  
of law, and notwithstanding any other provision of law that 19952  
requires the registrar of motor vehicles to retain the license or 19953  
permit, the registrar may destroy the license or permit. 19954

(B) If, as authorized by division (A) of this section, the 19955  
registrar destroys a license or permit that has been suspended, 19956  
~~revoked, or~~ canceled, ~~or forfeited~~, he the registrar shall reissue 19957  
or authorize the reissuance of a new license or permit to the 19958  
person to whom the destroyed license or permit ~~originally~~ 19959  
originally was issued upon payment of a fee in the same amount as 19960  
the fee specified in division (C) of section 4507.23 of the 19961  
Revised Code for a duplicate license or permit and upon payment of 19962  
a service fee in the same amount as specified in division (D) of 19963  
section 4503.10 of the Revised Code if issued by a deputy 19964  
registrar or in division (G) of that section if issued by the 19965  
registrar. 19966

This division applies only if the driver's license or 19967  
commercial driver's license or permit that was destroyed would 19968  
have been valid at the time the person applies for the duplicate 19969  
license or permit. A duplicate driver's license or commercial 19970  
driver's license or permit issued under this section shall bear 19971  
the same expiration date that appeared on the license or permit it 19972



replaces. 19973

**Sec. ~~4507.55~~ 4510.53.** (A) Upon ~~the~~ receipt of any driver's or 19974  
commercial driver's license or permit that has been ~~revoked or~~ 19975  
suspended under section 4511.19 or 4511.191 of the Revised Code, 19976  
the registrar of motor vehicles, notwithstanding any other 19977  
provision of law that purports to require ~~him~~ the registrar to 19978  
retain the license or permit, may destroy the license or permit. 19979

(B)(1) Subject to division (B)(2) of this section, if a 19980  
driver's or commercial driver's license or permit that has been 19981  
suspended under section 4511.19 or 4511.191 of the Revised Code is 19982  
delivered to the registrar and if the registrar destroys the 19983  
license or permit under authority of division (A) of this section, 19984  
the registrar shall reissue or authorize the reissuance of a 19985  
driver's or commercial driver's license to the person, free of 19986  
payment of any type of fee or charge, if either of the following 19987  
applies: 19988

(a) The person appeals the suspension of the license or 19989  
permit at ~~his~~ or within thirty days of the person's initial 19990  
appearance, pursuant to ~~division (H) of~~ section ~~4511.191~~ 4511.197 19991  
of the Revised Code, the judge of the court of record or the mayor 19992  
of the mayor's court who conducts the initial appearance 19993  
terminates the suspension, and the judge or mayor does not suspend 19994  
the license or permit under section 4511.196 of the Revised Code; 19995

(b) The person appeals the suspension of the license or 19996  
permit at ~~his~~ or within thirty days of the person's initial 19997  
appearance, pursuant to ~~division (H) of~~ section ~~4511.191~~ 4511.197 19998  
of the Revised Code, the judge of the court of record or the mayor 19999  
of the mayor's court who conducts the initial appearance does not 20000  
terminate the suspension, the person appeals the judge's or 20001  
mayor's decision not to terminate the suspension that is made at 20002  
the initial appearance, and upon appeal of the decision, the 20003

suspension is terminated. 20004

(2) Division (B)(1) of this section applies only if the 20005  
driver's or commercial driver's license that was destroyed would 20006  
have been valid at the time in question, if it had not been 20007  
destroyed as permitted by division (A) of this section. 20008

(C) A driver's or ~~commercial~~ commercial driver's license or 20009  
permit issued to a person pursuant to division (B)(1) of this 20010  
section shall bear the same expiration date as the expiration date 20011  
that appeared on the license it replaces. 20012

Sec. 4510.54. (A) A person whose driver's or commercial 20013  
driver's license has been suspended for life under a class one 20014  
suspension or as otherwise provided by law or has been suspended 20015  
for a period in excess of fifteen years under a class two 20016  
suspension may file a motion with the sentencing court for 20017  
modification or termination of the suspension. A motion under this 20018  
division may be heard only once. The person filing the motion 20019  
shall demonstrate all of the following: 20020

(1) At least fifteen years have elapsed since the suspension 20021  
began. 20022

(2) For the past fifteen years, the person has not been found 20023  
guilty of any felony, any offense involving a moving violation 20024  
under federal law, the law of this state, or the law of any of its 20025  
political subdivisions, or any violation of a suspension under 20026  
this chapter or a substantially equivalent municipal ordinance. 20027

(3) The person has proof of financial responsibility, a 20029  
policy of liability insurance in effect that meets the minimum 20030  
standard set forth in section 4509.51 of the Revised Code, or 20031  
proof, to the satisfaction of the registrar of motor vehicles, 20032  
that the person is able to respond in damages in an amount at 20033

least equal to the minimum amounts specified in that section. 20034

(4) If the suspension was imposed because the person was 20035  
under the influence of alcohol, a drug of abuse, or combination of 20036  
them at the time of the offense or because at the time of the 20037  
offense the person's whole blood, blood serum or plasma, breath, 20038  
or urine contained at least the concentration of alcohol specified 20039  
in division (A)(2), (3), (4), or (5) of section 4511.19 of the 20040  
Revised Code, the person also shall demonstrate all of the 20041  
following: 20042

(a) The person successfully completed an alcohol, drug, or 20043  
alcohol and drug treatment program. 20044

(b) The person has not abused alcohol or other drugs for a 20045  
period satisfactory to the court. 20046

(c) For the past fifteen years, the person has not been found 20047  
guilty of any alcohol-related or drug-related offense. 20048

(B) Upon receipt of a motion for modification or termination 20049  
of the suspension under this section, the court may schedule a 20050  
hearing on the motion. If scheduled, the hearing shall be 20051  
conducted in open court within ninety days after the date on which 20052  
the motion is filed. 20053

(C) The court shall notify the person whose license was 20054  
suspended and the prosecuting attorney of the date, time, and 20055  
location of the hearing. Upon receipt of the notice from the 20056  
court, the prosecuting attorney shall notify the victim or the 20057  
victim's representative of the date, time, and location of the 20058  
hearing. 20059

(D) At any hearing under this section, the person who seeks 20060  
modification or termination of the suspension has the burden to 20061  
demonstrate, under oath, that the person meets the requirements of 20062  
division (A) of this section. At the hearing, the court shall 20063  
afford the offender or the offender's counsel an opportunity to 20064

present oral or written information relevant to the motion. The 20065  
court shall afford a similar opportunity to provide relevant 20066  
information to the prosecuting attorney and the victim or victim's 20067  
representative. 20068

Before ruling on the motion, the court shall take into 20069  
account the person's driving record, the nature of the offense 20070  
that led to the suspension, and the impact of the offense on any 20071  
victim. In addition, if the offender is eligible for modification 20072  
or termination of the suspension under division (A)(2) of this 20073  
section, the court shall consider whether the person committed any 20074  
other offense while under suspension and determine whether the 20075  
offense is relevant to a determination under this section. The 20076  
court may modify or terminate the suspension subject to any 20077  
considerations it considers proper if it finds that allowing the 20078  
person to drive is not likely to present a danger to the public. 20079  
After the court makes a ruling on a motion filed under this 20080  
section, the prosecuting attorney shall notify the victim or the 20081  
victim's representative of the court's ruling. 20082

(E) If a court modifies a person's license suspension under 20083  
this section and the person subsequently is found guilty of any 20084  
moving violation or of any substantially equivalent municipal 20085  
ordinance that carries as a possible penalty the suspension of a 20086  
person's driver's or commercial driver's license, the court may 20087  
reimpose the class one or other lifetime suspension, or the class 20088  
two suspension, whichever is applicable. 20089

**Sec. ~~4507.60~~ 4510.61.** The driver license compact is hereby 20090  
enacted into law and entered into with all other jurisdictions 20091  
legally joining therein in the form substantially as follows: 20092

ARTICLE I 20093

Findings and Declaration of Policy 20094

(a) The party states find that: 20095

(1) The safety of their streets and highways is materially affected by the degree of compliance with state and local ordinances relating to the operation of motor vehicles.

(2) Violation of such a law or ordinance is evidence that the violator engages in conduct which is likely to endanger the safety of persons and property.

(3) The continuance in force of a license to drive is predicated upon compliance with laws and ordinances relating to the operation of motor vehicles, in whichever jurisdiction the vehicle is operated.

(b) It is the policy of each of the party states to:

(1) Promote compliance with the laws, ordinances, and administrative rules and regulations relating to the operation of motor vehicles by their operators in each of the jurisdictions where such operators drive motor vehicles.

(2) Make the reciprocal recognition of licenses to drive and eligibility therefor more just and equitable by considering the over-all compliance with motor vehicle laws, ordinances, and administrative rules and regulations as a condition precedent to the continuance or issuance of any license by reason of which the licensee is authorized or permitted to operate a motor vehicle in any of the party states.

ARTICLE II

Definitions

As used in this compact:

(a) "State" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(b) "Home state" means the state that has issued and has the power to suspend or revoke the use of the license or permit to

operate a motor vehicle. 20126

(c) "Conviction" means a conviction of any offense related to 20127  
the use or operation of a motor vehicle that is prohibited by 20128  
state law, municipal ordinance, or administrative rule or 20129  
regulation; or a forfeiture of bail, bond, or other security 20130  
deposited to secure appearance by a person charged with having 20131  
committed any such offense, and which conviction or forfeiture is 20132  
required to be reported to the licensing authority. 20133

ARTICLE III 20134

Reports of Conviction 20135

The licensing authority of a party state shall report each 20136  
conviction of a person from another party state occurring within 20137  
its jurisdiction to the licensing authority of the home state of 20138  
the licensee. Such report shall clearly identify the person 20139  
convicted; describe the violation specifying the section of the 20140  
statute, code, or ordinance violated; identify the court in which 20141  
action was taken; indicate whether a plea of guilty or not guilty 20142  
was entered, or the security; and shall include any special 20143  
findings made in connection therewith. 20144

ARTICLE IV 20145

Effect of Conviction 20146

(a) The licensing authority in the home state, for the 20147  
purpose of suspension, revocation, or limitation of the license to 20148  
operate a motor vehicle, shall give the same effect to the conduct 20149  
reported, pursuant to Article III of this compact, as it would if 20150  
such conduct had occurred in the home state, in the case of 20151  
convictions for: 20152

(1) Manslaughter or negligent homicide resulting from the 20153  
operation of a motor vehicle; 20154

(2) Driving a motor vehicle while under the influence of 20155  
intoxicating liquor or a narcotic drug, or under the influence of 20156

any other drug to a degree that renders the driver incapable of  
safely driving a motor vehicle;

(3) Any felony in the commission of which a motor vehicle is  
used;

(4) Failure to stop and render aid in the event of a motor  
vehicle accident resulting in the death or personal injury of  
another.

(b) As to other convictions, reported pursuant to Article  
III, the licensing authority in the home state shall give such  
effect to conduct as is provided by the laws of the home state.

(c) If the laws of a party state do not provide for offenses  
or violations denominated or described in precisely the words  
employed in subdivision (a) of this Article, such party state  
shall construe the denominations and descriptions appearing in  
subdivision (a) hereof as being applicable to and identifying  
those offenses or violations of a substantially similar nature,  
and the laws of such party state shall contain such provisions as  
may be necessary to ensure that full force and effect is given to  
this Article.

#### ARTICLE V

##### Applications for New Licenses

Upon application for a license to drive, the licensing  
authority in a party state shall ascertain whether the applicant  
has ever held, or is the holder of, a license to drive issued by  
any other party state. The licensing authority in the state where  
application is made shall not issue a license to drive to the  
applicant if:

(1) The applicant has held such a license, but the same has  
been suspended by reason, in whole or in part, of a violation and  
if such suspension period has not terminated.

(2) The applicant has held such a license, but the same has

been revoked by reason, in whole or in part, of a violation; and 20188  
if such revocation has not terminated, except that after the 20189  
expiration of one year from the date the license was revoked, such 20190  
person may make application for a new license if permitted by law. 20191  
The licensing authority may refuse to issue a license to any such 20192  
applicant if, after investigation, the licensing authority 20193  
determines that it will not be safe to grant to such person the 20194  
privilege of driving a motor vehicle on the public highways. 20195

(3) The applicant is the holder of a license to drive issued 20196  
by another party state and currently in force unless the applicant 20197  
surrenders such license. 20198

#### ARTICLE VI 20199

##### Applicability of Other Laws 20200

Except as expressly required by provisions of this compact, 20201  
nothing contained herein shall be construed to affect the right of 20202  
any party state to apply any of its other laws relating to 20203  
licenses to drive to any person or circumstance, nor to invalidate 20204  
or prevent any driver license agreement or other cooperative 20205  
arrangement between a party state and a nonparty state. 20206

#### ARTICLE VII 20207

##### Compact Administrator and Interchange of Information 20208

(a) The head of the licensing authority of each party state 20209  
shall be the administrator of this compact for his state. The 20210  
administrators, acting jointly, shall have the power to formulate 20211  
all necessary and proper procedures for the exchange of 20212  
information under this compact. 20213

(b) The administrator of each party state shall furnish to 20214  
the administrator of each other party state any information or 20215  
documents reasonably necessary to facilitate the administration of 20216  
this compact. 20217

#### ARTICLE VIII 20218

##### Entry Into Force and Withdrawal 20219



(a) This compact shall enter into force and become effective 20220  
as to any state when it has enacted the same into law. 20221

(b) Any party state may withdraw from this compact by 20222  
enacting a statute repealing the same, but no such withdrawal 20223  
shall take effect until six months after the executive head of the 20224  
withdrawing state has given notice of the withdrawal to the 20225  
executive heads of all other party states. No withdrawal shall 20226  
affect the validity or applicability by the licensing authorities 20227  
of states remaining party to the compact of any report of 20228  
conviction occurring prior to the withdrawal. 20229

ARTICLE IX 20230

Construction and Severability 20231

This compact shall be liberally construed so as to effectuate 20232  
the purposes thereof. The provisions of this compact shall be 20233  
severable; and if any phrase, clause, sentence, or provision of 20234  
this compact is declared to be contrary to the constitution of any 20235  
party state or of the United States or the applicability thereof 20236  
to any government, agency, person, or circumstance is held 20237  
invalid, the validity of the remainder of this compact and the 20238  
applicability thereof to any government, agency, person, or 20239  
circumstance shall not be affected thereby. If this compact shall 20240  
be held contrary to the constitution of any state party thereto, 20241  
the compact shall remain in full force and effect as to the 20242  
remaining states and in full force and effect as to the state 20243  
affected as to all severable matters. 20244

**Sec. ~~4507.61~~ 4510.62.** (A) "Executive head" as used in article 20245  
VIII (b) of the compact set forth in section ~~4507.60~~ 4510.61 of 20246  
the Revised Code with reference to this state means the governor. 20247

(B) "Licensing authority" as used in Articles III, IV, V, and 20249  
VII of the compact set forth in section ~~4507.60~~ 4510.61 of the 20250

Revised Code with reference to this state means the bureau of 20251  
motor vehicles within the department of public safety. 20252

**Sec. ~~4507.62~~ 4510.63.** Pursuant to Article VII of the compact 20253  
set forth in section ~~4507.60~~ 4510.61 of the Revised Code the 20254  
bureau of motor vehicles shall furnish to the appropriate 20255  
authorities of any other party state any information or documents 20256  
reasonably necessary to facilitate the administration of Articles 20257  
III, IV, and V of the compact set forth in section ~~4507.60~~ 4510.61 20258  
of the Revised Code. 20259

**Sec. ~~4507.63~~ 4510.64.** The compact administrator provided for 20260  
in Article VII of the compact set forth in section ~~4507.60~~ 4510.61 20261  
of the Revised Code is not entitled to any additional compensation 20262  
~~because of his services~~ for serving as administrator of the 20263  
compact, but shall be reimbursed for travel and other necessary 20264  
expenses incurred in the performance of ~~his~~ official duties 20265  
thereunder as provided by law for other state officers. 20266

**Sec. ~~4511.95~~ 4510.71.** The nonresident violator compact, 20267  
hereinafter called "the compact," is hereby enacted into law and 20268  
entered into with all other jurisdictions legally joining therein 20269  
in the form substantially as follows: 20270

"NONRESIDENT VIOLATOR COMPACT 20271

Article I 20272

Findings, Declaration of Policy and Purpose 20273

(A) The party jurisdictions find that: 20274

(1) In most instances, a motorist who is cited for a traffic 20275  
violation in a jurisdiction other than his home jurisdiction: 20276

(a) Must post collateral or bond to secure appearance for 20277  
trial at a later date; or 20278

(b) If unable to post collateral or bond, is taken into 20279

custody until the collateral or bond is posted; or 20280

(c) Is taken directly to court for his trial to be held. 20281

(2) In some instances, the motorist's driver's license may be 20282  
deposited as collateral to be returned after he has complied with 20283  
the terms of the citation. 20284

(3) The purpose of the practices described in divisions 20285  
(A)(1) and (2) of this article is to ensure compliance with the 20286  
terms of a traffic citation by the motorist who, if permitted to 20287  
continue on his way after receiving the traffic citation, could 20288  
return to his home jurisdiction and disregard his duty under the 20289  
terms of the traffic citation. 20290

(4) A motorist receiving a traffic citation in his home 20291  
jurisdiction is permitted, except for certain violations, to 20292  
accept the citation from the officer at the scene of the violation 20293  
and to immediately continue on his way after promising or being 20294  
instructed to comply with the terms of the citation. 20295

(5) The practice described in division (A)(1) of this article 20296  
causes unnecessary inconvenience and, at times, a hardship for the 20297  
motorist who is unable at the time to post collateral, furnish a 20298  
bond, stand trial, or pay the fine, and thus is compelled to 20299  
remain in custody until some arrangement can be made. 20300

(6) The deposit of a driver's license as a bail bond, as 20301  
described in division (A)(2) of this article, is viewed with 20302  
disfavor. 20303

(7) The practices described herein consume an undue amount of 20304  
law enforcement time. 20305

(B) It is the policy of the party jurisdictions to: 20306

(1) Seek compliance with the laws, ordinances, and 20307  
administrative rules and regulations relating to the operation of 20308  
motor vehicles in each of the jurisdictions; 20309

(2) Allow motorists to accept a traffic citation for certain violations and proceed on their way without delay whether or not the motorist is a resident of the jurisdiction in which the citation was issued;

(3) Extend cooperation to its fullest extent among the jurisdictions for obtaining compliance with the terms of a traffic citation issued in one jurisdiction to a resident of another jurisdiction;

(4) Maximize effective utilization of law enforcement personnel and assist court systems in the efficient disposition of traffic violations.

(C) The purpose of this compact is to:

(1) Provide a means through which the party jurisdictions may participate in a reciprocal program to effectuate the policies enumerated in division (B) of this article in a uniform and orderly manner;

(2) Provide for the fair and impartial treatment of traffic violators operating within party jurisdictions in recognition of the motorist's right of due process and the sovereign status of a party jurisdiction.

Article II Definitions 20330

(A) In the nonresident violator compact, the following words have the meaning indicated, unless the context requires otherwise.

(B)(1) "Citation" means any summons, ticket, or other official document issued by a police officer for a traffic violation containing an order which requires the motorist to respond.

(2) "Collateral" means any cash or other security deposited to secure an appearance for trial, following the issuance by a police officer of a citation for a traffic violation.

(3) "Court" means a court of law or traffic tribunal.	20340
(4) "Driver's license" means any license or privilege to operate a motor vehicle issued under the laws of the home jurisdiction.	20341 20342 20343
(5) "Home jurisdiction" means the jurisdiction that issued the driver's license of the traffic violator.	20344 20345
(6) "Issuing jurisdiction" means the jurisdiction in which the traffic citation was issued to the motorist.	20346 20347
(7) "Jurisdiction" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.	20348 20349 20350
(8) "Motorist" means a driver of a motor vehicle operating in a party jurisdiction other than the home jurisdiction.	20351 20352
(9) "Personal recognizance" means an agreement by a motorist made at the time of issuance of the traffic citation that he will comply with the terms of that traffic citation.	20353 20354 20355
(10) "Police officer" means any individual authorized by the party jurisdiction to issue a citation for a traffic violation.	20356 20357
(11) "Terms of the citation" means those options expressly stated upon the citation.	20358 20359
Article III	20360
Procedure for Issuing Jurisdiction	20361
(A) When issuing a citation for a traffic violation, a police officer shall issue the citation to a motorist who possesses a driver's license issued by a party jurisdiction and shall not, subject to the exceptions noted in division (B) of this article, require the motorist to post collateral to secure appearance, if the officer receives the motorist's signed, personal recognizance that he or she will comply with the terms of the citation.	20362 20363 20364 20365 20366 20367 20368 20369

(B) Personal recognizance is acceptable only if not 20370  
prohibited by law. If mandatory appearance is required, it must 20371  
take place immediately following issuance of the citation. 20372

(C) Upon failure of a motorist to comply with the terms of a 20373  
traffic citation, the appropriate official shall report the 20374  
failure to comply to the licensing authority of the jurisdiction 20375  
in which the traffic citation was issued. The report shall be made 20376  
in accordance with procedures specified by the issuing 20377  
jurisdiction and shall contain information as specified in the 20378  
compact manual as minimum requirements for effective processing by 20379  
the home jurisdiction. 20380

(D) Upon receipt of the report, the licensing authority of 20381  
the issuing jurisdiction shall transmit to the licensing authority 20382  
in the home jurisdiction of the motorist the information in a form 20383  
and content as contained in the compact manual. 20384

(E) The licensing authority of the issuing jurisdiction may 20385  
not suspend the privilege of a motorist for whom a report has been 20386  
transmitted. 20387

(F) The licensing authority of the issuing jurisdiction shall 20388  
not transmit a report on any violation if the date of transmission 20389  
is more than six months after the date on which the traffic 20390  
citation was issued. 20391

(G) The licensing authority of the issuing jurisdiction shall 20392  
not transmit a report on any violation where the date of issuance 20393  
of the citation predates the most recent of the effective dates of 20394  
entry for the two jurisdictions affected. 20395

Article IV Procedures for Home Jurisdiction 20396

(A) Upon receipt of a report of a failure to comply from the 20397  
licensing authority of the issuing jurisdiction, the licensing 20398  
authority of the home jurisdiction shall notify the motorist and 20399  
initiate a suspension action, in accordance with the home 20400

jurisdiction's procedures, to suspend the motorist's driver's 20401  
license until satisfactory evidence of compliance with the terms 20402  
of the traffic citation has been furnished to the home 20403  
jurisdiction licensing authority. Due process safeguards will be 20404  
accorded. 20405

(B) The licensing authority of the home jurisdiction shall 20406  
maintain a record of actions taken and make reports to issuing 20407  
jurisdictions as provided in the compact manual. 20408

Article V Applicability of Other Laws 20409

Except as expressly required by provisions of this compact, 20410  
nothing contained herein shall be construed to affect the right of 20411  
any party jurisdiction to apply any of its other laws relating to 20412  
licenses to drive to any person or circumstance, or to invalidate 20413  
or prevent any driver license agreement or other cooperative 20414  
arrangement between a party jurisdiction and nonparty 20415  
jurisdiction. 20416

Article VI Compact Administrator Procedures 20417

(A) For the purpose of administering the provisions of this 20418  
compact and to serve as a governing body for the resolution of all 20419  
matters relating to the operation of this compact, a board of 20420  
compact administrators is established. The board shall be composed 20421  
of one representative from each party jurisdiction to be known as 20422  
the compact administrator. The compact administrator shall be 20423  
appointed by the jurisdiction executive and will serve and be 20424  
subject to removal in accordance with the laws of the jurisdiction 20425  
he represents. A compact administrator may provide for the 20426  
discharge of his duties and the performance of his functions as a 20427  
board member by an alternate. An alternate may not be entitled to 20428  
serve unless written notification of his identity has been given 20429  
to the board. 20430

(B) Each member of the board of compact administrators shall 20431  
be entitled to one vote. No action of the board shall be binding 20432

unless taken at a meeting at which a majority of the total number 20433  
of votes on the board are cast in favor. Action by the board shall 20434  
be only at a meeting at which a majority of the party 20435  
jurisdictions are represented. 20436

(C) The board shall elect annually, from its membership, a 20437  
chairman and a vice chairman. 20438

(D) The board shall adopt bylaws, not inconsistent with the 20439  
provisions of this compact or the laws of a party jurisdiction, 20440  
for the conduct of its business and shall have the power to amend 20441  
and rescind its bylaws. 20442

(E) The board may accept for any of its purposes and 20443  
functions under this compact any and all donations, and grants of 20444  
money, equipment, supplies, materials, and services, conditional 20445  
or otherwise, from any jurisdiction, the United States, or any 20446  
other governmental agency, and may receive, utilize, and dispose 20447  
of the same. 20448

(F) The board may contract with, or accept services or 20449  
personnel from, any governmental or intergovernmental agency, 20450  
person, firm, or corporation, or any private nonprofit 20451  
organization or institution. 20452

(G) The board shall formulate all necessary procedures and 20453  
develop uniform forms and documents for administering the 20454  
provisions of this compact. All procedures and forms adopted 20455  
pursuant to board action shall be contained in the compact manual. 20456

Article VII Entry into Compact and Withdrawal 20457

(A) This compact shall become effective when it has been 20458  
adopted by at least two jurisdictions. 20459

(B)(1) Entry into the compact shall be made by a resolution 20460  
of ratification executed by the authorized officials of the 20461  
applying jurisdiction and submitted to the chairman of the board. 20462



(2) The resolution shall be in a form and content as provided 20463  
in the compact manual and shall include statements that in 20464  
substance are as follows: 20465

(a) A citation of the authority by which the jurisdiction is 20466  
empowered to become a party to this compact; 20467

(b) Agreement to comply with the terms and provisions of the 20468  
compact; 20469

(c) That compact entry is with all jurisdictions then party 20470  
to the compact and with any jurisdiction that legally becomes a 20471  
party to the compact. 20472

(3) The effective date of entry shall be specified by the 20473  
applying jurisdiction, but it shall not be less than sixty days 20474  
after notice has been given by the chairman of the board of 20475  
compact administrators or by the secretariat of the board to each 20476  
party jurisdiction that the resolution from the applying 20477  
jurisdiction has been received. 20478

(C) A party jurisdiction may withdraw from this compact by 20479  
official written notice to the other party jurisdictions, but a 20480  
withdrawal shall not take effect until ninety days after notice of 20481  
withdrawal is given. The notice shall be directed to the compact 20482  
administrator of each member jurisdiction. No withdrawal shall 20483  
affect the validity of this compact as to the remaining party 20484  
jurisdictions. 20485

#### Article VIII Exceptions 20486

The provisions of this compact shall not apply to parking or 20487  
standing violations, highway weight limit violations, and 20488  
violations of law governing the transportation of hazardous 20489  
materials. 20490

#### Article IX Amendments to the Compact 20491

(A) This compact may be amended from time to time. Amendments 20492

shall be presented in resolution form to the chairman of the board 20493  
of compact administrators and may be initiated by one or more 20494  
party jurisdictions. 20495

(B) Adoption of an amendment shall require endorsement of all 20496  
party jurisdictions and shall become effective thirty days after 20497  
the date of the last endorsement. 20498

(C) Failure of a party jurisdiction to respond to the compact 20499  
chairman within one hundred twenty days after receipt of the 20500  
proposed amendment shall constitute endorsement. 20501

Article X Construction and Severability 20502

This compact shall be liberally construed so as to effectuate 20503  
the purposes stated herein. The provisions of this compact shall 20504  
be severable and if any phrase, clause, sentence, or provision of 20505  
this compact is declared to be contrary to the constitution of any 20506  
party jurisdiction or of the United States or the applicability 20507  
thereof to any government, agency, person, or circumstance, the 20508  
compact shall not be affected thereby. If this compact shall be 20509  
held contrary to the constitution of any jurisdiction party 20510  
thereto, the compact shall remain in full force and effect as to 20511  
the remaining jurisdictions and in full force and effect as to the 20512  
jurisdiction affected as to all severable matters. 20513

Article XI Title 20514

This compact shall be known as the Nonresident Violator 20515  
Compact of 1977." 20516

**Sec. ~~4511.951~~ 4510.72.** (A) A fee of thirty dollars shall be 20517  
charged by the registrar of motor vehicles for the reinstatement 20518  
of any driver's license suspended pursuant to division (A) of 20519  
Article IV of the compact enacted in section ~~4511.95~~ 4510.71 of 20520  
the Revised Code. 20521

(B) Pursuant to division (A) of Article VI of the nonresident 20522

violator compact of 1977 enacted in section ~~4511.95~~ 4510.71 of the 20523  
Revised Code, the director of public safety shall serve as the 20524  
compact administrator for Ohio. 20525

**Sec. 4511.01.** As used in this chapter and in Chapter 4513. of 20526  
the Revised Code: 20527

(A) "Vehicle" means every device, including a motorized 20528  
bicycle, in, upon, or by which any person or property may be 20529  
transported or drawn upon a highway, except that "vehicle" does 20530  
not include any motorized ~~wheelchairs~~ wheelchair, ~~devices~~ any 20531  
device that is moved by power collected from overhead electric 20532  
trolley wires, or that is used exclusively upon stationary rails 20533  
or tracks, ~~and devices~~ or any device, other than ~~bicycles~~ a 20534  
bicycle, that is moved by human power. 20535

(B) "Motor vehicle" means every vehicle propelled or drawn by 20536  
power other than muscular power or power collected from overhead 20537  
electric trolley wires, except motorized bicycles, road rollers, 20538  
traction engines, power shovels, power cranes, and other equipment 20539  
used in construction work and not designed for or employed in 20540  
general highway transportation, hole-digging machinery, 20541  
well-drilling machinery, ditch-digging machinery, farm machinery, 20542  
trailers used to transport agricultural produce or agricultural 20543  
production materials between a local place of storage or supply 20544  
and the farm when drawn or towed on a street or highway at a speed 20545  
of twenty-five miles per hour or less, threshing machinery, 20546  
hay-baling machinery, agricultural tractors and machinery used in 20547  
the production of horticultural, floricultural, agricultural, and 20548  
vegetable products, and trailers designed and used exclusively to 20549  
transport a boat between a place of storage and a marina, or in 20550  
and around a marina, when drawn or towed on a street or highway 20551  
for a distance of no more than ten miles and at a speed of 20552  
twenty-five miles per hour or less. 20553

(C) "Motorcycle" means every motor vehicle, other than a tractor, having a saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, including, but not limited to, motor vehicles known as "motor-driven cycle," "motor scooter," or "motorcycle" without regard to weight or brake horsepower.

(D) "Emergency vehicle" means emergency vehicles of municipal, township, or county departments or public utility corporations when identified as such as required by law, the director of public safety, or local authorities, and motor vehicles when commandeered by a police officer.

(E) "Public safety vehicle" means any of the following:

(1) Ambulances, including private ambulance companies under contract to a municipal corporation, township, or county, and private ambulances and nontransport vehicles bearing license plates issued under section 4503.49 of the Revised Code;

(2) Motor vehicles used by public law enforcement officers or other persons sworn to enforce the criminal and traffic laws of the state;

(3) Any motor vehicle when properly identified as required by the director of public safety, when used in response to fire emergency calls or to provide emergency medical service to ill or injured persons, and when operated by a duly qualified person who is a member of a volunteer rescue service or a volunteer fire department, and who is on duty pursuant to the rules or directives of that service. The state fire marshal shall be designated by the director of public safety as the certifying agency for all public safety vehicles described in division (E)(3) of this section.

(4) Vehicles used by fire departments, including motor vehicles when used by volunteer fire fighters responding to

emergency calls in the fire department service when identified as 20585  
required by the director of public safety. 20586

Any vehicle used to transport or provide emergency medical 20587  
service to an ill or injured person, when certified as a public 20588  
safety vehicle, shall be considered a public safety vehicle when 20589  
transporting an ill or injured person to a hospital regardless of 20590  
whether such vehicle has already passed a hospital. 20591

(5) Vehicles used by the commercial motor vehicle safety 20592  
enforcement unit for the enforcement of orders and rules of the 20593  
public utilities commission as specified in section 5503.34 of the 20594  
Revised Code. 20595

(F) "School bus" means every bus designed for carrying more 20596  
than nine passengers that is owned by a public, private, or 20597  
governmental agency or institution of learning and operated for 20598  
the transportation of children to or from a school session or a 20599  
school function, or owned by a private person and operated for 20600  
compensation for the transportation of children to or from a 20601  
school session or a school function, provided "school bus" does 20602  
not include a bus operated by a municipally owned transportation 20603  
system, a mass transit company operating exclusively within the 20604  
territorial limits of a municipal corporation, or within such 20605  
limits and the territorial limits of municipal corporations 20606  
immediately contiguous to such municipal corporation, nor a common 20607  
passenger carrier certified by the public utilities commission 20608  
unless such bus is devoted exclusively to the transportation of 20609  
children to and from a school session or a school function, and 20610  
"school bus" does not include a van or bus used by a licensed 20611  
child day-care center or type A family day-care home to transport 20612  
children from the child day-care center or type A family day-care 20613  
home to a school if the van or bus does not have more than fifteen 20614  
children in the van or bus at any time. 20615

(G) "Bicycle" means every device, other than a tricycle 20616

designed solely for use as a play vehicle by a child, propelled 20617  
solely by human power upon which any person may ride having either 20618  
two tandem wheels, or one wheel in the front and two wheels in the 20619  
rear, any of which is more than fourteen inches in diameter. 20620

(H) "Motorized bicycle" means any vehicle having either two 20621  
tandem wheels or one wheel in the front and two wheels in the 20622  
rear, that is capable of being pedaled and is equipped with a 20623  
helper motor of not more than fifty cubic centimeters piston 20624  
displacement that produces no more than one brake horsepower and 20625  
is capable of propelling the vehicle at a speed of no greater than 20626  
twenty miles per hour on a level surface. 20627

(I) "Commercial tractor" means every motor vehicle having 20628  
motive power designed or used for drawing other vehicles and not 20629  
so constructed as to carry any load thereon, or designed or used 20630  
for drawing other vehicles while carrying a portion of such other 20631  
vehicles, or load thereon, or both. 20632

(J) "Agricultural tractor" means every self-propelling 20633  
vehicle designed or used for drawing other vehicles or wheeled 20634  
machinery but having no provision for carrying loads independently 20635  
of such other vehicles, and used principally for agricultural 20636  
purposes. 20637

(K) "Truck" means every motor vehicle, except trailers and 20638  
semitrailers, designed and used to carry property. 20639

(L) "Bus" means every motor vehicle designed for carrying 20640  
more than nine passengers and used for the transportation of 20641  
persons other than in a ridesharing arrangement, and every motor 20642  
vehicle, automobile for hire, or funeral car, other than a taxicab 20643  
or motor vehicle used in a ridesharing arrangement, designed and 20644  
used for the transportation of persons for compensation. 20645

(M) "Trailer" means every vehicle designed or used for 20646  
carrying persons or property wholly on its own structure and for 20647

being drawn by a motor vehicle, including any such vehicle when 20648  
formed by or operated as a combination of a "semitrailer" and a 20649  
vehicle of the dolly type, such as that commonly known as a 20650  
"trailer dolly," a vehicle used to transport agricultural produce 20651  
or agricultural production materials between a local place of 20652  
storage or supply and the farm when drawn or towed on a street or 20653  
highway at a speed greater than twenty-five miles per hour, and a 20654  
vehicle designed and used exclusively to transport a boat between 20655  
a place of storage and a marina, or in and around a marina, when 20656  
drawn or towed on a street or highway for a distance of more than 20657  
ten miles or at a speed of more than twenty-five miles per hour. 20658

(N) "Semitrailer" means every vehicle designed or used for 20659  
carrying persons or property with another and separate motor 20660  
vehicle so that in operation a part of its own weight or that of 20661  
its load, or both, rests upon and is carried by another vehicle. 20662

(O) "Pole trailer" means every trailer or semitrailer 20663  
attached to the towing vehicle by means of a reach, pole, or by 20664  
being boomed or otherwise secured to the towing vehicle, and 20665  
ordinarily used for transporting long or irregular shaped loads 20666  
such as poles, pipes, or structural members capable, generally, of 20667  
sustaining themselves as beams between the supporting connections. 20668

(P) "Railroad" means a carrier of persons or property 20669  
operating upon rails placed principally on a private right-of-way. 20670

(Q) "Railroad train" means a steam engine or an electric or 20671  
other motor, with or without cars coupled thereto, operated by a 20672  
railroad. 20673

(R) "Streetcar" means a car, other than a railroad train, for 20674  
transporting persons or property, operated upon rails principally 20675  
within a street or highway. 20676

(S) "Trackless trolley" means every car that collects its 20677  
power from overhead electric trolley wires and that is not 20678

operated upon rails or tracks. 20679

(T) "Explosives" means any chemical compound or mechanical 20680  
mixture that is intended for the purpose of producing an explosion 20681  
that contains any oxidizing and combustible units or other 20682  
ingredients in such proportions, quantities, or packing that an 20683  
ignition by fire, by friction, by concussion, by percussion, or by 20684  
a detonator of any part of the compound or mixture may cause such 20685  
a sudden generation of highly heated gases that the resultant 20686  
gaseous pressures are capable of producing destructive effects on 20687  
contiguous objects, or of destroying life or limb. Manufactured 20688  
articles shall not be held to be explosives when the individual 20689  
units contain explosives in such limited quantities, of such 20690  
nature, or in such packing, that it is impossible to procure a 20691  
simultaneous or a destructive explosion of such units, to the 20692  
injury of life, limb, or property by fire, by friction, by 20693  
concussion, by percussion, or by a detonator, such as fixed 20694  
ammunition for small arms, firecrackers, or safety fuse matches. 20695

(U) "Flammable liquid" means any liquid that has a flash 20696  
point of seventy degrees Fahrenheit, or less, as determined by a 20697  
tagliabue or equivalent closed cup test device. 20698

(V) "Gross weight" means the weight of a vehicle plus the 20699  
weight of any load thereon. 20700

(W) "Person" means every natural person, firm, 20701  
co-partnership, association, or corporation. 20702

(X) "Pedestrian" means any natural person afoot. 20703

(Y) "Driver or operator" means every person who drives or is 20704  
in actual physical control of a vehicle, trackless trolley, or 20705  
streetcar. 20706

(Z) "Police officer" means every officer authorized to direct 20707  
or regulate traffic, or to make arrests for violations of traffic 20708  
regulations. 20709



(AA) "Local authorities" means every county, municipal, and other local board or body having authority to adopt police regulations under the constitution and laws of this state.

(BB) "Street" or "highway" means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular travel.

(CC) "Controlled-access highway" means every street or highway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such street or highway.

(DD) "Private road or driveway" means every way or place in private ownership used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

(EE) "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, except the berm or shoulder. If a highway includes two or more separate roadways the term "roadway" means any such roadway separately but not all such roadways collectively.

(FF) "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

(GG) "Laned highway" means a highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

(HH) "Through highway" means every street or highway as provided in section 4511.65 of the Revised Code.

(II) "State highway" means a highway under the jurisdiction

of the department of transportation, outside the limits of 20740  
municipal corporations, provided that the authority conferred upon 20741  
the director of transportation in section 5511.01 of the Revised 20742  
Code to erect state highway route markers and signs directing 20743  
traffic shall not be modified by sections 4511.01 to 4511.79 and 20744  
4511.99 of the Revised Code. 20745

(JJ) "State route" means every highway that is designated 20746  
with an official state route number and so marked. 20747

(KK) "Intersection" means: 20748

(1) The area embraced within the prolongation or connection 20749  
of the lateral curb lines, or, if none, then the lateral boundary 20750  
lines of the roadways of two highways which join one another at, 20751  
or approximately at, right angles, or the area within which 20752  
vehicles traveling upon different highways joining at any other 20753  
angle may come in conflict. 20754

(2) Where a highway includes two roadways thirty feet or more 20755  
apart, then every crossing of each roadway of such divided highway 20756  
by an intersecting highway shall be regarded as a separate 20757  
intersection. If an intersecting highway also includes two 20758  
roadways thirty feet or more apart, then every crossing of two 20759  
roadways of such highways shall be regarded as a separate 20760  
intersection. 20761

(3) The junction of an alley with a street or highway, or 20762  
with another alley, shall not constitute an intersection. 20763

(LL) "Crosswalk" means: 20764

(1) That part of a roadway at intersections ordinarily 20765  
included within the real or projected prolongation of property 20766  
lines and curb lines or, in the absence of curbs, the edges of the 20767  
traversable roadway; 20768

(2) Any portion of a roadway at an intersection or elsewhere, 20769

distinctly indicated for pedestrian crossing by lines or other 20770  
markings on the surface; 20771

(3) Notwithstanding divisions (LL)(1) and (2) of this 20772  
section, there shall not be a crosswalk where local authorities 20773  
have placed signs indicating no crossing. 20774

(MM) "Safety zone" means the area or space officially set 20775  
apart within a roadway for the exclusive use of pedestrians and 20776  
protected or marked or indicated by adequate signs as to be 20777  
plainly visible at all times. 20778

(NN) "Business district" means the territory fronting upon a 20779  
street or highway, including the street or highway, between 20780  
successive intersections within municipal corporations where fifty 20781  
per cent or more of the frontage between such successive 20782  
intersections is occupied by buildings in use for business, or 20783  
within or outside municipal corporations where fifty per cent or 20784  
more of the frontage for a distance of three hundred feet or more 20785  
is occupied by buildings in use for business, and the character of 20786  
such territory is indicated by official traffic control devices. 20787

(OO) "Residence district" means the territory, not comprising 20788  
a business district, fronting on a street or highway, including 20789  
the street or highway, where, for a distance of three hundred feet 20790  
or more, the frontage is improved with residences or residences 20791  
and buildings in use for business. 20792

(PP) "Urban district" means the territory contiguous to and 20793  
including any street or highway which is built up with structures 20794  
devoted to business, industry, or dwelling houses situated at 20795  
intervals of less than one hundred feet for a distance of a 20796  
quarter of a mile or more, and the character of such territory is 20797  
indicated by official traffic control devices. 20798

(QQ) "Traffic control devices" means all flaggers, signs, 20799  
signals, markings, and devices placed or erected by authority of a 20800

public body or official having jurisdiction, for the purpose of 20801  
regulating, warning, or guiding traffic, including signs denoting 20802  
names of streets and highways. 20803

(RR) "Traffic control signal" means any device, whether 20804  
manually, electrically, or mechanically operated, by which traffic 20805  
is alternately directed to stop, to proceed, to change direction, 20806  
or not to change direction. 20807

(SS) "Railroad sign or signal" means any sign, signal, or 20808  
device erected by authority of a public body or official or by a 20809  
railroad and intended to give notice of the presence of railroad 20810  
tracks or the approach of a railroad train. 20811

(TT) "Traffic" means pedestrians, ridden or herded animals, 20812  
vehicles, streetcars, trackless trolleys, and other devices, 20813  
either singly or together, while using any highway for purposes of 20814  
travel. 20815

(UU) "Right-of-way" means either of the following, as the 20816  
context requires: 20817

(1) The right of a vehicle, streetcar, trackless trolley, or 20818  
pedestrian to proceed uninterruptedly in a lawful manner in the 20819  
direction in which it or the individual is moving in preference to 20820  
another vehicle, streetcar, trackless trolley, or pedestrian 20821  
approaching from a different direction into its or the 20822  
individual's path; 20823

(2) A general term denoting land, property, or the interest 20824  
therein, usually in the configuration of a strip, acquired for or 20825  
devoted to transportation purposes. When used in this context, 20826  
right-of-way includes the roadway, shoulders or berm, ditch, and 20827  
slopes extending to the right-of-way limits under the control of 20828  
the state or local authority. 20829

(VV) "Rural mail delivery vehicle" means every vehicle used 20830  
to deliver United States mail on a rural mail delivery route. 20831

(WW) "Funeral escort vehicle" means any motor vehicle, 20832  
including a funeral hearse, while used to facilitate the movement 20833  
of a funeral procession. 20834

(XX) "Alley" means a street or highway intended to provide 20835  
access to the rear or side of lots or buildings in urban districts 20836  
and not intended for the purpose of through vehicular traffic, and 20837  
includes any street or highway that has been declared an "alley" 20838  
by the legislative authority of the municipal corporation in which 20839  
such street or highway is located. 20840

(YY) "Freeway" means a divided multi-lane highway for through 20841  
traffic with all crossroads separated in grade and with full 20842  
control of access. 20843

(ZZ) "Expressway" means a divided arterial highway for 20844  
through traffic with full or partial control of access with an 20845  
excess of fifty per cent of all crossroads separated in grade. 20846

(AAA) "Thruway" means a through highway whose entire roadway 20847  
is reserved for through traffic and on which roadway parking is 20848  
prohibited. 20849

(BBB) "Stop intersection" means any intersection at one or 20850  
more entrances of which stop signs are erected. 20851

(CCC) "Arterial street" means any United States or state 20852  
numbered route, controlled access highway, or other major radial 20853  
or circumferential street or highway designated by local 20854  
authorities within their respective jurisdictions as part of a 20855  
major arterial system of streets or highways. 20856

(DDD) "Ridesharing arrangement" means the transportation of 20857  
persons in a motor vehicle where such transportation is incidental 20858  
to another purpose of a volunteer driver and includes ridesharing 20859  
arrangements known as carpools, vanpools, and buspools. 20860

(EEE) "Motorized wheelchair" means any self-propelled vehicle 20861

designed for, and used by, a handicapped person and that is 20862  
incapable of a speed in excess of eight miles per hour. 20863

(FFF) "Child day-care center" and "type A family day-care 20864  
home" have the same meanings as in section 5104.01 of the Revised 20865  
Code. 20866

(GGG) "Multi-wheel agricultural tractor" means a type of 20867  
agricultural tractor that has two or more wheels or tires on each 20868  
side of one axle at the rear of the tractor, is designed or used 20869  
for drawing other vehicles or wheeled machinery, has no provision 20870  
for carrying loads independently of the drawn vehicles or 20871  
machinery, and is used principally for agricultural purposes. 20872

(HHH) "Operate" means to cause or have caused movement of a 20873  
vehicle, streetcar, or trackless trolley on any public or private 20874  
property used by the public for purposes of vehicular travel or 20875  
parking. 20876

(III) "Predicate motor vehicle or traffic offense" means any 20877  
of the following: 20878

(1) A violation of section 4511.03, 4511.051, 4511.12, 20879  
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 20880  
4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 20881  
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 20882  
4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 20883  
4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 20884  
4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 20885  
4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 20886  
4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 20887  
4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 20888  
4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code; 20889

(2) A violation of division (A)(2) of section 4511.17, 20890  
divisions (A) to (D) of section 4511.51, or division (A) of 20891  
section 4511.74 of the Revised Code; 20892

(3) A violation of any provision of sections 4511.01 to 4511.76 of the Revised Code for which no penalty otherwise is provided in the section that contains the provision violated; 20893  
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(4) A violation of a municipal ordinance that is substantially similar to any section or provision set forth or described in division (III)(1), (2), or (3) of this section. 20896  
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**Sec. 4511.03.** (A) The driver of any emergency vehicle or public safety vehicle, when responding to an emergency call, upon approaching a red or stop signal or any stop sign shall slow down as necessary for safety to traffic, but may proceed cautiously past such red or stop sign or signal with due regard for the safety of all persons using the street or highway. 20899  
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(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. 20905  
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**Sec. 4511.051.** (A) No person, unless otherwise directed by a police officer, shall: 20914  
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~~(A)~~(1) As a pedestrian, occupy any space within the limits of the right-of-way of a freeway, except: in a rest area; on a facility that is separated from the roadway and shoulders of the freeway and is designed and appropriately marked for pedestrian use; in the performance of public works or official duties; as a result of an emergency caused by an accident or breakdown of a motor vehicle; or to obtain assistance; 20916  
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~~(B)(2)~~ Occupy any space within the limits of the right-of-way 20923  
of a freeway, with: an animal-drawn vehicle; a ridden or led 20924  
animal; herded animals; a pushcart; a bicycle, except on a 20925  
facility that is separated from the roadway and shoulders of the 20926  
freeway and is designed and appropriately marked for bicycle use; 20927  
a bicycle with motor attached; a motor driven cycle with a motor 20928  
which produces not to exceed five brake horsepower; an 20929  
agricultural tractor; farm machinery; except in the performance of 20930  
public works or official duties. 20931

(B) Except as otherwise provided in this division, whoever 20932  
violates this section is guilty of a minor misdemeanor. If, within 20933  
one year of the offense, the offender previously has been 20934  
convicted of or pleaded guilty to one predicate motor vehicle or 20935  
traffic offense, whoever violates this section is guilty of a 20936  
misdemeanor of the fourth degree. If, within one year of the 20937  
offense, the offender previously has been convicted of two or more 20938  
predicate motor vehicle or traffic offenses, whoever violates this 20939  
section is guilty of a misdemeanor of the third degree. 20940

**Sec. 4511.11.** (A) Local authorities in their respective 20941  
jurisdictions shall place and maintain traffic control devices in 20942  
accordance with the department of transportation manual and 20943  
specifications for a uniform system of traffic control devices, 20944  
adopted under section 4511.09 of the Revised Code, upon highways 20945  
under their jurisdiction as are necessary to indicate and to carry 20946  
out sections 4511.01 to 4511.76 and 4511.99 of the Revised Code, 20947  
local traffic ordinances, or to regulate, warn, or guide traffic. 20948

(B) The director of transportation may require to be removed 20949  
any traffic control device that does not conform to the manual and 20950  
specifications for a uniform system of traffic control devices on 20951  
the extensions of the state highway system within municipal 20952  
corporations. 20953



(C) No village shall place or maintain any traffic control signal upon an extension of the state highway system within the village without first obtaining the permission of the director. The director may revoke the permission and may require to be removed any traffic control signal that has been erected without ~~his~~ the director's permission on an extension of a state highway within a village, or that, if erected under a permit granted by the director, does not conform to the state manual and specifications, or that is not operated in accordance with the terms of the permit.

(D) All traffic control devices erected on a public road, street, or alley, shall conform to the state manual and specifications.

(E) No person, firm, or corporation shall sell or offer for sale to local authorities any traffic control device that does not conform to the state manual and specifications, except by permission of the director.

(F) No local authority shall purchase or manufacture any traffic control device that does not conform to the state manual and specifications, except by permission of the director.

(G) Whoever violates division (E) of this section is guilty of a misdemeanor of the third degree.

**Sec. 4511.12.** (A) No pedestrian, driver of a vehicle, or operator of a streetcar or trackless trolley shall disobey the instructions of any traffic control device placed in accordance with this chapter, unless at the time otherwise directed by a police officer.

No provision of this chapter for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper

position and sufficiently legible to be seen by an ordinarily 20984  
observant person. Whenever a particular section of this chapter 20985  
does not state that signs are required, that section shall be 20986  
effective even though no signs are erected or in place. 20987

(B) Except as otherwise provided in this division, whoever 20988  
violates this section is guilty of a minor misdemeanor. If, within 20989  
one year of the offense, the offender previously has been 20990  
convicted of or pleaded guilty to one predicate motor vehicle or 20991  
traffic offense, whoever violates this section is guilty of a 20992  
misdemeanor of the fourth degree. If, within one year of the 20993  
offense, the offender previously has been convicted of two or more 20994  
predicate motor vehicle or traffic offenses, whoever violates this 20995  
section is guilty of a misdemeanor of the third degree. 20996

**Sec. 4511.132.** (A) The driver of a vehicle, streetcar, or 20997  
trackless trolley who approaches an intersection where traffic is 20998  
controlled by traffic control signals shall do all of the 20999  
following, if the signal facing ~~him~~ the driver either exhibits no 21000  
colored lights or colored lighted arrows or exhibits a combination 21001  
of such lights or arrows that fails to clearly indicate the 21002  
assignment of right-of-way: 21003

~~(A)~~(1) Stop at a clearly marked stop line, but if none, stop 21004  
before entering the crosswalk on the near side of the 21005  
intersection, or, if none, stop before entering the intersection; 21006

~~(B)~~(2) Yield the right-of-way to all vehicles, streetcars, or 21007  
trackless trolleys in the intersection or approaching on an 21008  
intersecting road, if the vehicles, streetcars, or trackless 21009  
trolleys will constitute an immediate hazard during the time the 21010  
driver is moving across or within the intersection or junction of 21011  
roadways; 21012

~~(C)~~(3) Exercise ordinary care while proceeding through the 21013  
intersection. 21014

(B) Except as otherwise provided in this division, whoever 21015  
violates this section is guilty of a minor misdemeanor. If, within 21016  
one year of the offense, the offender previously has been 21017  
convicted of or pleaded guilty to one predicate motor vehicle or 21018  
traffic offense, whoever violates this section is guilty of a 21019  
misdemeanor of the fourth degree. If, within one year of the 21020  
offense, the offender previously has been convicted of two or more 21021  
predicate motor vehicle or traffic offenses, whoever violates this 21022  
section is guilty of a misdemeanor of the third degree. 21023

**Sec. 4511.16.** (A) No person shall place, maintain, or display 21024  
upon or in view of any highway any unauthorized sign, signal, 21025  
marking, or device which purports to be, is an imitation of, or 21026  
resembles a traffic control device or railroad sign or signal, or 21027  
which attempts to direct the movement of traffic or hides from 21028  
view or interferes with the effectiveness of any traffic control 21029  
device or any railroad sign or signal, and no person shall place 21030  
or maintain, nor shall any public authority permit, upon any 21031  
highway any traffic sign or signal bearing thereon any commercial 21032  
advertising. This section does not prohibit either the erection 21033  
upon private property adjacent to highways of signs giving useful 21034  
directional information and of a type that cannot be mistaken for 21035  
traffic control devices or the erection upon private property of 21036  
traffic control devices by the owner of real property in 21037  
accordance with sections 4511.211 and 4511.432 of the Revised 21038  
Code. 21039

Every such prohibited sign, signal, marking, or device is a 21040  
public nuisance, and the authority having jurisdiction over the 21041  
highway may remove it or cause it to be removed. 21042

(B) Except as otherwise provided in this division, whoever 21043  
violates this section is guilty of a minor misdemeanor. If, within 21044  
one year of the offense, the offender previously has been 21045

convicted of or pleaded guilty to one predicate motor vehicle or 21046  
traffic offense, whoever violates this section is guilty of a 21047  
misdemeanor of the fourth degree. If, within one year of the 21048  
offense, the offender previously has been convicted of two or more 21049  
predicate motor vehicle or traffic offenses, whoever violates this 21050  
section is guilty of a misdemeanor of the third degree. 21051

**Sec. 4511.17.** (A) No person, without lawful authority, shall 21052  
do any of the following: 21053

~~(A) knowingly~~ (1) Knowingly move, deface, damage, destroy, or 21054  
otherwise improperly tamper with any traffic control device, any 21055  
railroad sign or signal, or any inscription, shield, or insignia 21056  
on the device, sign, or signal, or any part of the device, sign, 21057  
or signal; 21058

~~(B) knowingly~~ (2) Knowingly drive upon or over any freshly 21059  
applied pavement marking material on the surface of a roadway 21060  
while the marking materiel is in an undried condition and is 21061  
marked by flags, markers, signs, or other devices intended to 21062  
protect it; 21063

~~(C) knowingly~~ (3) Knowingly move, damage, destroy, or 21064  
otherwise improperly tamper with a manhole cover. 21065

(B)(1) Except as otherwise provided in this division, whoever 21066  
violates division (A)(1) or (3) of this section is guilty of a 21067  
misdemeanor of the third degree. If a violation of division (A)(1) 21068  
or (3) of this section creates a risk of physical harm to any 21069  
person, the offender is guilty of a misdemeanor of the first 21070  
degree. If a violation of division (A)(1) or (3) of this section 21071  
causes serious physical harm to property that is owned, leased, or 21072  
controlled by a state or local authority, the offender is guilty 21073  
of a felony of the fifth degree. 21074

(2) Except as otherwise provided in this division, whoever 21075

violates division (A)(2) of this section is guilty of a minor 21076  
misdemeanor. If, within one year of the offense, the offender 21077  
previously has been convicted of or pleaded guilty to one 21078  
predicate motor vehicle or traffic offense, whoever violates 21079  
division (A)(2) of this section is guilty of a misdemeanor of the 21080  
fourth degree. If, within one year of the offense, the offender 21081  
previously has been convicted of two or more predicate motor 21082  
vehicle or traffic offenses, whoever violates division (A)(2) of 21083  
this section is guilty of a misdemeanor of the third degree. 21084

**Sec. 4511.18.** (A) As used in this section, "traffic control 21085  
device" means any sign, traffic control signal, or other device 21086  
conforming to and placed or erected in accordance with the manual 21087  
adopted under section 4511.09 of the Revised Code by authority of 21088  
a public body or official having jurisdiction, for the purpose of 21089  
regulating, warning, or guiding traffic, including signs denoting 21090  
the names of streets and highways, but does not mean any pavement 21091  
marking. 21092

(B) No individual shall buy or otherwise possess, or sell, a 21093  
traffic control device, except when one of the following applies: 21094

(1) In the course of ~~his~~ the individual's employment by the 21095  
state or a local authority for the express or implied purpose of 21096  
manufacturing, providing, erecting, moving, or removing such a 21097  
traffic control device; 21098

(2) In the course of ~~his~~ the individual's employment by any 21099  
manufacturer of traffic control devices other than a state or 21100  
local authority; 21101

(3) For the purpose of demonstrating the design and function 21102  
of a traffic control device to state or local officials; 21103

(4) When the traffic control device has been purchased from 21104  
the state or a local authority at a sale of property that is no 21105

longer needed or is unfit for use; 21106

(5) The traffic control device has been properly purchased 21107  
from a manufacturer for use on private property and the person 21108  
possessing the device has a sales receipt for the device or other 21109  
acknowledgment of sale issued by the manufacturer. 21110

(C) This section does not preclude, and shall not be 21111  
construed as precluding, prosecution for theft in violation of 21112  
section 2913.02 of the Revised Code or a municipal ordinance 21113  
relating to theft, or for receiving stolen property in violation 21114  
of section 2913.51 of the Revised Code or a municipal ordinance 21115  
relating to receiving stolen property. 21116

(D) Whoever violates this section is guilty of a misdemeanor 21117  
of the third degree. 21118

Sec. 4511.181. As used in sections 4511.181 to 4511.197 of 21119  
the Revised Code: 21120

(A) "Equivalent offense" means any of the following: 21121

(1) A violation of division (A) or (B) of section 4511.19 of 21122  
the Revised Code; 21123

(2) A violation of a municipal OVI ordinance; 21124

(3) A violation of section 2903.04 of the Revised Code in a 21125  
case in which the offender was subject to the sanctions described 21126  
in division (D) of that section; 21127

(4) A violation of division (A)(1) of section 2903.06 or 21128  
2903.08 of the Revised Code or a municipal ordinance that is 21129  
substantially equivalent to either of those divisions; 21130

(5) A violation of division (A)(2), (3), or (4) of section 21131  
2903.06, division (A)(2) of section 2903.08, or former section 21132  
2903.07 of the Revised Code, or a municipal ordinance that is 21133  
substantially equivalent to any of those divisions or that former 21134

section, in a case in which a judge or jury as the trier of fact 21135  
found that the offender was under the influence of alcohol, a drug 21136  
of abuse, or a combination of them; 21137

(6) A violation of an existing or former municipal ordinance, 21138  
law of another state, or law of the United States that is 21139  
substantially equivalent to division (A) or (B) of section 4511.19 21140  
of the Revised Code; 21141

(7) A violation of a former law of this state that was 21142  
substantially equivalent to division (A) or (B) of section 4511.19 21143  
of the Revised Code. 21144

(B) "Mandatory jail term" means the mandatory term in jail of 21145  
three, six, ten, twenty, thirty, or sixty days that must be 21146  
imposed under division (G)(1)(a), (b), or (c) of section 4511.19 21147  
of the Revised Code upon an offender convicted of a violation of 21148  
division (A) of that section and in relation to which all of the 21149  
following apply: 21150

(1) Except as specifically authorized under section 4511.19 21151  
of the Revised Code, the term must be served in a jail. 21152

(2) Except as specifically authorized under section 4511.19 21153  
of the Revised Code, the term cannot be suspended, reduced, or 21154  
otherwise modified pursuant to section 2929.51, 2951.02, or any 21155  
other provision of the Revised Code. 21156

(C) "Municipal OVI ordinance" and "municipal OVI offense" 21157  
mean any municipal ordinance prohibiting a person from operating a 21158  
vehicle while under the influence of alcohol, a drug of abuse, or 21159  
a combination of them or prohibiting a person from operating a 21160  
vehicle with a prohibited concentration of alcohol in the whole 21161  
blood, blood serum or plasma, breath, or urine. 21162

(D) "Community residential sanction," "jail," "mandatory 21163  
prison term," "mandatory term of local incarceration," "sanction," 21164  
and "prison term" have the same meanings as in section 2929.01 of 21165

the Revised Code. 21166

**Sec. 4511.19.** (A) No person shall operate any vehicle, 21167  
streetcar, or trackless trolley within this state, if, at the time 21168  
of the operation, any of the following apply: 21169

(1) The person is under the influence of alcohol, a drug of 21170  
abuse, or ~~alcohol and a drug of abuse~~ combination of them; 21171

(2) The person has a concentration of ten-hundredths of one 21172  
per cent or more but less than seventeen-hundredths of one per 21173  
cent by weight per unit volume of alcohol in the person's whole 21174  
blood; 21175

(3) The person has a concentration of twelve-hundredths of 21176  
one per cent or more but less than two hundred four-thousandths of 21177  
one per cent by weight per unit volume of alcohol in the person's 21178  
blood serum or plasma; 21179

(4) The person has a concentration of ten-hundredths of one 21180  
gram or more but less than seventeen-hundredths of one gram by 21181  
weight of alcohol per two hundred ten liters of the person's 21182  
breath; 21183

~~(4)~~(5) The person has a concentration of fourteen-hundredths 21184  
of one gram or more but less than two hundred 21185  
thirty-eight-thousandths of one gram by weight of alcohol per one 21186  
hundred milliliters of the person's urine; 21187

~~(5)~~(6) The person has a concentration of seventeen-hundredths 21188  
of one per cent or more by weight per unit volume of alcohol in 21189  
the person's whole blood; 21190

~~(6)~~(7) The person has a concentration of two hundred 21191  
four-thousandths of one per cent or more by weight per unit volume 21192  
of alcohol in the person's blood serum or plasma; 21193

(8) The person has a concentration of seventeen-hundredths of 21194  
one gram or more by weight of alcohol per two hundred ten liters 21195



of the person's breath; 21196

~~(7)~~(9) The person has a concentration of two hundred 21197  
thirty-eight-thousandths of one gram or more by weight of alcohol 21198  
per one hundred milliliters of the person's urine. 21199

(B) No person under twenty-one years of age shall operate any 21200  
vehicle, streetcar, or trackless trolley within this state, if, at 21201  
the time of the operation, any of the following apply: 21202

(1) The person has a concentration of at least two-hundredths 21203  
of one per cent but less than ten-hundredths of one per cent by 21204  
weight per unit volume of alcohol in the person's whole blood; 21205  
21206

(2) The person has a concentration of at least 21207  
three-hundredths of one per cent but less than twelve-hundredths 21208  
of one per cent by weight per unit volume of alcohol in the 21209  
person's blood serum or plasma; 21210

~~(3)~~ The person has a concentration of at least two-hundredths 21211  
of one gram but less than ten-hundredths of one gram by weight of 21212  
alcohol per two hundred ten liters of the person's breath; 21213  
21214

~~(3)~~(4) The person has a concentration of at least 21215  
twenty-eight one-thousandths of one gram but less than 21216  
fourteen-hundredths of one gram by weight of alcohol per one 21217  
hundred milliliters of the person's urine. 21218

(C) In any proceeding arising out of one incident, a person 21219  
may be charged with a violation of division (A)(1) and a violation 21220  
of division (B)(1), (2), or (3) of this section, but the person 21221  
may not be convicted of more than one violation of these 21222  
divisions. 21223

(D)(1) In any criminal prosecution or juvenile court 21224  
proceeding for a violation of this section, ~~of a municipal~~ 21225

~~ordinance relating to operating a vehicle while under the~~ 21226  
~~influence of alcohol, a drug of abuse, or alcohol and a drug of~~ 21227  
~~abuse, or of a municipal ordinance relating to operating a vehicle~~ 21228  
~~with a prohibited concentration of alcohol in the blood, breath,~~ 21229  
~~or urine~~ or for an equivalent offense, the court may admit 21230  
evidence on the concentration of alcohol, drugs of abuse, or 21231  
~~alcohol and drugs of abuse~~ a combination of them in the 21232  
defendant's whole blood, blood serum or plasma, breath, urine, or 21233  
other bodily substance at the time of the alleged violation as 21234  
shown by chemical analysis of the ~~defendant's blood, urine,~~ 21235  
~~breath, or other bodily~~ substance withdrawn within two hours of 21236  
the time of the alleged violation. 21237

When a person submits to a blood test at the request of a 21238  
~~police~~ law enforcement officer under section 4511.191 of the 21239  
Revised Code, only a physician, a registered nurse, or a qualified 21240  
technician ~~or~~, chemist, or phlebotomist shall withdraw blood for 21241  
the purpose of determining ~~its~~ the alcohol, drug, or alcohol and 21242  
drug content of the whole blood, blood serum, or blood plasma. 21243  
This limitation does not apply to the taking of breath or urine 21244  
specimens. A ~~physician, a registered nurse, or a qualified~~ 21245  
~~technician or chemist~~ person authorized to withdraw blood under 21246  
this division may refuse to withdraw blood ~~for the purpose of~~ 21247  
~~determining the alcohol, drug, or alcohol and drug content of the~~ 21248  
~~blood under this division~~, if in ~~the~~ that person's opinion ~~of the~~ 21249  
~~physician, nurse, technician, or chemist~~, the physical welfare of 21250  
the person would be endangered by the withdrawing of blood. 21251

~~Such~~ The bodily substance withdrawn shall be analyzed in 21252  
accordance with methods approved by the director of health by an 21253  
individual possessing a valid permit issued by the director ~~of~~ 21254  
~~health~~ pursuant to section 3701.143 of the Revised Code. 21255

(2) In a criminal prosecution or juvenile court proceeding 21256  
for a violation of division (A) of this section, ~~of a municipal~~ 21257

~~ordinance relating to operating a vehicle while under the~~ 21258  
~~influence of alcohol, a drug of abuse, or alcohol and a drug of~~ 21259  
~~abuse, or of a municipal ordinance substantially equivalent to~~ 21260  
~~division (A) of this section relating to operating a vehicle with~~ 21261  
~~a prohibited concentration of alcohol in the blood, breath, or~~ 21262  
~~urine or for an equivalent offense, if there was at the time the~~ 21263  
~~bodily substance was withdrawn a concentration of less than~~ 21264  
~~ten hundredths of one per cent by weight of alcohol in the~~ 21265  
~~defendant's blood, less than ten hundredths of one gram by weight~~ 21266  
~~of alcohol per two hundred ten liters of the defendant's breath,~~ 21267  
~~or less than fourteen hundredths of one gram by weight of alcohol~~ 21268  
~~per one hundred milliliters of the defendant's urine, such the~~ 21269  
~~applicable concentration of alcohol specified in divisions (A)(2),~~ 21270  
~~(3), (4), and (5) of this section, that fact may be considered~~ 21271  
~~with other competent evidence in determining the guilt or~~ 21272  
~~innocence of the defendant. This division does not limit or affect~~ 21273  
~~a criminal prosecution or juvenile court proceeding for a~~ 21274  
~~violation of division (B) of this section or ~~of a municipal~~~~ 21275  
~~ordinance for an equivalent offense that is substantially~~ 21276  
~~equivalent to that division (B) of this section relating to~~ 21277  
~~operating a vehicle with a prohibited concentration of alcohol in~~ 21278  
~~the blood, breath, or urine.~~ 21279

(3) Upon the request of the person who was tested, the 21280  
results of the chemical test shall be made available to the person 21281  
or the person's attorney ~~or agent~~, immediately upon the completion 21282  
of the chemical test analysis. 21283

The person tested may have a physician, a registered nurse, 21284  
or a qualified technician ~~or~~, chemist, or phlebotomist of the 21285  
person's own choosing administer a chemical test or tests, at the 21286  
person's expense, in addition to any administered at the request 21287  
of a ~~police~~ law enforcement officer, ~~and shall be so advised. The~~ 21288  
form to be read to the person to be tested, as required under 21289

section 4511.192 of the Revised Code, shall state that the person 21290  
may have an independent test performed at the person's expense. 21291  
The failure or inability to obtain an additional chemical test by 21292  
a person shall not preclude the admission of evidence relating to 21293  
the chemical test or tests taken at the request of a ~~police~~ law 21294  
enforcement officer. 21295

~~(4) Any~~ (E)(1) Subject to division (E)(3) of this section, in 21296  
any criminal prosecution or juvenile court proceeding for a 21297  
violation of division (A)(2), (3), (4), (5), (6), (7), (8), or (9) 21298  
or (B)(1), (2), (3), or (4) of this section or for an equivalent 21299  
offense that is substantially equivalent to any of those 21300  
divisions, a laboratory report from any forensic laboratory 21301  
certified by the department of health that contains an analysis of 21302  
the whole blood, blood serum or plasma, breath, urine, or other 21303  
bodily substance tested and that contains all of the information 21304  
specified in this division shall be admitted as prima-facie 21305  
evidence of the information and statements that the report 21306  
contains. The laboratory report shall contain all of the 21307  
following: 21308

(a) The signature, under oath, of any person who performed 21309  
the analysis; 21310

(b) Any findings as to the identity and quantity of alcohol, 21311  
a drug of abuse, or a combination of them that was found; 21312

(c) A copy of a notarized statement by the laboratory 21313  
director or a designee of the director that contains the name of 21314  
each certified analyst or test performer involved with the report, 21315  
the analyst's or test performer's employment relationship with the 21316  
laboratory that issued the report, and a notation that performing 21317  
an analysis of the type involved is part of the analyst's or test 21318  
performer's regular duties; 21319

(d) An outline of the analyst's or test performer's 21320

education, training, and experience in performing the type of 21321  
analysis involved and a certification that the laboratory 21322  
satisfies appropriate quality control standards in general and, in 21323  
this particular analysis, under rules of the department of health. 21324

(2) Notwithstanding any other provision of law regarding the 21325  
admission of evidence, a report of the type described in division 21326  
(E)(1) of this section is not admissible against the defendant to 21327  
whom it pertains in any proceeding, other than a preliminary 21328  
hearing or a grand jury proceeding, unless the prosecutor has 21329  
served a copy of the report on the defendant's attorney or, if the 21330  
defendant has no attorney, on the defendant. 21331

(3) A report of the type described in division (E)(1) of this 21332  
section shall not be prima-facie evidence of the contents, 21333  
identity, or amount of any substance if, within seven days after 21334  
the defendant to whom the report pertains or the defendant's 21335  
attorney receives a copy of the report, the defendant or the 21336  
defendant's attorney demands the testimony of the person who 21337  
signed the report. The judge in the case may extend the seven-day 21338  
time limit in the interest of justice. 21339

(F) Except as otherwise provided in this division, any 21340  
physician, registered nurse, or qualified technician ~~or~~ chemist, 21341  
or phlebotomist who withdraws blood from a person pursuant to this 21342  
section, and any hospital, first-aid station, or clinic at which 21343  
blood is withdrawn from a person pursuant to this section, is 21344  
immune from criminal liability<sup>7</sup> and ~~from~~ civil liability ~~that is~~ 21345  
based upon a claim of assault and battery or ~~based upon~~ any other 21346  
claim that is not ~~in the nature of~~ a claim of malpractice, for any 21347  
act performed in withdrawing blood from the person. The immunity 21348  
provided in this division is not available to a person who 21349  
withdraws blood if the person engages in willful or wanton 21350  
misconduct. 21351

(G)(1) Whoever violates any provision of divisions (A)(1) to 21352

(9) of this section is guilty of operating a vehicle under the 21353  
influence of alcohol, a drug of abuse, or a combination of them. 21354  
The court shall sentence the offender under Chapter 2929. of the 21355  
Revised Code, except as otherwise authorized or required by 21356  
divisions (G)(1)(a) to (e) of this section: 21357

(a) Except as otherwise provided in division (G)(1)(b), (c), 21358  
(d), or (e) of this section, the offender is guilty of a 21359  
misdemeanor of the first degree, and the court shall sentence the 21360  
offender to all of the following: 21361

(i) If the sentence is being imposed for a violation of 21362  
division (A)(1), (2), (3), (4), or (5) of this section, a 21363  
mandatory jail term of three consecutive days. As used in this 21364  
division, three consecutive days means seventy-two consecutive 21365  
hours. The court may sentence an offender to both an intervention 21366  
program and a jail term. The court may impose a jail term in 21367  
addition to the three-day mandatory jail term or intervention 21368  
program. However, in no case shall the cumulative jail term 21369  
imposed for the offense exceed six months. 21370

The court may suspend the execution of the three-day jail 21371  
term under this division if the court, in lieu of that suspended 21372  
term, places the offender on probation and requires the offender 21373  
to attend, for three consecutive days, a drivers' intervention 21374  
program certified under section 3793.10 of the Revised Code. The 21375  
court also may suspend the execution of any part of the three-day 21376  
jail term under this division if it places the offender on 21377  
probation for part of the three days, requires the offender to 21378  
attend for the suspended part of the term a drivers' intervention 21379  
program so certified, and sentences the offender to a jail term 21380  
equal to the remainder of the three consecutive days that the 21381  
offender does not spend attending the program. The court may 21382  
require the offender, as a condition of probation and in addition 21383  
to the required attendance at a drivers' intervention program, to 21384

attend and satisfactorily complete any treatment or education 21385  
programs that comply with the minimum standards adopted pursuant 21386  
to Chapter 3793. of the Revised Code by the director of alcohol 21387  
and drug addiction services that the operators of the drivers' 21388  
intervention program determine that the offender should attend and 21389  
to report periodically to the court on the offender's progress in 21390  
the programs. The court also may impose on the offender any other 21391  
conditions of probation that it considers necessary. 21392

(ii) If the sentence is being imposed for a violation of 21393  
division (A)(6), (7), (8), or (9) of this section, except as 21394  
otherwise provided in this division, a mandatory jail term of at 21395  
least three consecutive days and a requirement that the offender 21396  
attend, for three consecutive days, a drivers' intervention 21397  
program that is certified pursuant to section 3793.10 of the 21398  
Revised Code. As used in this division, three consecutive days 21399  
means seventy-two consecutive hours. If the court determines that 21400  
the offender is not conducive to treatment in a drivers' 21401  
intervention program, if the offender refuses to attend a drivers' 21402  
intervention program, or if the jail at which the offender is to 21403  
serve the jail term imposed can provide a driver's intervention 21404  
program, the court shall sentence the offender to a mandatory jail 21405  
term of at least six consecutive days. 21406

The court may require the offender, as a condition of 21407  
probation, to attend and satisfactorily complete any treatment or 21408  
education programs that comply with the minimum standards adopted 21409  
pursuant to Chapter 3793. of the Revised Code by the director of 21410  
alcohol and drug addiction services, in addition to the required 21411  
attendance at drivers' intervention program, that the operators of 21412  
the drivers' intervention program determine that the offender 21413  
should attend and to report periodically to the court on the 21414  
offender's progress in the programs. The court also may impose any 21415  
other conditions of probation on the offender that it considers 21416

necessary. 21417

(iii) In all cases, a fine of not less than two hundred fifty 21418  
and not more than one thousand dollars; 21419

(iv) In all cases, a class five license suspension of the 21420  
offender's driver's or commercial driver's license or permit or 21421  
nonresident operating privilege from the range specified in 21422  
division (A)(5) of section 4510.02 of the Revised Code. The court 21423  
may grant limited driving privileges relative to the suspension 21424  
under sections 4510.021 and 4510.13 of the Revised Code. 21425

(b) Except as otherwise provided in division (G)(1)(e) of 21426  
this section, an offender who, within six years of the offense, 21427  
previously has been convicted of or pleaded guilty to one 21428  
violation of division (A) or (B) of this section or one other 21429  
equivalent offense is guilty of a misdemeanor of the first degree. 21430  
The court shall sentence the offender to all of the following: 21431

(i) If the sentence is being imposed for a violation of 21432  
division (A)(1), (2), (3), (4), or (5) of this section, a 21433  
mandatory jail term of ten consecutive days. The court shall 21434  
impose the ten-day mandatory jail term under this division unless, 21435  
subject to division (G)(3) of this section, it instead imposes a 21436  
sentence under that division consisting of both a jail term and a 21437  
term of electronically monitored house arrest. The court may 21438  
impose a jail term in addition to the ten-day mandatory jail term. 21439  
The cumulative jail term imposed for the offense shall not exceed 21440  
six months. 21441

In addition to the jail term or the term of electronically 21442  
monitored house arrest and jail term, the court may require the 21443  
offender to attend a drivers' intervention program that is 21444  
certified pursuant to section 3793.10 of the Revised Code. If the 21445  
operator of the program determines that the offender is alcohol 21446  
dependent, the program shall notify the court, and, subject to 21447



division (I) of this section, the court shall order the offender 21448  
to obtain treatment through an alcohol and drug addiction program 21449  
authorized by section 3793.02 of the Revised Code. 21450

(ii) If the sentence is being imposed for a violation of 21451  
division (A)(6), (7), (8), or (9) of this section, except as 21452  
otherwise provided in this division, a mandatory jail term of 21453  
twenty consecutive days. The court shall impose the twenty-day 21454  
mandatory jail term under this division unless, subject to 21455  
division (G)(3) of this section, it instead imposes a sentence 21456  
under that division consisting of both a jail term and a term of 21457  
electronically monitored house arrest. The court may impose a jail 21458  
term in addition to the twenty-day mandatory jail term. The 21459  
cumulative jail term imposed for the offense shall not exceed six 21460  
months. 21461

In addition to the jail term or the term of electronically 21462  
monitored house arrest and jail term, the court may require the 21463  
offender to attend a driver's intervention program that is 21464  
certified pursuant to section 3793.10 of the Revised Code. If the 21465  
operator of the program determines that the offender is alcohol 21466  
dependent, the program shall notify the court, and, subject to 21467  
division (I) of this section, the court shall order the offender 21468  
to obtain treatment through an alcohol and drug addiction program 21469  
authorized by section 3793.02 of the Revised Code. 21470

(iii) In all cases, notwithstanding the fines set forth in 21471  
Chapter 2929. of the Revised Code, a fine of not less than three 21472  
hundred fifty and not more than one thousand five hundred dollars; 21473

(iv) In all cases, a class four license suspension of the 21474  
offender's driver's license, commercial driver's license, 21475  
temporary instruction permit, probationary license, or nonresident 21476  
operating privilege from the range specified in division (A)(4) of 21477  
section 4510.02 of the Revised Code. The court may grant limited 21478  
driving privileges relative to the suspension under sections 21479

4510.021 and 4510.13 of the Revised Code. 21480

(v) In all cases, if the vehicle is registered in the offender's name, immobilization of the vehicle involved in the offense for ninety days in accordance with section 4503.233 of the Revised Code and impoundment of the license plates of that vehicle for ninety days. 21481  
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(c) Except as otherwise provided in division (G)(1)(e) of this section, an offender who, within six years of the offense, previously has been convicted of or pleaded guilty to two violations of division (A) or (B) of this section or other equivalent offenses is guilty of a misdemeanor. The court shall sentence the offender to all of the following: 21486  
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(i) If the sentence is being imposed for a violation of division (A)(1), (2), (3), (4), or (5) of this section, a mandatory jail term of thirty consecutive days. The court shall impose the thirty-day mandatory jail term under this division unless, subject to division (G)(3) of this section, it instead imposes a sentence under that division consisting of both a jail term and a term of electronically monitored house arrest. The court may impose a jail term in addition to the thirty-day mandatory jail term. Notwithstanding the terms of imprisonment set forth in Chapter 2929. of the Revised Code, the additional jail term shall not exceed one year, and the cumulative jail term imposed for the offense shall not exceed one year. 21492  
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(ii) If the sentence is being imposed for a violation of division (A)(6), (7), (8), or (9) of this section, a mandatory jail term of sixty consecutive days. The court shall impose the sixty-day mandatory jail term under this division unless, subject to division (G)(3) of this section, it instead imposes a sentence under that division consisting of both a jail term and a term of electronically monitored house arrest. The court may impose a jail term in addition to the sixty-day mandatory jail term. 21504  
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Notwithstanding the terms of imprisonment set forth in Chapter 21512  
2929. of the Revised Code, the additional jail term shall not 21513  
exceed one year, and the cumulative jail term imposed for the 21514  
offense shall not exceed one year. 21515

(iii) In all cases, notwithstanding the fines set forth in 21516  
Chapter 2929. of the Revised Code, a fine of not less than five 21517  
hundred fifty and not more than two thousand five hundred dollars; 21518

(iv) In all cases, a class three license suspension of the 21519  
offender's driver's license, commercial driver's license, 21520  
temporary instruction permit, probationary license, or nonresident 21521  
operating privilege from the range specified in division (A)(3) of 21522  
section 4510.02 of the Revised Code. The court may grant limited 21523  
driving privileges relative to the suspension under sections 21524  
4510.021 and 4510.13 of the Revised Code. 21525

(v) In all cases, if the vehicle is registered in the 21526  
offender's name, criminal forfeiture of the vehicle involved in 21527  
the offense in accordance with section 4503.234 of the Revised 21528  
Code. Division (G)(6) of this section applies regarding any 21529  
vehicle that is subject to an order of criminal forfeiture under 21530  
this division. 21531

(vi) In all cases, participation in an alcohol and drug 21532  
addiction program authorized by section 3793.02 of the Revised 21533  
Code, subject to division (I) of this section. 21534

(d) Except as otherwise provided in division (G)(1)(e) of 21535  
this section, an offender who, within six years of the offense, 21536  
previously has been convicted of or pleaded guilty to three or 21537  
more violations of division (A) or (B) of this section or other 21538  
equivalent offenses is guilty of a felony of the fourth degree. 21539  
The court shall sentence the offender to all of the following: 21540

(i) If the sentence is being imposed for a violation of 21541  
division (A)(1), (2), (3), (4), or (5) of this section, in the 21542

discretion of the court, either a mandatory term of local 21543  
incarceration of sixty consecutive days in accordance with 21544  
division (G)(1) of section 2929.13 of the Revised Code or a 21545  
mandatory prison term of sixty consecutive days of imprisonment in 21546  
accordance with division (G)(2) of that section. If the court 21547  
imposes a mandatory term of local incarceration, it may impose a 21548  
jail term in addition to the sixty-day mandatory term, the 21549  
cumulative total of the mandatory term and the jail term for the 21550  
offense shall not exceed one year, and no prison term is 21551  
authorized for the offense. If the court imposes a mandatory 21552  
prison term, notwithstanding division (A)(4) of section 2929.14 of 21553  
the Revised Code, it also may sentence the offender to a definite 21554  
prison term that shall be not less than six months and not more 21555  
than thirty months, the prison terms shall be imposed as described 21556  
in division (G)(2) of section 2929.13 of the Revised Code, and no 21557  
term of local incarceration, community residential sanction, or 21558  
nonresidential sanction is authorized for the offense. 21559

(ii) If the sentence is being imposed for a violation of 21560  
division (A)(6), (7), (8), or (9) of this section, in the 21561  
discretion of the court, either a mandatory term of local 21562  
incarceration of one hundred twenty consecutive days in accordance 21563  
with division (G)(1) of section 2929.13 of the Revised Code or a 21564  
mandatory prison term of one hundred twenty consecutive days in 21565  
accordance with division (G)(2) of that section. If the court 21566  
imposes a mandatory term of local incarceration, it may impose a 21567  
jail term in addition to the one hundred twenty-day mandatory 21568  
term, the cumulative total of the mandatory term and the jail term 21569  
for the offense shall not exceed one year, and no prison term is 21570  
authorized for the offense. If the court imposes a mandatory 21571  
prison term, notwithstanding division (A)(4) of section 2929.14 of 21572  
the Revised Code, it also may sentence the offender to a definite 21573  
prison term that shall be not less than six months and not more 21574  
than thirty months, the prison terms shall be imposed as described 21575

in division (G)(2) of section 2929.13 of the Revised Code, and no 21576  
term of local incarceration, community residential sanction, or 21577  
nonresidential sanction is authorized for the offense. 21578

(iii) In all cases, notwithstanding section 2929.18 of the 21579  
Revised Code, a fine of not less than eight hundred nor more than 21580  
ten thousand dollars; 21581

(iv) In all cases, a class two license suspension of the 21582  
offender's driver's license, commercial driver's license, 21583  
temporary instruction permit, probationary license, or nonresident 21584  
operating privilege from the range specified in division (A)(2) of 21585  
section 4510.02 of the Revised Code. The court may grant limited 21586  
driving privileges relative to the suspension under sections 21587  
4510.021 and 4510.13 of the Revised Code. 21588

(v) In all cases, if the vehicle is registered in the 21589  
offender's name, criminal forfeiture of the vehicle involved in 21590  
the offense in accordance with section 4503.234 of the Revised 21591  
Code. Division (G)(6) of this section applies regarding any 21592  
vehicle that is subject to an order of criminal forfeiture under 21593  
this division. 21594

(vi) In all cases, participation in an alcohol and drug 21595  
addiction program authorized by section 3793.02 of the Revised 21596  
Code, subject to division (I) of this section. 21597

(vii) In all cases, if the court sentences the offender to a 21598  
mandatory term of local incarceration, in addition to the 21599  
mandatory term, the court, pursuant to section 2929.17 of the 21600  
Revised Code, may impose a term of electronically monitored house 21601  
arrest. The term shall not commence until after the offender has 21602  
served the mandatory term of local incarceration. 21603

(e) An offender who previously has been convicted of or 21604  
pleaded guilty to a violation of division (A) of this section that 21605  
was a felony, regardless of when the violation and the conviction 21606

or guilty plea occurred, is guilty of a felony of the third 21607  
degree. The court shall sentence the offender to all of the 21608  
following: 21609

(i) If the offender is being sentenced for a violation of 21610  
division (A)(1), (2), (3), (4), or (5) of this section, a 21611  
mandatory prison term of sixty consecutive days in accordance with 21612  
division (G)(2) of section 2929.13 of the Revised Code. The court 21613  
may impose a prison term in addition to the sixty-day mandatory 21614  
prison term. The cumulative total of the mandatory prison term and 21615  
the additional prison term for the offense shall not exceed five 21616  
years. No term of local incarceration, community residential 21617  
sanction, or nonresidential sanction is authorized for the 21618  
offense. 21619

(ii) If the sentence is being imposed for a violation of 21620  
division (A)(6), (7), (8), or (9) of this section, a mandatory 21621  
prison term of one hundred twenty consecutive days in accordance 21622  
with division (G)(2) of section 2929.13 of the Revised Code. The 21623  
court may impose a prison term in addition to the one hundred 21624  
twenty-day mandatory prison term. The cumulative total of the 21625  
mandatory prison term and the additional prison term for the 21626  
offense shall not exceed five years. No term of local 21627  
incarceration, community residential sanction, or nonresidential 21628  
sanction is authorized for the offense. 21629

(iii) In all cases, notwithstanding section 2929.18 of the 21630  
Revised Code, a fine of not less than eight hundred nor more than 21631  
ten thousand dollars; 21632

(iv) In all cases, a class two license suspension of the 21633  
offender's driver's license, commercial driver's license, 21634  
temporary instruction permit, probationary license, or nonresident 21635  
operating privilege from the range specified in division (A)(2) of 21636  
section 4510.02 of the Revised Code. The court may grant limited 21637  
driving privileges relative to the suspension under sections 21638

4510.021 and 4510.13 of the Revised Code. 21639

(v) In all cases, if the vehicle is registered in the offender's name, criminal forfeiture of the vehicle involved in the offense in accordance with section 4503.234 of the Revised Code. Division (G)(6) of this section applies regarding any vehicle that is subject to an order of criminal forfeiture under this division. 21640  
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(vi) In all cases, participation in an alcohol and drug addiction program authorized by section 3793.02 of the Revised Code, subject to division (I) of this section. 21646  
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(2) An offender who is convicted of or pleads guilty to a violation of division (A) of this section and who subsequently seeks reinstatement of the driver's or occupational driver's license or permit or nonresident operating privilege suspended under this section as a result of the conviction or guilty plea shall pay a reinstatement fee as provided in division (F)(2) of section 4511.191 of the Revised Code. 21649  
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(3) If an offender is sentenced to a jail term under division (G)(1)(b)(i) or (ii) or (G)(1)(c)(i) or (ii) of this section and if, within sixty days of sentencing of the offender, the court issues a written finding on the record that, due to the unavailability of space at the jail where the offender is required to serve the term, the offender will not be able to begin serving that term within the sixty-day period following the date of sentencing, the court may impose an alternative sentence under this division that includes a term of electronically monitored house arrest, as defined in section 2929.23 of the Revised Code. 21656  
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As an alternative to a mandatory jail term of ten consecutive days required by division (G)(1)(b)(i) of this section, the court, under this division, may sentence the offender to five consecutive days in jail and not less than eighteen consecutive days of 21666  
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electronically monitored house arrest. The cumulative total of the 21670  
five consecutive days in jail and the period of electronically 21671  
monitored house arrest shall not exceed six months. The five 21672  
consecutive days in jail do not have to be served prior to or 21673  
consecutively to the period of house arrest. 21674

As an alternative to the mandatory jail term of twenty 21675  
consecutive days required by division (G)(1)(b)(ii) of this 21676  
section, the court, under this division, may sentence the offender 21677  
to ten consecutive days in jail and not less than thirty-six 21678  
consecutive days of electronically monitored house arrest. The 21679  
cumulative total of the ten consecutive days in jail and the 21680  
period of electronically monitored house arrest shall not exceed 21681  
six months. The ten consecutive days in jail do not have to be 21682  
served prior to or consecutively to the period of house arrest. 21683

As an alternative to a mandatory jail term of thirty 21684  
consecutive days required by division (G)(1)(c)(i) of this 21685  
section, the court, under this division, may sentence the offender 21686  
to fifteen consecutive days in jail and not less than fifty-five 21687  
consecutive days of electronically monitored house arrest. The 21688  
cumulative total of the fifteen consecutive days in jail and the 21689  
period of electronically monitored house arrest shall not exceed 21690  
one year. The fifteen consecutive days in jail do not have to be 21691  
served prior to or consecutively to the period of house arrest. 21692

As an alternative to the mandatory jail term of sixty 21693  
consecutive days required by division (G)(1)(c)(ii) of this 21694  
section, the court, under this division, may sentence the offender 21695  
to thirty consecutive days in jail and not less than one hundred 21696  
ten consecutive days of electronically monitored house arrest. The 21697  
cumulative total of the thirty consecutive days in jail and the 21698  
period of electronically monitored house arrest shall not exceed 21699  
one year. The thirty consecutive days in jail do not have to be 21700  
served prior to or consecutively to the period of house arrest. 21701



(4) If an offender's driver's or occupational driver's license or permit or nonresident operating privilege is suspended under division (G) of this section and if section 4510.13 of the Revised Code permits the court to grant limited driving privileges, the court may grant the limited driving privileges only if the court imposes as one of the conditions of the privileges that the offender must display on the vehicle that is driven subject to the privileges restricted license plates that are issued under section 4503.231 of the Revised Code, except as provided in division (B) of that section. 21702  
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(5) Fines imposed under this section for a violation of division (A) of this section shall be distributed as follows: 21712  
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(a) Twenty-five dollars of the fine imposed under division (G)(1)(a)(iii), thirty-five dollars of the fine imposed under division (G)(1)(b)(iii), one hundred twenty-three dollars of the fine imposed under division (G)(1)(c)(iii), and two hundred ten dollars of the fine imposed under division (G)(1)(d)(iii) or (e)(iii) of this section 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. The agency shall use this share to pay only those costs it incurs in enforcing this section or a municipal OVI ordinance and in informing the public of the laws governing the operation of a vehicle while under the influence of alcohol, the dangers of the operation of a vehicle under the influence of alcohol, and other information relating to the operation of a vehicle under the influence of alcohol and the consumption of alcoholic beverages. 21714  
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(b) Fifty dollars of the fine imposed under division (G)(1)(a)(iii) of this section shall be paid to the political subdivision that pays the cost of housing the offender during the 21731  
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offender's term of incarceration. If the offender is being 21734  
sentenced for a violation of division (A)(1), (2), (3), (4), or 21735  
(5) of this section and was confined as a result of the offense 21736  
prior to being sentenced for the offense but is not sentenced to a 21737  
term of incarceration, the fifty dollars shall be paid to the 21738  
political subdivision that paid the cost of housing the offender 21739  
during that period of confinement. The political subdivision shall 21740  
use the share under this division to pay or reimburse 21741  
incarceration or treatment costs it incurs in housing or providing 21742  
drug and alcohol treatment to persons who violate this section or 21743  
a municipal OVI ordinance, costs of any immobilizing or disabling 21744  
device used on the offender's vehicle, and costs of electronic 21745  
house arrest equipment needed for persons who violate this 21746  
section. 21747

(c) Twenty-five dollars of the fine imposed under division 21748  
(G)(1)(a)(iii) and fifty dollars of the fine imposed under 21749  
division (G)(1)(b)(iii) of this section shall be deposited into 21750  
the county or municipal indigent drivers' alcohol treatment fund 21751  
under the control of that court, as created by the county or 21752  
municipal corporation under division (N) of section 4511.191 of 21753  
the Revised Code. 21754

(d) One hundred fifteen dollars of the fine imposed under 21755  
division (G)(1)(b)(iii), two hundred seventy-seven dollars of the 21756  
fine imposed under division (G)(1)(c)(iii), and four hundred forty 21757  
dollars of the fine imposed under division (G)(1)(d)(iii) or 21758  
(e)(iii) of this section shall be paid to the political 21759  
subdivision that pays the cost of housing the offender during the 21760  
offender's term of incarceration. The political subdivision shall 21761  
use this share to pay or reimburse incarceration or treatment 21762  
costs it incurs in housing or providing drug and alcohol treatment 21763  
to persons who violate this section or a municipal OVI ordinance, 21764  
costs for any immobilizing or disabling device used on the 21765

offender's vehicle, and costs of electronic house arrest equipment 21766  
needed for persons who violate this section. 21767

(e) The balance of the fine imposed under division 21768  
(G)(1)(a)(iii), (b)(iii), (c)(iii), (d)(iii), or (e)(iii) of this 21769  
section shall be disbursed as otherwise provided by law. 21770

(6) If title to a motor vehicle that is subject to an order 21771  
of criminal forfeiture under division (G)(1)(c), (d), or (e) of 21772  
this section is assigned or transferred and division (B)(2) or (3) 21773  
of section 4503.234 of the Revised Code applies, in addition to or 21774  
independent of any other penalty established by law, the court may 21775  
fine the offender the value of the vehicle as determined by 21776  
publications of the national auto dealers association. The 21777  
proceeds of any fine so imposed shall be distributed in accordance 21778  
with division (C)(2) of that section. 21779

(H) Whoever violates division (B) of this section is guilty 21780  
of operating a vehicle after underage alcohol consumption and 21781  
shall be punished as follows: 21782

(1) Except as otherwise provided in division (H)(2) of this 21783  
section, the offender is guilty of a misdemeanor of the fourth 21784  
degree. In addition to any other sanction imposed for the offense, 21785  
the court shall impose a class six suspension of the offender's 21786  
driver's license, commercial driver's license, temporary 21787  
instruction permit, probationary license, or nonresident operating 21788  
privilege from the range specified in division (A)(6) of section 21789  
4510.02 of the Revised Code. 21790

(2) If, within one year of the offense, the offender 21791  
previously has been convicted of or pleaded guilty to one or more 21792  
violations of division (A) or (B) of this section or other 21793  
equivalent offense offenses, the offender is guilty of a 21794  
misdemeanor of the third degree. In addition to any other sanction 21795  
imposed for the offense, the court shall impose a class four 21796

suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(4) of section 4510.02 of the Revised Code.

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(I)(1) No court shall sentence an offender to an alcohol treatment program under this section unless the treatment program complies with the minimum standards for alcohol treatment programs adopted under Chapter 3793. of the Revised Code by the director of alcohol and drug addiction services.

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(2) An offender who stays in a drivers' intervention program or in an alcohol treatment program under an order issued under this section shall pay the cost of the stay in the program. However, if the court determines that an offender who stays in an alcohol treatment program under an order issued under this section is unable to pay the cost of the stay in the program, the court may order that the cost be paid from the court's indigent drivers' alcohol treatment fund.

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(J) If a person whose driver's or commercial driver's license or permit or nonresident operating privilege is suspended under this section files an appeal regarding any aspect of the person's trial or sentence, the appeal itself does not stay the operation of the suspension.

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(K) All terms defined in sections 4510.01 of the Revised Code apply to this section. If the meaning of a term defined in section 4510.01 of the Revised Code conflicts with the meaning of the same term as defined in section 4501.01 or 4511.01 of the Revised Code, the term as defined in section 4510.01 of the Revised Code applies to this section.

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(L)(1) The Ohio Traffic Rules in effect on the effective date of this amendment, as adopted by the supreme court under authority

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of section 2937.46 of the Revised Code, do not apply to felony 21828  
violations of this section. Subject to division (L)(2) of this 21829  
section, the Rules of Criminal Procedure apply to felony 21830  
violations of this section. 21831

(2) If, on or after the effective date of this amendment, the 21832  
supreme court modifies the Ohio Traffic Rules to provide 21833  
procedures to govern felony violations of this section, the 21834  
modified rules shall apply to felony violations of this section. 21835

**Sec. 4511.191.** (A)(1) "Physical control" has the same meaning 21836  
as in section 4511.194 of the Revised Code. 21837

(2) Any person who operates a vehicle, streetcar, or 21838  
trackless trolley upon a highway or any public or private property 21839  
used by the public for vehicular travel or parking within this 21840  
state or who is in physical control of a vehicle, streetcar, or 21841  
trackless trolley shall be deemed to have given consent to a 21842  
chemical test or tests of the person's whole blood, blood serum or 21843  
plasma, breath, or urine for the purpose of determining to 21844  
determine the alcohol, drug, or alcohol and drug content of the 21845  
person's whole blood, blood serum or plasma, breath, or urine if 21846  
arrested for operating a vehicle while under the influence of 21847  
alcohol, a drug of abuse, or alcohol and a drug of abuse or for 21848  
operating a vehicle with a prohibited concentration of alcohol in 21849  
the blood, breath, or urine. The a violation of division (A) or 21850  
(B) of section 4511.19 of the Revised Code, section 4511.194 of 21851  
the Revised Code, or a municipal OVI ordinance. 21852

(3) The chemical test or tests under division (A)(2) of this 21853  
section shall be administered at the request of a police law 21854  
enforcement officer having reasonable grounds to believe the 21855  
person to have been was operating or in physical control of a 21856  
vehicle upon a highway or any public or private property used by 21857  
the public for vehicular travel or parking in this state while 21858

~~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, streetcar, or trackless trolley in  
violation of a division, section, or ordinance identified in  
division (A)(2) of this section.~~ The law enforcement agency by  
which the officer is employed shall designate which of the tests  
shall be administered.

~~(B)(4) Any person who is dead or unconscious, or who is  
otherwise is in a condition rendering the person incapable of  
refusal, shall be deemed not to have withdrawn consent consented  
as provided by in division (A)(2) 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 21922  
the court in which the arrested person is to appear on the charge 21923  
for which the person was arrested. If the arrested person does not 21924  
have the person's driver's or commercial driver's license or 21925  
permit on the person's self or in the person's vehicle, the 21926  
arresting officer shall order the arrested person to surrender it 21927  
to the law enforcement agency that employs the officer within 21928  
twenty four hours after the arrest, and, upon the surrender, the 21929  
officer's employing agency immediately shall forward the license 21930  
or permit to the court in which the arrested person is to appear 21931  
on the charge for which the person was arrested. Upon receipt of 21932  
the license or permit, the court shall retain it pending the 21933  
initial appearance of the arrested person and any action taken 21934  
under section 4511.196 of the Revised Code. 21935~~

~~If a person under arrest as described in division (C)(1) of 21936  
this section is asked by a police officer to submit to a chemical 21937  
test designated as provided in division (A) of this section and is 21938  
advised of the consequences of the person's refusal or submission 21939  
as provided in division (C) of this section and if the person 21940  
either refuses to submit to the designated chemical test or the 21941  
person submits to the designated chemical test and the test 21942  
results indicate that the person's blood contained a concentration 21943  
of ten hundredths of one per cent or more by weight of alcohol, 21944  
the person's breath contained a concentration of ten hundredths of 21945  
one gram or more by weight of alcohol per two hundred ten liters 21946  
of the person's breath, or the person's urine contained a 21947  
concentration of fourteen hundredths of one gram or more by weight 21948  
of alcohol per one hundred milliliters of the person's urine at 21949  
the time of the alleged offense, the arresting officer shall do 21950  
all of the following: 21951~~

~~(a) On behalf of the registrar, serve a notice of suspension 21952  
upon the person that advises the person that, independent of any 21953~~



~~penalties or sanctions imposed upon the person pursuant to any 21954  
other section of the Revised Code or any other municipal 21955  
ordinance, the person's driver's or commercial driver's license or 21956  
permit or nonresident operating privilege is suspended, that the 21957  
suspension takes effect immediately, that the suspension will last 21958  
at least until the person's initial appearance on the charge that 21959  
will be held within five days after the date of the person's 21960  
arrest or the issuance of a citation to the person, and that the 21961  
person may appeal the suspension at the initial appearance; seize 21962  
the Ohio or out of state driver's or commercial driver's license 21963  
or permit of the person; and immediately forward the seized 21964  
license or permit to the registrar. If the arrested person does 21965  
not have the person's driver's or commercial driver's license or 21966  
permit on the person's self or in the person's vehicle, the 21967  
arresting officer shall order the person to surrender it to the 21968  
law enforcement agency that employs the officer within twenty four 21969  
hours after the service of the notice of suspension, and, upon the 21970  
surrender, the officer's employing agency immediately shall 21971  
forward the license or permit to the registrar. 21972~~

~~(b) Verify the current residence of the person and, if it 21973  
differs from that on the person's driver's or commercial driver's 21974  
license or permit, notify the registrar of the change; 21975~~

~~(c) In addition to forwarding the arrested person's driver's 21976  
or commercial driver's license or permit to the registrar, send to 21977  
the registrar, within forty eight hours after the arrest of the 21978  
person, a sworn report that includes all of the following 21979  
statements: 21980~~

~~(i) That the officer had reasonable grounds to believe that, 21981  
at the time of the arrest, the arrested person was operating a 21982  
vehicle upon a highway or public or private property used by the 21983  
public for vehicular travel or parking within this state while 21984  
under the influence of alcohol, a drug of abuse, or alcohol and a 21985~~

~~drug of abuse or with a prohibited concentration of alcohol in the 21986  
blood, breath, or urine; 21987~~

~~(ii) That the person was arrested and charged with operating 21988  
a vehicle while under the influence of alcohol, a drug of abuse, 21989  
or alcohol and a drug of abuse or with operating a vehicle with a 21990  
prohibited concentration of alcohol in the blood, breath, or 21991  
urine; 21992~~

~~(iii) That the officer asked the person to take the 21993  
designated chemical test, advised the person of the consequences 21994  
of submitting to the chemical test or refusing to take the 21995  
chemical test, and gave the person the form described in division 21996  
(C)(2) of this section; 21997~~

~~(iv) That the person refused to submit to the chemical test 21998  
or that the person submitted to the chemical test and the test 21999  
results indicate that the person's blood contained a concentration 22000  
of ten hundredths of one per cent or more by weight of alcohol, 22001  
the person's breath contained a concentration of ten hundredths of 22002  
one gram or more by weight of alcohol per two hundred ten liters 22003  
of the person's breath, or the person's urine contained a 22004  
concentration of fourteen hundredths of one gram or more by weight 22005  
of alcohol per one hundred milliliters of the person's urine at 22006  
the time of the alleged offense; 22007~~

~~(v) That the officer served a notice of suspension upon the 22008  
person as described in division (D)(1)(a) of this section. 22009~~

~~(2) The sworn report of an arresting officer completed under 22010  
division (D)(1)(c) of this section shall be given by the officer 22011  
to the arrested person at the time of the arrest or sent to the 22012  
person by regular first class mail by the registrar as soon 22013  
thereafter as possible, but no later than fourteen days after 22014  
receipt of the report. An arresting officer may give an unsworn 22015  
report to the arrested person at the time of the arrest provided 22016~~

~~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)(B)(1) Upon receipt of the sworn report of an arresting a  
law enforcement officer who arrested a person for a violation of  
division (A) or (B) of section 4511.19 of the Revised Code,  
section 4511.194 of the Revised Code, or a municipal OVI ordinance  
that was completed and sent to the registrar and a court pursuant  
to divisions (D)(1)(c) and (D)(2) of this section 4511.192 of the  
Revised Code 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 division and that 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 4511.197 of the Revised Code. The suspension  
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~~ 22049  
~~test, had not refused a previous request to consent to a chemical~~ 22050  
~~test of the person's blood, breath, or urine to determine its~~ 22051  
~~alcohol content~~ Except when division (B)(1)(b), (c), or (d) of 22052  
this section applies and specifies a different class or length of 22053  
suspension, the period of suspension shall be one year. If the 22054  
~~person is a resident without a license or permit to operate a~~ 22055  
~~vehicle within this state, the registrar shall deny to the person~~ 22056  
~~the issuance of a driver's or commercial driver's license or~~ 22057  
~~permit for a period of one year after the date of the alleged~~ 22058  
~~violation~~ a class C suspension for the period of time specified in 22059  
division (B)(3) of section 4510.02 of the Revised Code. 22060

(b) If the arrested person, within ~~five~~ six years of the date 22061  
on which the person refused the request to consent to the chemical 22062  
test, had refused one previous request to consent to a chemical 22063  
~~test of the person's blood, breath, or urine to determine its~~ 22064  
~~alcohol content, the period of suspension or denial shall be two~~ 22065  
~~years~~ a class B suspension imposed for the period of time 22066  
specified in division (B)(2) of section 4510.02 of the Revised 22067  
Code. 22068

(c) If the arrested person, within ~~five~~ six years of the date 22069  
on which the person refused the request to consent to the chemical 22070  
test, had refused two previous requests to consent to a chemical 22071  
~~test of the person's blood, breath, or urine to determine its~~ 22072  
~~alcohol content, the period of suspension or denial shall be three~~ 22073  
~~years~~ a class A suspension imposed for the period of time 22074  
specified in division (B)(1) of section 4510.02 of the Revised 22075  
Code. 22076

(d) If the arrested person, within ~~five~~ six years of the date 22077  
on which the person refused the request to consent to the chemical 22078  
test, had refused three or more previous requests to consent to a 22079  
chemical test ~~of the person's blood, breath, or urine to determine~~ 22080

~~its alcohol content, the period of suspension or denial shall be~~ 22081  
~~for five years.~~ 22082

~~(2) The suspension or denial imposed under division (E)(1) of~~ 22083  
~~this section shall continue for the entire one year, two year,~~ 22084  
~~three year, or five year period, subject to appeal as provided in~~ 22085  
~~this section and subject to termination as provided in division~~ 22086  
~~(K) of this section.~~ 22087

~~(F)(2) The registrar shall terminate a suspension of the~~ 22088  
~~driver's or commercial driver's license or permit of a resident or~~ 22089  
~~of the operating privilege of a nonresident, or a denial of a~~ 22090  
~~driver's or commercial driver's license or permit, imposed~~ 22091  
~~pursuant to division (B)(1) of this section upon receipt of notice~~ 22092  
~~that the person has entered a plea of guilty to, or has been~~ 22093  
~~convicted of, operating a vehicle in violation of section 4511.19~~ 22094  
~~of the Revised Code or in violation of a municipal OVI ordinance,~~ 22095  
~~if the offense for which the conviction is had or the plea is~~ 22096  
~~entered arose from the same incident that led to the suspension or~~ 22097  
~~denial.~~ 22098

~~The registrar shall credit against any judicial suspension of~~ 22099  
~~a person's driver's or commercial driver's license or permit or~~ 22100  
~~nonresident operating privilege imposed pursuant to section~~ 22101  
~~4511.19 of the Revised Code, or pursuant to section 4510.07 of the~~ 22102  
~~Revised Code for a violation of a municipal OVI ordinance, any~~ 22103  
~~time during which the person serves a related suspension imposed~~ 22104  
~~pursuant to division (B)(1) of this section.~~ 22105

~~(C)(1) Upon receipt of the sworn report of an arresting law~~ 22106  
~~enforcement officer who arrested a person for a violation of~~ 22107  
~~division (A) or (B) of section 4511.19 of the Revised Code or a~~ 22108  
~~municipal OVI ordinance that was completed and sent to the~~ 22109  
~~registrar and a court pursuant to divisions (D)(1)(e) and (D)(2)~~ 22110  
~~of this section 4511.192 of the Revised Code in regard to a person~~ 22111  
~~whose test results indicate that the person's whole blood, blood~~ 22112

serum or plasma, breath, or urine contained a at least the 22113  
concentration of ten hundredths of one per cent or more by weight 22114  
of alcohol, the person's breath contained a concentration of 22115  
ten hundredths of one gram or more by weight of alcohol per two 22116  
hundred ten liters of the person's breath, or the person's urine 22117  
contained a concentration of fourteen hundredths of one gram or 22118  
more by weight of alcohol per one hundred milliliters of the 22119  
person's urine at the time of the alleged offense specified in 22120  
division (A)(2), (3), (4), or (5) of section 4511.19 of the 22121  
Revised Code, the registrar shall enter into the registrar's 22122  
records the fact that the person's driver's or commercial driver's 22123  
license or permit or nonresident operating privilege was suspended 22124  
by the arresting officer under division (D)(1)(a) of this division 22125  
and section 4511.192 of the Revised Code and the period of the 22126  
suspension, as determined under divisions (F)(1) to (4) of this 22127  
section. The suspension shall be subject to appeal as provided in 22128  
this section and 4511.197 of the Revised Code. The suspension 22129  
described in this division does not apply to, and shall not be 22130  
imposed upon, a person arrested for a violation of section 22131  
4511.194 of the Revised Code who submits to a designated chemical 22132  
test. The suspension shall be for whichever of the following 22133  
periods ~~that~~ applies: 22134

(1)(a) Except when division (F)(2), (3), or (4) (C)(1)(b), 22135  
(c), or (d) of this section applies and specifies a different 22136  
period of suspension or denial, the period of the suspension or 22137  
denial shall be ninety days a class E suspension imposed for the 22138  
period of time specified in division (B)(5) of section 4510.02 of 22139  
the Revised Code. 22140

(2)(b) The period of suspension or denial shall be one year a 22141  
class C suspension for the period of time specified in division 22142  
(B)(3) of section 4510.02 of the Revised Code if the person has 22143  
been convicted of or pleaded guilty to, within six years of the 22144

date the test was conducted, ~~of a one violation of one of the~~ 22145  
~~following:~~ 22146

~~(a) Division division (A) or (B) of section 4511.19 of the~~ 22147  
~~Revised Code;~~ 22148

~~(b) A municipal ordinance relating to operating a vehicle~~ 22149  
~~while under the influence of alcohol, a drug of abuse, or alcohol~~ 22150  
~~and a drug of abuse;~~ 22151

~~(c) A municipal ordinance relating to operating a vehicle~~ 22152  
~~with a prohibited concentration of alcohol in the blood, breath,~~ 22153  
~~or urine;~~ 22154

~~(d) Section 2903.04 of the Revised Code in a case in which~~ 22155  
~~the offender was subject to the sanctions described in division~~ 22156  
~~(D) of that section;~~ 22157

~~(e) Division (A)(1) of section 2903.06 or division (A)(1) of~~ 22158  
~~section 2903.08 of the Revised Code or a municipal ordinance that~~ 22159  
~~is substantially similar to either of those divisions;~~ 22160

~~(f) Division (A)(2), (3), or (4) of section 2903.06, division~~ 22161  
~~(A)(2) of section 2903.08, or former section 2903.07 of the~~ 22162  
~~Revised Code, or a municipal ordinance that is substantially~~ 22163  
~~similar to any of those divisions or that former section, in a~~ 22164  
~~case in which the jury or judge found that at the time of the~~ 22165  
~~commission of the offense the offender was under the influence of~~ 22166  
~~alcohol, a drug of abuse, or alcohol and a drug of abuse;~~ 22167

~~(g) A statute of the United States or of any other state or a~~ 22168  
~~municipal ordinance of a municipal corporation located in any~~ 22169  
~~other state that is substantially similar to division (A) or (B)~~ 22170  
~~of section 4511.19 of the Revised Code or one other equivalent~~ 22171  
~~offense.~~ 22172

~~(3)(c) If the person has been convicted, within six years of~~ 22173  
~~the date the test was conducted, of the person has been convicted~~ 22174

of or pleaded guilty to two violations of a statute or ordinance 22175  
described in division ~~(F)(2)(C)(1)(b)~~ of this section, the period 22176  
of the suspension or denial shall be ~~two years~~ a class B 22177  
suspension imposed for the period of time specified in division 22178  
(B)(2) of section 4510.02 of the Revised Code. 22179

~~(4)(d)~~ If the person has been convicted, within six years of 22180  
the date the test was conducted, of the person has been convicted 22181  
of or pleaded guilty to more than two violations of a statute or 22182  
ordinance described in division ~~(F)(2)(C)(1)(b)~~ of this section, 22183  
the period of the suspension or denial shall be ~~three years~~ a 22184  
class A suspension imposed for the period of time specified in 22185  
division (B)(1) of section 4510.02 of the Revised Code. 22186

(2) The registrar shall terminate a suspension of the 22187  
driver's or commercial driver's license or permit of a resident or 22188  
of the operating privilege of a nonresident, or a denial of a 22189  
driver's or commercial driver's license or permit, imposed 22190  
pursuant to division (C)(1) of this section upon receipt of notice 22191  
that the person has entered a plea of guilty to, or has been 22192  
convicted of, operating a vehicle in violation of section 4511.19 22193  
of the Revised Code or in violation of a municipal OVI ordinance, 22194  
if the offense for which the conviction is had or the plea is 22195  
entered arose from the same incident that led to the suspension or 22196  
denial. 22197

The registrar shall credit against any judicial suspension of 22198  
a person's driver's or commercial driver's license or permit or 22199  
nonresident operating privilege imposed pursuant to section 22200  
4511.19 of the Revised Code, or pursuant to section 4510.07 of the 22201  
Revised Code for a violation of a municipal OVI ordinance, any 22202  
time during which the person serves a related suspension imposed 22203  
pursuant to division (C)(1) of this section. 22204

~~(G)(D)~~ (1) A suspension of a person's driver's or commercial 22205  
driver's license or permit or nonresident operating privilege 22206



under ~~division (D)(1)(a)~~ of this section for the ~~period~~ of time 22207  
described in division ~~(E)(B)~~ or ~~(F)(C)~~ of this section is 22208  
effective immediately from the time at which the arresting officer 22209  
serves the notice of suspension upon the arrested person. Any 22210  
subsequent finding that the person is not guilty of the charge 22211  
that resulted in the person being requested to take, ~~or in the~~ 22212  
~~person taking,~~ the chemical test or tests under division (A) of 22213  
this section ~~affects~~ does not affect the suspension ~~only as~~ 22214  
~~described in division (H)(2) of this section.~~ 22215

(2) If a person is arrested for operating a vehicle ~~while~~ 22216  
~~under the influence of alcohol, a drug of abuse, or alcohol and a~~ 22217  
~~drug of abuse or for operating a vehicle with a prohibited~~ 22218  
~~concentration of alcohol in the blood, breath, or urine and,~~ 22219  
streetcar, or trackless trolley in violation of division (A) or 22220  
(B) of section 4511.19 of the Revised Code or a municipal OVI 22221  
ordinance, or for being in physical control of a vehicle, 22222  
streetcar, or trackless trolley in violation of section 4511.194 22223  
of the Revised Code, regardless of whether the person's driver's 22224  
or commercial driver's license or permit or nonresident operating 22225  
privilege is or is not suspended under division ~~(E)(B)~~ or ~~(F)(C)~~ 22226  
of this section or Chapter 4510. of the Revised Code, the person's 22227  
initial appearance on the charge resulting from the arrest shall 22228  
be held within five days of the person's arrest or the issuance of 22229  
the citation to the person, subject to any continuance granted by 22230  
the court pursuant to ~~division (H)(1) of this section~~ 4511.197 of 22231  
the Revised Code regarding the issues specified in that division. 22232

~~(H)(1) If a person is arrested for operating a vehicle while~~ 22233  
~~under the influence of alcohol, a drug of abuse, or alcohol and a~~ 22234  
~~drug of abuse or for operating a vehicle with a prohibited~~ 22235  
~~concentration of alcohol in the blood, breath, or urine and if the~~ 22236  
~~person's driver's or commercial driver's license or permit or~~ 22237  
~~nonresident operating privilege is suspended under division (E) or~~ 22238

~~(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;~~ 22271  
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~~(b) Whether the law enforcement officer requested the  
arrested person to submit to the chemical test designated pursuant  
to division (A) of this section;~~ 22275  
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~~(c) Whether the arresting officer informed the arrested  
person of the consequences of refusing to be tested or of  
submitting to the test;~~ 22278  
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~~(d) Whichever of the following is applicable:~~ 22281

~~(i) Whether the arrested person refused to submit to the  
chemical test requested by the officer;~~ 22282  
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~~(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.~~ 22284  
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~~(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~~ 22293  
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~~conditions have been met, the judge, referee, or mayor shall 22302  
uphold the suspension, shall continue the suspension, and shall 22303  
notify the registrar of the decision on a form approved by the 22304  
registrar. Except as otherwise provided in division (H)(2) of this 22305  
section, if the suspension is upheld or if the person does not 22306  
appeal the suspension at the person's initial appearance under 22307  
division (H)(1) of this section, the suspension shall continue 22308  
until the complaint alleging the violation for which the person 22309  
was arrested and in relation to which the suspension was imposed 22310  
is adjudicated on the merits by the judge or referee of the trial 22311  
court or by the mayor of the mayor's court. If the suspension was 22312  
imposed under division (E) of this section and it is continued 22313  
under this division, any subsequent finding that the person is not 22314  
guilty of the charge that resulted in the person being requested 22315  
to take the chemical test or tests under division (A) of this 22316  
section does not terminate or otherwise affect the suspension. If 22317  
the suspension was imposed under division (F) of this section and 22318  
it is continued under this division, the suspension shall 22319  
terminate if, for any reason, the person subsequently is found not 22320  
guilty of the charge that resulted in the person taking the 22321  
chemical test or tests under division (A) of this section. 22322~~

~~If, during the appeal at the initial appearance, the judge or 22323  
referee of the trial court or the mayor of the mayor's court 22324  
determines that one or more of the conditions specified in 22325  
divisions (H)(1)(a) to (d) of this section have not been met, the 22326  
judge, referee, or mayor shall terminate the suspension, subject 22327  
to the imposition of a new suspension under division (B) of 22328  
section 4511.196 of the Revised Code; shall notify the registrar 22329  
of the decision on a form approved by the registrar; and, except 22330  
as provided in division (B) of section 4511.196 of the Revised 22331  
Code, shall order the registrar to return the driver's or 22332  
commercial driver's license or permit to the person or to take 22333  
such measures as may be necessary, if the license or permit was 22334~~

~~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 registrar 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)(a) A person is not entitled to request, and a court shall not grant to the person, occupational driving privileges under division (I)(1) of this section 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 one or more of the following:~~

~~(i) Division (A) or (B) of section 4511.19 of the Revised~~

Code;	22367
<del>(ii) A municipal ordinance relating to operating a vehicle</del>	22368
<del>while under the influence of alcohol, a drug of abuse, or alcohol</del>	22369
<del>and a drug of abuse;</del>	22370
<del>(iii) A municipal ordinance relating to operating a vehicle</del>	22371
<del>with a prohibited concentration of alcohol in the blood, breath,</del>	22372
<del>or urine;</del>	22373
<del>(iv) Section 2903.04 of the Revised Code in a case in which</del>	22374
<del>the person was subject to the sanctions described in division (D)</del>	22375
<del>of that section;</del>	22376
<del>(v) Division (A)(1) of section 2903.06 or division (A)(1) of</del>	22377
<del>section 2903.08 of the Revised Code or a municipal ordinance that</del>	22378
<del>is substantially similar to either of those divisions;</del>	22379
<del>(vi) Division (A)(2), (3), or (4) of section 2903.06,</del>	22380
<del>division (A)(2) of section 2903.08, or former section 2903.07 of</del>	22381
<del>the Revised Code, or a municipal ordinance that is substantially</del>	22382
<del>similar to any of those divisions or that former section, in a</del>	22383
<del>case in which the jury or judge found that the person was under</del>	22384
<del>the influence of alcohol, a drug of abuse, or alcohol and a drug</del>	22385
<del>of abuse;</del>	22386
<del>(vii) A statute of the United States or of any other state or</del>	22387
<del>a municipal ordinance of a municipal corporation located in any</del>	22388
<del>other state that is substantially similar to division (A) or (B)</del>	22389
<del>of section 4511.19 of the Revised Code.</del>	22390
<del>(b) Any other person who is not described in division</del>	22391
<del>(I)(1)(a) of this section and whose driver's or commercial</del>	22392
<del>driver's license or nonresident operating privilege has been</del>	22393
<del>suspended pursuant to division (E) of this section may file a</del>	22394
<del>petition requesting occupational driving privileges in the common</del>	22395
<del>pleas court, municipal court, county court, mayor's court, or, if</del>	22396
<del>the person is a minor, juvenile court with jurisdiction over the</del>	22397

~~related criminal or delinquency case. The petition may be filed at any time subsequent to the date on which 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.~~

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~~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, 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.~~

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~~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~~

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~~of whether the matter at issue has been heard or decided by the court. 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 3123.611 or 4506.16 of the Revised Code or whose commercial driver's license or commercial driver's temporary instruction permit has been suspended under section 3123.58 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, 22462  
breath, or urine to determine its alcohol content; 22463~~

~~(ii) The first ninety days of suspension imposed upon a 22464  
person who, within five years of the date on which the person 22465  
refused the request to consent to a chemical test of the person's 22466  
blood, breath, or urine to determine its alcohol content and for 22467  
which refusal the suspension was imposed, had refused one previous 22468  
request to consent to a chemical test of the person's blood, 22469  
breath, or urine to determine its alcohol content; 22470~~

~~(iii) The first year of suspension imposed upon a person who, 22471  
within five years of the date on which the person refused the 22472  
request to consent to a chemical test of the person's blood, 22473  
breath, or urine to determine its alcohol content and for which 22474  
refusal the suspension was imposed, had refused two previous 22475  
requests to consent to a chemical test of the person's blood, 22476  
breath, or urine to determine its alcohol content; 22477~~

~~(iv) The first three years of suspension imposed upon a 22478  
person who, within five years of the date on which the person 22479  
refused the request to consent to a chemical test of the person's 22480  
blood, breath, or urine to determine its alcohol content and for 22481  
which refusal the suspension was imposed, had refused three or 22482  
more previous requests to consent to a chemical test of the 22483  
person's blood, breath, or urine to determine its alcohol content. 22484~~

~~(3) The court shall give information in writing of any action 22485  
taken under this section to the registrar. 22486~~

~~(4) If a person's driver's or commercial driver's license or 22487  
permit or nonresident operating privilege has been suspended 22488  
pursuant to division (F) of this section, and the person, within 22489  
the preceding seven years, has been convicted of or pleaded guilty 22490  
to three or more violations of division (A) or (B) of section 22491  
4511.19 of the Revised Code, a municipal ordinance relating to 22492~~

~~operating a vehicle while under the influence of alcohol, a drug 22493  
of abuse, or alcohol and a drug of abuse, a municipal ordinance 22494  
relating to operating a vehicle with a prohibited concentration of 22495  
alcohol in the blood, breath, or urine, section 2903.04 of the 22496  
Revised Code in a case in which the person was subject to the 22497  
sanctions described in division (D) of that section, or section 22498  
2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal 22499  
ordinance that is substantially similar to section 2903.07 of the 22500  
Revised Code in a case in which the jury or judge found that the 22501  
person was under the influence of alcohol, a drug of abuse, or 22502  
alcohol and a drug of abuse, or a statute of the United States or 22503  
of any other state or a municipal ordinance of a municipal 22504  
corporation located in any other state that is substantially 22505  
similar to division (A) or (B) of section 4511.19 of the Revised 22506  
Code, the person is not entitled to request, and the court shall 22507  
not grant to the person, occupational driving privileges under 22508  
this division. Any other person whose driver's or commercial 22509  
driver's license or nonresident operating privilege has been 22510  
suspended pursuant to division (F) of this section may file in the 22511  
court specified in division (I)(1)(b) of this section a petition 22512  
requesting occupational driving privileges in accordance with 22513  
section 4507.16 of the Revised Code. The petition may be filed at 22514  
any time subsequent to the date on which the arresting officer 22515  
serves the notice of suspension upon the arrested person. Upon the 22516  
making of the request, occupational driving privileges may be 22517  
granted in accordance with section 4507.16 of the Revised Code. 22518  
The court may grant the occupational driving privileges, subject 22519  
to the limitations contained in section 4507.16 of the Revised 22520  
Code, regardless of whether the person appeals the suspension at 22521  
the person's initial appearance under division (H)(1) of this 22522  
section or appeals the decision of the court made pursuant to the 22523  
appeal conducted at the initial appearance, and, if the person has 22524  
appealed the suspension or decision, regardless of whether the 22525~~

~~matter at issue has been heard or decided by the court.~~ 22526

~~(J)(E)~~ When it finally has been determined under the 22527  
procedures of this section and sections 4511.192 through 4511.197 22528  
of the Revised Code that a nonresident's privilege to operate a 22529  
vehicle within this state has been suspended, the registrar shall 22530  
give information in writing of the action taken to the motor 22531  
vehicle administrator of the state of the person's residence and 22532  
of any state in which the person has a license. 22533

~~(K) A suspension of the driver's or commercial driver's~~ 22534  
~~license or permit of a resident, a suspension of the operating~~ 22535  
~~privilege of a nonresident, or a denial of a driver's or~~ 22536  
~~commercial driver's license or permit pursuant to division (E) or~~ 22537  
~~(F) of this section shall be terminated by the registrar upon~~ 22538  
~~receipt of notice of the person's entering a plea of guilty to, or~~ 22539  
~~of the person's conviction of, operating a vehicle while under the~~ 22540  
~~influence of alcohol, a drug of abuse, or alcohol and a drug of~~ 22541  
~~abuse or with a prohibited concentration of alcohol in the blood,~~ 22542  
~~breath, or urine, if the offense for which the plea is entered or~~ 22543  
~~that resulted in the conviction arose from the same incident that~~ 22544  
~~led to the suspension or denial.~~ 22545

~~The registrar shall credit against any judicial suspension of~~ 22546  
~~a person's driver's or commercial driver's license or permit or~~ 22547  
~~nonresident operating privilege imposed pursuant to division (B)~~ 22548  
~~or (E) of section 4507.16 of the Revised Code any time during~~ 22549  
~~which the person serves a related suspension imposed pursuant to~~ 22550  
~~division (E) or (F) of this section.~~ 22551

~~(L)(F)~~ At the end of a suspension period under this section, 22552  
under section 4511.194, section 4511.196, or division ~~(B)(G)~~ of 22553  
section ~~4507.16~~ 4511.19 of the Revised Code, or under section 22554  
4510.07 of the Revised Code for a violation of a municipal OVI 22555  
ordinance and upon the request of the person whose driver's or 22556  
commercial driver's license or permit was suspended and who is not 22557

otherwise subject to suspension, ~~revocation~~ cancellation, or 22558  
disqualification, the registrar shall return the driver's or 22559  
commercial driver's license or permit to the person upon the 22560  
~~person's compliance with~~ occurrence of all of the conditions 22561  
specified in divisions ~~(L)~~(F)(1) and (2) of this section: 22562

(1) A showing ~~by the person~~ that the person has proof of 22563  
financial responsibility, a policy of liability insurance in 22564  
effect that meets the minimum standards set forth in section 22565  
4509.51 of the Revised Code, or proof, to the satisfaction of the 22566  
registrar, that the person is able to respond in damages in an 22567  
amount at least equal to the minimum amounts specified in section 22568  
4509.51 of the Revised Code. 22569

(2) Subject to the limitation contained in division ~~(L)~~(F)(3) 22570  
of this section, payment by the person to the bureau of motor 22571  
vehicles of a license reinstatement fee of four hundred 22572  
twenty-five dollars ~~to the bureau of motor vehicles~~, which fee 22573  
shall be deposited in the state treasury and credited as follows: 22574

(a) One hundred twelve dollars and fifty cents shall be 22575  
credited to the statewide treatment and prevention fund created by 22576  
section 4301.30 of the Revised Code. The fund shall be used to pay 22577  
the costs of driver treatment and intervention programs operated 22578  
pursuant to sections 3793.02 and 3793.10 of the Revised Code. The 22579  
director of alcohol and drug addiction services shall determine 22580  
the share of the fund that is to be allocated to alcohol and drug 22581  
addiction programs authorized by section 3793.02 of the Revised 22582  
Code, and the share of the fund that is to be allocated to 22583  
drivers' intervention programs authorized by section 3793.10 of 22584  
the Revised Code. 22585

(b) Seventy-five dollars shall be credited to the reparations 22586  
fund created by section 2743.191 of the Revised Code. 22587

(c) Thirty-seven dollars and fifty cents shall be credited to 22588

the indigent drivers alcohol treatment fund, which is hereby 22589  
established. Except as otherwise provided in division ~~(L)~~(F)(2)(c) 22590  
of this section, moneys in the fund shall be distributed by the 22591  
department of alcohol and drug addiction services to the county 22592  
indigent drivers alcohol treatment funds, the county juvenile 22593  
indigent drivers alcohol treatment funds, and the municipal 22594  
indigent drivers alcohol treatment funds that are required to be 22595  
established by counties and municipal corporations pursuant to 22596  
~~division (N)~~ of this section, and shall be used only to pay the 22597  
cost of an alcohol and drug addiction treatment program attended 22598  
by an offender or juvenile traffic offender who is ordered to 22599  
attend an alcohol and drug addiction treatment program by a 22600  
county, juvenile, or municipal court judge and who is determined 22601  
by the county, juvenile, or municipal court judge not to have the 22602  
means to pay for the person's attendance at the program or to pay 22603  
the costs specified in division ~~(N)~~(H)(4) of this section in 22604  
accordance with that division. Moneys in the fund that are not 22605  
distributed to a county indigent drivers alcohol treatment fund, a 22606  
county juvenile indigent drivers alcohol treatment fund, or a 22607  
municipal indigent drivers alcohol treatment fund under division 22608  
~~(N)~~(H) of this section because the director of alcohol and drug 22609  
addiction services does not have the information necessary to 22610  
identify the county or municipal corporation where the offender or 22611  
juvenile offender was arrested may be transferred by the director 22612  
of budget and management to the statewide treatment and prevention 22613  
fund created by section 4301.30 of the Revised Code, upon 22614  
certification of the amount by the director of alcohol and drug 22615  
addiction services. 22616

(d) Seventy-five dollars shall be credited to the Ohio 22617  
rehabilitation services commission established by section 3304.12 22618  
of the Revised Code, to the services for rehabilitation fund, 22619  
which is hereby established. The fund shall be used to match 22620  
available federal matching funds where appropriate, and for any 22621

other purpose or program of the commission to rehabilitate people 22622  
with disabilities to help them become employed and independent. 22623

(e) Seventy-five dollars shall be deposited into the state 22624  
treasury and credited to the drug abuse resistance education 22625  
programs fund, which is hereby established, to be used by the 22626  
attorney general for the purposes specified in division (L)(4) of 22627  
this section. 22628

(f) Thirty dollars shall be credited to the state bureau of 22629  
motor vehicles fund created by section 4501.25 of the Revised 22630  
Code. 22631

(g) Twenty dollars shall be credited to the trauma and 22632  
emergency medical services grants fund created by section 4513.263 22633  
of the Revised Code. 22634

(3) If a person's driver's or commercial driver's license or 22635  
permit is suspended under ~~division (E) or (F)~~ of this section, 22636  
under section 4511.196~~7~~, or division ~~(B)(G)~~ of section ~~4507.16~~ 22637  
4511.19 of the Revised Code, under section 4510.07 of the Revised 22638  
Code for a violation of a municipal OVI ordinance or under any 22639  
combination of the suspensions described in division ~~(L)(F)~~(3) of 22640  
this section, and if the suspensions arise from a single incident 22641  
or a single set of facts and circumstances, the person is liable 22642  
for payment of, and shall be required to pay to the bureau, only 22643  
one reinstatement fee of four hundred ~~five~~ twenty-five dollars. 22644  
The reinstatement fee shall be distributed by the bureau in 22645  
accordance with division ~~(L)(F)~~(2) of this section. 22646

(4) The attorney general shall use amounts in the drug abuse 22647  
resistance education programs fund to award grants to law 22648  
enforcement agencies to establish and implement drug abuse 22649  
resistance education programs in public schools. Grants awarded to 22650  
a law enforcement agency under ~~division (L)(2)(e)~~ of this section 22651  
shall be used by the agency to pay for not more than fifty per 22652

cent of the amount of the salaries of law enforcement officers who 22653  
conduct drug abuse resistance education programs in public 22654  
schools. The attorney general shall not use more than six per cent 22655  
of the amounts the attorney general's office receives under 22656  
division ~~(L)~~(F)(2)(e) of this section to pay the costs it incurs 22657  
in administering the grant program established by division 22658  
~~(L)~~(F)(2)(e) of this section and in providing training and 22659  
materials relating to drug abuse resistance education programs. 22660

The attorney general shall report to the governor and the 22661  
general assembly each fiscal year on the progress made in 22662  
establishing and implementing drug abuse resistance education 22663  
programs. These reports shall include an evaluation of the 22664  
effectiveness of these programs. 22665

~~(M)~~(G) Suspension of a commercial driver's license under 22666  
division ~~(E)~~(B) or ~~(F)~~(C) of this section shall be concurrent with 22667  
any period of disqualification under section 3123.611 or 4506.16 22668  
of the Revised Code or any period of suspension under section 22669  
3123.58 of the Revised Code. No person who is disqualified for 22670  
life from holding a commercial driver's license under section 22671  
4506.16 of the Revised Code shall be issued a driver's license 22672  
under Chapter 4507. of the Revised Code during the period for 22673  
which the commercial driver's license was suspended under division 22674  
~~(E)~~(B) or ~~(F)~~(C) of this section, ~~and no.~~ No person whose 22675  
commercial driver's license is suspended under division ~~(E)~~(B) or 22676  
~~(F)~~(C) of this section shall be issued a driver's license under 22677  
~~that chapter~~ Chapter 4507. of the Revised Code during the period 22678  
of the suspension. 22679

~~(N)~~(H)(1) Each county shall establish an indigent drivers 22680  
alcohol treatment fund, each county shall establish a juvenile 22681  
indigent drivers alcohol treatment fund, and each municipal 22682  
corporation in which there is a municipal court shall establish an 22683  
indigent drivers alcohol treatment fund. All revenue that the 22684

general assembly appropriates to the indigent drivers alcohol 22685  
treatment fund for transfer to a county indigent drivers alcohol 22686  
treatment fund, a county juvenile indigent drivers alcohol 22687  
treatment fund, or a municipal indigent drivers alcohol treatment 22688  
fund, all portions of fees that are paid under division (L) of 22689  
this section and that are credited under that division to the 22690  
indigent drivers alcohol treatment fund in the state treasury for 22691  
a county indigent drivers alcohol treatment fund, a county 22692  
juvenile indigent drivers alcohol treatment fund, or a municipal 22693  
indigent drivers alcohol treatment fund, and all portions of fines 22694  
that are specified for deposit into a county or municipal indigent 22695  
drivers alcohol treatment fund by section 4511.193 of the Revised 22696  
Code shall be deposited into that county indigent drivers alcohol 22697  
treatment fund, county juvenile indigent drivers alcohol treatment 22698  
fund, or municipal indigent drivers alcohol treatment fund in 22699  
accordance with division ~~(N)~~(H)(2) of this section. Additionally, 22700  
all portions of fines that are paid for a violation of section 22701  
4511.19 of the Revised Code or ~~division (B)(2) of section 4507.02~~ 22702  
of any prohibition contained in Chapter 4510. of the Revised Code, 22703  
and that are required under ~~division (A)(1), (2), (5), or (6) of~~ 22704  
~~section 4511.99~~ 4511.19 or ~~division (B)(5) of section 4507.99~~ any 22705  
provision of Chapter 4510. of the Revised Code to be deposited 22706  
into a county indigent drivers alcohol treatment fund or municipal 22707  
indigent drivers alcohol treatment fund shall be deposited into 22708  
the appropriate fund in accordance with the applicable division. 22709

(2) That portion of the license reinstatement fee that is 22710  
paid under division ~~(L)~~(F) of this section and that is credited 22711  
under that division to the indigent drivers alcohol treatment fund 22712  
shall be deposited into a county indigent drivers alcohol 22713  
treatment fund, a county juvenile indigent drivers alcohol 22714  
treatment fund, or a municipal indigent drivers alcohol treatment 22715  
fund as follows: 22716



(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~~ 4511.19 of the Revised Code or under section 4510.07 of the Revised Code for a violation of a municipal OVI ordinance, 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 22747  
treatment fund, or a municipal indigent drivers alcohol treatment 22748  
fund shall be made only upon the order of a county, juvenile, or 22749  
municipal court judge and only for payment of the cost of the 22750  
attendance at an alcohol and drug addiction treatment program of a 22751  
person who is convicted of, or found to be a juvenile traffic 22752  
offender by reason of, a violation of division (A) of section 22753  
4511.19 of the Revised Code or a substantially similar municipal 22754  
ordinance, who is ordered by the court to attend the alcohol and 22755  
drug addiction treatment program, and who is determined by the 22756  
court to be unable to pay the cost of attendance at the treatment 22757  
program or for payment of the costs specified in division 22758  
~~(N)~~(H)(4) of this section in accordance with that division. The 22759  
alcohol and drug addiction services board or the board of alcohol, 22760  
drug addiction, and mental health services established pursuant to 22761  
section 340.02 or 340.021 of the Revised Code and serving the 22762  
alcohol, drug addiction, and mental health service district in 22763  
which the court is located shall administer the indigent drivers 22764  
alcohol treatment program of the court. When a court orders an 22765  
offender or juvenile traffic offender to attend an alcohol and 22766  
drug addiction treatment program, the board shall determine which 22767  
program is suitable to meet the needs of the offender or juvenile 22768  
traffic offender, and when a suitable program is located and space 22769  
is available at the program, the offender or juvenile traffic 22770  
offender shall attend the program designated by the board. A 22771  
reasonable amount not to exceed five per cent of the amounts 22772  
credited to and deposited into the county indigent drivers alcohol 22773  
treatment fund, the county juvenile indigent drivers alcohol 22774  
treatment fund, or the municipal indigent drivers alcohol 22775  
treatment fund serving every court whose program is administered 22776  
by that board shall be paid to the board to cover the costs it 22777  
incurs in administering those indigent drivers alcohol treatment 22778  
programs. 22779

(4) If a county, juvenile, or municipal court determines, in 22780  
consultation with the alcohol and drug addiction services board or 22781  
the board of alcohol, drug addiction, and mental health services 22782  
established pursuant to section 340.02 or 340.021 of the Revised 22783  
Code and serving the alcohol, drug addiction, and mental health 22784  
district in which the court is located, that the funds in the 22785  
county indigent drivers alcohol treatment fund, the county 22786  
juvenile indigent drivers alcohol treatment fund, or the municipal 22787  
indigent drivers alcohol treatment fund under the control of the 22788  
court are more than sufficient to satisfy the purpose for which 22789  
the fund was established, as specified in divisions ~~(N)~~(H)(1) to 22790  
(3) of this section, the court may declare a surplus in the fund. 22791  
If the court declares a surplus in the fund, the court may expend 22792  
the amount of the surplus in the fund for alcohol and drug abuse 22793  
assessment and treatment of persons who are charged in the court 22794  
with committing a criminal offense or with being a delinquent 22795  
child or juvenile traffic offender and in relation to whom both of 22796  
the following apply: 22797

(a) The court determines that substance abuse was a 22798  
contributing factor leading to the criminal or delinquent activity 22799  
or the juvenile traffic offense with which the person is charged. 22800

(b) The court determines that the person is unable to pay the 22801  
cost of the alcohol and drug abuse assessment and treatment for 22802  
which the surplus money will be used. 22803

**Sec. 4511.192.** ~~(A) No person whose driver's or commercial 22804  
driver's license or permit or nonresident operating privilege has 22805  
been suspended under section 4511.191 or 4511.196 of the Revised 22806  
Code shall operate a vehicle upon the highways or streets within 22807  
this state. 22808~~

~~(B) It is an affirmative defense to any prosecution brought 22809  
pursuant to this section that the alleged offender drove under 22810~~

~~suspension because of a substantial emergency, provided that no  
other person was reasonably available to drive in response to the  
emergency. The arresting law enforcement officer shall give advice  
in accordance with this section to any person under arrest for a  
violation of division (A) or (B) of section 4511.19 of the Revised  
Code, section 4511.194 of the Revised Code, or a municipal OVI  
ordinance. The officer shall give that advice in a written form  
that contains the information described in division (B) of this  
section and shall read the advice to the person. The form shall  
contain a statement that the form was shown to the person under  
arrest and read to the person by the arresting officer. One or  
more persons shall witness the arresting officer's reading of the  
form, and the witnesses shall certify to this fact by signing the  
form.~~ 22811  
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(B) If a person is under arrest as described in division (A)  
of this section, before the person may be requested to submit to a  
chemical test or tests to determine the alcohol and drug content  
of the person's blood, breath, or urine, the arresting officer  
shall read the following form to the person: 22825  
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"You now are under arrest for (specifically state the offense  
under state law or a substantially equivalent municipal ordinance  
for which the person was arrested - operating a vehicle under the  
influence of alcohol, a drug, or a combination of them; operating  
a vehicle after underage alcohol consumption; or having physical  
control of a vehicle while under the influence). 22830  
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If you refuse to take any chemical test required by law, your  
Ohio driving privileges will be suspended immediately, and you  
will have to pay a fee to have the privileges reinstated. 22836  
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(Read this part unless the person is under arrest for solely  
having physical control of a vehicle while under the influence.)  
If you take any chemical test required by law and are found to be  
at or over the prohibited amount of alcohol in your blood, breath, 22839  
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or urine as set by law, your Ohio driving privileges will be 22843  
suspended immediately, and you will have to pay a fee to have the 22844  
privileges reinstated. 22845

If you take a chemical test, you may have an independent 22846  
chemical test taken at your own expense." 22847

(C) If the arresting law enforcement officer does not ask a 22848  
person under arrest as described in division (A) of this section 22849  
to submit to a chemical test or tests under section 4511.191 of 22850  
the Revised Code, the arresting officer shall seize the Ohio or 22851  
out-of-state driver's or commercial driver's license or permit of 22852  
the person and immediately forward it to the court in which the 22853  
arrested person is to appear on the charge. If the arrested person 22854  
is not in possession of the person's license or permit or it is 22855  
not in the person's vehicle, the officer shall order the person to 22856  
surrender it to the law enforcement agency that employs the 22857  
officer within twenty-four hours after the arrest, and, upon the 22858  
surrender, the agency immediately shall forward the license or 22859  
permit to the court in which the person is to appear on the 22860  
charge. Upon receipt of the license or permit, the court shall 22861  
retain it pending the arrested person's initial appearance and any 22862  
action taken under section 4511.196 of the Revised Code. 22863

(D)(1) If a law enforcement officer asks a person under 22864  
arrest as described in division (A) of this section to submit to a 22865  
chemical test or tests under section 4511.191 of the Revised Code, 22866  
if the officer advises the person in accordance with this section 22867  
of the consequences of the person's refusal or submission, and if 22868  
either the person refuses to submit to the test or tests or, 22869  
unless the arrest was for a violation of section 4511.194 of the 22870  
Revised Code, the person submits to the test or tests and the test 22871  
results indicate a prohibited concentration of alcohol in the 22872  
person's whole blood, blood serum or plasma, breath, or urine at 22873  
the time of the alleged offense, the arresting officer shall do 22874

all of the following: 22875

(a) On behalf of the registrar of motor vehicles, notify the person that, independent of any penalties or sanctions imposed upon the person, the person's Ohio driver's or commercial driver's license or permit or nonresident operating privilege is suspended immediately, that the suspension will last at least until the person's initial appearance on the charge, which 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 or during the period of time ending thirty days after that initial appearance; 22876  
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(b) Seize the driver's or commercial driver's license or permit of the person and immediately forward it to the registrar. If the arrested person is not in possession of the person's license or permit or it is not in the person's vehicle, the officer shall order the person to surrender it to the law enforcement agency that employs the officer within twenty-four hours after the person is given notice of the suspension, and, upon the surrender, the officer's employing agency immediately shall forward the license or permit to the registrar. 22886  
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(c) Verify the person's current residence 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; 22895  
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(d) Send to the registrar, within forty-eight hours after the arrest of the person, a sworn report that includes all of the following statements: 22898  
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(i) That the officer had reasonable grounds to believe that, at the time of the arrest, the arrested person was operating a vehicle, streetcar, or trackless trolley in violation of division (A) or (B) of section 4511.19 of the Revised Code or a municipal OVI ordinance or for being in physical control of a stationary 22901  
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vehicle, streetcar, or trackless trolley in violation of section 22906  
4511.194 of the Revised Code; 22907

(ii) That the person was arrested and charged with a 22908  
violation of division (A) or (B) of section 4511.19 of the Revised 22909  
Code, section 4511.194 of the Revised Code, or a municipal OVI 22910  
ordinance; 22911

(iii) That the officer asked the person to take the 22912  
designated chemical test or tests, advised the person in 22913  
accordance with this section of the consequences of submitting to, 22914  
or refusing to take, the test or tests, and gave the person the 22915  
form described in division (B) of this section; 22916

(iv) That either the person refused to submit to the chemical 22917  
test or tests or, unless the arrest was for a violation of section 22918  
4511.194 of the Revised Code, the person submitted to the chemical 22919  
test or tests and the test results indicate a prohibited 22920  
concentration of alcohol in the person's whole blood, blood serum 22921  
or plasma, breath, or urine at the time of the alleged offense. 22922  
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(2) Division (D)(1) of this section does not apply to a 22924  
person who is arrested for a violation of section 4511.194 of the 22925  
Revised Code, who is asked by a law enforcement officer to submit 22926  
to a chemical test or tests under section 4511.191 of the Revised 22927  
Code, and who submits to the test or tests, regardless of the 22928  
amount of alcohol that the test results indicate is present in the 22929  
person's whole blood, blood serum or plasma, breath, or urine. 22930

(E) The arresting officer shall give the officer's sworn 22931  
report that is completed under this section to the arrested person 22932  
at the time of the arrest, or the registrar of motor vehicles 22933  
shall send the report to the person by regular first class mail as 22934  
soon as possible after receipt of the report, but not later than 22935  
fourteen days after receipt of it. An arresting officer may give 22936

an unsworn report to the arrested person at the time of the arrest 22937  
provided the report is complete when given to the arrested person 22938  
and subsequently is sworn to by the arresting officer. As soon as 22939  
possible, but not later than forty-eight hours after the arrest of 22940  
the person, the arresting officer shall send a copy of the sworn 22941  
report to the court in which the arrested person is to appear on 22942  
the charge for which the person was arrested. 22943

(F) The sworn report of an arresting officer completed under 22944  
this section is prima-facie proof of the information and 22945  
statements that it contains. It shall be admitted and considered 22946  
as prima-facie proof of the information and statements that it 22947  
contains in any appeal under section 4511.197 of the Revised Code 22948  
relative to any suspension of a person's driver's or commercial 22949  
driver's license or permit or nonresident operating privilege that 22950  
results from the arrest covered by the report. 22951

**Sec. 4511.193.** (A) Twenty-five dollars of any fine imposed 22952  
for a violation of a municipal OVI ordinance ~~relating to operating~~ 22953  
~~a vehicle while under the influence of alcohol, a drug of abuse,~~ 22954  
~~or alcohol and a drug of abuse or relating to operating a vehicle~~ 22955  
~~with a prohibited concentration of alcohol in the blood, breath,~~ 22956  
~~or urine~~ shall be deposited into the municipal or county indigent 22957  
drivers alcohol treatment fund created pursuant to division ~~(N)~~(H) 22958  
of section 4511.191 of the Revised Code in accordance with this 22959  
section and section 733.40, divisions (A) and (B) of section 22960  
1901.024, division (F) of section 1901.31, or division (C) of 22961  
section 1907.20 of the Revised Code. Regardless of whether the 22962  
fine is imposed by a municipal court, a mayor's court, or a 22963  
juvenile court, if the fine was imposed for a violation of an 22964  
ordinance of a municipal corporation that is within the 22965  
jurisdiction of a municipal court, the twenty-five dollars that is 22966  
subject to this section shall be deposited into the indigent 22967  
drivers alcohol treatment fund of the municipal corporation in 22968



which is located the municipal court that has jurisdiction over 22969  
that municipal corporation. Regardless of whether the fine is 22970  
imposed by a county court, a mayor's court, or a juvenile court, 22971  
if the fine was imposed for a violation of an ordinance of a 22972  
municipal corporation that is within the jurisdiction of a county 22973  
court, the twenty-five dollars that is subject to this section 22974  
shall be deposited into the indigent drivers alcohol treatment 22975  
fund of the county in which is located the county court that has 22976  
jurisdiction over that municipal corporation. The deposit shall be 22977  
made in accordance with section 733.40, divisions (A) and (B) of 22978  
section 1901.024, division (F) of section 1901.31, or division (C) 22979  
of section 1907.20 of the Revised Code. 22980

(B)(1) The requirements and sanctions imposed by divisions 22981  
(B)(1) and (2) of this section are an adjunct to and derive from 22982  
the state's exclusive authority over the registration and titling 22983  
of motor vehicles and do not comprise a part of the criminal 22984  
sentence to be imposed upon a person who violates a municipal OVI 22985  
~~ordinance relating to operating a vehicle while under the~~ 22986  
~~influence of alcohol, a drug of abuse, or alcohol and a drug of~~ 22987  
~~abuse or relating to operating a vehicle with a prohibited~~ 22988  
~~concentration of alcohol in the blood, breath, or urine.~~ 22989

~~(2)(a) The court shall follow division (B)(2)(b) of this~~ 22990  
~~section if If a person is convicted of or pleads guilty to a~~ 22991  
~~violation of a municipal OVI ordinance relating to operating a~~ 22992  
~~vehicle while under the influence of alcohol, a drug of abuse, or~~ 22993  
~~alcohol and a drug of abuse or relating to operating a vehicle~~ 22994  
~~with a prohibited concentration of alcohol in the blood, breath,~~ 22995  
~~or urine and if the circumstances described in division~~ 22996  
~~(B)(2)(b)(iii) of this section apply or if, within the period of~~ 22997  
~~time specified in division (B)(2) or (b)(i), (ii) (iii) of this~~ 22998  
~~section, if the vehicle the offender was operating at the time of~~ 22999  
~~the offense is registered in the offender's name, and if, within~~ 23000

~~six years of the current offense,~~ the offender has been convicted 23001  
of or pleaded guilty to ~~any violation of the following:~~ 23002

~~(i) Section one or more violations of division (A) or (B) of~~ 23003  
~~section 4511.19 of the Revised Code;~~ 23004

~~(ii) A municipal ordinance relating to operating a vehicle~~ 23005  
~~while under the influence of alcohol, a drug of abuse, or alcohol~~ 23006  
~~and a drug of abuse;~~ 23007

~~(iii) A municipal ordinance relating to operating a vehicle~~ 23008  
~~with a prohibited concentration of alcohol in the blood, breath,~~ 23009  
~~or urine;~~ 23010

~~(iv) Section 2903.04 of the Revised Code in a case in which~~ 23011  
~~the offender was subject to the sanctions described in division~~ 23012  
~~(D) of that section;~~ 23013

~~(v) Division (A)(1) of section 2903.06 or division (A)(1) of~~ 23014  
~~section 2903.08 of the Revised Code or a municipal ordinance that~~ 23015  
~~is substantially similar to either of those divisions;~~ 23016

~~(vi) Division (A)(2), (3), or (4) of section 2903.06,~~ 23017  
~~division (A)(2) of section 2903.08, or former section 2903.07 of~~ 23018  
~~the Revised Code, or a municipal ordinance that is substantially~~ 23019  
~~similar to any of those divisions or that former section, in a~~ 23020  
~~case in which the jury or judge found that the offender was under~~ 23021  
~~the influence of alcohol, a drug of abuse, or alcohol and a drug~~ 23022  
~~of abuse;~~ 23023

~~(vii) A statute of the United States or of any other state or~~ 23024  
~~a municipal ordinance of a municipal corporation located in any~~ 23025  
~~other state that is substantially similar to division (A) or (B)~~ 23026  
~~of section 4511.19 of the Revised Code.~~ 23027

~~(b) If the circumstances described in division (B)(2)(a)(b)~~ 23028  
~~of this section apply or one or more other equivalent offenses,~~ 23029  
the court, in addition to and independent of any sentence that it 23030

imposes upon the offender for the offense, ~~regardless of whether~~ 23031  
~~the vehicle the offender was operating at the time of the offense~~ 23032  
~~is registered in the offender's name or in the name of another~~ 23033  
~~person, and subject to section 4503.235 of the Revised Code,~~ shall 23034  
do whichever of the following is applicable: 23035

~~(i)(a)~~ Except as otherwise provided in division 23036  
(B)(2)(b)~~(iii)~~ of this section, if, within six years of the 23037  
current offense, the offender has been convicted of or pleaded 23038  
guilty to one violation described in division (B)(2)~~(a)~~ of this 23039  
section, the court shall order the immobilization for ninety days 23040  
of ~~the that~~ vehicle ~~the offender was operating at the time of the~~ 23041  
~~offense~~ and the impoundment for ninety days of the license plates 23042  
of that vehicle. The order for the immobilization and impoundment 23043  
shall be issued and enforced in accordance with section 4503.233 23044  
of the Revised Code. 23045

~~(ii)(b)(iii)(a)~~ 23046

~~(iii)(b)~~ If, within six years of the current offense, the 23047  
offender has been convicted of or pleaded guilty to two or more 23048  
violations described in division (B)(2)~~(a)~~ of this section, or if 23049  
the offender previously has been convicted of or pleaded guilty to 23050  
a violation of division (A) of section 4511.19 of the Revised Code 23051  
under circumstances in which the violation was a felony and 23052  
regardless of when the violation and the conviction or guilty plea 23053  
occurred, the court shall order the criminal forfeiture to the 23054  
state of ~~the that~~ vehicle ~~the offender was operating at the time~~ 23055  
~~of the offense~~ The order of criminal forfeiture shall be issued 23056  
and enforced in accordance with section 4503.234 of the Revised 23057  
Code. 23058

**Sec. 4511.194.** (A) As used in this section, "physical 23059  
control" means being in the driver's position of the front seat of 23060  
a vehicle or in the driver's position of a streetcar or trackless 23061

trolley and having possession of the vehicle's, streetcar's, or 23062  
trackless trolley's ignition key or other ignition device. 23063

(B) No person shall be in physical control of a vehicle, 23064  
streetcar, or trackless trolley while under the influence of 23065  
alcohol, a drug of abuse, or a combination of them or while the 23066  
person's whole blood, blood serum or plasma, breath, or urine 23067  
contains at least the concentration of alcohol specified in 23068  
division (A)(2), (3), (4), or (5) of section 4511.19 of the 23069  
Revised Code. 23070

(C) Whoever violates this section is guilty of having 23071  
physical control of a vehicle while under the influence, a 23072  
misdemeanor of the first degree. In addition to other sanctions 23073  
imposed, the court may impose on the offender a class seven 23074  
suspension of the offender's driver's license, commercial driver's 23075  
license, temporary instruction permit, probationary license, or 23076  
nonresident operating privilege from the range specified in 23077  
division (A)(7) of section 4510.02 of the Revised Code. 23078

**Sec. 4511.195.** (A) As used in this section: 23079

(1) ~~"Vehicle operator" means a person who is operating a~~ 23080  
~~vehicle at the time it is seized~~ Arrested person" means a person 23081  
who is arrested for a violation of division (A) of section 4511.19 23082  
of the Revised Code or a municipal OVI ordinance and whose arrest 23083  
results in a vehicle being seized under division (B) of this 23084  
section. 23085

(2) "Vehicle owner" means either of the following: 23086

(a) The person in whose name is registered, at the time of 23087  
the seizure, a vehicle that is seized under division (B) of this 23088  
section; 23089

(b) A person to whom the certificate of title to a vehicle 23090  
that is seized under division (B) of this section has been 23091

assigned and who has not obtained a certificate of title to the 23092  
vehicle in that person's name, but who is deemed by the court as 23093  
being the owner of the vehicle at the time the vehicle was seized 23094  
under division (B) of this section. 23095

(3) ~~"Municipal OMVI ordinance" means any municipal ordinance 23096  
prohibiting the operation of a vehicle while under the influence 23097  
of alcohol, a drug of abuse, or alcohol and a drug of abuse or 23098  
prohibiting the operation of a vehicle with a prohibited 23099  
concentration of alcohol in the blood, breath, or urine. 23100~~

~~(4) "Interested party" includes the owner of a vehicle seized 23101  
under this section, all lienholders, the defendant arrested 23102  
person, the owner of the place of storage at which a vehicle 23103  
seized under this section is stored, and the person or entity that 23104  
caused the vehicle to be removed. 23105~~

(B)(1) The arresting officer or another officer of the law 23106  
enforcement agency that employs the arresting officer, in addition 23107  
to any action that the arresting officer is required or authorized 23108  
to take by section 4511.19 or 4511.191 of the Revised Code or by 23109  
any other provision of law, shall seize the vehicle that a person 23110  
was operating at the time of the alleged offense and its license 23111  
plates if the vehicle is registered in the arrested person's name 23112  
and if either of the following ~~apply~~ applies: 23113

(a) The person is arrested for a violation of division (A) of 23114  
section 4511.19 of the Revised Code or of a municipal ~~OMVI~~ OVI 23115  
ordinance and, within six years of the alleged violation, the 23116  
person previously has been convicted of or pleaded guilty to one 23117  
or more violations of ~~the following~~: 23118

~~(i) Division~~ division (A) or (B) of section 4511.19 of the 23119  
Revised Code; 23120

~~(ii) A municipal OMVI ordinance;~~ 23121

~~(iii) Section 2903.04 of the Revised Code in a case in which~~ 23122

~~the offender was subject to the sanctions described in division 23123  
(D) of that section; 23124~~

~~(iv) Division (A)(1) of section 2903.06 or division (A)(1) of 23125  
section 2903.08 of the Revised Code or a municipal ordinance that 23126  
is substantially similar to either of those divisions; 23127~~

~~(v) Division (A)(2), (3), or (4) of section 2903.06, division 23128  
(A)(2) of section 2903.08, or former section 2903.07 of the 23129  
Revised Code, or a municipal ordinance that is substantially 23130  
similar to any of those divisions or that former section, in a 23131  
case in which the jury or judge found that the offender was under 23132  
the influence of alcohol, a drug of abuse, or alcohol and a drug 23133  
of abuse; 23134~~

~~(vi) A statute of the United States or of any other state or 23135  
a municipal ordinance of a municipal corporation located in any 23136  
other state that is substantially similar to division (A) or (B) 23137  
of section 4511.19 of the Revised Code or one or more other 23138  
equivalent offenses. 23139~~

(b) The person is arrested for a violation of division (A) of 23140  
section 4511.19 of the Revised Code or of a municipal ~~OMVI~~ OVI 23141  
ordinance and the person previously has been convicted of or 23142  
pleaded guilty to a violation of division (A) of section 4511.19 23143  
of the Revised Code under circumstances in which the violation was 23144  
a felony, regardless of when the prior felony violation of 23145  
division (A) of section 4511.19 of the Revised Code and the 23146  
conviction or guilty plea occurred. 23147

(2) ~~Except as otherwise provided in division (B) of this 23148  
section, the officer making an arrest of the type described in 23149  
division (B)(1) of this section shall seize the vehicle and its 23150  
license plates regardless of whether the vehicle is registered in 23151  
the name of the person who was operating it or in the name of 23152  
another person or entity. This section does not apply to or affect 23153~~

~~any rented or leased vehicle that is being rented or leased for a~~ 23154  
~~period of thirty days or less, except that a~~ A law enforcement 23155  
agency that employs a law enforcement officer who makes an arrest 23156  
of a type that is described in division (B)(1) of this section and 23157  
that involves a rented or leased vehicle ~~of this type that is~~ 23158  
being rented or leased for a period of thirty days or less shall 23159  
notify, within twenty-four hours after the officer makes the 23160  
arrest, the lessor or owner of the vehicle regarding the 23161  
circumstances of the arrest and the location at which the vehicle 23162  
may be picked up. At the time of the seizure of the vehicle, the 23163  
law enforcement officer who made the arrest shall give the ~~vehicle~~ 23164  
~~operator~~ arrested person written notice that the vehicle and its 23165  
license plates have been seized; that the vehicle either will be 23166  
kept by the officer's law enforcement agency or will be 23167  
immobilized at least until the operator's initial appearance on 23168  
the charge of the offense for which the arrest was made; that, at 23169  
the initial appearance, the court in certain circumstances may 23170  
order that the vehicle and license plates be released to the 23171  
~~vehicle owner~~ arrested person until the disposition of that 23172  
charge; and that, if the ~~vehicle operator~~ arrested person is 23173  
convicted of that charge, the court generally must order the 23174  
immobilization of the vehicle and the impoundment of its license 23175  
plates, or the forfeiture of the vehicle; ~~and that, if the~~ 23176  
~~operator is not the vehicle owner, the operator immediately should~~ 23177  
~~inform the vehicle owner that the vehicle and its license plates~~ 23178  
~~have been seized and that the vehicle owner may be able to obtain~~ 23179  
~~their return or release at the initial appearance or thereafter.~~ 23180

(3) The arresting officer or a law enforcement officer of the 23181  
agency that employs the arresting officer shall give written 23182  
notice of the seizure to the court that will conduct the initial 23183  
appearance of the ~~vehicle operator~~. The notice shall be given when 23184  
~~the charges are filed against the vehicle operator~~ arrested person 23185  
on the charges arising out of the arrest. Upon receipt of the 23186

notice, the court promptly shall determine whether the ~~vehicle~~ 23187  
~~operator~~ arrested person is the vehicle owner ~~and whether there~~ 23188  
~~are any liens recorded on the certificate of title to the vehicle.~~ 23189  
If the court determines that the ~~vehicle operator~~ arrested person 23190  
is not the vehicle owner, it promptly shall send by regular mail 23191  
written notice of the seizure ~~of the motor vehicle~~ to the ~~vehicle~~ 23192  
vehicle's registered owner ~~and to all lienholders recorded on the~~ 23193  
~~certificate of title.~~ The written notice ~~to the vehicle owner and~~ 23194  
~~lienholders~~ shall contain all of the information required by 23195  
division (B)(2) of this section to be in a notice to be given to 23196  
the ~~vehicle operator~~ arrested person and also shall specify the 23197  
date, time, and place of the ~~vehicle operator's~~ arrested person's 23198  
initial appearance. The notice also shall inform the vehicle owner 23199  
that if title to a motor vehicle that is subject to an order for 23200  
criminal forfeiture under this section is assigned or transferred 23201  
and division ~~(C)~~(B)(2) or (3) of section 4503.234 of the Revised 23202  
Code applies, the court may fine the ~~vehicle operator~~ arrested 23203  
person the value of the vehicle. The notice ~~to the vehicle owner~~ 23204  
also shall state that if the vehicle is immobilized under division 23205  
(A) of section 4503.233 of the Revised Code, seven days after the 23206  
end of the period of immobilization a law enforcement agency will 23207  
send the vehicle owner a notice, informing the ~~vehicle~~ owner that 23208  
if the release of the vehicle is not obtained in accordance with 23209  
division (D)(3) of section 4503.233 of the Revised Code, the 23210  
vehicle shall be forfeited. The notice also shall inform the 23211  
vehicle owner that the vehicle owner may be charged expenses or 23212  
charges incurred under this section and section 4503.233 of the 23213  
Revised Code for the removal and storage of the vehicle. 23214  
23215  
The written notice that is given to the ~~vehicle operator or~~ 23216  
~~is sent or delivered to the vehicle owner if the vehicle owner is~~ 23217  
~~not the vehicle operator~~ arrested person also shall state that if 23218  
the ~~vehicle operator~~ person is convicted of ~~or~~ 23219



pleads guilty to the offense ~~for which the vehicle operator was~~ 23220  
~~arrested~~ and the court issues an immobilization and impoundment 23221  
order relative to that vehicle, division (D)(4) of section 23222  
4503.233 of the Revised Code prohibits the vehicle from being sold 23223  
during the period of immobilization without the prior approval of 23224  
the court. 23225

(4) At or before the initial appearance, the vehicle owner 23226  
may file a motion requesting the court to order that the vehicle 23227  
and its license plates be released to the vehicle owner. Except as 23228  
provided in this division and subject to the payment of expenses 23229  
or charges incurred in the removal and storage of the vehicle, the 23230  
court, in its discretion, then may issue an order releasing the 23231  
vehicle and its license plates to the vehicle owner. Such an order 23232  
may be conditioned upon such terms as the court determines 23233  
appropriate, including the posting of a bond in an amount 23234  
determined by the court. If the ~~vehicle operator~~ arrested person 23235  
is not the vehicle owner and if the vehicle owner is not present 23236  
at the ~~vehicle operator's~~ arrested person's initial appearance, 23237  
and if the court believes that the vehicle owner was not provided 23238  
with adequate notice of the initial appearance, the court, in its 23239  
discretion, may allow the vehicle owner to file a motion within 23240  
seven days of the initial appearance. If the court allows the 23241  
vehicle owner to file such a motion after the initial appearance, 23242  
the extension of time granted by the court does not extend the 23243  
time within which the initial appearance is to be conducted. If 23244  
the court issues an order for the release of the vehicle and its 23245  
license plates, a copy of the order shall be made available to the 23246  
vehicle owner. If the vehicle owner presents a copy of the order 23247  
to the law enforcement agency that employs the law enforcement 23248  
officer who arrested the arrested person ~~who was operating the~~ 23249  
~~vehicle~~, the law enforcement agency promptly shall release the 23250  
vehicle and its license plates to the vehicle owner upon payment 23251  
by the vehicle owner of any expenses or charges incurred in the 23252

removal and storage of the vehicle. 23253

(5) A vehicle seized under division (B)(1) of this section 23254  
either shall be towed to a place specified by the law enforcement 23255  
agency that employs the arresting officer to be safely kept by the 23256  
agency at that place for the time and in the manner specified in 23257  
this section or shall be otherwise immobilized for the time and in 23258  
the manner specified in this section. A law enforcement officer of 23259  
that agency shall remove the identification license plates of the 23260  
vehicle, and they shall be safely kept by the agency for the time 23261  
and in the manner specified in this section. No vehicle that is 23262  
seized and either towed or immobilized pursuant to this division 23263  
shall be considered contraband for purposes of section 2933.41, 23264  
2933.42, or 2933.43 of the Revised Code. The vehicle shall not be 23265  
immobilized at any place other than a commercially operated 23266  
private storage lot, a place owned by a law enforcement agency or 23267  
other government agency, or a place to which one of the following 23268  
applies: 23269

(a) The place is leased by or otherwise under the control of 23270  
a law enforcement agency or other government agency. 23271

(b) The place is owned by the vehicle operator, the vehicle 23272  
operator's spouse, or a parent or child of the vehicle operator. 23273

(c) The place is owned by a private person or entity, and, 23274  
prior to the immobilization, the private entity or person that 23275  
owns the place, or the authorized agent of that private entity or 23276  
person, has given express written consent for the immobilization 23277  
to be carried out at that place. 23278

(d) The place is a street or highway on which the vehicle is 23279  
parked in accordance with the law. 23280

(C)(1) A vehicle ~~that is~~ seized under division (B) of this 23281  
section shall be safely kept at the place to which it is towed or 23282  
otherwise moved by the law enforcement agency that employs the 23283

arresting officer until the initial appearance of the ~~vehicle~~ 23284  
~~operator~~ arrested person relative to the charge in question. The 23285  
license plates of the vehicle that are removed pursuant to 23286  
division (B) of this section shall be safely kept by the law 23287  
enforcement agency that employs the arresting officer until the 23288  
initial appearance of the ~~vehicle operator~~ arrested person 23289  
relative to the charge in question. 23290

(2)(a) At the initial appearance or not less than seven days 23291  
prior to the date of final disposition, the court shall notify the 23292  
~~vehicle operator, if the vehicle operator is the vehicle owner,~~ 23293  
arrested person that, if title to a motor vehicle that is subject 23294  
to an order for criminal forfeiture under this section is assigned 23295  
or transferred and division ~~(C)~~(B)(2) or (3) of section 4503.234 23296  
of the Revised Code applies, the court may fine the ~~vehicle~~ 23297  
~~operator~~ arrested person the value of the vehicle. If, at the 23298  
initial appearance, the ~~vehicle operator~~ arrested person pleads 23299  
guilty to the violation of division (A) of section 4511.19 of the 23300  
Revised Code or of the municipal ~~OMV~~ OVI ordinance or pleads no 23301  
contest to and is convicted of the violation, the court shall 23302  
impose sentence upon the ~~vehicle operator~~ person as provided by 23303  
law or ordinance; the court, ~~except as provided in this division~~ 23304  
~~and subject to section 4503.235 of the Revised Code,~~ shall order 23305  
the immobilization of the vehicle the arrested person was 23306  
operating at the time of the offense if registered in the arrested 23307  
person's name and the impoundment of its license plates under 23308  
section 4503.233 and section 4511.19 or 4511.193 ~~or 4511.99~~ of the 23309  
Revised Code, ~~or the criminal forfeiture to the state of the~~ 23310  
vehicle if registered in the arrested person's name under section 23311  
4503.234 and section 4511.19 or 4511.193 ~~or 4511.99~~ of the Revised 23312  
Code, whichever is applicable; and the vehicle and its license 23313  
plates shall not be returned or released to the ~~vehicle owner. If~~ 23314  
~~the vehicle operator is not the vehicle owner and the vehicle~~ 23315  
~~owner is not present at the vehicle operator's initial appearance~~ 23316

~~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 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 arrested person.~~

(b) If, at any time, the charge that the ~~vehicle operator~~  
arrested person violated division (A) of section 4511.19 of the  
Revised Code or the municipal ~~OMVI~~ OVI 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~~ arrested person subject to the payment of expenses or charges  
~~incurred in the removal and storage of the vehicle~~ person.

(D) If a vehicle ~~is~~ and its license plates are seized under  
division (B) of this section and ~~is~~ are not returned or released  
to the ~~vehicle owner~~ arrested person pursuant to division (C) of  
this section, the vehicle ~~or~~ and 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~~ arrested person 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~~ OVI  
ordinance, the court shall impose sentence upon the ~~vehicle~~

~~operator person~~ as provided by law or ordinance and, ~~subject to~~ 23349  
~~section 4503.235 of the Revised Code,~~ shall order the 23350  
immobilization of the vehicle the ~~vehicle operator~~ person was 23351  
operating at the time of, ~~or that was involved in,~~ the offense if 23352  
it is registered in the arrested person's name and the impoundment 23353  
of its license plates under section 4503.233 and section 4511.19 23354  
or 4511.193 ~~or 4511.99~~ of the Revised Code, or the criminal 23355  
forfeiture of the vehicle if it is registered in the arrested 23356  
person's name under section 4503.234 and section 4511.19 or 23357  
4511.193 ~~or 4511.99~~ of the Revised Code, whichever is applicable. 23358

(2) If the ~~vehicle operator~~ arrested person is found not 23359  
guilty of the violation of division (A) of section 4511.19 of the 23360  
Revised Code or of the municipal ~~OMVI~~ OVI ordinance, the court 23361  
shall order that the vehicle and its license plates immediately be 23362  
released to the ~~vehicle owner upon the payment of any expenses or~~ 23363  
~~charges incurred in its removal and storage~~ arrested person. 23364

(3) If the charge that the ~~vehicle operator~~ arrested person 23365  
violated division (A) of section 4511.19 of the Revised Code or 23366  
the municipal ~~OMVI~~ OVI ordinance is dismissed for any reason, the 23367  
court shall order that the vehicle and its license plates 23368  
immediately be released to the ~~vehicle owner upon the payment of~~ 23369  
~~any expenses or charges incurred in its removal and storage~~ 23370  
arrested person. 23371

(4) If the impoundment of the vehicle was not authorized 23372  
under this section, the court shall order that the vehicle and its 23373  
license plates be returned immediately to the arrested person or, 23374  
if the arrested person is not the vehicle owner, to the vehicle 23375  
owner, and shall order that the state or political subdivision of 23376  
the law enforcement agency served by the law enforcement officer 23377  
who seized the vehicle pay all expenses and charges incurred in 23378  
its removal and storage. 23379

(E) If a vehicle is seized under division (B) of this 23380

section, the time between the seizure of the vehicle and either 23381  
its release to the ~~vehicle owner~~ arrested person under division 23382  
(C) of this section or the issuance of an order of immobilization 23383  
of the vehicle under section 4503.233 of the Revised Code shall be 23384  
credited against the period of immobilization ordered by the 23385  
court. 23386

(F)(1) ~~The vehicle owner~~ Except as provided in division 23387  
(D)(4) of this section, the arrested person may be charged 23388  
expenses or charges incurred in the removal and storage of the 23389  
immobilized vehicle. The court with jurisdiction over the case, 23390  
after notice to all interested parties, including lienholders, and 23391  
after an opportunity for them to be heard, ~~if the vehicle owner~~ 23392  
~~fails to appear in person, without good cause, or~~ if the court 23393  
finds that the ~~vehicle owner~~ arrested person does not intend to 23394  
seek release of the vehicle at the end of the period of 23395  
immobilization under section 4503.233 of the Revised Code or that 23396  
the ~~vehicle owner~~ arrested person is not or will not be able to 23397  
pay the expenses and charges incurred in its removal and storage, 23398  
may order that title to the vehicle be transferred, in order of 23399  
priority, first into the name of the person or entity that removed 23400  
it, next into the name of a lienholder, or lastly into the name of 23401  
the owner of the place of storage. 23402

Any lienholder that receives title under a court order shall 23403  
do so on the condition that it pay any expenses or charges 23404  
incurred in the vehicle's removal and storage. If the person or 23405  
entity that receives title to the vehicle is the person or entity 23406  
that removed it, the person or entity shall receive title on the 23407  
condition that it pay any lien on the vehicle. The court shall not 23408  
order that title be transferred to any person or entity other than 23409  
the owner of the place of storage if the person or entity refuses 23410  
to receive the title. Any person or entity that receives title 23411  
either may keep title to the vehicle or may dispose of the vehicle 23412

in any legal manner that it considers appropriate, including 23413  
assignment of the certificate of title to the motor vehicle to a 23414  
salvage dealer or a scrap metal processing facility. The person or 23415  
entity shall not transfer the vehicle to the person who is the 23416  
vehicle's immediate previous owner. 23417

If the person or entity that receives title assigns the motor 23418  
vehicle to a salvage dealer or scrap metal processing facility, 23419  
the person or entity shall send the assigned certificate of title 23420  
to the motor vehicle to the clerk of the court of common pleas of 23421  
the county in which the salvage dealer or scrap metal processing 23422  
facility is located. The person or entity shall mark the face of 23423  
the certificate of title with the words "~~for destruction~~ FOR 23424  
DESTRUCTION" and shall deliver a photocopy of the certificate of 23425  
title to the salvage dealer or scrap metal processing facility for 23426  
its records. 23427

(2) Whenever a court issues an order under division (F)(1) of 23428  
this section, the court also shall order removal of the license 23429  
plates from the vehicle and cause them to be sent to the registrar 23430  
of motor vehicles if they have not already been sent to the 23431  
registrar. Thereafter, no further proceedings shall take place 23432  
under this section or under section 4503.233 of the Revised Code. 23433

(3) Prior to initiating a proceeding under division (F)(1) of 23434  
this section, and upon payment of the fee under division (B) of 23435  
section 4505.14 of the Revised Code, any interested party may 23436  
cause a search to be made of the public records of the bureau of 23437  
motor vehicles or the clerk of the court of common pleas, to 23438  
ascertain the identity of any lienholder of the vehicle. The 23439  
initiating party shall furnish this information to the clerk of 23440  
the court with jurisdiction over the case, and the clerk shall 23441  
provide notice to the ~~vehicle owner, the defendant~~ arrested 23442  
person, any lienholder, and any other interested parties listed by 23443  
the initiating party, at the last known address supplied by the 23444

initiating party, by certified mail or, at the option of the 23445  
initiating party, by personal service or ordinary mail. 23446

**Sec. 4511.196.** (A) If a person is arrested for being in 23447  
physical control of a vehicle, streetcar, or trackless trolley in 23448  
violation of section 4511.194 of the Revised Code, or for 23449  
operating a vehicle ~~while under the influence of alcohol, a drug~~ 23450  
~~of abuse, or alcohol and a drug of abuse or for operating a~~ 23451  
~~vehicle with a prohibited concentration of alcohol in the blood,~~ 23452  
~~breath, or urine and,~~ streetcar, or trackless trolley in violation 23453  
of division (A) or (B) of section 4511.19 of the Revised Code or a 23454  
municipal OVI ordinance, regardless of whether the person's 23455  
driver's or commercial driver's license or permit or nonresident 23456  
operating privilege is or is not suspended under ~~division (E) or~~ 23457  
~~(F) of~~ section 4511.191 of the Revised Code, the person's initial 23458  
appearance on the charge resulting from the arrest shall be held 23459  
within five days of the person's arrest or the issuance of the 23460  
citation to the person. 23461

(B)(1) If a person is arrested as described in division (A) 23462  
of this section, if the person's driver's or commercial driver's 23463  
license or permit or nonresident operating privilege has been 23464  
suspended under ~~division (E) or (F) of~~ section 4511.191 of the 23465  
Revised Code in relation to that arrest, if the person appeals the 23466  
suspension in accordance with ~~division (H)(1) of that~~ section 23467  
4511.197 of the Revised Code, and if the judge, magistrate, or 23468  
mayor terminates the suspension in accordance with ~~division (H)(2)~~ 23469  
~~of~~ that section, the judge, magistrate, or mayor, at any time 23470  
prior to adjudication on the merits of the charge resulting from 23471  
the arrest, may impose a new suspension of the person's license, 23472  
permit, or nonresident operating privilege, notwithstanding the 23473  
termination ~~of the suspension imposed under division (E) or (F) of~~ 23474  
~~section 4511.191 of the Revised Code,~~ if the judge, magistrate, or 23475  
mayor determines that the person's continued driving will be a 23476



threat to public safety. 23477

(2) If a person is arrested as described in division (A) of 23478  
this section and if the person's driver's or commercial driver's 23479  
license or permit or nonresident operating privilege has not been 23480  
suspended under ~~division (E) or (F)~~ of section 4511.191 of the 23481  
Revised Code in relation to that arrest, the judge, magistrate, or 23482  
mayor, at any time prior to the adjudication on the merits of the 23483  
charge resulting from the arrest, may impose a suspension of the 23484  
person's license, permit, or nonresident operating privilege if 23485  
the judge, magistrate, or mayor determines that the person's 23486  
continued driving will be a threat to public safety. 23487

(C) A suspension ~~of a person's driver's or commercial~~ 23488  
~~driver's license or permit or nonresident operating privilege~~ 23489  
under division (B)(1) or (2) of this section shall continue until 23490  
the complaint on the charge resulting from the arrest is 23491  
adjudicated on the merits. A court that imposes a suspension under 23492  
division (B)(2) of this section shall send the person's driver's 23493  
license or permit to the registrar of motor vehicles. If the court 23494  
possesses the ~~driver's or commercial driver's~~ license or permit of 23495  
a person in the category described in division (B)(2) of this 23496  
section and the court does not impose a suspension under that 23497  
~~division (B)(2) of this section,~~ the court shall return the 23498  
license or permit to the person if the license or permit has not 23499  
otherwise been suspended or ~~revoked~~ cancelled. 23500

Any time during which the person serves a suspension of the 23501  
person's ~~driver's or commercial driver's~~ license ~~or,~~ permit, ~~or~~ 23502  
~~nonresident operating~~ privilege that is imposed pursuant to 23503  
division (B)(1) or (2) of this section shall be credited against 23504  
any period of judicial suspension of the person's license, permit, 23505  
or ~~nonresident operating~~ privilege that is imposed ~~pursuant to~~ 23506  
under ~~division (B)(G)~~ of section ~~4507.16~~ 4511.19 of the Revised 23507  
Code or under section 4510.07 of the Revised Code for a violation 23508

of a municipal ordinance substantially equivalent to division (A) 23509  
of section 4511.19 of the Revised Code. 23510

(D) If a person is arrested and charged with a violation of 23511  
section 2903.08 of the Revised Code or a violation of section 23512  
2903.06 of the Revised Code that is a felony offense, the judge at 23513  
the person's initial appearance, preliminary hearing, or 23514  
arraignment may suspend the person's driver's or commercial 23515  
driver's license or permit or nonresident operating privilege if 23516  
the judge determines at any of those proceedings that the person's 23517  
continued driving will be a threat to public safety. 23518

~~The A suspension that may be imposed pursuant to~~ under this 23519  
division shall continue until the indictment or information 23520  
alleging the violation specified in this division is adjudicated 23521  
on the merits. A court that imposes a suspension under this 23522  
division shall send the person's driver's or commercial driver's 23523  
license or permit to the registrar. 23524

**Sec. 4511.197.** (A) If a person is arrested for operating a 23525  
vehicle, streetcar, or trackless trolley in violation of division 23526  
(A) or (B) of section 4511.19 of the Revised Code or a municipal 23527  
OVI ordinance or for being in physical control of a vehicle, 23528  
streetcar, or trackless trolley in violation of section 4511.194 23529  
of the Revised Code and if the person's driver's or commercial 23530  
driver's license or permit or nonresident operating privilege is 23531  
suspended under section 4511.191 of the Revised Code, the person 23532  
may appeal the suspension at the person's initial appearance on 23533  
the charge resulting from the arrest or within the period ending 23534  
thirty days after the person's initial appearance on that charge, 23535  
in the court in which the person will appear on that charge. If 23536  
the person appeals the suspension, the appeal itself does not stay 23537  
the operation of the suspension. If the person appeals the 23538  
suspension, either the person or the registrar of motor vehicles 23539

may request a continuance of the appeal and the court may grant 23540  
the continuance. The court also may continue the appeal on its own 23541  
motion. Neither the request for, nor the granting of, a 23542  
continuance stays the suspension that is the subject of the 23543  
appeal, unless the court specifically grants a stay. 23544

(B) A person shall file an appeal under division (A) of this 23545  
section in the municipal court, county court, juvenile court, 23546  
mayor's court, or court of common pleas that has jurisdiction over 23547  
the charge in relation to which the person was arrested. 23548

(C) If a person appeals a suspension under division (A) of 23549  
this section, the scope of the appeal is limited to determining 23550  
whether one or more of the following conditions have not been met: 23551

(1) Whether the arresting law enforcement officer had 23552  
reasonable ground to believe the arrested person was operating a 23553  
vehicle, streetcar, or trackless trolley in violation of division 23554  
(A) or (B) of section 4511.19 of the Revised Code or a municipal 23555  
OVI ordinance or was in physical control of a vehicle, streetcar, 23556  
or trackless trolley in violation of section 4511.194 of the 23557  
Revised Code and whether the arrested person was in fact placed 23558  
under arrest; 23559

(2) Whether the law enforcement officer requested the 23560  
arrested person to submit to the chemical test or tests designated 23561  
pursuant to division (A) of section 4511.191 of the Revised Code; 23562

(3) Whether the arresting officer informed the arrested 23563  
person of the consequences of refusing to be tested or of 23564  
submitting to the test or tests; 23565

(4) Whichever of the following is applicable: 23566

(a) Whether the arrested person refused to submit to the 23567  
chemical test or tests requested by the officer; 23568

(b) Whether the arrest was for a violation of division (A) or 23569

(B) of section 4511.19 of the Revised Code or a municipal OVI ordinance and, if it was, whether the chemical test results indicate that the arrested person's whole blood contained a concentration of ten-hundredths of one per cent or more by weight of alcohol, the person's blood serum or plasma contained a concentration of twelve-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. 23570  
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(D) A person who appeals a suspension under division (A) of this section has the burden of proving, by a preponderance of the evidence, that one or more of the conditions specified in division (C) of this section has not been met. If, during the appeal, the judge or magistrate of the court or the mayor of the mayor's court determines that all of those conditions have been met, the judge, magistrate, or mayor shall uphold the suspension, continue the suspension, and notify the registrar of motor vehicles of the decision on a form approved by the registrar. 23582  
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Except as otherwise provided in this section, if a suspension imposed under section 4511.191 of the Revised Code is upheld on appeal or if the subject person does not appeal the suspension under division (A) 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 or terminated pursuant to law. If the suspension was imposed under division (B)(1) of section 4511.191 of the Revised Code and it is continued under this section, any subsequent finding that the person is not guilty of the charge that resulted in the person being requested to take the chemical 23591  
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test or tests under division (A) of section 4511.191 of the 23602  
Revised Code does not terminate or otherwise affect the 23603  
suspension. If the suspension was imposed under division (C) of 23604  
section 4511.191 of the Revised Code in relation to an alleged 23605  
misdemeanor violation of division (A) or (B) of section 4511.19 of 23606  
the Revised Code or of a municipal OVI ordinance and it is 23607  
continued under this section, the suspension shall terminate if, 23608  
for any reason, the person subsequently is found not guilty of the 23609  
charge that resulted in the person taking the chemical test or 23610  
tests. 23611

If, during the appeal, the judge or magistrate of the trial 23612  
court or the mayor of the mayor's court determines that one or 23613  
more of the conditions specified in division (C) of this section 23614  
have not been met, the judge, magistrate, or mayor shall terminate 23615  
the suspension, subject to the imposition of a new suspension 23616  
under division (B) of section 4511.196 of the Revised Code; shall 23617  
notify the registrar of motor vehicles of the decision on a form 23618  
approved by the registrar; and, except as provided in division (B) 23619  
of section 4511.196 of the Revised Code, shall order the registrar 23620  
to return the driver's or commercial driver's license or permit to 23621  
the person or to take any other measures that may be necessary, if 23622  
the license or permit was destroyed under section 4510.53 of the 23623  
Revised Code, to permit the person to obtain a replacement 23624  
driver's or commercial driver's license or permit from the 23625  
registrar or a deputy registrar in accordance with that section. 23626  
The court also shall issue to the person a court order, valid for 23627  
not more than ten days from the date of issuance, granting the 23628  
person operating privileges for that period. 23629

(E) Any person whose driver's or commercial driver's license 23630  
or permit or nonresident operating privilege has been suspended 23631  
pursuant to section 4511.191 of the Revised Code may file a 23632  
petition requesting limited driving privileges in the common pleas 23633

court, municipal court, county court, mayor's court, or juvenile 23634  
court with jurisdiction over the related criminal or delinquency 23635  
case. The petition may be filed at any time subsequent to the date 23636  
on which the arresting law enforcement officer serves the notice 23637  
of suspension upon the arrested person but no later than thirty 23638  
days after the arrested person's initial appearance or 23639  
arraignment. Upon the making of the request, limited driving 23640  
privileges may be granted under sections 4510.021 and 4510.13 of 23641  
the Revised Code, regardless of whether the person appeals the 23642  
suspension under this section or appeals the decision of the court 23643  
on the appeal, and, if the person has so appealed the suspension 23644  
or decision, regardless of whether the matter has been heard or 23645  
decided by the court. The person shall pay the costs of the 23646  
proceeding, notify the registrar of the filing of the petition, 23647  
and send the registrar a copy of the petition. 23648

The court may not grant the person limited driving privileges 23649  
when prohibited by section 4510.13 or 4511.191 of the Revised 23650  
Code. 23651

(F) Any person whose driver's or commercial driver's license 23652  
or permit has been suspended under section 4511.19 of the Revised 23653  
Code or under section 4510.07 of the Revised Code for a conviction 23654  
of a municipal OVI offense and who desires to retain the license 23655  
or permit during the pendency of an appeal, at the time sentence 23656  
is pronounced, shall notify the court of record or mayor's court 23657  
that suspended the license or permit of the person's intention to 23658  
appeal. If the person so notifies the court, the court, mayor, or 23659  
clerk of the court shall retain the license or permit until the 23660  
appeal is perfected, and, if execution of sentence is stayed, the 23661  
license or permit shall be returned to the person to be held by 23662  
the person during the pendency of the appeal. If the appeal is not 23663  
perfected or is dismissed or terminated in an affirmance of the 23664  
conviction, then the license or permit shall be taken up by the 23665

court, mayor, or clerk, at the time of putting the sentence into 23666  
execution, and the court shall proceed in the same manner as if no 23667  
appeal was taken. 23668

(G) Except as otherwise provided in this division, if a 23669  
person whose driver's or commercial driver's license or permit or 23670  
nonresident operating privilege was suspended under section 23671  
4511.191 of the Revised Code appeals the suspension under division 23672  
(A) of this section, the prosecuting attorney of the county in 23673  
which the arrest occurred shall represent the registrar of motor 23674  
vehicles in the appeal. If the arrest occurred within a municipal 23675  
corporation within the jurisdiction of the court in which the 23676  
appeal is conducted, the city director of law, village solicitor, 23677  
or other chief legal officer of that municipal corporation shall 23678  
represent the registrar. If the appeal is conducted in a municipal 23679  
court, the registrar shall be represented as provided in section 23680  
1901.34 of the Revised Code. If the appeal is conducted in a 23681  
mayor's court, the city director of law, village solicitor, or 23682  
other chief legal officer of the municipal corporation that 23683  
operates that mayor's court shall represent the registrar. 23684

(H) The court shall give information in writing of any action 23685  
taken under this section to the registrar of motor vehicles. 23686  
23687

(I) When it finally has been determined under the procedures 23688  
of this section that a nonresident's privilege to operate a 23689  
vehicle within this state has been suspended, the registrar of 23690  
motor vehicles shall give information in writing of the action 23691  
taken to the motor vehicle administrator of the state of the 23692  
nonresident's residence and of any state in which the nonresident 23693  
has a license. 23694

**Sec. 4511.20.** (A) No person shall operate a vehicle, 23695  
trackless trolley, or streetcar on any street or highway in 23696

willful or wanton disregard of the safety of persons or property. 23697

(B) Except as otherwise provided in this division, whoever 23698  
violates this section is guilty of a minor misdemeanor. If, within 23699  
one year of the offense, the offender previously has been 23700  
convicted of or pleaded guilty to one predicate motor vehicle or 23701  
traffic offense, whoever violates this section is guilty of a 23702  
misdemeanor of the fourth degree. If, within one year of the 23703  
offense, the offender previously has been convicted of two or more 23704  
predicate motor vehicle or traffic offenses, whoever violates this 23705  
section is guilty of a misdemeanor of the third degree. 23706

**Sec. 4511.201.** (A) No person shall operate a vehicle, 23707  
trackless trolley, or streetcar on any public or private property 23708  
other than streets or highways, in willful or wanton disregard of 23709  
the safety of persons or property. 23710

This section does not apply to the competitive operation of 23711  
vehicles on public or private property when the owner of such 23712  
property knowingly permits such operation thereon. 23713

(B) Except as otherwise provided in this division, whoever 23714  
violates this section is guilty of a minor misdemeanor. If, within 23715  
one year of the offense, the offender previously has been 23716  
convicted of or pleaded guilty to one predicate motor vehicle or 23717  
traffic offense, whoever violates this section is guilty of a 23718  
misdemeanor of the fourth degree. If, within one year of the 23719  
offense, the offender previously has been convicted of two or more 23720  
predicate motor vehicle or traffic offenses, whoever violates this 23721  
section is guilty of a misdemeanor of the third degree. 23722

**Sec. 4511.202.** (A) No person shall operate a motor vehicle, 23723  
trackless trolley, or streetcar on any street, highway, or 23724  
property open to the public for vehicular traffic without being in 23725  
reasonable control of the vehicle, trolley, or streetcar. 23726



(B) Whoever violates this section is guilty of operating a motor vehicle without being in control of it, a minor misdemeanor. 23727  
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**Sec. 4507.33 4511.203.** (A) No person shall ~~authorize or knowingly~~ permit a motor vehicle owned by ~~him~~ the person or under ~~his~~ the person's control to be driven by ~~any person~~ another if either any of the following ~~applies~~ apply: 23729  
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(A)(1) The offender knows or has reasonable cause to believe that the other person ~~has no legal right to drive the motor vehicle;~~ does not have a valid driver's or commercial driver's license or permit or valid nonresident driving privileges. 23733  
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(2) The offender knows or has reasonable cause to believe that the other person's driver's or commercial driver's license or permit or nonresident operating privileges have been suspended or canceled under Chapter 4510. or any other provision of the Revised Code. 23737  
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(B)(3) The offender knows or has reasonable cause to believe that the other person's act of driving the motor vehicle would violate any prohibition contained in ~~sections 4507.01 to 4507.39~~ Chapter 4509. of the Revised Code. 23742  
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(4) The offender knows or has reasonable cause to believe that the other person's act of driving would violate section 4511.19 of the Revised Code or any substantially equivalent municipal ordinance. 23746  
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(B) Without limiting or precluding the consideration of any other evidence in determining whether a violation of division (A)(1), (2), (3), or (4) of this section has occurred, it shall be prima-facie evidence that the offender knows or has reasonable cause to believe that the operator of the motor vehicle owned by the offender or under the offender's control is in a category described in division (A)(1), (2), (3), or (4) of this section if 23750  
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any of the following applies: 23757

(1) Regarding an operator allegedly in the category described in division (A)(1) or (3) of this section, the offender and the operator of the motor vehicle reside in the same household and are related by consanguinity or affinity. 23758  
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(2) Regarding an operator allegedly in the category described in division (A)(2) of this section, the offender and the operator of the motor vehicle reside in the same household, and the offender knows or has reasonable cause to believe that the operator has been charged with or convicted of any violation of law or ordinance, or has committed any other act or omission, that would or could result in the suspension or cancellation of the operator's license, permit, or privilege. 23762  
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(3) Regarding an operator allegedly in the category described in division (A)(4) of this section, the offender and the operator of the motor vehicle occupied the motor vehicle together at the time of the offense. 23770  
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(C) Whoever violates this section is guilty of wrongful entrustment of a motor vehicle, a misdemeanor of the first degree. In addition to the penalties imposed under Chapter 2929. of the Revised Code, the court shall impose a class seven suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege from the range specified in division (A)(7) of section 4510.02 of the Revised Code, and, if the vehicle involved in the offense is registered in the name of the offender, the court shall order one of the following: 23774  
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(1) Except as otherwise provided in division (C)(2) or (3) of this section, the court shall order, for thirty days, the immobilization of the vehicle involved in the offense and the impoundment of that vehicle's license plates. The order shall be 23784  
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issued and enforced under section 4503.233 of the Revised Code. 23788

(2) If the offender previously has been convicted of or 23789  
pleaded guilty to one violation of this section or a substantially 23790  
equivalent municipal ordinance, the court shall order, for sixty 23791  
days, the immobilization of the vehicle involved in the offense 23792  
and the impoundment of that vehicle's license plates. The order 23793  
shall be issued and enforced under section 4503.233 of the Revised 23794  
Code. 23795

(3) If the offender previously has been convicted of or 23796  
pleaded guilty to two or more violations of this section or a 23797  
substantially equivalent municipal ordinance, the court shall 23798  
order the criminal forfeiture to the state of the vehicle involved 23799  
in the offense. The order shall be issued and enforced under 23800  
section 4503.234 of the Revised Code. 23801

If title to a motor vehicle that is subject to an order for 23802  
criminal forfeiture under this division is assigned or transferred 23803  
and division (B)(2) or (3) of section 4503.234 of the Revised Code 23804  
applies, in addition to or independent of any other penalty 23805  
established by law, the court may fine the offender the value of 23806  
the vehicle as determined by publications of the national auto 23807  
dealer's association. The proceeds from any fine imposed under 23808  
this division shall be distributed in accordance with division 23809  
(C)(2) of section 4503.234 of the Revised Code. 23810

(D) If a court orders the immobilization of a vehicle under 23811  
division (C) of this section, the court shall not release the 23812  
vehicle from the immobilization before the termination of the 23813  
period of immobilization ordered unless the court is presented 23814  
with current proof of financial responsibility with respect to 23815  
that vehicle. 23816

(E) If a court orders the criminal forfeiture of a vehicle 23817  
under division (C) of this section, upon receipt of the order from 23818

the court, neither the registrar of motor vehicles nor any deputy registrar shall accept any application for the registration or transfer of registration of any motor vehicle owned or leased by the person named in the order. The period of denial shall be five years after the date the order is issued, unless, during that five-year period, the court with jurisdiction of the offense that resulted in the order terminates the forfeiture and notifies the registrar of the termination. If the court terminates the forfeiture and notifies the registrar, the registrar shall take all necessary measures to permit the person to register a vehicle owned or leased by the person or to transfer the registration of the vehicle.

(F) This section does not apply to motor vehicle rental dealers or motor vehicle leasing dealers, as defined in section 4549.65 of the Revised Code.

(G) Evidence of a conviction of, plea of guilty to, or adjudication as a delinquent child for a violation of this section or a substantially similar municipal ordinance shall not be admissible as evidence in any civil action that involves the offender or delinquent child who is the subject of the conviction, plea, or adjudication and that arises from the wrongful entrustment of a motor vehicle.

(H) As used in this section, a vehicle is owned by a person if, at the time of a violation of this section, the vehicle is registered in the person's name.

**Sec. 4511.21.** (A) No person shall operate a motor vehicle, trackless trolley, or streetcar at a speed greater or less than is reasonable or proper, having due regard to the traffic, surface, and width of the street or highway and any other conditions, and no person shall drive any motor vehicle, trackless trolley, or streetcar in and upon any street or highway at a greater speed

than will permit the person to bring it to a stop within the 23850  
assured clear distance ahead. 23851

(B) It is prima-facie lawful, in the absence of a lower limit 23852  
declared pursuant to this section by the director of 23853  
transportation or local authorities, for the operator of a motor 23854  
vehicle, trackless trolley, or streetcar to operate the same at a 23855  
speed not exceeding the following: 23856

(1)(a) Twenty miles per hour in school zones during school 23857  
recess and while children are going to or leaving school during 23858  
the opening or closing hours, and when twenty miles per hour 23859  
school speed limit signs are erected; except that, on 23860  
controlled-access highways and expressways, if the right-of-way 23861  
line fence has been erected without pedestrian opening, the speed 23862  
shall be governed by division (B)(4) of this section and on 23863  
freeways, if the right-of-way line fence has been erected without 23864  
pedestrian opening, the speed shall be governed by divisions 23865  
(B)(8) and (9) of this section. The end of every school zone may 23866  
be marked by a sign indicating the end of the zone. Nothing in 23867  
this section or in the manual and specifications for a uniform 23868  
system of traffic control devices shall be construed to require 23869  
school zones to be indicated by signs equipped with flashing or 23870  
other lights, or giving other special notice of the hours in which 23871  
the school zone speed limit is in effect. 23872

(b) As used in this section and in section 4511.212 of the 23873  
Revised Code, "school" means any school chartered under section 23874  
3301.16 of the Revised Code and any nonchartered school that 23875  
during the preceding year filed with the department of education 23876  
in compliance with rule 3301-35-08 of the Ohio Administrative 23877  
Code, a copy of the school's report for the parents of the 23878  
school's pupils certifying that the school meets Ohio minimum 23879  
standards for nonchartered, nontax-supported schools and presents 23880  
evidence of this filing to the jurisdiction from which it is 23881

requesting the establishment of a school zone. 23882

(c) As used in this section, "school zone" means that portion 23883  
of a street or highway passing a school fronting upon the street 23884  
or highway that is encompassed by projecting the school property 23885  
lines to the fronting street or highway, and also includes that 23886  
portion of a state highway. Upon request from local authorities 23887  
for streets and highways under their jurisdiction and that portion 23888  
of a state highway under the jurisdiction of the director of 23889  
transportation, the director may extend the traditional school 23890  
zone boundaries. The distances in divisions (B)(1)(c)(i), (ii), 23891  
and (iii) of this section shall not exceed three hundred feet per 23892  
approach per direction and are bounded by whichever of the 23893  
following distances or combinations thereof the director approves 23894  
as most appropriate: 23895

(i) The distance encompassed by projecting the school 23896  
building lines normal to the fronting highway and extending a 23897  
distance of three hundred feet on each approach direction; 23898

(ii) The distance encompassed by projecting the school 23899  
property lines intersecting the fronting highway and extending a 23900  
distance of three hundred feet on each approach direction; 23901

(iii) The distance encompassed by the special marking of the 23902  
pavement for a principal school pupil crosswalk plus a distance of 23903  
three hundred feet on each approach direction of the highway. 23904

Nothing in this section shall be construed to invalidate the 23905  
director's initial action on August 9, 1976, establishing all 23906  
school zones at the traditional school zone boundaries defined by 23907  
projecting school property lines, except when those boundaries are 23908  
extended as provided in divisions (B)(1)(a) and (c) of this 23909  
section. 23910

(d) As used in this division, "crosswalk" has the meaning 23911  
given that term in division (LL)(2) of section 4511.01 of the 23912

Revised Code. 23913

The director may, upon request by resolution of the 23914  
legislative authority of a municipal corporation, the board of 23915  
trustees of a township, or a county board of mental retardation 23916  
and developmental disabilities created pursuant to Chapter 5126. 23917  
of the Revised Code, and upon submission by the municipal 23918  
corporation, township, or county board of such engineering, 23919  
traffic, and other information as the director considers 23920  
necessary, designate a school zone on any portion of a state route 23921  
lying within the municipal corporation, lying within the 23922  
unincorporated territory of the township, or lying adjacent to the 23923  
property of a school that is operated by such county board, that 23924  
includes a crosswalk customarily used by children going to or 23925  
leaving a school during recess and opening and closing hours, 23926  
whenever the distance, as measured in a straight line, from the 23927  
school property line nearest the crosswalk to the nearest point of 23928  
the crosswalk is no more than one thousand three hundred twenty 23929  
feet. Such a school zone shall include the distance encompassed by 23930  
the crosswalk and extending three hundred feet on each approach 23931  
direction of the state route. 23932

(2) Twenty-five miles per hour in all other portions of a 23933  
municipal corporation, except on state routes outside business 23934  
districts, through highways outside business districts, and 23935  
alleys; 23936

(3) Thirty-five miles per hour on all state routes or through 23937  
highways within municipal corporations outside business districts, 23938  
except as provided in divisions (B)(4) and (6) of this section; 23939

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(4) Fifty miles per hour on controlled-access highways and 23941  
expressways within municipal corporations; 23942

(5) Fifty-five miles per hour on highways outside of 23943

municipal corporations, other than freeways as provided in	23944
division (B)(12) of this section;	23945
(6) Fifty miles per hour on state routes within municipal	23946
corporations outside urban districts unless a lower prima-facie	23947
speed is established as further provided in this section;	23948
(7) Fifteen miles per hour on all alleys within the municipal	23949
corporation;	23950
(8) Fifty-five miles per hour at all times on freeways with	23951
paved shoulders inside municipal corporations, other than freeways	23952
as provided in division (B)(12) of this section;	23953
(9) Fifty-five miles per hour at all times on freeways	23954
outside municipal corporations, other than freeways as provided in	23955
division (B)(12) of this section;	23956
(10) Fifty-five miles per hour at all times on all portions	23957
of freeways that are part of the interstate system and on all	23958
portions of freeways that are not part of the interstate system,	23959
but are built to the standards and specifications that are	23960
applicable to freeways that are part of the interstate system for	23961
operators of any motor vehicle weighing in excess of eight	23962
thousand pounds empty weight and any noncommercial bus;	23963
(11) Fifty-five miles per hour for operators of any motor	23964
vehicle weighing eight thousand pounds or less empty weight and	23965
any commercial bus at all times on all portions of freeways that	23966
are part of the interstate system and that had such a speed limit	23967
established prior to October 1, 1995, and freeways that are not	23968
part of the interstate system, but are built to the standards and	23969
specifications that are applicable to freeways that are part of	23970
the interstate system and that had such a speed limit established	23971
prior to October 1, 1995, unless a higher speed limit is	23972
established under division (L) of this section;	23973
(12) Sixty-five miles per hour for operators of any motor	23974



vehicle weighing eight thousand pounds or less empty weight and 23975  
any commercial bus at all times on all portions of the following: 23976

(a) Freeways that are part of the interstate system and that 23977  
had such a speed limit established prior to October 1, 1995, and 23978  
freeways that are not part of the interstate system, but are built 23979  
to the standards and specifications that are applicable to 23980  
freeways that are part of the interstate system and that had such 23981  
a speed limit established prior to October 1, 1995; 23982

(b) Freeways that are part of the interstate system and 23983  
freeways that are not part of the interstate system but are built 23984  
to the standards and specifications that are applicable to 23985  
freeways that are part of the interstate system, and that had such 23986  
a speed limit established under division (L) of this section; 23987

(c) Rural, divided, multi-lane highways that are designated 23988  
as part of the national highway system under the "National Highway 23989  
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 23990  
and that had such a speed limit established under division (M) of 23991  
this section. 23992

(C) It is prima-facie unlawful for any person to exceed any 23993  
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 23994  
(6), and (7) of this section, or any declared pursuant to this 23995  
section by the director or local authorities and it is unlawful 23996  
for any person to exceed any of the speed limitations in division 23997  
(D) of this section. No person shall be convicted of more than one 23998  
violation of this section for the same conduct, although 23999  
violations of more than one provision of this section may be 24000  
charged in the alternative in a single affidavit. 24001

(D) No person shall operate a motor vehicle, trackless 24002  
trolley, or streetcar upon a street or highway as follows: 24003

(1) At a speed exceeding fifty-five miles per hour, except 24004  
upon a freeway as provided in division (B)(12) of this section; 24005

(2) At a speed exceeding sixty-five miles per hour upon a 24006  
freeway as provided in division (B)(12) of this section except as 24007  
otherwise provided in division (D)(3) of this section; 24008

(3) If a motor vehicle weighing in excess of eight thousand 24009  
pounds empty weight or a noncommercial bus as prescribed in 24010  
division (B)(10) of this section, at a speed exceeding fifty-five 24011  
miles per hour upon a freeway as provided in that division; 24012

(4) At a speed exceeding the posted speed limit upon a 24013  
freeway for which the director has determined and declared a speed 24014  
limit of not more than sixty-five miles per hour pursuant to 24015  
division (L)(2) or (M) of this section; 24016

(5) At a speed exceeding sixty-five miles per hour upon a 24017  
freeway for which such a speed limit has been established through 24018  
the operation of division (L)(3) of this section; 24019

(6) At a speed exceeding the posted speed limit upon a 24020  
freeway for which the director has determined and declared a speed 24021  
limit pursuant to division (I)(2) of this section. 24022

(E) In every charge of violation of this section the 24023  
affidavit and warrant shall specify the time, place, and speed at 24024  
which the defendant is alleged to have driven, and in charges made 24025  
in reliance upon division (C) of this section also the speed which 24026  
division (B)(1)(a), (2), (3), (4), (6), or (7) of, or a limit 24027  
declared pursuant to, this section declares is prima-facie lawful 24028  
at the time and place of such alleged violation, except that in 24029  
affidavits where a person is alleged to have driven at a greater 24030  
speed than will permit the person to bring the vehicle to a stop 24031  
within the assured clear distance ahead the affidavit and warrant 24032  
need not specify the speed at which the defendant is alleged to 24033  
have driven. 24034

(F) When a speed in excess of both a prima-facie limitation 24035  
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 24036

this section is alleged, the defendant shall be charged in a 24037  
single affidavit, alleging a single act, with a violation 24038  
indicated of both division (B)(1)(a), (2), (3), (4), (6), or (7) 24039  
of this section, or of a limit declared pursuant to this section 24040  
by the director or local authorities, and of the limitation in 24041  
division (D)(1), (2), (3), (4), (5), or (6) of this section. If 24042  
the court finds a violation of division (B)(1)(a), (2), (3), (4), 24043  
(6), or (7) of, or a limit declared pursuant to, this section has 24044  
occurred, it shall enter a judgment of conviction under such 24045  
division and dismiss the charge under division (D)(1), (2), (3), 24046  
(4), (5), or (6) of this section. If it finds no violation of 24047  
division (B)(1)(a), (2), (3), (4), (6), or (7) of, or a limit 24048  
declared pursuant to, this section, it shall then consider whether 24049  
the evidence supports a conviction under division (D)(1), (2), 24050  
(3), (4), (5), or (6) of this section. 24051

(G) Points shall be assessed for violation of a limitation 24052  
under division (D) of this section ~~only when the court finds the~~ 24053  
~~violation involved a speed of five miles per hour or more in~~ 24054  
~~excess of the posted speed limit~~ in accordance with section 24055  
4510.036 of the Revised Code. 24056

(H) Whenever the director determines upon the basis of a 24057  
geometric and traffic characteristic study that any speed limit 24058  
set forth in divisions (B)(1)(a) to (D) of this section is greater 24059  
or less than is reasonable or safe under the conditions found to 24060  
exist at any portion of a street or highway under the jurisdiction 24061  
of the director, the director shall determine and declare a 24062  
reasonable and safe prima-facie speed limit, which shall be 24063  
effective when appropriate signs giving notice of it are erected 24064  
at the location. 24065

(I)(1) Except as provided in divisions (I)(2) and (K) of this 24066  
section, whenever local authorities determine upon the basis of an 24067  
engineering and traffic investigation that the speed permitted by 24068

divisions (B)(1)(a) to (D) of this section, on any part of a 24069  
highway under their jurisdiction, is greater than is reasonable 24070  
and safe under the conditions found to exist at such location, the 24071  
local authorities may by resolution request the director to 24072  
determine and declare a reasonable and safe prima-facie speed 24073  
limit. Upon receipt of such request the director may determine and 24074  
declare a reasonable and safe prima-facie speed limit at such 24075  
location, and if the director does so, then such declared speed 24076  
limit shall become effective only when appropriate signs giving 24077  
notice thereof are erected at such location by the local 24078  
authorities. The director may withdraw the declaration of a 24079  
prima-facie speed limit whenever in the director's opinion the 24080  
altered prima-facie speed becomes unreasonable. Upon such 24081  
withdrawal, the declared prima-facie speed shall become 24082  
ineffective and the signs relating thereto shall be immediately 24083  
removed by the local authorities. 24084

(2) A local authority may determine on the basis of a 24085  
geometric and traffic characteristic study that the speed limit of 24086  
sixty-five miles per hour on a portion of a freeway under its 24087  
jurisdiction that was established through the operation of 24088  
division (L)(3) of this section is greater than is reasonable or 24089  
safe under the conditions found to exist at that portion of the 24090  
freeway. If the local authority makes such a determination, the 24091  
local authority by resolution may request the director to 24092  
determine and declare a reasonable and safe speed limit of not 24093  
less than fifty-five miles per hour for that portion of the 24094  
freeway. If the director takes such action, the declared speed 24095  
limit becomes effective only when appropriate signs giving notice 24096  
of it are erected at such location by the local authority. 24097

(J) Local authorities in their respective jurisdictions may 24098  
authorize by ordinance higher prima-facie speeds than those stated 24099  
in this section upon through highways, or upon highways or 24100

portions thereof where there are no intersections, or between 24101  
widely spaced intersections, provided signs are erected giving 24102  
notice of the authorized speed, but local authorities shall not 24103  
modify or alter the basic rule set forth in division (A) of this 24104  
section or in any event authorize by ordinance a speed in excess 24105  
of fifty miles per hour. 24106

Alteration of prima-facie limits on state routes by local 24107  
authorities shall not be effective until the alteration has been 24108  
approved by the director. The director may withdraw approval of 24109  
any altered prima-facie speed limits whenever in the director's 24110  
opinion any altered prima-facie speed becomes unreasonable, and 24111  
upon such withdrawal, the altered prima-facie speed shall become 24112  
ineffective and the signs relating thereto shall be immediately 24113  
removed by the local authorities. 24114

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 24115  
section, "unimproved highway" means a highway consisting of any of 24116  
the following: 24117

(a) Unimproved earth; 24118

(b) Unimproved graded and drained earth; 24119

(c) Gravel. 24120

(2) Except as otherwise provided in divisions (K)(4) and (5) 24121  
of this section, whenever a board of township trustees determines 24122  
upon the basis of an engineering and traffic investigation that 24123  
the speed permitted by division (B)(5) of this section on any part 24124  
of an unimproved highway under its jurisdiction and in the 24125  
unincorporated territory of the township is greater than is 24126  
reasonable or safe under the conditions found to exist at the 24127  
location, the board may by resolution declare a reasonable and 24128  
safe prima-facie speed limit of fifty-five but not less than 24129  
twenty-five miles per hour. An altered speed limit adopted by a 24130  
board of township trustees under this division becomes effective 24131

when appropriate traffic control devices, as prescribed in section 24132  
4511.11 of the Revised Code, giving notice thereof are erected at 24133  
the location, which shall be no sooner than sixty days after 24134  
adoption of the resolution. 24135

(3)(a) Whenever, in the opinion of a board of township 24136  
trustees, any altered prima-facie speed limit established by the 24137  
board under this division becomes unreasonable, the board may 24138  
adopt a resolution withdrawing the altered prima-facie speed 24139  
limit. Upon the adoption of such a resolution, the altered 24140  
prima-facie speed limit becomes ineffective and the traffic 24141  
control devices relating thereto shall be immediately removed. 24142

(b) Whenever a highway ceases to be an unimproved highway and 24143  
the board has adopted an altered prima-facie speed limit pursuant 24144  
to division (K)(2) of this section, the board shall, by 24145  
resolution, withdraw the altered prima-facie speed limit as soon 24146  
as the highway ceases to be unimproved. Upon the adoption of such 24147  
a resolution, the altered prima-facie speed limit becomes 24148  
ineffective and the traffic control devices relating thereto shall 24149  
be immediately removed. 24150

(4)(a) If the boundary of two townships rests on the 24151  
centerline of an unimproved highway in unincorporated territory 24152  
and both townships have jurisdiction over the highway, neither of 24153  
the boards of township trustees of such townships may declare an 24154  
altered prima-facie speed limit pursuant to division (K)(2) of 24155  
this section on the part of the highway under their joint 24156  
jurisdiction unless the boards of township trustees of both of the 24157  
townships determine, upon the basis of an engineering and traffic 24158  
investigation, that the speed permitted by division (B)(5) of this 24159  
section is greater than is reasonable or safe under the conditions 24160  
found to exist at the location and both boards agree upon a 24161  
reasonable and safe prima-facie speed limit of less than 24162  
fifty-five but not less than twenty-five miles per hour for that 24163

location. If both boards so agree, each shall follow the procedure 24164  
specified in division (K)(2) of this section for altering the 24165  
prima-facie speed limit on the highway. Except as otherwise 24166  
provided in division (K)(4)(b) of this section, no speed limit 24167  
altered pursuant to division (K)(4)(a) of this section may be 24168  
withdrawn unless the boards of township trustees of both townships 24169  
determine that the altered prima-facie speed limit previously 24170  
adopted becomes unreasonable and each board adopts a resolution 24171  
withdrawing the altered prima-facie speed limit pursuant to the 24172  
procedure specified in division (K)(3)(a) of this section. 24173

24174

(b) Whenever a highway described in division (K)(4)(a) of 24175  
this section ceases to be an unimproved highway and two boards of 24176  
township trustees have adopted an altered prima-facie speed limit 24177  
pursuant to division (K)(4)(a) of this section, both boards shall, 24178  
by resolution, withdraw the altered prima-facie speed limit as 24179  
soon as the highway ceases to be unimproved. Upon the adoption of 24180  
the resolution, the altered prima-facie speed limit becomes 24181  
ineffective and the traffic control devices relating thereto shall 24182  
be immediately removed. 24183

(5) As used in division (K)(5) of this section: 24184

(a) "Commercial subdivision" means any platted territory 24185  
outside the limits of a municipal corporation and fronting a 24186  
highway where, for a distance of three hundred feet or more, the 24187  
frontage is improved with buildings in use for commercial 24188  
purposes, or where the entire length of the highway is less than 24189  
three hundred feet long and the frontage is improved with 24190  
buildings in use for commercial purposes. 24191

(b) "Residential subdivision" means any platted territory 24192  
outside the limits of a municipal corporation and fronting a 24193  
highway, where, for a distance of three hundred feet or more, the 24194  
frontage is improved with residences or residences and buildings 24195

in use for business, or where the entire length of the highway is 24196  
less than three hundred feet long and the frontage is improved 24197  
with residences or residences and buildings in use for business. 24198

Whenever a board of township trustees finds upon the basis of 24199  
an engineering and traffic investigation that the prima-facie 24200  
speed permitted by division (B)(5) of this section on any part of 24201  
a highway under its jurisdiction that is located in a commercial 24202  
or residential subdivision, except on highways or portions thereof 24203  
at the entrances to which vehicular traffic from the majority of 24204  
intersecting highways is required to yield the right-of-way to 24205  
vehicles on such highways in obedience to stop or yield signs or 24206  
traffic control signals, is greater than is reasonable and safe 24207  
under the conditions found to exist at the location, the board may 24208  
by resolution declare a reasonable and safe prima-facie speed 24209  
limit of less than fifty-five but not less than twenty-five miles 24210  
per hour at the location. An altered speed limit adopted by a 24211  
board of township trustees under this division shall become 24212  
effective when appropriate signs giving notice thereof are erected 24213  
at the location by the township. Whenever, in the opinion of a 24214  
board of township trustees, any altered prima-facie speed limit 24215  
established by it under this division becomes unreasonable, it may 24216  
adopt a resolution withdrawing the altered prima-facie speed, and 24217  
upon such withdrawal, the altered prima-facie speed shall become 24218  
ineffective, and the signs relating thereto shall be immediately 24219  
removed by the township. 24220

(L)(1) Within one hundred twenty days of ~~the effective date~~ 24221  
~~of this amendment~~ February 29, 1996, the director of 24222  
transportation, based upon a geometric and traffic characteristic 24223  
study of a freeway that is part of the interstate system or that 24224  
is not part of the interstate system, but is built to the 24225  
standards and specifications that are applicable to freeways that 24226  
are part of the interstate system, in consultation with the 24227



director of public safety and, if applicable, the local authority 24228  
having jurisdiction over a portion of such freeway, may determine 24229  
and declare that the speed limit of less than sixty-five miles per 24230  
hour established on such freeway or portion of freeway either is 24231  
reasonable and safe or is less than that which is reasonable and 24232  
safe. 24233

(2) If the established speed limit for such a freeway or 24234  
portion of freeway is determined to be less than that which is 24235  
reasonable and safe, the director of transportation, in 24236  
consultation with the director of public safety and, if 24237  
applicable, the local authority having jurisdiction over the 24238  
portion of freeway, shall determine and declare a reasonable and 24239  
safe speed limit of not more than sixty-five miles per hour for 24240  
that freeway or portion of freeway. 24241

The director of transportation or local authority having 24242  
jurisdiction over the freeway or portion of freeway shall erect 24243  
appropriate signs giving notice of the speed limit at such 24244  
location within one hundred fifty days of ~~the effective date of~~ 24245  
~~this amendment~~ February 29, 1996. Such speed limit becomes 24246  
effective only when such signs are erected at the location. 24247

(3) If, within one hundred twenty days of ~~the effective date~~ 24248  
~~of this amendment~~ February 29, 1996, the director of 24249  
transportation does not make a determination and declaration of a 24250  
reasonable and safe speed limit for a freeway or portion of 24251  
freeway that is part of the interstate system or that is not part 24252  
of the interstate system, but is built to the standards and 24253  
specifications that are applicable to freeways that are part of 24254  
the interstate system and that has a speed limit of less than 24255  
sixty-five miles per hour, the speed limit on that freeway or 24256  
portion of a freeway shall be sixty-five miles per hour. The 24257  
director of transportation or local authority having jurisdiction 24258  
over the freeway or portion of the freeway shall erect appropriate 24259

signs giving notice of the speed limit of sixty-five miles per 24260  
hour at such location within one hundred fifty days of ~~the~~ 24261  
~~effective date of this amendment~~ February 29, 1996. Such speed 24262  
limit becomes effective only when such signs are erected at the 24263  
location. A speed limit established through the operation of 24264  
division (L)(3) of this section is subject to reduction under 24265  
division (I)(2) of this section. 24266

(M) Within three hundred sixty days after ~~the effective date~~ 24267  
~~of this amendment~~ February 29, 1996, the director of 24268  
transportation, based upon a geometric and traffic characteristic 24269  
study of a rural, divided, multi-lane highway that has been 24270  
designated as part of the national highway system under the 24271  
"National Highway System Designation Act of 1995," 109 Stat. 568, 24272  
23 U.S.C.A. 103, in consultation with the director of public 24273  
safety and, if applicable, the local authority having jurisdiction 24274  
over a portion of the highway, may determine and declare that the 24275  
speed limit of less than sixty-five miles per hour established on 24276  
the highway or portion of highway either is reasonable and safe or 24277  
is less than that which is reasonable and safe. 24278

If the established speed limit for the highway or portion of 24279  
highway is determined to be less than that which is reasonable and 24280  
safe, the director of transportation, in consultation with the 24281  
director of public safety and, if applicable, the local authority 24282  
having jurisdiction over the portion of highway, shall determine 24283  
and declare a reasonable and safe speed limit of not more than 24284  
sixty-five miles per hour for that highway or portion of highway. 24285  
The director of transportation or local authority having 24286  
jurisdiction over the highway or portion of highway shall erect 24287  
appropriate signs giving notice of the speed limit at such 24288  
location within three hundred ninety days after ~~the effective date~~ 24289  
~~of this amendment~~ February 29, 1996. The speed limit becomes 24290  
effective only when such signs are erected at the location. 24291

(N) As used in this section:	24292
(1) "Interstate system" has the same meaning as in 23 U.S.C.A. 101.	24293 24294
(2) "Commercial bus" means a motor vehicle designed for carrying more than nine passengers and used for the transportation of persons for compensation.	24295 24296 24297
(3) "Noncommercial bus" includes but is not limited to a school bus or a motor vehicle operated solely for the transportation of persons associated with a charitable or nonprofit organization.	24298 24299 24300 24301
<u>(O)(1) A violation of any provision of this section is one of the following:</u>	24302 24303
<u>(a) Except as otherwise provided in divisions (O)(1)(b), (1)(c), (2), and (3) of this section, a minor misdemeanor;</u>	24304 24305
<u>(b) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two violations of any provision of this section or of any provision of a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the fourth degree;</u>	24306 24307 24308 24309 24310
<u>(c) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to three or more violations of any provision of this section or of any provision of a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the third degree.</u>	24311 24312 24313 24314 24315 24316
<u>(2) If the offender has not previously been convicted of or pleaded guilty to a violation of any provision of this section or of any provision of a municipal ordinance that is substantially similar to this section and operated a motor vehicle faster than thirty-five miles an hour in a business district of a municipal</u>	24317 24318 24319 24320 24321

corporation, faster than fifty miles an hour in other portions of 24322  
a municipal corporation, or faster than thirty-five miles an hour 24323  
in a school zone during recess or while children are going to or 24324  
leaving school during the school's opening or closing hours, a 24325  
misdemeanor of the fourth degree. 24326

(3) Notwithstanding division (O)(1) of this section, if the 24327  
offender operated a motor vehicle in a construction zone where a 24328  
sign was then posted in accordance with section 4511.98 of the 24329  
Revised Code, the court, in addition to all other penalties 24330  
provided by law, shall impose upon the offender a fine of two 24331  
times the usual amount imposed for the violation. No court shall 24332  
impose a fine of two times the usual amount imposed for the 24333  
violation upon an offender if the offender alleges, in an 24334  
affidavit filed with the court prior to the offender's sentencing, 24335  
that the offender is indigent and is unable to pay the fine 24336  
imposed pursuant to this division and if the court determines that 24337  
the offender is an indigent person and unable to pay the fine. 24338

**Sec. 4511.211.** (A) The owner of a private road or driveway 24339  
located in a private residential area containing twenty or more 24340  
dwelling units may establish a speed limit on the road or driveway 24341  
by complying with all of the following requirements: 24342

(1) The speed limit is not less than twenty-five miles per 24343  
hour and is indicated by a sign that is in a proper position, is 24344  
sufficiently legible to be seen by an ordinarily observant person, 24345  
and meets the specifications for the basic speed limit sign 24346  
included in the manual adopted by the department of transportation 24347  
pursuant to section 4511.09 of the Revised Code; 24348

(2) The owner has posted a sign at the entrance of the 24349  
private road or driveway that is in plain view and clearly informs 24350  
persons entering the road or driveway that they are entering 24351  
private property, a speed limit has been established for the road 24352

or driveway, and the speed limit is enforceable by law enforcement officers under state law. 24353  
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(B) No person shall operate a vehicle upon a private road or driveway as provided in division (A) of this section at a speed exceeding any speed limit established and posted pursuant to that division. 24355  
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(C) When a speed limit is established and posted in accordance with division (A) of this section, any law enforcement officer may apprehend a person violating the speed limit of the residential area by utilizing any of the means described in section 4511.091 of the Revised Code or by any other accepted method of determining the speed of a motor vehicle and may stop and charge the person with exceeding the speed limit. 24359  
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(D) Points shall be assessed for violation of a speed limit established and posted in accordance with division (A) of this section ~~only when the violation involves a speed of five miles per hour or more in excess of the posted speed limit~~ in accordance with section 4510.036 of the Revised Code. 24366  
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(E) As used in this section: 24371

(1) "Owner" includes but is not limited to a person who holds title to the real property in fee simple, a condominium owners' association, a property owner's association, the board of directors or trustees of a private community, and a nonprofit corporation governing a private community. 24372  
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(2) "Private residential area containing twenty or more dwelling units" does not include a Chautauqua assembly as defined in section 4511.90 of the Revised Code. 24377  
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(F) A violation of division (B) of this section is one of the following: 24380  
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(1) Except as otherwise provided in divisions (F)(2) and (3) 24382

of this section, a minor misdemeanor; 24383

(2) If, within one year of the offense, the offender 24384  
previously has been convicted of or pleaded guilty to two 24385  
violations of division (B) of this section or of any municipal 24386  
ordinance that is substantially similar to division (B) of this 24387  
section, a misdemeanor of the fourth degree; 24388

(3) If, within one year of the offense, the offender 24389  
previously has been convicted of or pleaded guilty to three or 24390  
more violations of division (B) of this section or of any 24391  
municipal ordinance that is substantially similar to division (B) 24392  
of this section, a misdemeanor of the third degree. 24393

**Sec. 4511.213.** (A) The driver of a motor vehicle, upon 24394  
approaching a stationary public safety vehicle that is displaying 24395  
a flashing red light, flashing combination red and white light, 24396  
oscillating or rotating red light, oscillating or rotating 24397  
combination red and white light, flashing blue light, flashing 24398  
combination blue and white light, oscillating or rotating blue 24399  
light, or oscillating or rotating combination blue and white 24400  
light, shall do either of the following: 24401

(1) If the driver of the motor vehicle is traveling on a 24402  
highway that consists of at least two lanes that carry traffic in 24403  
the same direction of travel as that of the driver's motor 24404  
vehicle, the driver shall proceed with due caution and, if 24405  
possible and with due regard to the road, weather, and traffic 24406  
conditions, shall change lanes into a lane that is not adjacent to 24407  
that of the stationary public safety vehicle. 24408

(2) If the driver is not traveling on a highway of a type 24409  
described in division (A)(1) of this section, or if the driver is 24410  
traveling on a highway of that type but it is not possible to 24411  
change lanes or if to do so would be unsafe, the driver shall 24412  
proceed with due caution, reduce the speed of the motor vehicle, 24413

and maintain a safe speed for the road, weather, and traffic conditions. 24414  
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(B) This section does not relieve the driver of a public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway. 24416  
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(C) No person shall fail to drive a motor vehicle in compliance with division (A)(1) or (2) of this section when so required by division (A) of this section. 24419  
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(D)(1) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. 24422  
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(2) Notwithstanding section 2929.21 of the Revised Code, upon a finding that a person operated a motor vehicle in violation of division (C) of this section, 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. 24431  
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(E) As used in this section, "public safety vehicle" has the same meaning as in section 4511.01 of the Revised Code. 24436  
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**Sec. 4511.22.** (A) No person shall stop or operate a vehicle, trackless trolley, or street car at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when stopping or reduced speed is necessary for safe operation or to comply with law. 24438  
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(B) Whenever the director of transportation or local 24443

authorities determine on the basis of an engineering and traffic 24444  
investigation that slow speeds on any part of a controlled-access 24445  
highway, expressway, or freeway consistently impede the normal and 24446  
reasonable movement of traffic, the director or such local 24447  
authority may declare a minimum speed limit below which no person 24448  
shall operate a motor vehicle, trackless trolley, or street car 24449  
except when necessary for safe operation or in compliance with 24450  
law. No minimum speed limit established hereunder shall be less 24451  
than thirty miles per hour, greater than fifty miles per hour, nor 24452  
effective until the provisions of section 4511.21 of the Revised 24453  
Code, relating to appropriate signs, have been fulfilled and local 24454  
authorities have obtained the approval of the director. 24455

(C) Except as otherwise provided in this division, whoever 24456  
violates this section is guilty of a minor misdemeanor. If, within 24457  
one year of the offense, the offender previously has been 24458  
convicted of or pleaded guilty to one predicate motor vehicle or 24459  
traffic offense, whoever violates this section is guilty of a 24460  
misdemeanor of the fourth degree. If, within one year of the 24461  
offense, the offender previously has been convicted of two or more 24462  
predicate motor vehicle or traffic offenses, whoever violates this 24463  
section is guilty of a misdemeanor of the third degree. 24464

**Sec. 4511.23.** (A) No person shall operate a vehicle, 24465  
trackless trolley, or streetcar over any bridge or other elevated 24466  
structure constituting a part of a highway at a speed which is 24467  
greater than the maximum speed that can be maintained with safety 24468  
to such bridge or structure, when such structure is posted with 24469  
signs as provided in this section. 24470

The department of transportation upon request from any local 24471  
authority shall, or upon its own initiative may, conduct an 24472  
investigation of any bridge or other elevated structure 24473  
constituting a part of a highway, and if it finds that such 24474



structure cannot with safety withstand traffic traveling at the 24475  
speed otherwise permissible under sections 4511.01 to ~~4511.78~~ 24476  
~~4511.85~~ and ~~4511.99~~ 4511.98 of the Revised Code, the department 24477  
shall determine and declare the maximum speed of traffic which 24478  
such structure can withstand, and shall cause or permit suitable 24479  
signs stating such maximum speed to be erected and maintained at a 24480  
distance of at least one hundred feet before each end of such 24481  
structure. 24482

Upon the trial of any person charged with a violation of this 24483  
section, proof of said determination of the maximum speed by the 24484  
department and the existence of said signs shall constitute 24485  
prima-facie evidence of the maximum speed which can be maintained 24486  
with safety to such bridge or structure. 24487

(B) Except as otherwise provided in this division, whoever 24488  
violates this section is guilty of a minor misdemeanor. If, within 24489  
one year of the offense, the offender previously has been 24490  
convicted of or pleaded guilty to one predicate motor vehicle or 24491  
traffic offense, whoever violates this section is guilty of a 24492  
misdemeanor of the fourth degree. If, within one year of the 24493  
offense, the offender previously has been convicted of two or more 24494  
predicate motor vehicle or traffic offenses, whoever violates this 24495  
section is guilty of a misdemeanor of the third degree. 24496

**Sec. 4511.25.** (A) Upon all roadways of sufficient width, a 24497  
vehicle or trackless trolley shall be driven upon the right half 24498  
of the roadway, except as follows: 24499

(1) When overtaking and passing another vehicle proceeding in 24500  
the same direction, or when making a left turn under the rules 24501  
governing such movements; 24502

(2) When an obstruction exists making it necessary to drive 24503  
to the left of the center of the highway; provided, any person so 24504  
doing shall yield the right of way to all vehicles traveling in 24505

the proper direction upon the unobstructed portion of the highway 24506  
within such distance as to constitute an immediate hazard; 24507

(3) When driving upon a roadway divided into three or more 24508  
marked lanes for traffic under the rules applicable thereon; 24509

(4) When driving upon a roadway designated and posted with 24510  
signs for one-way traffic; 24511

(5) When otherwise directed by a police officer or traffic 24512  
control device. 24513

(B) Upon all roadways any vehicle or trackless trolley 24514  
proceeding at less than the normal speed of traffic at the time 24515  
and place and under the conditions then existing shall be driven 24516  
in the right-hand lane then available for traffic, or as close as 24517  
practicable to the right-hand curb or edge of the roadway, except 24518  
when overtaking and passing another vehicle or trackless trolley 24519  
proceeding in the same direction or when preparing for a left 24520  
turn. 24521

(C) Upon any roadway having four or more lanes for moving 24522  
traffic and providing for two-way movement of traffic, no vehicle 24523  
or trackless trolley shall be driven to the left of the center 24524  
line of the roadway, except when authorized by official traffic 24525  
control devices designating certain lanes to the left of the 24526  
center of the roadway for use by traffic not otherwise permitted 24527  
to use the lanes, or except as permitted under division (A)(2) of 24528  
this section. 24529

~~Division (C) of this section~~ This division shall not be 24530  
construed as prohibiting the crossing of the center line in making 24531  
a left turn into or from an alley, private road, or driveway. 24532

(D) Except as otherwise provided in this division, whoever 24533  
violates this section is guilty of a minor misdemeanor. If, within 24534  
one year of the offense, the offender previously has been 24535  
convicted of or pleaded guilty to one predicate motor vehicle or 24536

traffic offense, whoever violates this section is guilty of a 24537  
misdemeanor of the fourth degree. If, within one year of the 24538  
offense, the offender previously has been convicted of two or more 24539  
predicate motor vehicle or traffic offenses, whoever violates this 24540  
section is guilty of a misdemeanor of the third degree. 24541

**Sec. 4511.251.** (A) As used in this section and ~~in sections~~ 24542  
~~4507.021 and 4507.16~~ section 4510.036 of the Revised Code, "street 24543  
racing" means the operation of two or more vehicles from a point 24544  
side by side at accelerating speeds in a competitive attempt to 24545  
out-distance each other or the operation of one or more vehicles 24546  
over a common selected course, from the same point to the same 24547  
point, wherein timing is made of the participating vehicles 24548  
involving competitive accelerations or speeds. Persons rendering 24549  
assistance in any manner to such competitive use of vehicles shall 24550  
be equally charged as the participants. The operation of two or 24551  
more vehicles side by side either at speeds in excess of 24552  
prima-facie lawful speeds established by divisions (B)(1)(a) to 24553  
(B)(7) of section 4511.21 of the Revised Code or rapidly 24554  
accelerating from a common starting point to a speed in excess of 24555  
such prima-facie lawful speeds shall be prima-facie evidence of 24556  
street racing. 24557

(B) No person shall participate in street racing upon any 24558  
public road, street, or highway in this state. 24559

(C) Whoever violates this section is guilty of street racing, 24560  
a misdemeanor of the first degree. In addition to any other 24561  
sanctions, the court shall suspend the offender's driver's 24562  
license, commercial driver's license, temporary instruction 24563  
permit, probationary license, or nonresident operating privilege 24564  
for not less than thirty days or more than one year. No judge 24565  
shall suspend the first thirty days of any suspension of an 24566  
offender's license, permit, or privilege imposed under this 24567

division. 24568

**Sec. 4511.26.** (A) Operators of vehicles and trackless 24569  
trolleys proceeding in opposite directions shall pass each other 24570  
to the right, and upon roadways having width for not more than one 24571  
line of traffic in each direction, each operator shall give to the 24572  
other one-half of the main traveled portion of the roadway or as 24573  
nearly one-half as is reasonable possible. 24574

(B) Except as otherwise provided in this division, whoever 24575  
violates this section is guilty of a minor misdemeanor. If, within 24576  
one year of the offense, the offender previously has been 24577  
convicted of or pleaded guilty to one predicate motor vehicle or 24578  
traffic offense, whoever violates this section is guilty of a 24579  
misdemeanor of the fourth degree. If, within one year of the 24580  
offense, the offender previously has been convicted of two or more 24581  
predicate motor vehicle or traffic offenses, whoever violates this 24582  
section is guilty of a misdemeanor of the third degree. 24583

**Sec. 4511.27.** (A) The following rules govern the overtaking 24584  
and passing of vehicles or trackless trolleys proceeding in the 24585  
same direction: 24586

~~(A)~~(1) The operator of a vehicle or trackless trolley 24587  
overtaking another vehicle or trackless trolley proceeding in the 24588  
same direction shall, except as provided in division ~~(C)~~(A)~~(3)~~ of 24589  
this section, signal to the vehicle or trackless trolley to be 24590  
overtaken, shall pass to the left thereof at a safe distance, and 24591  
shall not again drive to the right side of the roadway until 24592  
safely clear of the overtaken vehicle or trackless trolley. 24593

~~(B)~~(2) Except when overtaking and passing on the right is 24594  
permitted, the operator of an overtaken vehicle shall give way to 24595  
the right in favor of the overtaking vehicle at the latter's 24596  
audible signal, and ~~he~~ the operator shall not increase the speed 24597

of ~~his~~ the operator's vehicle until completely passed by the 24598  
overtaking vehicle. 24599

~~(C)~~(3) The operator of a vehicle or trackless trolley 24600  
overtaking and passing another vehicle or trackless trolley 24601  
proceeding in the same direction on a divided highway as defined 24602  
in section 4511.35 of the Revised Code, a limited access highway 24603  
as defined in section 5511.02 of the Revised Code, or a highway 24604  
with four or more traffic lanes, is not required to signal audibly 24605  
to the vehicle or trackless trolley being overtaken and passed. 24606

(B) Except as otherwise provided in this division, whoever 24607  
violates this section is guilty of a minor misdemeanor. If, within 24608  
one year of the offense, the offender previously has been 24609  
convicted of or pleaded guilty to one predicate motor vehicle or 24610  
traffic offense, whoever violates this section is guilty of a 24611  
misdemeanor of the fourth degree. If, within one year of the 24612  
offense, the offender previously has been convicted of two or more 24613  
predicate motor vehicle or traffic offenses, whoever violates this 24614  
section is guilty of a misdemeanor of the third degree. 24615

**Sec. 4511.28.** (A) The driver of a vehicle or trackless 24616  
trolley may overtake and pass upon the right of another vehicle or 24617  
trackless trolley only under the following conditions: 24618

(1) When the vehicle or trackless trolley overtaken is making 24619  
or about to make a left turn; 24620

(2) Upon a roadway with unobstructed pavement of sufficient 24621  
width for two or more lines of vehicles moving lawfully in the 24622  
direction being traveled by the overtaking vehicle. 24623

(B) The driver of a vehicle or trackless trolley may overtake 24624  
and pass another vehicle or trackless trolley only under 24625  
conditions permitting such movement in safety. The movement shall 24626  
not be made by driving off the roadway. 24627

(C) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**Sec. 4511.29.** (A) No vehicle or trackless trolley shall be driven to the left of the center of the roadway in overtaking and passing traffic proceeding in the same direction, unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made, without interfering with the safe operation of any traffic approaching from the opposite direction or any traffic overtaken. In every event the overtaking vehicle or trackless trolley must return to an authorized lane of travel as soon as practicable and in the event the passing movement involves the use of a lane authorized for traffic approaching from the opposite direction, before coming within two hundred feet of any approaching vehicle.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

Sec. 4511.30. (A) No vehicle or trackless trolley shall be 24659  
driven upon the left side of the roadway under the following 24660  
conditions: 24661

~~(A)~~(1) When approaching the crest of a grade or upon a curve 24662  
in the highway, where the operator's view is obstructed within 24663  
such a distance as to create a hazard in the event traffic might 24664  
approach from the opposite direction; 24665

~~(B)~~(2) When the view is obstructed upon approaching within 24666  
one hundred feet of any bridge, viaduct, or tunnel; 24667

~~(C)~~(3) When approaching within one hundred feet of or 24668  
traversing any intersection or railroad grade crossing. 24669

(B) This section does not apply to vehicles or trackless 24670  
trolleys upon a one-way roadway, upon a roadway where traffic is 24671  
lawfully directed to be driven to the left side, or under the 24672  
conditions described in division (A)(2) of section 4511.25 of the 24673  
Revised Code. 24674

(C) Except as otherwise provided in this division, whoever 24675  
violates this section is guilty of a minor misdemeanor. If, within 24676  
one year of the offense, the offender previously has been 24677  
convicted of or pleaded guilty to one predicate motor vehicle or 24678  
traffic offense, whoever violates this section is guilty of a 24679  
misdemeanor of the fourth degree. If, within one year of the 24680  
offense, the offender previously has been convicted of two or more 24681  
predicate motor vehicle or traffic offenses, whoever violates this 24682  
section is guilty of a misdemeanor of the third degree. 24683

Sec. 4511.31. (A) The department of transportation may 24684  
determine those portions of any state highway where overtaking and 24685  
passing other traffic or driving to the left of the center or 24686  
center line of the roadway would be especially hazardous, and may, 24687  
by appropriate signs or markings on the highway, indicate the 24688

beginning and end of such zones. When such signs or markings are 24689  
in place and clearly visible, every operator of a vehicle or 24690  
trackless trolley shall obey the directions ~~thereof~~ of the signs 24691  
or markings, notwithstanding the distances set out in section 24692  
4511.30 of the Revised Code. 24693

(B) Except as otherwise provided in this division, whoever 24694  
violates this section is guilty of a minor misdemeanor. If, within 24695  
one year of the offense, the offender previously has been 24696  
convicted of or pleaded guilty to one predicate motor vehicle or 24697  
traffic offense, whoever violates this section is guilty of a 24698  
misdemeanor of the fourth degree. If, within one year of the 24699  
offense, the offender previously has been convicted of two or more 24700  
predicate motor vehicle or traffic offenses, whoever violates this 24701  
section is guilty of a misdemeanor of the third degree. 24702

**Sec. 4511.32.** (A) The department of transportation may 24703  
designate any highway or any separate roadway under its 24704  
jurisdiction for one-way traffic and shall erect appropriate signs 24705  
giving notice thereof. 24706

Upon a roadway designated and posted with signs for one-way 24707  
traffic a vehicle shall be driven only in the direction 24708  
designated. 24709

A vehicle passing around a rotary traffic island shall be 24710  
driven only to the right of ~~such~~ the rotary traffic island. 24711

(B) Except as otherwise provided in this division, whoever 24712  
violates this section is guilty of a minor misdemeanor. If, within 24713  
one year of the offense, the offender previously has been 24714  
convicted of or pleaded guilty to one predicate motor vehicle or 24715  
traffic offense, whoever violates this section is guilty of a 24716  
misdemeanor of the fourth degree. If, within one year of the 24717  
offense, the offender previously has been convicted of two or more 24718  
predicate motor vehicle or traffic offenses, whoever violates this 24719



section is guilty of a misdemeanor of the third degree. 24720

**Sec. 4511.33.** (A) Whenever any roadway has been divided into 24721  
two or more clearly marked lanes for traffic, or wherever within 24722  
municipal corporations traffic is lawfully moving in two or more 24723  
substantially continuous lines in the same direction, the 24724  
following rules apply: 24725

~~(A)~~(1) A vehicle or trackless trolley shall be driven, as 24726  
nearly as is practicable, entirely within a single lane or line of 24727  
traffic and shall not be moved from such lane or line until the 24728  
driver has first ascertained that such movement can be made with 24729  
safety. 24730

~~(B)~~(2) Upon a roadway which is divided into three lanes and 24731  
provides for two-way movement of traffic, a vehicle or trackless 24732  
trolley shall not be driven in the center lane except when 24733  
overtaking and passing another vehicle or trackless trolley where 24734  
the roadway is clearly visible and such center lane is clear of 24735  
traffic within a safe distance, or when preparing for a left turn, 24736  
or where such center lane is at the time allocated exclusively to 24737  
traffic moving in the direction the vehicle or trackless trolley 24738  
is proceeding and is posted with signs to give notice of such 24739  
allocation. 24740

~~(C)~~(3) Official signs may be erected directing specified 24741  
traffic to use a designated lane or designating those lanes to be 24742  
used by traffic moving in a particular direction regardless of the 24743  
center of the roadway, and drivers of vehicles and trackless 24744  
trolleys shall obey the directions of such signs. 24745

~~(D)~~(4) Official traffic control devices may be installed 24746  
prohibiting the changing of lanes on sections of roadway and 24747  
drivers of vehicles shall obey the directions of every such 24748  
device. 24749

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**Sec. 4511.34.** (A) The operator of a motor vehicle, streetcar, or trackless trolley shall not follow another vehicle, streetcar, or trackless trolley more closely than is reasonable and prudent, having due regard for the speed of such vehicle, streetcar, or trackless trolley, and the traffic upon and the condition of the highway.

The driver of any truck, or motor vehicle drawing another vehicle, when traveling upon a roadway outside a business or residence district shall maintain a sufficient space, whenever conditions permit, between such vehicle and another vehicle ahead so an overtaking motor vehicle may enter and occupy such space without danger. This paragraph does not prevent overtaking and passing nor does it apply to any lane specially designated for use by trucks.

Outside a municipal corporation, the driver of any truck, or motor vehicle when drawing another vehicle, while ascending to the crest of a grade beyond which the driver's view of a roadway is obstructed, shall not follow within three hundred feet of another truck, or motor vehicle drawing another vehicle. This paragraph shall not apply to any lane specially designated for use by trucks.

Motor vehicles being driven upon any roadway outside of a

business or residence district in a caravan or motorcade, shall 24781  
maintain a sufficient space between such vehicles so an overtaking 24782  
vehicle may enter and occupy such space without danger. This 24783  
paragraph shall not apply to funeral processions. 24784

(B) Except as otherwise provided in this division, whoever 24785  
violates this section is guilty of a minor misdemeanor. If, within 24786  
one year of the offense, the offender previously has been 24787  
convicted of or pleaded guilty to one predicate motor vehicle or 24788  
traffic offense, whoever violates this section is guilty of a 24789  
misdemeanor of the fourth degree. If, within one year of the 24790  
offense, the offender previously has been convicted of two or more 24791  
predicate motor vehicle or traffic offenses, whoever violates this 24792  
section is guilty of a misdemeanor of the third degree. 24793

**Sec. 4511.35.** (A) Whenever any highway has been divided into 24794  
two roadways by an intervening space, or by a physical barrier, or 24795  
clearly indicated dividing section so constructed as to impede 24796  
vehicular traffic, every vehicle shall be driven only upon the 24797  
right-hand roadway, and no vehicle shall be driven over, across, 24798  
or within any such dividing space, barrier, or section, except 24799  
through an opening, crossover, or intersection established by 24800  
public authority. This section does not prohibit the occupancy of 24801  
such dividing space, barrier, or section for the purpose of an 24802  
emergency stop or in compliance with an order of a police officer. 24803

(B) Except as otherwise provided in this division, whoever 24804  
violates this section is guilty of a minor misdemeanor. If, within 24805  
one year of the offense, the offender previously has been 24806  
convicted of or pleaded guilty to one predicate motor vehicle or 24807  
traffic offense, whoever violates this section is guilty of a 24808  
misdemeanor of the fourth degree. If, within one year of the 24809  
offense, the offender previously has been convicted of two or more 24810  
predicate motor vehicle or traffic offenses, whoever violates this 24811

section is guilty of a misdemeanor of the third degree. 24812

**Sec. 4511.36.** (A) The driver of a vehicle intending to turn 24813  
at an intersection shall be governed by the following rules: 24814

~~(A)~~(1) Approach for a right turn and a right turn shall be 24815  
made as close as practicable to the right-hand curb or edge of the 24816  
roadway. 24817

~~(B)~~(2) At any intersection where traffic is permitted to move 24818  
in both directions on each roadway entering the intersection, an 24819  
approach for a left turn shall be made in that portion of the 24820  
right half of the roadway nearest the center line thereof and by 24821  
passing to the right of such center line where it enters the 24822  
intersection and after entering the intersection the left turn 24823  
shall be made so as to leave the intersection to the right of the 24824  
center line of the roadway being entered. Whenever practicable the 24825  
left turn shall be made in that portion of the intersection to the 24826  
left of the center of the intersection. 24827

~~(C)~~(3) At any intersection where traffic is restricted to one 24828  
direction on one or more of the roadways, the driver of a vehicle 24829  
intending to turn left at any such intersection shall approach the 24830  
intersection in the extreme left-hand lane lawfully available to 24831  
traffic moving in the direction of travel of such vehicle, and 24832  
after entering the intersection the left turn shall be made so as 24833  
to leave the intersection, as nearly as practicable, in the 24834  
left-hand lane of the roadway being entered lawfully available to 24835  
traffic moving in that lane. 24836

(B) The operator of a trackless trolley shall comply with 24837  
divisions (A)(1), ~~(B)(2)~~, and ~~(C)(3)~~ of this section wherever 24838  
practicable. 24839

(C) The department of transportation and local authorities in 24840  
their respective jurisdictions may cause markers, buttons, or 24841

signs to be placed within or adjacent to intersections and thereby 24842  
require and direct that a different course from that specified in 24843  
this section be traveled by vehicles, streetcars, or trackless 24844  
trolleys, turning at an intersection, and when markers, buttons, 24845  
or signs are so placed, no operator of a vehicle, streetcar, or 24846  
trackless trolley shall turn such vehicle, streetcar, or trackless 24847  
trolley at an intersection other than as directed and required by 24848  
such markers, buttons, or signs. 24849

(D) Except as otherwise provided in this division, whoever 24850  
violates this section is guilty of a minor misdemeanor. If, within 24851  
one year of the offense, the offender previously has been 24852  
convicted of or pleaded guilty to one predicate motor vehicle or 24853  
traffic offense, whoever violates this section is guilty of a 24854  
misdemeanor of the fourth degree. If, within one year of the 24855  
offense, the offender previously has been convicted of two or more 24856  
predicate motor vehicle or traffic offenses, whoever violates this 24857  
section is guilty of a misdemeanor of the third degree. 24858

**Sec. 4511.37.** (A) Except as provided in division (B) of this 24859  
section, no vehicle shall be turned so as to proceed in the 24860  
opposite direction upon any curve, or upon the approach to or near 24861  
the crest of a grade, if the vehicle cannot be seen within five 24862  
hundred feet by the driver of any other vehicle approaching from 24863  
either direction. 24864

(B) The driver of an emergency vehicle or public safety 24865  
vehicle, when responding to an emergency call, may turn the 24866  
vehicle so as to proceed in the opposite direction. This division 24867  
applies only when the emergency vehicle or public safety vehicle 24868  
is responding to an emergency call, is equipped with and 24869  
displaying at least one flashing, rotating, or oscillating light 24870  
visible under normal atmospheric conditions from a distance of 24871  
five hundred feet to the front of the vehicle, and when the driver 24872

of the vehicle is giving an audible signal by siren, exhaust 24873  
whistle, or bell. This division does not relieve the driver of an 24874  
emergency vehicle or public safety vehicle from the duty to drive 24875  
with due regard for the safety of all persons and property upon 24876  
the highway. 24877

(C) Except as otherwise provided in this division, whoever 24878  
violates this section is guilty of a minor misdemeanor. If, within 24879  
one year of the offense, the offender previously has been 24880  
convicted of or pleaded guilty to one predicate motor vehicle or 24881  
traffic offense, whoever violates this section is guilty of a 24882  
misdemeanor of the fourth degree. If, within one year of the 24883  
offense, the offender previously has been convicted of two or more 24884  
predicate motor vehicle or traffic offenses, whoever violates this 24885  
section is guilty of a misdemeanor of the third degree. 24886

**Sec. 4511.38.** (A) No person shall start a vehicle, streetcar, 24887  
or trackless trolley which is stopped, standing, or parked until 24888  
such movement can be made with reasonable safety. 24889

Before backing, operators of vehicle, streetcars, or 24890  
trackless trolleys shall give ample warning, and while backing 24891  
they shall exercise vigilance not to injure person or property on 24892  
the street or highway. 24893

No person shall back a motor vehicle on a freeway, except: in 24894  
a rest area; in the performance of public works or official 24895  
duties; as a result of an emergency caused by an accident or 24896  
breakdown of a motor vehicle. 24897

(B) Except as otherwise provided in this division, whoever 24898  
violates this section is guilty of a minor misdemeanor. If, within 24899  
one year of the offense, the offender previously has been 24900  
convicted of or pleaded guilty to one predicate motor vehicle or 24901  
traffic offense, whoever violates this section is guilty of a 24902  
misdemeanor of the fourth degree. If, within one year of the 24903

offense, the offender previously has been convicted of two or more 24904  
predicate motor vehicle or traffic offenses, whoever violates this 24905  
section is guilty of a misdemeanor of the third degree. 24906

**Sec. 4511.39.** (A) No person shall turn a vehicle or trackless 24907  
trolley or move right or left upon a highway unless and until such 24908  
person has exercised due care to ascertain that the movement can 24909  
be made with reasonable safety nor without giving an appropriate 24910  
signal in the manner hereinafter provided. 24911

When required, a signal of intention to turn or move right or 24912  
left shall be given continuously during not less than the last one 24913  
hundred feet traveled by the vehicle or trackless trolley before 24914  
turning. 24915

No person shall stop or suddenly decrease the speed of a 24916  
vehicle or trackless trolley without first giving an appropriate 24917  
signal in the manner provided herein to the driver of any vehicle 24918  
or trackless trolley immediately to the rear when there is 24919  
opportunity to give a signal. 24920

Any stop or turn signal required by this section shall be 24921  
given either by means of the hand and arm, or by signal lights 24922  
that clearly indicate to both approaching and following traffic 24923  
intention to turn or move right or left, except that any motor 24924  
vehicle in use on a highway shall be equipped with, and the 24925  
required signal shall be given by, signal lights when the distance 24926  
from the center of the top of the steering post to the left 24927  
outside limit of the body, cab, or load of such motor vehicle 24928  
exceeds twenty-four inches, or when the distance from the center 24929  
of the top of the steering post to the rear limit of the body or 24930  
load thereof exceeds fourteen feet, whether a single vehicle or a 24931  
combination of vehicles. 24932

The signal lights required by this section shall not be 24933  
flashed on one side only on a disabled vehicle or trackless 24934

trolley, flashed as a courtesy or "do pass" signal to operators of 24935  
other vehicles or trackless trolleys approaching from the rear, 24936  
nor be flashed on one side only of a parked vehicle or trackless 24937  
trolley except as may be necessary for compliance with this 24938  
section. 24939

(B) Except as otherwise provided in this division, whoever 24940  
violates this section is guilty of a minor misdemeanor. If, within 24941  
one year of the offense, the offender previously has been 24942  
convicted of or pleaded guilty to one predicate motor vehicle or 24943  
traffic offense, whoever violates this section is guilty of a 24944  
misdemeanor of the fourth degree. If, within one year of the 24945  
offense, the offender previously has been convicted of two or more 24946  
predicate motor vehicle or traffic offenses, whoever violates this 24947  
section is guilty of a misdemeanor of the third degree. 24948

**Sec. 4511.40.** (A) Except as provided in division (B) of this 24949  
section, all signals required by sections 4511.01 to 4511.78 of 24950  
the Revised Code, when given by hand and arm, shall be given from 24951  
the left side of the vehicle in the following manner, and such 24952  
signals shall indicate as follows: 24953

- (1) Left turn, hand and arm extended horizontally; 24954
- (2) Right turn, hand and arm extended upward; 24955
- (3) Stop or decrease speed, hand and arm extended downward. 24956

(B) As an alternative to division (A)(2) of this section, a 24957  
person operating a bicycle may give a right turn signal by 24958  
extending the right hand and arm horizontally and to the right 24959  
side of the bicycle. 24960

(C) Except as otherwise provided in this division, whoever 24961  
violates this section is guilty of a minor misdemeanor. If, within 24962  
one year of the offense, the offender previously has been 24963  
convicted of or pleaded guilty to one predicate motor vehicle or 24964



traffic offense, whoever violates this section is guilty of a 24965  
misdemeanor of the fourth degree. If, within one year of the 24966  
offense, the offender previously has been convicted of two or more 24967  
predicate motor vehicle or traffic offenses, whoever violates this 24968  
section is guilty of a misdemeanor of the third degree. 24969

**Sec. 4511.41.** (A) When two vehicles, including any trackless 24970  
trolley or streetcar, approach or enter an intersection from 24971  
different streets or highways at approximately the same time, the 24972  
driver of the vehicle on the left shall yield the right-of-way to 24973  
the vehicle on the right. 24974

(B) The right-of-way rule declared in division (A) of this 24975  
section is modified at through highways and otherwise as stated in 24976  
Chapter 4511. of the Revised Code. 24977

(C) Except as otherwise provided in this division, whoever 24978  
violates this section is guilty of a minor misdemeanor. If, within 24979  
one year of the offense, the offender previously has been 24980  
convicted of or pleaded guilty to one predicate motor vehicle or 24981  
traffic offense, whoever violates this section is guilty of a 24982  
misdemeanor of the fourth degree. If, within one year of the 24983  
offense, the offender previously has been convicted of two or more 24984  
predicate motor vehicle or traffic offenses, whoever violates this 24985  
section is guilty of a misdemeanor of the third degree. 24986

**Sec. 4511.42.** (A) The operator of a vehicle, streetcar, or 24987  
trackless trolley intending to turn to the left within an 24988  
intersection or into an alley, private road, or driveway shall 24989  
yield the right of way to any vehicle, streetcar, or trackless 24990  
trolley approaching from the opposite direction, whenever the 24991  
approaching vehicle, streetcar, or trackless trolley is within the 24992  
intersection or so close to the intersection, alley, private road, 24993  
or driveway as to constitute an immediate hazard. 24994

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**Sec. 4511.43.** (A) Except when directed to proceed by a law enforcement officer, every driver of a vehicle or trackless trolley approaching a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After having stopped, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways.

(B) The driver of a vehicle or trackless trolley approaching a yield sign shall slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right-of-way to any vehicle or trackless trolley in the intersection or approaching on another roadway so closely

as to constitute an immediate hazard during the time the driver is 25026  
moving across or within the intersection or junction of roadways. 25027  
Whenever a driver is involved in a collision with a vehicle or 25028  
trackless trolley in the intersection or junction of roadways, 25029  
after driving past a yield sign without stopping, the collision 25030  
shall be prima-facie evidence of the driver's failure to yield the 25031  
right-of-way. 25032

(C) Except as otherwise provided in this division, whoever 25033  
violates this section is guilty of a minor misdemeanor. If, within 25034  
one year of the offense, the offender previously has been 25035  
convicted of or pleaded guilty to one predicate motor vehicle or 25036  
traffic offense, whoever violates this section is guilty of a 25037  
misdemeanor of the fourth degree. If, within one year of the 25038  
offense, the offender previously has been convicted of two or more 25039  
predicate motor vehicle or traffic offenses, whoever violates this 25040  
section is guilty of a misdemeanor of the third degree. 25041

**Sec. 4511.431.** (A) The driver of a vehicle or trackless 25042  
trolley emerging from an alley, building, private road, or 25043  
driveway within a business or residence district shall stop the 25044  
vehicle or trackless trolley immediately prior to driving onto a 25045  
sidewalk or onto the sidewalk area extending across the alley, 25046  
building entrance, road, or driveway, or in the event there is no 25047  
sidewalk area, shall stop at the point nearest the street to be 25048  
entered where the driver has a view of approaching traffic 25049  
thereon. 25050

(B) Except as otherwise provided in this division, whoever 25051  
violates this section is guilty of a minor misdemeanor. If, within 25052  
one year of the offense, the offender previously has been 25053  
convicted of or pleaded guilty to one predicate motor vehicle or 25054  
traffic offense, whoever violates this section is guilty of a 25055  
misdemeanor of the fourth degree. If, within one year of the 25056

offense, the offender previously has been convicted of two or more 25057  
predicate motor vehicle or traffic offenses, whoever violates this 25058  
section is guilty of a misdemeanor of the third degree. 25059

**Sec. 4511.432.** (A) The owner of a private road or driveway 25060  
located in a private residential area containing twenty or more 25061  
dwelling units may erect stop signs at places where the road or 25062  
driveway intersects with another private road or driveway in the 25063  
residential area, in compliance with all of the following 25064  
requirements: 25065

(1) The stop sign is sufficiently legible to be seen by an 25066  
ordinarily observant person and meets the specifications of and is 25067  
placed in accordance with the manual adopted by the department of 25068  
transportation pursuant to section 4511.09 of the Revised Code~~+~~ 25069

(2) The owner has posted a sign at the entrance of the 25070  
private road or driveway that is in plain view and clearly informs 25071  
persons entering the road or driveway that they are entering 25072  
private property, stop signs have been posted and must be obeyed, 25073  
and the signs are enforceable by law enforcement officers under 25074  
state law. The sign required by division (A)(2) of this section, 25075  
where appropriate, may be incorporated with the sign required by 25076  
division (A)(2) of section 4511.211 of the Revised Code. 25077

(B) Division (A) of section 4511.43 and section 4511.46 of 25078  
the Revised Code shall be deemed to apply to the driver of a 25079  
vehicle on a private road or driveway where a stop sign is placed 25080  
in accordance with division (A) of this section and to a 25081  
pedestrian crossing such a road or driveway at an intersection 25082  
where a stop sign is in place. 25083

(C) When a stop sign is placed in accordance with division 25084  
(A) of this section, any law enforcement officer may apprehend a 25085  
person found violating the stop sign and may stop and charge the 25086  
person with violating the stop sign. 25087

(D) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(E) As used in this section, and for the purpose of applying division (A) of section 4511.43 and section 4511.46 of the Revised Code to conduct under this section:

(1) "Intersection" means:

(a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two private roads or driveways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different private roads or driveways joining at any other angle may come in conflict.

(b) Where a private road or driveway includes two roadways thirty feet or more apart, then every crossing of two roadways of such private roads or driveways shall be regarded as a separate intersection.

(2) "Roadway" means that portion of a private road or driveway improved, designed, or ordinarily used for vehicular travel, except the berm or shoulder. If a private road or driveway includes two or more separate roadways, the term "roadway" means any such roadway separately but not all such roadways collectively.

(3) "Owner" and "private residential area containing twenty or more dwelling units" have the same meanings as in section

4511.211 of the Revised Code. 25119

**Sec. 4511.44.** (A) The operator of a vehicle, streetcar, or 25120  
trackless trolley about to enter or cross a highway from any place 25121  
other than another roadway shall yield the right of way to all 25122  
traffic approaching on the roadway to be entered or crossed. 25123

(B) Except as otherwise provided in this division, whoever 25124  
violates this section is guilty of a minor misdemeanor. If, within 25125  
one year of the offense, the offender previously has been 25126  
convicted of or pleaded guilty to one predicate motor vehicle or 25127  
traffic offense, whoever violates this section is guilty of a 25128  
misdemeanor of the fourth degree. If, within one year of the 25129  
offense, the offender previously has been convicted of two or more 25130  
predicate motor vehicle or traffic offenses, whoever violates this 25131  
section is guilty of a misdemeanor of the third degree. 25132

**Sec. 4511.441.** (A) The driver of a vehicle shall yield the 25133  
right-of-way to any pedestrian on a sidewalk. 25134

(B) Except as otherwise provided in this division, whoever 25135  
violates this section is guilty of a minor misdemeanor. If, within 25136  
one year of the offense, the offender previously has been 25137  
convicted of or pleaded guilty to one predicate motor vehicle or 25138  
traffic offense, whoever violates this section is guilty of a 25139  
misdemeanor of the fourth degree. If, within one year of the 25140  
offense, the offender previously has been convicted of two or more 25141  
predicate motor vehicle or traffic offenses, whoever violates this 25142  
section is guilty of a misdemeanor of the third degree. 25143

**Sec. 4511.45.** (A)(1) Upon the approach of a public safety 25144  
vehicle or coroner's vehicle, equipped with at least one flashing, 25145  
rotating or oscillating light visible under normal atmospheric 25146  
conditions from a distance of five hundred feet to the front of 25147  
the vehicle and the driver is giving an audible signal by siren, 25148

exhaust whistle, or bell, no driver of any other vehicle shall 25149  
fail to yield the right-of-way, immediately drive if practical to 25150  
a position parallel to, and as close as possible to, the right 25151  
edge or curb of the highway clear of any intersection, and stop 25152  
and remain in that position until the public safety vehicle or 25153  
coroner's vehicle has passed, except when otherwise directed by a 25154  
police officer. 25155

(2) Upon the approach of a public safety vehicle or coroner's 25156  
vehicle, as stated in division (A)(1) of this section, no operator 25157  
of any streetcar or trackless trolley shall fail to immediately 25158  
stop the streetcar or trackless trolley clear of any intersection 25159  
and keep it in that position until the public safety vehicle or 25160  
coroner's vehicle has passed, except when otherwise directed by a 25161  
police officer. 25162

(B) This section does not relieve the driver of a public 25163  
safety vehicle or coroner's vehicle from the duty to drive with 25164  
due regard for the safety of all persons and property upon the 25165  
highway. 25166

(C) This section applies to a coroner's vehicle only when the 25167  
vehicle is operated in accordance with section 4513.171 of the 25168  
Revised Code. As used in this section, "coroner's vehicle" means a 25169  
vehicle used by a coroner, deputy coroner, or coroner's 25170  
investigator that is equipped with a flashing, oscillating, or 25171  
rotating red or blue light and a siren, exhaust whistle, or bell 25172  
capable of giving an audible signal. 25173

(D) Except as otherwise provided in this division, whoever 25174  
violates division (A)(1) or (2) of this section is guilty of a 25175  
misdemeanor of the fourth degree on a first offense. On a second 25176  
offense within one year after the first offense, the person is 25177  
guilty of a misdemeanor of the third degree, and, on each 25178  
subsequent offense within one year after the first offense, the 25179  
person is guilty of a misdemeanor of the second degree. 25180

Sec. 4511.451. (A) As used in this section "funeral procession" means two or more vehicles accompanying a body of a deceased person in the daytime when each of such vehicles has its headlights lighted and is displaying a purple and white pennant attached to each vehicle in such a manner as to be clearly visible to traffic approaching from any direction.

(B) Excepting public safety vehicles proceeding in accordance with section 4511.45 of the Revised Code or when directed otherwise by a police officer, pedestrians and the operators of all vehicles, street cars, and trackless trolleys shall yield the right of way to each vehicle which is a part of a funeral procession. Whenever the lead vehicle in a funeral procession lawfully enters an intersection the remainder of the vehicles in such procession may continue to follow such lead vehicle through the intersection notwithstanding any traffic control devices or right of way provisions of the Revised Code, provided the operator of each vehicle exercises due care to avoid colliding with any other vehicle or pedestrian upon the roadway.

No person shall operate any vehicle as a part of a funeral procession without having the headlights of such vehicle lighted and without displaying a purple and white pennant in such a manner as to be clearly visible to traffic approaching from any direction.

(C) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this



section is guilty of a misdemeanor of the third degree. 25212

**Sec. 4511.452.** (A) Upon the immediate approach of a public 25213  
safety vehicle, as stated in section 4511.45 of the Revised Code, 25214  
every pedestrian shall yield the right-of-way to the public safety 25215  
vehicle. 25216

(B) This section shall not relieve the driver of a public 25217  
safety vehicle from the duty to exercise due care to avoid 25218  
colliding with any pedestrian. 25219

(C) Except as otherwise provided in this division, whoever 25220  
violates this section is guilty of a minor misdemeanor. If, within 25221  
one year of the offense, the offender previously has been 25222  
convicted of or pleaded guilty to one predicate motor vehicle or 25223  
traffic offense, whoever violates this section is guilty of a 25224  
misdemeanor of the fourth degree. If, within one year of the 25225  
offense, the offender previously has been convicted of two or more 25226  
predicate motor vehicle or traffic offenses, whoever violates this 25227  
section is guilty of a misdemeanor of the third degree. 25228

**Sec. 4511.46.** (A) When traffic control signals are not in 25229  
place, not in operation, or are not clearly assigning the 25230  
right-of-way, the driver of a vehicle, trackless trolley, or 25231  
streetcar shall yield the right of way, slowing down or stopping 25232  
if need be to so yield or if required by section 4511.132 of the 25233  
Revised Code, to a pedestrian crossing the roadway within a 25234  
crosswalk when the pedestrian is upon the half of the roadway upon 25235  
which the vehicle is traveling, or when the pedestrian is 25236  
approaching so closely from the opposite half of the roadway as to 25237  
be in danger. 25238

(B) No pedestrian shall suddenly leave a curb or other place 25239  
of safety and walk or run into the path of a vehicle, trackless 25240  
trolley, or streetcar which is so close as to constitute an 25241

immediate hazard. 25242

(C) Division (A) of this section does not apply under the 25243  
conditions stated in division (B) of section 4511.48 of the 25244  
Revised Code. 25245

(D) Whenever any vehicle, trackless trolley, or streetcar is 25246  
stopped at a marked crosswalk or at any unmarked crosswalk at an 25247  
intersection to permit a pedestrian to cross the roadway, the 25248  
driver of any other vehicle, trackless trolley, or streetcar 25249  
approaching from the rear shall not overtake and pass the stopped 25250  
vehicle. 25251

(E) Except as otherwise provided in this division, whoever 25252  
violates this section is guilty of a minor misdemeanor. If, within 25253  
one year of the offense, the offender previously has been 25254  
convicted of or pleaded guilty to one predicate motor vehicle or 25255  
traffic offense, whoever violates this section is guilty of a 25256  
misdemeanor of the fourth degree. If, within one year of the 25257  
offense, the offender previously has been convicted of two or more 25258  
predicate motor vehicle or traffic offenses, whoever violates this 25259  
section is guilty of a misdemeanor of the third degree. 25260

**Sec. 4511.47.** (A) As used in this section "blind person" or 25261  
"blind pedestrian" means a person having not more than 20/200 25262  
visual acuity in the better eye with correcting lenses or visual 25263  
acuity greater than 20/200 but with a limitation in the fields of 25264  
vision such that the widest diameter of the visual field subtends 25265  
an angle no greater than twenty degrees. 25266

The driver of every vehicle shall yield the right of way to 25267  
every blind pedestrian guided by a guide dog, or carrying a cane 25268  
which is predominantly white or metallic in color, with or without 25269  
a red tip. 25270

(B) No person, other than a blind person, while on any public 25271

highway, street, alley, or other public thoroughfare shall carry a 25272  
white or metallic cane with or without a red tip. 25273

(C) Except as otherwise provided in this division, whoever 25274  
violates this section is guilty of a minor misdemeanor. If, within 25275  
one year of the offense, the offender previously has been 25276  
convicted of or pleaded guilty to one predicate motor vehicle or 25277  
traffic offense, whoever violates this section is guilty of a 25278  
misdemeanor of the fourth degree. If, within one year of the 25279  
offense, the offender previously has been convicted of two or more 25280  
predicate motor vehicle or traffic offenses, whoever violates this 25281  
section is guilty of a misdemeanor of the third degree. 25282

**Sec. 4511.48.** (A) Every pedestrian crossing a roadway at any 25283  
point other than within a marked crosswalk or within an unmarked 25284  
crosswalk at an intersection shall yield the right of way to all 25285  
vehicles, trackless trolleys, or streetcars upon the roadway. 25286  
25287

(B) Any pedestrian crossing a roadway at a point where a 25288  
pedestrian tunnel or overhead pedestrian crossing has been 25289  
provided shall yield the right of way to all traffic upon the 25290  
roadway. 25291

(C) Between adjacent intersections at which traffic control 25292  
signals are in operation, pedestrians shall not cross at any place 25293  
except in a marked crosswalk. 25294

(D) No pedestrian shall cross a roadway intersection 25295  
diagonally unless authorized by official traffic control devices; 25296  
and, when authorized to cross diagonally, pedestrians shall cross 25297  
only in accordance with the official traffic control devices 25298  
pertaining to such crossing movements. 25299

(E) This section does not relieve the operator of a vehicle, 25300  
streetcar, or trackless trolley from exercising due care to avoid 25301

colliding with any pedestrian upon any roadway. 25302

(F) Except as otherwise provided in this division, whoever 25303  
violates this section is guilty of a minor misdemeanor. If, within 25304  
one year of the offense, the offender previously has been 25305  
convicted of or pleaded guilty to one predicate motor vehicle or 25306  
traffic offense, whoever violates this section is guilty of a 25307  
misdemeanor of the fourth degree. If, within one year of the 25308  
offense, the offender previously has been convicted of two or more 25309  
predicate motor vehicle or traffic offenses, whoever violates this 25310  
section is guilty of a misdemeanor of the third degree. 25311

**Sec. 4511.481.** (A) A pedestrian who is under the influence of 25313  
alcohol or, any drug of abuse, or any combination thereof, of them 25314  
to a degree which that renders himself the pedestrian a hazard 25315  
shall not walk or be upon a highway. 25316

(B) Except as otherwise provided in this division, whoever 25317  
violates this section is guilty of a minor misdemeanor. If, within 25318  
one year of the offense, the offender previously has been 25319  
convicted of or pleaded guilty to one predicate motor vehicle or 25320  
traffic offense, whoever violates this section is guilty of a 25321  
misdemeanor of the fourth degree. If, within one year of the 25322  
offense, the offender previously has been convicted of two or more 25323  
predicate motor vehicle or traffic offenses, whoever violates this 25324  
section is guilty of a misdemeanor of the third degree. 25325

**Sec. 4511.49.** (A) Pedestrians shall move, whenever 25326  
practicable, upon the right half of crosswalks. 25327

(B) Except as otherwise provided in this division, whoever 25328  
violates this section is guilty of a minor misdemeanor. If, within 25329  
one year of the offense, the offender previously has been 25330  
convicted of or pleaded guilty to one predicate motor vehicle or 25331  
traffic offense, whoever violates this section is guilty of a 25332

misdemeanor of the fourth degree. If, within one year of the 25333  
offense, the offender previously has been convicted of two or more 25334  
predicate motor vehicle or traffic offenses, whoever violates this 25335  
section is guilty of a misdemeanor of the third degree. 25336

**Sec. 4511.50.** (A) Where a sidewalk is provided and its use is 25337  
practicable, it shall be unlawful for any pedestrian to walk along 25338  
and upon an adjacent roadway. 25339

(B) Where a sidewalk is not available, any pedestrian walking 25340  
along and upon a highway shall walk only on a shoulder, as far as 25341  
practicable from the edge of the roadway. 25342

(C) Where neither a sidewalk nor a shoulder is available, any 25343  
pedestrian walking along and upon a highway shall walk as near as 25344  
practicable to an outside edge of the roadway, and, if on a 25345  
two-way roadway, shall walk only on the left side of the roadway. 25346

(D) Except as otherwise provided in sections 4511.13 and 25347  
4511.46 of the Revised Code, any pedestrian upon a roadway shall 25348  
yield the right-of-way to all vehicles, trackless trolleys, or 25349  
streetcars upon the roadway. 25350

(E) Except as otherwise provided in this division, whoever 25351  
violates this section is guilty of a minor misdemeanor. If, within 25352  
one year of the offense, the offender previously has been 25353  
convicted of or pleaded guilty to one predicate motor vehicle or 25354  
traffic offense, whoever violates this section is guilty of a 25355  
misdemeanor of the fourth degree. If, within one year of the 25356  
offense, the offender previously has been convicted of two or more 25357  
predicate motor vehicle or traffic offenses, whoever violates this 25358  
section is guilty of a misdemeanor of the third degree. 25359

**Sec. 4511.51.** (A) No person while on a roadway outside a 25360  
safety zone shall solicit a ride from the driver of any vehicle. 25361

(B)(1) Except as provided in division (B)(2) of this section, 25362

no person shall stand on a highway for the purpose of soliciting 25363  
employment, business, or contributions from the occupant of any 25364  
vehicle. 25365

(2) The legislative authority of a municipal corporation, by 25366  
ordinance, may authorize the issuance of a permit to a charitable 25367  
organization to allow a person acting on behalf of the 25368  
organization to solicit charitable contributions from the occupant 25369  
of a vehicle by standing on a highway, other than a freeway as 25370  
provided in division (A)(1) of section 4511.051 of the Revised 25371  
Code, that is under the jurisdiction of the municipal corporation. 25372  
The permit shall be valid for only one period of time, which shall 25373  
be specified in the permit, in any calendar year. The legislative 25374  
authority also may specify the locations where contributions may 25375  
be solicited and may impose any other restrictions on or 25376  
requirements regarding the manner in which the solicitations are 25377  
to be conducted that the legislative authority considers 25378  
advisable. 25379

(3) As used in division (B)(2) of this section, "charitable 25380  
organization" means an organization that has received from the 25381  
internal revenue service a currently valid ruling or determination 25382  
letter recognizing the tax-exempt status of the organization 25383  
pursuant to section 501(c)(3) of the "Internal Revenue Code." 25384

(C) No person shall hang onto or ride on the outside of any 25385  
motor vehicle, streetcar, or trackless trolley while it is moving 25386  
upon a roadway, except mechanics or test engineers making repairs 25387  
or adjustments, or workers performing specialized highway or 25388  
street maintenance or construction under authority of a public 25389  
agency. 25390

(D) No operator shall knowingly permit any person to hang 25391  
onto, or ride on the outside of, any motor vehicle, streetcar, or 25392  
trackless trolley while it is moving upon a roadway, except 25393  
mechanics or test engineers making repairs or adjustments, or 25394

workers performing specialized highway or street maintenance or 25395  
construction under authority of a public agency. 25396

(E) No driver of a truck, trailer, or semitrailer shall 25397  
knowingly permit any person who has not attained the age of 25398  
sixteen years to ride in the unenclosed or unroofed cargo storage 25399  
area of ~~his~~ the driver's vehicle if the vehicle is traveling 25400  
faster than twenty-five miles per hour, unless either of the 25401  
following applies: 25402

(1) The cargo storage area of the vehicle is equipped with a 25403  
properly secured seat to which is attached a seat safety belt that 25404  
is in compliance with federal standards for an occupant 25405  
restraining device as defined in division (A)(2) of section 25406  
4513.263 of the Revised Code, the seat and seat safety belt were 25407  
installed at the time the vehicle was originally assembled, and 25408  
the person riding in the cargo storage area is in the seat and is 25409  
wearing the seat safety belt; 25410

(2) An emergency exists that threatens the life of the driver 25411  
or the person being transported in the cargo storage area of the 25412  
truck, trailer, or semitrailer. 25413

(F) No driver of a truck, trailer, or semitrailer shall 25414  
permit any person, except for those workers performing specialized 25415  
highway or street maintenance or construction under authority of a 25416  
public agency, to ride in the cargo storage area or on a tailgate 25417  
of ~~his~~ the driver's vehicle while the tailgate is unlatched. 25418

(G)(1) Except as otherwise provided in this division, whoever 25419  
violates any provision of divisions (A) to (D) of this section is 25420  
guilty of a minor misdemeanor. If, within one year of the offense, 25421  
the offender previously has been convicted of or pleaded guilty to 25422  
one predicate motor vehicle or traffic offense, whoever violates 25423  
any provision of divisions (A) to (D) of this section is guilty of 25424  
a misdemeanor of the fourth degree. If, within one year of the 25425

offense, the offender previously has been convicted of two or more 25426  
predicate motor vehicle or traffic offenses, whoever violates any 25427  
provision of divisions (A) to (D) of this section is guilty of a 25428  
misdemeanor of the third degree. 25429

(2) Whoever violates division (E) or (F) of this section is 25430  
guilty of a minor misdemeanor. 25431

**Sec. 4511.511.** (A) No pedestrian shall enter or remain upon 25432  
any bridge or approach thereto beyond the bridge signal, gate, or 25433  
barrier after a bridge operation signal indication has been given. 25434

(B) No pedestrian shall pass through, around, over, or under 25435  
any crossing gate or barrier at a railroad grade crossing or 25436  
bridge while the gate or barrier is closed or is being opened or 25437  
closed. 25438

(C) Except as otherwise provided in this division, whoever 25439  
violates this section is guilty of a minor misdemeanor. If, within 25440  
one year of the offense, the offender previously has been 25441  
convicted of or pleaded guilty to one predicate motor vehicle or 25442  
traffic offense, whoever violates this section is guilty of a 25443  
misdemeanor of the fourth degree. If, within one year of the 25444  
offense, the offender previously has been convicted of two or more 25445  
predicate motor vehicle or traffic offenses, whoever violates this 25446  
section is guilty of a misdemeanor of the third degree. 25447

**Sec. 4511.521.** (A) No person shall operate a motorized 25448  
bicycle upon a highway or any public or private property used by 25449  
the public for purposes of vehicular travel or parking, unless all 25450  
of the following conditions are met: 25451

(1) The person is fourteen or fifteen years of age and holds 25452  
a valid probationary motorized bicycle license issued after the 25453  
person has passed the test provided for in this section, or the 25454  
person is sixteen years of age or older and holds either a valid 25455



commercial driver's license issued under Chapter 4506. or a 25456  
driver's license issued under Chapter 4507. of the Revised Code or 25457  
a valid motorized bicycle license issued after the person has 25458  
passed the test provided for in this section, except that if a 25459  
person is sixteen years of age, has a valid probationary motorized 25460  
bicycle license and desires a motorized bicycle license, ~~he~~ the 25461  
person is not required to comply with the testing requirements 25462  
provided for in this section; 25463

(2) The motorized bicycle is equipped in accordance with the 25464  
rules adopted under division (B) of this section and is in proper 25465  
working order; 25466

(3) The person, if ~~he is~~ under eighteen years of age, is 25467  
wearing a protective helmet on ~~his~~ the person's head with the chin 25468  
strap properly fastened and the motorized bicycle is equipped with 25469  
a rear-view mirror. 25470

(4) The person operates the motorized bicycle when 25471  
practicable within three feet of the right edge of the roadway 25472  
obeying all traffic rules applicable to vehicles. 25473

(B) The director of public safety, subject to sections 119.01 25474  
to 119.13 of the Revised Code, shall adopt and promulgate rules 25475  
concerning protective helmets, the equipment of motorized 25476  
bicycles, and the testing and qualifications of persons who do not 25477  
hold a valid driver's or commercial driver's license. The test 25478  
shall be as near as practicable to the examination required for a 25479  
motorcycle operator's endorsement under section 4507.11 of the 25480  
Revised Code. The test shall also require the operator to give an 25481  
actual demonstration of ~~his~~ the operator's ability to operate and 25482  
control a motorized bicycle by driving one under the supervision 25483  
of an examining officer. 25484

(C) Every motorized bicycle license expires on the birthday 25485  
of the applicant in the fourth year after the date it is issued, 25486

but in no event shall any motorized bicycle license be issued for 25487  
a period longer than four years. 25488

(D) No person operating a motorized bicycle shall carry 25489  
another person upon the motorized bicycle. 25490

(E) The protective helmet and rear-view mirror required by 25491  
division (A)(3) of this section shall, on and after January 1, 25492  
1985, conform with rules adopted by the director under division 25493  
(B) of this section. 25494

(F) Each probationary motorized bicycle license or motorized 25495  
bicycle license shall be laminated with a transparent plastic 25496  
material. 25497

(G) Whoever violates division (A), (D), or (E) of this 25498  
section is guilty of a minor misdemeanor. 25499

**Sec. 4511.53.** (A) For purposes of this section, "snowmobile" 25500  
has the same meaning as given that term in section 4519.01 of the 25501  
Revised Code. 25502

(B) A person operating a bicycle or motorcycle shall not ride 25503  
other than upon the permanent and regular seat attached thereto, 25504  
nor carry any other person upon such bicycle or motorcycle other 25505  
than upon a firmly attached and regular seat thereon, nor shall 25506  
any person ride upon a bicycle or motorcycle other than upon such 25507  
a firmly attached and regular seat. 25508

A person shall ride upon a motorcycle only while sitting 25509  
astride the seat, facing forward, with one leg on each side of the 25510  
motorcycle. 25511

No person operating a bicycle shall carry any package, 25512  
bundle, or article that prevents the driver from keeping at least 25513  
one hand upon the handle bars. 25514

No bicycle or motorcycle shall be used to carry more persons 25515  
at one time than the number for which it is designed and equipped, 25516

nor shall any motorcycle be operated on a highway when the handle 25517  
bars or grips are more than fifteen inches higher than the seat or 25518  
saddle for the operator. 25519

No person shall operate or be a passenger on a snowmobile or 25520  
motorcycle without using safety glasses or other protective eye 25521  
device. No person who is under the age of eighteen years, or who 25522  
holds a motorcycle operator's endorsement or license bearing a 25523  
"novice" designation that is currently in effect as provided in 25524  
section 4507.13 of the Revised Code, shall operate a motorcycle on 25525  
a highway, or be a passenger on a motorcycle, unless wearing a 25526  
protective helmet on ~~his~~ the person's head, and no other person 25527  
shall be a passenger on a motorcycle operated by such a person 25528  
unless similarly wearing a protective helmet. The helmet, safety 25529  
glasses, or other protective eye device shall conform with 25530  
regulations prescribed and promulgated by the director of public 25531  
safety. The provisions of this paragraph or a violation thereof 25532  
shall not be used in the trial of any civil action. 25533

(C) Except as otherwise provided in this division, whoever 25534  
violates this section is guilty of a minor misdemeanor. If, within 25535  
one year of the offense, the offender previously has been 25536  
convicted of or pleaded guilty to one predicate motor vehicle or 25537  
traffic offense, whoever violates this section is guilty of a 25538  
misdemeanor of the fourth degree. If, within one year of the 25539  
offense, the offender previously has been convicted of two or more 25540  
predicate motor vehicle or traffic offenses, whoever violates this 25541  
section is guilty of a misdemeanor of the third degree. 25542

**Sec. 4511.54.** (A) No person riding upon any bicycle, coaster, 25543  
roller skates, sled, or toy vehicle shall attach the same or 25544  
~~himself~~ self to any streetcar, trackless trolley, or vehicle upon 25545  
a roadway. 25546

No operator shall knowingly permit any person riding upon any 25547

bicycle, coaster, roller skates, sled, or toy vehicle to attach 25548  
the same or himself self to any streetcar, trackless trolley, or 25549  
vehicle while it is moving upon a roadway. 25550

This section does not apply to the towing of a disabled 25551  
vehicle. 25552

(B) Except as otherwise provided in this division, whoever 25553  
violates this section is guilty of a minor misdemeanor. If, within 25554  
one year of the offense, the offender previously has been 25555  
convicted of or pleaded guilty to one predicate motor vehicle or 25556  
traffic offense, whoever violates this section is guilty of a 25557  
misdemeanor of the fourth degree. If, within one year of the 25558  
offense, the offender previously has been convicted of two or more 25559  
predicate motor vehicle or traffic offenses, whoever violates this 25560  
section is guilty of a misdemeanor of the third degree. 25561

**Sec. 4511.55.** (A) Every person operating a bicycle upon a 25562  
roadway shall ride as near to the right side of the roadway as 25563  
practicable obeying all traffic rules applicable to vehicles and 25564  
exercising due care when passing a standing vehicle or one 25565  
proceeding in the same direction. 25566

(B) Persons riding bicycles or motorcycles upon a roadway 25567  
shall ride not more than two abreast in a single lane, except on 25568  
paths or parts of roadways set aside for the exclusive use of 25569  
bicycles or motorcycles. 25570

(C) Except as otherwise provided in this division, whoever 25571  
violates this section is guilty of a minor misdemeanor. If, within 25572  
one year of the offense, the offender previously has been 25573  
convicted of or pleaded guilty to one predicate motor vehicle or 25574  
traffic offense, whoever violates this section is guilty of a 25575  
misdemeanor of the fourth degree. If, within one year of the 25576  
offense, the offender previously has been convicted of two or more 25577  
predicate motor vehicle or traffic offenses, whoever violates this 25578

section is guilty of a misdemeanor of the third degree. 25579

**Sec. 4511.56.** (A) Every bicycle when in use at the times 25580  
specified in section 4513.03 of the Revised Code, shall be 25581  
equipped with the following: 25582

(1) A lamp on the front that shall emit a white light visible 25583  
from a distance of at least five hundred feet to the front; 25584  
25585

(2) A red reflector on the rear of a type approved by the 25586  
director of public safety that shall be visible from all distances 25587  
from one hundred feet to six hundred feet to the rear when 25588  
directly in front of lawful lower beams of head lamps on a motor 25589  
vehicle; 25590

(3) A lamp emitting a red light visible from a distance of 25591  
five hundred feet to the rear shall be used in addition to the red 25592  
reflector; 25593

(4) An essentially colorless reflector on the front of a type 25594  
approved by the director; 25595

(5) Either with tires with retroreflective sidewalls or with 25596  
an essentially colorless or amber reflector mounted on the spokes 25597  
of the front wheel and an essentially colorless or red reflector 25598  
mounted on the spokes of the rear wheel. Each reflector shall be 25599  
visible on each side of the wheel from a distance of six hundred 25600  
feet when directly in front of lawful lower beams of head lamps on 25601  
a motor vehicle. Retroreflective tires or reflectors shall be of a 25602  
type approved by the director. 25603

(B) No person shall operate a bicycle unless it is equipped 25604  
with a bell or other device capable of giving a signal audible for 25605  
a distance of at least one hundred feet, except that a bicycle 25606  
shall not be equipped with nor shall any person use upon a bicycle 25607  
any siren or whistle. 25608

(C) Every bicycle shall be equipped with an adequate brake 25609  
when used on a street or highway. 25610

(D) Except as otherwise provided in this division, whoever 25611  
violates this section is guilty of a minor misdemeanor. If, within 25612  
one year of the offense, the offender previously has been 25613  
convicted of or pleaded guilty to one predicate motor vehicle or 25614  
traffic offense, whoever violates this section is guilty of a 25615  
misdemeanor of the fourth degree. If, within one year of the 25616  
offense, the offender previously has been convicted of two or more 25617  
predicate motor vehicle or traffic offenses, whoever violates this 25618  
section is guilty of a misdemeanor of the third degree. 25619

**Sec. 4511.57.** (A) The driver of a vehicle shall not overtake 25620  
and pass upon the left nor drive upon the left side of any 25621  
streetcar proceeding in the same direction, whether such streetcar 25622  
is in motion or at rest, except: 25623

~~(A)(1)~~ When so directed by a police officer or traffic 25624  
control device; 25625

~~(B)(2)~~ When upon a one-way street; 25626

~~(C)(3)~~ When upon a street where the tracks are so located as 25627  
to prevent compliance with this section; 25628

~~(D)(4)~~ When authorized by local authorities. 25629

(B) The driver of any vehicle when permitted to overtake and 25630  
pass upon the left of a streetcar which has stopped for the 25631  
purpose of receiving or discharging any passenger shall accord 25632  
pedestrians the right of way. 25633

(C) Except as otherwise provided in this division, whoever 25634  
violates this section is guilty of a minor misdemeanor. If, within 25635  
one year of the offense, the offender previously has been 25636  
convicted of or pleaded guilty to one predicate motor vehicle or 25637  
traffic offense, whoever violates this section is guilty of a 25638

misdemeanor of the fourth degree. If, within one year of the 25639  
offense, the offender previously has been convicted of two or more 25640  
predicate motor vehicle or traffic offenses, whoever violates this 25641  
section is guilty of a misdemeanor of the third degree. 25642

**Sec. 4511.58. (A)** The driver of a vehicle overtaking upon the 25643  
right any streetcar stopped for the purpose of receiving or 25644  
discharging any passenger shall stop such vehicle at least five 25645  
feet to the rear of the nearest running board or door of such 25646  
streetcar and remain standing until all passengers have boarded 25647  
such streetcar, or upon alighting therefrom have reached a place 25648  
of safety, except that where a safety zone has been established, a 25649  
vehicle need not be brought to a stop before passing any such 25650  
streetcar or any trackless trolley, but may proceed past such 25651  
streetcar or trackless trolley at a speed not greater than is 25652  
reasonable and proper considering the safety of pedestrians. 25653

(B) Except as otherwise provided in this division, whoever 25654  
violates this section is guilty of a minor misdemeanor. If, within 25655  
one year of the offense, the offender previously has been 25656  
convicted of or pleaded guilty to one predicate motor vehicle or 25657  
traffic offense, whoever violates this section is guilty of a 25658  
misdemeanor of the fourth degree. If, within one year of the 25659  
offense, the offender previously has been convicted of two or more 25660  
predicate motor vehicle or traffic offenses, whoever violates this 25661  
section is guilty of a misdemeanor of the third degree. 25662

**Sec. 4511.59. (A)** The driver of any vehicle proceeding upon 25664  
any streetcar tracks in front of a streetcar shall remove such 25665  
vehicle from the track as soon as practicable after signal from 25666  
the operator of said streetcar. 25667

The driver of a vehicle upon overtaking and passing a 25668  
streetcar shall not turn in front of such streetcar unless such 25669

movement can be made in safety. 25670

(B) Except as otherwise provided in this division, whoever 25671  
violates this section is guilty of a minor misdemeanor. If, within 25672  
one year of the offense, the offender previously has been 25673  
convicted of or pleaded guilty to one predicate motor vehicle or 25674  
traffic offense, whoever violates this section is guilty of a 25675  
misdemeanor of the fourth degree. If, within one year of the 25676  
offense, the offender previously has been convicted of two or more 25677  
predicate motor vehicle or traffic offenses, whoever violates this 25678  
section is guilty of a misdemeanor of the third degree. 25679

**Sec. 4511.60.** (A) No vehicle shall at any time be driven 25680  
through or within a safety zone. 25681

(B) Except as otherwise provided in this division, whoever 25682  
violates this section is guilty of a minor misdemeanor. If, within 25683  
one year of the offense, the offender previously has been 25684  
convicted of or pleaded guilty to one predicate motor vehicle or 25685  
traffic offense, whoever violates this section is guilty of a 25686  
misdemeanor of the fourth degree. If, within one year of the 25687  
offense, the offender previously has been convicted of two or more 25688  
predicate motor vehicle or traffic offenses, whoever violates this 25689  
section is guilty of a misdemeanor of the third degree. 25690

**Sec. 4511.61.** (A) The department of transportation and local 25691  
authorities in their respective jurisdictions, with the approval 25692  
of the department, may designate dangerous highway crossings over 25693  
railroad tracks whether on state, county, or township highways or 25694  
on streets or ways within municipal corporations, and erect stop 25695  
signs thereat. When such stop signs are erected, the operator of 25696  
any vehicle, streetcar, or trackless trolley shall stop within 25697  
fifty, but not less than fifteen, feet from the nearest rail of 25698  
the railroad tracks and shall exercise due care before proceeding 25699



across such grade crossing. 25700

(B) Except as otherwise provided in this division, whoever 25701  
violates this section is guilty of a minor misdemeanor. If, within 25702  
one year of the offense, the offender previously has been 25703  
convicted of or pleaded guilty to one predicate motor vehicle or 25704  
traffic offense, whoever violates this section is guilty of a 25705  
misdemeanor of the fourth degree. If, within one year of the 25706  
offense, the offender previously has been convicted of two or more 25707  
predicate motor vehicle or traffic offenses, whoever violates this 25708  
section is guilty of a misdemeanor of the third degree. 25709

**Sec. 4511.62.** (A)(1) Whenever any person driving a vehicle or 25710  
trackless trolley approaches a railroad grade crossing, the person 25711  
shall stop within fifty feet, but not less than fifteen feet from 25712  
the nearest rail of the railroad if any of the following 25713  
circumstances exist at the crossing: 25714

(a) A clearly visible electric or mechanical signal device 25715  
gives warning of the immediate approach of a train. 25716

(b) A crossing gate is lowered. 25717

(c) A flagperson gives or continues to give a signal of the 25718  
approach or passage of a train. 25719

(d) There is insufficient space on the other side of the 25720  
railroad grade crossing to accommodate the vehicle or trackless 25721  
trolley the person is operating without obstructing the passage of 25722  
other vehicles, trackless trolleys, pedestrians, or railroad 25723  
trains, notwithstanding any traffic control signal indication to 25724  
proceed. 25725

(e) An approaching train is emitting an audible signal or is 25726  
plainly visible and is in hazardous proximity to the crossing. 25727

(2) A person who is driving a vehicle or trackless trolley 25728  
and who approaches a railroad grade crossing shall not proceed as 25729

long as any of the circumstances described in divisions (A)(1)(a) 25730  
to (e) of this section exist at the crossing. 25731

(B) No person shall drive any vehicle through, around, or 25732  
under any crossing gate or barrier at a railroad crossing while 25733  
the gate or barrier is closed or is being opened or closed unless 25734  
the person is signaled by a law enforcement officer or flagperson 25735  
that it is permissible to do so. 25736

(C) Whoever violates this section is guilty of a misdemeanor 25737  
of the fourth degree. 25738

**Sec. 4511.63.** (A) The operator of any motor vehicle or 25739  
trackless trolley, carrying passengers, for hire, of any school 25740  
bus, or of any vehicle carrying explosives or flammable liquids as 25741  
a cargo or as such part of a cargo as to constitute a hazard, 25742  
before crossing at grade any track of a railroad, shall stop the 25743  
vehicle or trackless trolley and, while so stopped, shall listen 25744  
through an open door or open window and look in both directions 25745  
along the track for any approaching train, and for signals 25746  
indicating the approach of a train, and shall proceed only upon 25747  
exercising due care after stopping, looking, and listening as 25748  
required by this section. Upon proceeding, the operator of such a 25749  
vehicle shall cross only in a gear that will ensure there will be 25750  
no necessity for changing gears while traversing the crossing and 25751  
shall not shift gears while crossing the tracks. 25752

(B) This section does not apply at any of the following: 25753

(1) Street railway grade crossings within a municipal 25754  
corporation, or to abandoned tracks, spur tracks, side tracks, and 25755  
industrial tracks when the public utilities commission has 25756  
authorized and approved the crossing of the tracks without making 25757  
the stop required by this section; 25758

(2) Through June 30, 1995, a street railway grade crossing 25759

where out-of-service signs are posted in accordance with section 25760  
4955.37 of the Revised Code. 25761

(C) Except as otherwise provided in this division, whoever 25762  
violates this section is guilty of a minor misdemeanor. If the 25763  
offender previously has been convicted of or pleaded guilty to one 25764  
or more violations of this section or section 4511.76, 4511.761, 25765  
4511.762, 4511.764, 4511.77, or 4511.79 of the Revised Code or a 25766  
municipal ordinance that is substantially similar to any of those 25767  
sections, whoever violates this section is guilty of a misdemeanor 25768  
of the fourth degree. 25769

**Sec. 4511.64.** (A) No person shall operate or move any 25770  
crawler-type tractor, steam shovel, derrick, roller, or any 25771  
equipment or structure having a normal operating speed of six or 25772  
less miles per hour or a vertical body or load clearance of less 25773  
than nine inches above the level surface of a roadway, upon or 25774  
across any tracks at a railroad grade crossing without first 25775  
complying with divisions (A)(1) and ~~(B)(2)~~ of this section. 25776

~~(A)(1)~~ Before making any such crossing, the person operating 25777  
or moving any such vehicle or equipment shall first stop the same, 25778  
and while stopped ~~he~~ the person shall listen and look in both 25779  
directions along such track for any approaching train and for 25780  
signals indicating the approach of a train, and shall proceed only 25781  
upon exercising due care. 25782

~~(B)(2)~~ No such crossing shall be made when warning is given 25783  
by automatic signal or crossing gates or a ~~flagman~~ flagperson or 25784  
otherwise of the immediate approach of a railroad train or car. 25785

(B) If the normal sustained speed of such vehicle, equipment, 25786  
or structure is not more than three miles per hour, the person 25787  
owning, operating, or moving the same shall also give notice of 25788  
such intended crossing to a station agent or superintendent of the 25789  
railroad, and a reasonable time shall be given to such railroad to 25790

provide proper protection for such crossing. Where such vehicles 25791  
or equipment are being used in constructing or repairing a section 25792  
of highway lying on both sides of a railroad grade crossing, and 25793  
in such construction or repair it is necessary to repeatedly move 25794  
such vehicles or equipment over such crossing, one daily notice 25795  
specifying when such work will start and stating the hours during 25796  
which it will be prosecuted is sufficient. 25797

25798

(C) Except as otherwise provided in this division, whoever 25799  
violates this section is guilty of a minor misdemeanor. If, within 25800  
one year of the offense, the offender previously has been 25801  
convicted of or pleaded guilty to one predicate motor vehicle or 25802  
traffic offense, whoever violates this section is guilty of a 25803  
misdemeanor of the fourth degree. If, within one year of the 25804  
offense, the offender previously has been convicted of two or more 25805  
predicate motor vehicle or traffic offenses, whoever violates this 25806  
section is guilty of a misdemeanor of the third degree. 25807

**Sec. 4511.66.** (A) Upon any highway outside a business or 25808  
residence district, no person shall stop, park, or leave standing 25809  
any vehicle, whether attended or unattended, upon the paved or 25810  
main traveled part of the highway if it is practicable to stop, 25811  
park, or so leave such vehicle off the paved or main traveled part 25812  
of said highway. In every event a clear and unobstructed portion 25813  
of the highway opposite such standing vehicle shall be left for 25814  
the free passage of other vehicles, and a clear view of such 25815  
stopped vehicle shall be available from a distance of two hundred 25816  
feet in each direction upon such highway. 25817

This section does not apply to the driver of any vehicle 25818  
which is disabled while on the paved or improved or main traveled 25819  
portion of a highway in such manner and to such extent that it is 25820  
impossible to avoid stopping and temporarily leaving the disabled 25821

vehicle in such position. 25822

(B) Except as otherwise provided in this division, whoever 25823  
violates this section is guilty of a minor misdemeanor. If, within 25824  
one year of the offense, the offender previously has been 25825  
convicted of or pleaded guilty to one predicate motor vehicle or 25826  
traffic offense, whoever violates this section is guilty of a 25827  
misdemeanor of the fourth degree. If, within one year of the 25828  
offense, the offender previously has been convicted of two or more 25829  
predicate motor vehicle or traffic offenses, whoever violates this 25830  
section is guilty of a misdemeanor of the third degree. 25831

**Sec. 4511.661.** (A) No person driving or in charge of a motor 25832  
vehicle shall permit it to stand unattended without first stopping 25833  
the engine, locking the ignition, removing the key from the 25834  
ignition, effectively setting the parking brake, and, when the 25835  
motor vehicle is standing upon any grade, turning the front wheels 25836  
to the curb or side of the highway. 25837

The requirements of this section relating to the stopping of 25838  
the engine, locking of the ignition, and removing the key from the 25839  
ignition of a motor vehicle shall not apply to an emergency 25840  
vehicle or a public safety vehicle. 25841

(B) Except as otherwise provided in this division, whoever 25842  
violates this section is guilty of a minor misdemeanor. If, within 25843  
one year of the offense, the offender previously has been 25844  
convicted of or pleaded guilty to one predicate motor vehicle or 25845  
traffic offense, whoever violates this section is guilty of a 25846  
misdemeanor of the fourth degree. If, within one year of the 25847  
offense, the offender previously has been convicted of two or more 25848  
predicate motor vehicle or traffic offenses, whoever violates this 25849  
section is guilty of a misdemeanor of the third degree. 25850

**Sec. 4511.68.** (A) No person shall stand or park a trackless 25851

trolley or vehicle, except when necessary to avoid conflict with 25852  
other traffic or to comply with sections 4511.01 to 4511.78, 25853  
~~inclusive~~, 4511.99, and 4513.01 to 4513.37, ~~inclusive~~, of the 25854  
Revised Code, or while obeying the directions of a police officer 25855  
or a traffic control device, in any of the following places: 25856

~~(A)~~(1) On a sidewalk, except a bicycle; 25857

~~(B)~~(2) In front of a public or private driveway; 25858

~~(C)~~(3) Within an intersection; 25859

~~(D)~~(4) Within ten feet of a fire hydrant; 25860

~~(E)~~(5) On a crosswalk; 25861

~~(F)~~(6) Within twenty feet of a crosswalk at an intersection; 25862

~~(G)~~(7) Within thirty feet of, and upon the approach to, any 25863  
flashing beacon, stop sign, or traffic control device; 25864

~~(H)~~(8) Between a safety zone and the adjacent curb or within 25865  
thirty feet of points on the curb immediately opposite the ends of 25866  
a safety zone, unless a different length is indicated by a traffic 25867  
control device; 25868

~~(I)~~(9) Within fifty feet of the nearest rail of a railroad 25869  
crossing; 25870

~~(J)~~(10) Within twenty feet of a driveway entrance to any fire 25871  
station and, on the side of the street opposite the entrance to 25872  
any fire station, within seventy-five feet of the entrance when it 25873  
is properly posted with signs; 25874

~~(K)~~(11) Alongside or opposite any street excavation or 25875  
obstruction when such standing or parking would obstruct traffic; 25876

~~(L)~~(12) Alongside any vehicle stopped or parked at the edge 25877  
or curb of a street; 25878

~~(M)~~(13) Upon any bridge or elevated structure upon a highway, 25879  
or within a highway tunnel; 25880

<del>(N)</del> (14) At any place where signs prohibit stopping;	25881
<del>(O)</del> (15) Within one foot of another parked vehicle;	25882
<del>(P)</del> (16) On the roadway portion of a freeway, expressway, or thruway.	25883 25884
<u>(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.</u>	25885 25886 25887 25888 25889 25890 25891 25892 25893
<b>Sec. 4511.681. (A)</b> If an owner of private property posts on the property, in a conspicuous manner, a prohibition against parking on the property or conditions and regulations under which parking is permitted, no person shall do either of the following:	25894 25895 25896 25897
<del>(A)</del> (1) Park a vehicle on the property without the owner's consent;	25898 25899
<del>(B)</del> (2) Park a vehicle on the property in violation of any condition or regulation posted by the owner.	25900 25901
<u>(B) Whoever violates this section is guilty of a minor misdemeanor.</u>	25902 25903
<b>Sec. 4511.69. (A)</b> Every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be stopped or parked with the right-hand wheels of the vehicle parallel with and not more than twelve inches from the right-hand curb, unless it is impossible to approach so close to the curb; in such case the stop shall be made as close to the curb as possible and only for the	25904 25905 25906 25907 25908 25909

time necessary to discharge and receive passengers or to load or 25910  
unload merchandise. Local authorities by ordinance may permit 25911  
angle parking on any roadway under their jurisdiction, except that 25912  
angle parking shall not be permitted on a state route within a 25913  
municipal corporation unless an unoccupied roadway width of not 25914  
less than twenty-five feet is available for free-moving traffic. 25915

(B) Local authorities by ordinance may permit parking of 25916  
vehicles with the left-hand wheels adjacent to and within twelve 25917  
inches of the left-hand curb of a one-way roadway. 25918

(C) No vehicle or trackless trolley shall be stopped or 25919  
parked on a road or highway with the vehicle or trackless trolley 25920  
facing in a direction other than the direction of travel on that 25921  
side of the road or highway. 25922

(D) Notwithstanding any statute or any rule, resolution, or 25923  
ordinance adopted by any local authority, air compressors, 25924  
tractors, trucks, and other equipment, while being used in the 25925  
construction, reconstruction, installation, repair, or removal of 25926  
facilities near, on, over, or under a street or highway, may stop, 25927  
stand, or park where necessary in order to perform such work, 25928  
provided a flagperson is on duty or warning signs or lights are 25929  
displayed as may be prescribed by the director of transportation. 25930

(E) Special parking locations and privileges for persons with 25931  
disabilities that limit or impair the ability to walk, also known 25932  
as handicapped parking spaces or disability parking spaces, shall 25933  
be provided and designated by all political subdivisions and by 25934  
the state and all agencies and instrumentalities thereof at all 25935  
offices and facilities, where parking is provided, whether owned, 25936  
rented, or leased, and at all publicly owned parking garages. The 25937  
locations shall be designated through the posting of an elevated 25938  
sign, whether permanently affixed or movable, imprinted with the 25939  
international symbol of access and shall be reasonably close to 25940  
exits, entrances, elevators, and ramps. All elevated signs posted 25941



in accordance with this division and division (C) of section 25942  
3781.111 of the Revised Code shall be mounted on a fixed or 25943  
movable post, and the distance from the ground to the top edge of 25944  
the sign shall measure five feet. If a new sign or a replacement 25945  
sign designating a special parking location is posted on or after 25946  
~~the effective date of this amendment~~ October 14, 1999, there also 25947  
shall be affixed upon the surface of that sign or affixed next to 25948  
the designating sign a notice that states the fine applicable for 25949  
the offense of parking a motor vehicle in the special designated 25950  
parking location if the motor vehicle is not legally entitled to 25951  
be parked in that location. 25952

(F)(1) No person shall stop, stand, or park any motor vehicle 25953  
at special parking locations provided under division (E) of this 25954  
section or at special clearly marked parking locations provided in 25955  
or on privately owned parking lots, parking garages, or other 25956  
parking areas and designated in accordance with that division, 25957  
unless one of the following applies: 25958

(a) The motor vehicle is being operated by or for the 25959  
transport of a person with a disability that limits or impairs the 25960  
ability to walk and is displaying a valid removable windshield 25961  
placard or special license plates; 25962

(b) The motor vehicle is being operated by or for the 25963  
transport of a handicapped person and is displaying a parking card 25964  
or special handicapped license plates. 25965

(2) Any motor vehicle that is parked in a special marked 25966  
parking location in violation of division (F)(1)(a) or (b) of this 25967  
section may be towed or otherwise removed from the parking 25968  
location by the law enforcement agency of the political 25969  
subdivision in which the parking location is located. A motor 25970  
vehicle that is so towed or removed shall not be released to its 25971  
owner until the owner presents proof of ownership of the motor 25972  
vehicle and pays all towing and storage fees normally imposed by 25973

that political subdivision for towing and storing motor vehicles. 25974  
If the motor vehicle is a leased vehicle, it shall not be released 25975  
to the lessee until the lessee presents proof that that person is 25976  
the lessee of the motor vehicle and pays all towing and storage 25977  
fees normally imposed by that political subdivision for towing and 25978  
storing motor vehicles. 25979

(3) If a person is charged with a violation of division 25980  
(F)(1)(a) or (b) of this section, it is an affirmative defense to 25981  
the charge that the person suffered an injury not more than 25982  
seventy-two hours prior to the time the person was issued the 25983  
ticket or citation and that, because of the injury, the person 25984  
meets at least one of the criteria contained in division (A)(1) of 25985  
section 4503.44 of the Revised Code. 25986

(G) When a motor vehicle is being operated by or for the 25987  
transport of a person with a disability that limits or impairs the 25988  
ability to walk and is displaying a removable windshield placard 25989  
or a temporary removable windshield placard or special license 25990  
plates, or when a motor vehicle is being operated by or for the 25991  
transport of a handicapped person and is displaying a parking card 25992  
or special handicapped license plates, the motor vehicle is 25993  
permitted to park for a period of two hours in excess of the legal 25994  
parking period permitted by local authorities, except where local 25995  
ordinances or police rules provide otherwise or where the vehicle 25996  
is parked in such a manner as to be clearly a traffic hazard. 25997

(H) No owner of an office, facility, or parking garage where 25998  
special parking locations are required to be designated in 25999  
accordance with division (E) of this section shall fail to 26000  
properly mark the special parking locations in accordance with 26001  
that division or fail to maintain the markings of the special 26002  
locations, including the erection and maintenance of the fixed or 26003  
movable signs. 26004

(I) Nothing in this section shall be construed to require a 26005

person or organization to apply for a removable windshield placard 26006  
or special license plates if the parking card or special license 26007  
plates issued to the person or organization under prior law have 26008  
not expired or been surrendered or revoked. 26009

(J)(1) Whoever violates division (A) or (C) of this section 26010  
is guilty of a minor misdemeanor. 26011

(2)(a) Whoever violates division (F)(1)(a) or (b) of this 26012  
section is guilty of a misdemeanor and shall be punished as 26013  
provided in division (J)(2)(a) and (b) of this section. Except as 26014  
otherwise provided in division (J)(2)(a) of this section, an 26015  
offender who violates division (F)(1)(a) or (b) of this section 26016  
shall be fined not less than two hundred fifty nor more than five 26017  
hundred dollars. An offender who violates division (F)(1)(a) or 26018  
(b) of this section shall be fined not more than one hundred 26019  
dollars if the offender, prior to sentencing, proves either of the 26020  
following to the satisfaction of the court: 26021

(i) At the time of the violation of division (F)(1)(a) of 26022  
this section, the offender or the person for whose transport the 26023  
motor vehicle was being operated had been issued a removable 26024  
windshield placard that then was valid or special license plates 26025  
that then were valid but the offender or the person neglected to 26026  
display the placard or license plates as described in division 26027  
(F)(1)(a) of this section. 26028

(ii) At the time of the violation of division (F)(1)(b) of 26029  
this section, the offender or the person for whose transport the 26030  
motor vehicle was being operated had been issued a parking card 26031  
that then was valid or special handicapped license plates that 26032  
then were valid but the offender or the person neglected to 26033  
display the card or license plates as described in division 26034  
(F)(1)(b) of this section. 26035

(b) In no case shall an offender who violates division 26036

(F)(1)(a) or (b) of this section be sentenced to any term of imprisonment. 26037  
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An arrest or conviction for a violation of division (F)(1)(a) or (b) of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness. 26039  
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The clerk of the court shall pay every fine collected under division (J)(2) of this section to the political subdivision in which the violation occurred. Except as provided in division (J)(2) of this section, the political subdivision shall use the fine moneys it receives under division (J)(2) of this section to pay the expenses it incurs in complying with the signage and notice requirements contained in division (E) of this section. The political subdivision may use up to fifty per cent of each fine it receives under division (J)(2) of this section to pay the costs of educational, advocacy, support, and assistive technology programs for persons with disabilities, and for public improvements within the political subdivision that benefit or assist persons with disabilities, if governmental agencies or nonprofit organizations offer the programs. 26045  
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(3) Whoever violates division (H) of this section shall be punished as follows: 26059  
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(a) Except as otherwise provided in division (J)(3) of this section, the offender shall be issued a warning. 26061  
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(b) If the offender previously has been convicted of or pleaded guilty to a violation of division (H) of this section 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 26063  
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properly marked or whose markings are not properly maintained. 26068

(K) As used in this section: 26069

(1) "Handicapped person" means any person who has lost the 26070  
use of one or both legs or one or both arms, who is blind, deaf, 26071  
or so severely handicapped as to be unable to move without the aid 26072  
of crutches or a wheelchair, or whose mobility is restricted by a 26073  
permanent cardiovascular, pulmonary, or other handicapping 26074  
condition. 26075

(2) "Person with a disability that limits or impairs the 26076  
ability to walk" has the same meaning as in section 4503.44 of the 26077  
Revised Code. 26078

(3) "Special license plates" and "removable windshield 26079  
placard" mean any license plates or removable windshield placard 26080  
or temporary removable windshield placard issued under section 26081  
4503.41 or 4503.44 of the Revised Code, and also mean any 26082  
substantially similar license plates or removable windshield 26083  
placard or temporary removable windshield placard issued by a 26084  
state, district, country, or sovereignty. 26085

**Sec. 4511.70.** (A) No person shall drive a vehicle or 26086  
trackless trolley when it is so loaded, or when there are in the 26087  
front seat such number of persons, as to obstruct the view of the 26088  
driver to the front or sides of the vehicle or to interfere with 26089  
the driver's control over the driving mechanism of the vehicle. 26090

(B) No passenger in a vehicle or trackless trolley shall ride 26091  
in such position as to interfere with the driver's view ahead or 26092  
to the sides, or to interfere with ~~his~~ the driver's control over 26093  
the driving mechanism of the vehicle. 26094

(C) No person shall open the door of a vehicle on the side 26095  
available to moving traffic unless and until it is reasonably safe 26096  
to do so, and can be done without interfering with the movement of 26097

other traffic, nor shall any person leave a door open on the side 26098  
of a vehicle available to moving traffic for a period of time 26099  
longer than necessary to load or unload passengers. 26100

(D) Except as otherwise provided in this division, whoever 26101  
violates this section is guilty of a minor misdemeanor. If, within 26102  
one year of the offense, the offender previously has been 26103  
convicted of or pleaded guilty to one predicate motor vehicle or 26104  
traffic offense, whoever violates this section is guilty of a 26105  
misdemeanor of the fourth degree. If, within one year of the 26106  
offense, the offender previously has been convicted of two or more 26107  
predicate motor vehicle or traffic offenses, whoever violates this 26108  
section is guilty of a misdemeanor of the third degree. 26109

**Sec. 4511.701.** (A) No person shall occupy any travel trailer 26110  
or manufactured or mobile home while it is being used as a 26111  
conveyance upon a street or highway. 26112

(B) Except as otherwise provided in this division, whoever 26113  
violates this section is guilty of a minor misdemeanor. If, within 26114  
one year of the offense, the offender previously has been 26115  
convicted of or pleaded guilty to one predicate motor vehicle or 26116  
traffic offense, whoever violates this section is guilty of a 26117  
misdemeanor of the fourth degree. If, within one year of the 26118  
offense, the offender previously has been convicted of two or more 26119  
predicate motor vehicle or traffic offenses, whoever violates this 26120  
section is guilty of a misdemeanor of the third degree. 26121

**Sec. 4511.71.** (A) No person shall drive upon, along, or 26122  
across a street or highway, or any part thereof, ~~which~~ of a street 26123  
or highway that has been closed in the process of its 26124  
construction, reconstruction, or repair, and posted with 26125  
appropriate signs by the authority having jurisdiction to close 26126  
such highway. 26127

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**Sec. 4511.711. (A)** No person shall drive any vehicle, other than a bicycle, upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway.

Nothing in this section shall be construed as prohibiting local authorities from regulating the operation of bicycles within their respective jurisdictions.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**Sec. 4511.712. (A)** No driver shall enter an intersection or marked crosswalk or drive onto any railroad grade crossing unless there is sufficient space on the other side of the intersection, crosswalk, or grade crossing to accommodate the vehicle, streetcar, or trackless trolley ~~he~~ the driver is operating without obstructing the passage of other vehicles, streetcars, trackless

trolleys, pedestrians, or railroad trains, notwithstanding any 26158  
traffic control signal indication to proceed. 26159

(B) Except as otherwise provided in this division, whoever 26160  
violates this section is guilty of a minor misdemeanor. If, within 26161  
one year of the offense, the offender previously has been 26162  
convicted of or pleaded guilty to one predicate motor vehicle or 26163  
traffic offense, whoever violates this section is guilty of a 26164  
misdemeanor of the fourth degree. If, within one year of the 26165  
offense, the offender previously has been convicted of two or more 26166  
predicate motor vehicle or traffic offenses, whoever violates this 26167  
section is guilty of a misdemeanor of the third degree. 26168

**Sec. 4511.713.** (A) No person shall operate a motor vehicle, 26169  
snowmobile, or all-purpose vehicle upon any path set aside for the 26170  
exclusive use of bicycles, when an appropriate sign giving notice 26171  
of such use is posted on the path. 26172

Nothing in this section shall be construed to affect any rule 26173  
of the director of natural resources governing the operation of 26174  
motor vehicles, snowmobiles, all-purpose vehicles, and bicycles on 26175  
lands under ~~his~~ the director's jurisdiction. 26176

(B) Except as otherwise provided in this division, whoever 26177  
violates this section is guilty of a minor misdemeanor. If, within 26178  
one year of the offense, the offender previously has been 26179  
convicted of or pleaded guilty to one predicate motor vehicle or 26180  
traffic offense, whoever violates this section is guilty of a 26181  
misdemeanor of the fourth degree. If, within one year of the 26182  
offense, the offender previously has been convicted of two or more 26183  
predicate motor vehicle or traffic offenses, whoever violates this 26184  
section is guilty of a misdemeanor of the third degree. 26185

**Sec. 4511.72.** (A) The driver of any vehicle, other than an 26186  
emergency vehicle or public safety vehicle on official business, 26187



shall not follow any emergency vehicle or public safety vehicle 26188  
traveling in response to an alarm closer than five hundred feet, 26189  
or drive into or park such vehicle within the block where fire 26190  
apparatus has stopped in answer to a fire alarm, unless directed 26191  
to do so by a police officer or a ~~fireman~~ firefighter. 26192

(B) Except as otherwise provided in this division, whoever 26193  
violates this section is guilty of a minor misdemeanor. If, within 26194  
one year of the offense, the offender previously has been 26195  
convicted of or pleaded guilty to one predicate motor vehicle or 26196  
traffic offense, whoever violates this section is guilty of a 26197  
misdemeanor of the fourth degree. If, within one year of the 26198  
offense, the offender previously has been convicted of two or more 26199  
predicate motor vehicle or traffic offenses, whoever violates this 26200  
section is guilty of a misdemeanor of the third degree. 26201

**Sec. 4511.73.** (A) No streetcar, trackless trolley, or vehicle 26202  
shall, without the consent of the fire department official in 26203  
command, be driven over any unprotected hose of a fire department, 26204  
~~when said hose~~ that is laid down on any street, private driveway, 26205  
or streetcar track to be used at any fire or alarm of fire. 26206  
26207

(B) Except as otherwise provided in this division, whoever 26208  
violates this section is guilty of a minor misdemeanor. If, within 26209  
one year of the offense, the offender previously has been 26210  
convicted of or pleaded guilty to one predicate motor vehicle or 26211  
traffic offense, whoever violates this section is guilty of a 26212  
misdemeanor of the fourth degree. If, within one year of the 26213  
offense, the offender previously has been convicted of two or more 26214  
predicate motor vehicle or traffic offenses, whoever violates this 26215  
section is guilty of a misdemeanor of the third degree. 26216

**Sec. 4511.74.** (A) No person shall place or knowingly drop 26217

upon any part of a highway, lane, road, street, or alley any 26218  
tacks, bottles, wire, glass, nails, or other articles which may 26219  
damage or injure any person, vehicle, streetcar, trackless 26220  
trolley, or animal traveling along or upon such highway, except 26221  
such substances that may be placed upon the roadway by proper 26222  
authority for the repair or construction thereof. 26223

Any person who drops or permits to be dropped or thrown upon 26224  
any highway any destructive or injurious material shall 26225  
immediately remove the same. 26226

Any person authorized to remove a wrecked or damaged vehicle, 26227  
streetcar, or trackless trolley from a highway shall remove any 26228  
glass or other injurious substance dropped upon the highway from 26229  
such vehicle, streetcar, or trackless trolley. 26230

No person shall place any obstruction in or upon a highway 26231  
without proper authority. 26232

(B) No person, with intent to cause physical harm to a person 26233  
or a vehicle, shall place or knowingly drop upon any part of a 26234  
highway, lane, road, street, or alley any tacks, bottles, wire, 26235  
glass, nails, or other articles which may damage or injure any 26236  
person, vehicle, streetcar, trackless trolley, or animal traveling 26237  
along or upon such highway, except such substances that may be 26238  
placed upon the roadway by proper authority for the repair or 26239  
construction thereof. 26240

(C)(1) Except as otherwise provided in this division, whoever 26241  
violates division (A) of this section is guilty of a minor 26242  
misdemeanor. If, within one year of the offense, the offender 26243  
previously has been convicted of or pleaded guilty to one 26244  
predicate motor vehicle or traffic offense, whoever violates 26245  
division (A) of this section is guilty of a misdemeanor of the 26246  
fourth degree. If, within one year of the offense, the offender 26247  
previously has been convicted of two or more predicate motor 26248

vehicle or traffic offenses, whoever violates division (A) of this section is guilty of a misdemeanor of the third degree. 26249  
26250

(2) Whoever violates division (B) of this section is guilty of a misdemeanor of the first degree. 26251  
26252

**Sec. 4511.75.** (A) The driver of a vehicle, streetcar, or 26253  
trackless trolley upon meeting or overtaking from either direction 26254  
any school bus stopped for the purpose of receiving or discharging 26255  
any school child, person attending programs offered by community 26256  
boards of mental health and county boards of mental retardation 26257  
and developmental disabilities, or child attending a program 26258  
offered by a head start agency, shall stop at least ten feet from 26259  
the front or rear of the school bus and shall not proceed until 26260  
such school bus resumes motion, or until signaled by the school 26261  
bus driver to proceed. 26262

It is no defense to a charge under this division that the 26263  
school bus involved failed to display or be equipped with an 26264  
automatically extended stop warning sign as required by division 26265  
(B) of this section. 26266

(B) Every school bus shall be equipped with amber and red 26267  
visual signals meeting the requirements of section 4511.771 of the 26268  
Revised Code, and an automatically extended stop warning sign of a 26269  
type approved by the state board of education, which shall be 26270  
actuated by the driver of the bus whenever but only whenever the 26271  
bus is stopped or stopping on the roadway for the purpose of 26272  
receiving or discharging school children, persons attending 26273  
programs offered by community boards of mental health and county 26274  
boards of mental retardation and developmental disabilities, or 26275  
children attending programs offered by head start agencies. A 26276  
school bus driver shall not actuate the visual signals or the stop 26277  
warning sign in designated school bus loading areas where the bus 26278  
is entirely off the roadway or at school buildings when children 26279

or persons attending programs offered by community boards of 26280  
mental health and county boards of mental retardation and 26281  
developmental disabilities are loading or unloading at curbside or 26282  
at buildings when children attending programs offered by head 26283  
start agencies are loading or unloading at curbside. The visual 26284  
signals and stop warning sign shall be synchronized or otherwise 26285  
operated as required by rule of the board. 26286

(C) Where a highway has been divided into four or more 26287  
traffic lanes, a driver of a vehicle, streetcar, or trackless 26288  
trolley need not stop for a school bus approaching from the 26289  
opposite direction which has stopped for the purpose of receiving 26290  
or discharging any school child, persons attending programs 26291  
offered by community boards of mental health and county boards of 26292  
mental retardation and developmental disabilities, or children 26293  
attending programs offered by head start agencies. The driver of 26294  
any vehicle, streetcar, or trackless trolley overtaking the school 26295  
bus shall comply with division (A) of this section. 26296

(D) School buses operating on divided highways or on highways 26297  
with four or more traffic lanes shall receive and discharge all 26298  
school children, persons attending programs offered by community 26299  
boards of mental health and county boards of mental retardation 26300  
and developmental disabilities, and children attending programs 26301  
offered by head start agencies on their residence side of the 26302  
highway. 26303

(E) No school bus driver shall start the driver's bus until 26304  
after any child, person attending programs offered by community 26305  
boards of mental health and county boards of mental retardation 26306  
and developmental disabilities, or child attending a program 26307  
offered by a head start agency who may have alighted therefrom has 26308  
reached a place of safety on the child's or person's residence 26309  
side of the road. 26310

(F)(1) Whoever violates division (A) of this section may be 26311

fined an amount not to exceed five hundred dollars. A person who 26312  
is issued a citation for a violation of division (A) of this 26313  
section is not permitted to enter a written plea of guilty and 26314  
waive the person's right to contest the citation in a trial but 26315  
instead must appear in person in the proper court to answer the 26316  
charge. 26317

(2) In addition to and independent of any other penalty 26318  
provided by law, the court or mayor may impose upon an offender 26319  
who violates this section a class seven suspension of the 26320  
offender's driver's license, commercial driver's license, 26321  
temporary instruction permit, probationary license, or nonresident 26322  
operating privilege from the range specified in division (A)(7) of 26323  
section 4510.02 of the Revised Code. When a license is suspended 26324  
under this section, the court or mayor shall cause the offender to 26325  
deliver the license to the court, and the court or clerk of the 26326  
court immediately shall forward the license to the registrar of 26327  
motor vehicles, together with notice of the court's action. 26328

(G) As used in this section: 26329

(1) "Head start agency" has the same meaning as in division 26330  
(A)(1) of section 3301.31 of the Revised Code. 26331

(2) "School bus," as used in relation to children who attend 26332  
a program offered by a head start agency, means a bus that is 26333  
owned and operated by a head start agency, is equipped with an 26334  
automatically extended stop warning sign of a type approved by the 26335  
state board of education, is painted the color and displays the 26336  
markings described in section 4511.77 of the Revised Code, and is 26337  
equipped with amber and red visual signals meeting the 26338  
requirements of section 4511.771 of the Revised Code, irrespective 26339  
of whether or not the bus has fifteen or more children aboard at 26340  
any time. "School bus" does not include a van owned and operated 26341  
by a head start agency, irrespective of its color, lights, or 26342  
markings. 26343

Sec. 4511.751. As used in this section, "license plate" 26344  
includes, but is not limited to, any temporary license placard 26345  
issued under section 4503.182 of the Revised Code or similar law 26346  
of another jurisdiction. 26347

When the operator of a school bus believes that a motorist 26348  
has violated division (A) of section 4511.75 of the Revised Code, 26349  
the operator shall report the license plate number and a general 26350  
description of the vehicle and of the operator of the vehicle to 26351  
the law enforcement agency exercising jurisdiction over the area 26352  
where the alleged violation occurred. The information contained in 26353  
the report relating to the license plate number and to the general 26354  
description of the vehicle and the operator of the vehicle at the 26355  
time of the alleged violation may be supplied by any person with 26356  
first-hand knowledge of the information. Information of which the 26357  
operator of the school bus has first-hand knowledge also may be 26358  
corroborated by any other person. 26359

Upon receipt of the report of the alleged violation of 26360  
division (A) of section 4511.75 of the Revised Code, the law 26361  
enforcement agency shall conduct an investigation to attempt to 26362  
determine or confirm the identity of the operator of the vehicle 26363  
at the time of the alleged violation. If the identity of the 26364  
operator at the time of the alleged violation is established, the 26365  
reporting of the license plate number of the vehicle shall 26366  
establish probable cause for the law enforcement agency to issue a 26367  
citation for the violation of division (A) of section 4511.75 of 26368  
the Revised Code. However, if the identity of the operator of the 26369  
vehicle at the time of the alleged violation cannot be 26370  
established, the law enforcement agency shall issue a warning to 26371  
the owner of the vehicle at the time of the alleged violation, 26372  
except in the case of a leased or rented vehicle when the warning 26373  
shall be issued to the lessee at the time of the alleged 26374

violation. 26375

The registrar of motor vehicles and deputy registrars shall, 26376  
at the time of issuing license plates to any person, include with 26377  
the license plate a summary of the requirements of division (A) of 26378  
section 4511.75 of the Revised Code, ~~the procedures of section~~ 26379  
~~4507.165 of the Revised Code,~~ and the procedures of, and penalty 26380  
in division (G)(F) of section ~~4511.99~~ 4511.75 of the Revised 26381  
Code. 26382

**Sec. 4511.76.** (A) The department of public safety, by and 26383  
with the advice of the superintendent of public instruction, shall 26384  
adopt and enforce rules relating to the construction, design, and 26385  
equipment, including lighting equipment required by section 26386  
4511.771 of the Revised Code, of all school buses both publicly 26387  
and privately owned and operated in this state. 26388

(B) The department of education, by and with the advice of 26389  
the director of public safety, shall adopt and enforce rules 26390  
relating to the operation of all vehicles used for pupil 26391  
transportation. 26392

(C) No person shall operate a vehicle used for pupil 26393  
transportation within this state in violation of the rules of the 26394  
department of education or the department of public safety. No 26395  
person, being the owner thereof or having the supervisory 26396  
responsibility therefor, shall permit the operation of a vehicle 26397  
used for pupil transportation within this state in violation of 26398  
the rules of the department of education or the department of 26399  
public safety. 26400

(D) The department of public safety shall adopt and enforce 26401  
rules relating to the issuance of a license under section 4511.763 26402  
of the Revised Code. The rules may relate to the moral character 26403  
of the applicant; the condition of the equipment to be operated; 26404  
the liability and property damage insurance carried by the 26405

applicant; the posting of satisfactory and sufficient bond; and 26406  
such other rules as the director of public safety determines 26407  
reasonably necessary for the safety of the pupils to be 26408  
transported. 26409

(E) As used in this section, "vehicle used for pupil 26410  
transportation" means any vehicle that is identified as such by 26411  
the department of education by rule and that is subject to Chapter 26412  
3301-83 of the Administrative Code. 26413

(F) Except as otherwise provided in this division, whoever 26414  
violates this section is guilty of a minor misdemeanor. If the 26415  
offender previously has been convicted of or pleaded guilty to one 26416  
or more violations of this section or section 4511.63, 4511.761, 26417  
4511.762, 4511.764, 4511.77, or 4511.79 of the Revised Code or a 26418  
municipal ordinance that is substantially similar to any of those 26419  
sections, whoever violates this section is guilty of a misdemeanor 26420  
of the fourth degree. 26421

**Sec. 4511.761.** (A) The state highway patrol shall inspect 26422  
every school bus to ascertain whether its construction, design, 26423  
and equipment comply with the regulations adopted pursuant to 26424  
section 4511.76 of the Revised Code and all other provisions of 26425  
law. 26426

The superintendent of the state highway patrol shall adopt a 26427  
distinctive inspection decal not less than twelve inches in size, 26428  
and bearing the date of the inspection, which shall be affixed to 26429  
the outside surface of each side of each school bus which upon 26430  
such inspection is found to comply with the regulations adopted 26431  
pursuant to section 4511.76 of the Revised Code. The appearance of 26432  
said decal shall be changed from year to year as to shape and 26433  
color in order to provide easy visual inspection. 26434

No person shall operate, nor shall any person being the owner 26435  
thereof or having supervisory responsibility therefor permit the 26436



operation of, a school bus within this state unless there are 26437  
displayed thereon the decals issued by the state highway patrol 26438  
bearing the proper date of inspection for the calendar year for 26439  
which the inspection decals were issued. 26440

(B) Except as otherwise provided in this division, whoever 26441  
violates this section is guilty of a minor misdemeanor. If the 26442  
offender previously has been convicted of or pleaded guilty to one 26443  
or more violations of this section or section 4511.63, 4511.76, 26444  
4511.762, 4511.764, 4511.77, or 4511.79 of the Revised Code or a 26445  
municipal ordinance that is substantially similar to any of those 26446  
sections, whoever violates this section is guilty of a misdemeanor 26447  
of the fourth degree. 26448

(C) Whenever a person is found guilty in a court of record of 26449  
a violation of this section, the trial judge, in addition to or 26450  
independent of all other penalties provided by law, may suspend 26451  
for any period of time not exceeding three years, or cancel the 26452  
license of any person, partnership, association, or corporation, 26453  
issued under section 4511.763 of the Revised Code. 26454

**Sec. 4511.762.** (A) Except as provided in division (B) of this 26455  
section, no person who is the owner of a bus that previously was 26456  
registered as a school bus that is used or is to be used 26457  
exclusively for purposes other than the transportation of 26458  
children, shall operate the bus or permit it to be operated within 26459  
this state unless the bus has been painted a color different from 26460  
that prescribed for school buses by section 4511.77 of the Revised 26461  
Code and painted in such a way that the words "stop" and "school 26462  
bus" are obliterated. 26463

(B) Any church bus that previously was registered as a school 26464  
bus and is registered under section 4503.07 of the Revised Code 26465  
may retain the paint color prescribed for school buses by section 26466  
4511.77 of the Revised Code if the bus complies with all of the 26467

following: 26468

(1) The words "school bus" required by section 4511.77 of the Revised Code are covered or obliterated and the bus is marked on the front and rear with the words "church bus" painted in black lettering not less than ten inches in height; 26469  
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(2) The automatically extended stop warning sign required by section 4511.75 of the Revised Code is removed and the word "stop" required by section 4511.77 of the Revised Code is covered or obliterated; 26473  
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(3) The flashing red and amber lights required by section 4511.771 of the Revised Code are covered or removed; 26477  
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(4) The inspection decal required by section 4511.761 of the Revised Code is covered or removed; 26479  
26480

(5) The identification number assigned under section 4511.764 of the Revised Code and marked in black lettering on the front and rear of the bus is covered or obliterated. 26481  
26482  
26483

(C) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If the offender previously has been convicted of or pleaded guilty to one or more violations of this section or section 4511.63, 4511.76, 4511.761, 4511.764, 4511.77, or 4511.79 of the Revised Code or a municipal ordinance that is substantially similar to any of those sections, whoever violates this section is guilty of a misdemeanor of the fourth degree. 26484  
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(D) Whenever a person is found guilty in a court of record of a violation of this section, 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 cancel the license of any person, partnership, association, or corporation, issued under section 4511.763 of the Revised Code. 26492  
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Sec. 4511.763. (A) No person, partnership, association, or 26498  
corporation shall transport pupils to or from school on a school 26499  
bus or enter into a contract with a board of education of any 26500  
school district for the transportation of pupils on a school bus, 26501  
without being licensed by the department of public safety. 26502

(B) Except as otherwise provided in this division, whoever 26503  
violates this section is guilty of a minor misdemeanor. If, within 26504  
one year of the offense, the offender previously has been 26505  
convicted of or pleaded guilty to one predicate motor vehicle or 26506  
traffic offense, whoever violates this section is guilty of a 26507  
misdemeanor of the fourth degree. If, within one year of the 26508  
offense, the offender previously has been convicted of two or more 26509  
predicate motor vehicle or traffic offenses, whoever violates this 26510  
section is guilty of a misdemeanor of the third degree. 26511

Sec. 4511.764. (A) The superintendent of the state highway 26512  
patrol shall require school buses to be registered, in the name of 26513  
the owner, with the state highway patrol on forms and in 26514  
accordance with regulations as the superintendent may adopt. 26515

When the superintendent is satisfied that the registration 26516  
has been completed, ~~he~~ the superintendent shall assign an 26517  
identifying number to each school bus registered in accordance 26518  
with this section. The number so assigned shall be marked on the 26519  
front and rear of the vehicle in black lettering not less than six 26520  
inches in height and will remain unchanged as long as the 26521  
ownership of that vehicle remains the same. 26522

No person shall operate, nor shall any person, being the 26523  
owner thereof or having supervisory responsibility therefor, 26524  
permit the operation of a school bus within this state unless 26525  
there is displayed thereon an identifying number in accordance 26526  
with this section. 26527

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. 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, 4511.77, or 4511.79 of the Revised Code or a municipal ordinance that is substantially similar to any of those sections, whoever violates this section is guilty of a misdemeanor of the fourth degree.

**Sec. 4511.77.** (A) No person shall operate, nor shall any person being the owner thereof or having supervisory responsibility therefor permit the operation of, a school bus within this state unless it is painted national school bus yellow and is marked on both front and rear with the words "school bus" in black lettering not less than eight inches in height and on the rear of the bus with the word "stop" in black lettering not less than ten inches in height.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If the offender previously has been convicted of or pleaded guilty to one or more violations of this section or section 4511.63, 4511.76, 4511.761, 4511.762, 4511.764, or 4511.79 of the Revised Code or a municipal ordinance that is substantially similar to any of those sections, whoever violates this section is guilty of a misdemeanor of the fourth degree.

(C) Whenever a person is found guilty in a court of record of a violation of this section, 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 cancel the license of any person, partnership, association, or corporation, issued under section 4511.763 of the Revised Code.

**Sec. 4511.771.** (A) Every school bus shall, in addition to any other equipment and distinctive markings required pursuant to sections 4511.76, 4511.761, 4511.764, and 4511.77 of the Revised Code, be equipped with signal lamps mounted as high as practicable, which shall display to the front two alternately flashing red lights and two alternately flashing amber lights located at the same level and to the rear two alternately flashing red lights and two alternately flashing amber lights located at the same level, and these lights shall be visible at five hundred feet in normal sunlight. The alternately flashing red lights shall be spaced as widely as practicable, and the alternately flashing amber lights shall be located next to them.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**Sec. 4511.772.** (A) On and after ~~the effective date of this section~~ May 6, 1986, no person, school board, or governmental entity shall purchase, lease, or rent a new school bus unless the school bus has an occupant restraining device, as defined in section 4513.263 of the Revised Code, installed for use in its operator's seat.

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

**Sec. 4511.78.** (A) As used in this section:

(1) "Mass transit system" means any county transit system, 26588  
regional transit authority, regional transit commission, 26589  
municipally owned transportation system, mass transit company 26590  
operating exclusively within the territorial limits of a municipal 26591  
corporation, or within such limits and the territorial limits of 26592  
municipal corporations immediately contiguous to such municipal 26593  
corporation, and any common passenger carrier certified by the 26594  
public utilities commission, that provides transportation for 26595  
children to or from a school session or a school function. 26596

(2) "Bus" means every motor vehicle designed for carrying 26597  
more than nine passengers and used for the transportation of 26598  
persons, but does not mean any school bus as defined in section 26599  
4511.01 of the Revised Code. 26600

(B) Whenever a mass transit system transports children to or 26601  
from a school session or school function, the mass transit system 26602  
shall provide for: 26603

(1) Periodic safety inspections of all buses used to provide 26604  
transportation service. The inspections shall be based on rules 26605  
adopted by the public utilities commission under Chapters 4921. 26606  
and 4923. of the Revised Code to ensure the safety of operation of 26607  
motor transportation companies and private motor carriers. 26608

(2) The safety training of all drivers operating buses used 26609  
to provide transportation service; 26610

(3) The equipping of every bus with outside rear-view mirrors 26611  
meeting the motor carrier regulations for bus equipment adopted by 26612  
the federal highway administration. No exclusions from this 26613  
requirement granted under the federal regulations shall be 26614  
considered exclusions for the purposes of this division. 26615

(C) Except as otherwise provided in this division, whoever 26616  
violates this section is guilty of a minor misdemeanor. If, within 26617  
one year of the offense, the offender previously has been 26618

convicted of or pleaded guilty to one predicate motor vehicle or 26619  
traffic offense, whoever violates this section is guilty of a 26620  
misdemeanor of the fourth degree. If, within one year of the 26621  
offense, the offender previously has been convicted of two or more 26622  
predicate motor vehicle or traffic offenses, whoever violates this 26623  
section is guilty of a misdemeanor of the third degree. 26624

**Sec. 4511.79.** (A) No person shall drive a "commercial motor 26625  
vehicle" as defined in section 4506.01 of the Revised Code, or a 26626  
"commercial car" or "commercial tractor," as defined in section 26627  
4501.01 of the Revised Code, while ~~his~~ the person's ability or 26628  
alertness is so impaired by fatigue, illness, or other causes that 26629  
it is unsafe for ~~him~~ the person to drive such vehicle. No driver 26630  
shall use any drug which would adversely affect ~~his~~ the driver's 26631  
ability or alertness. 26632

(B) No owner, as defined in section 4501.01 of the Revised 26633  
Code, of a "commercial motor vehicle," "commercial car," or 26634  
"commercial tractor," or a person employing or otherwise directing 26635  
the driver of such vehicle, shall require or knowingly permit a 26636  
driver in any such condition described in division (A) of this 26637  
section to drive such vehicle upon any street or highway. 26638

(C) Except as otherwise provided in this division, whoever 26639  
violates this section is guilty of a minor misdemeanor. If the 26640  
offender previously has been convicted of or pleaded guilty to one 26641  
or more violations of this section or section 4511.63, 4511.76, 26642  
4511.761, 4511.762, 4511.764, or 4511.77 of the Revised Code or a 26643  
municipal ordinance that is substantially similar to any of those 26644  
sections, whoever violates this section is guilty of a misdemeanor 26645  
of the fourth degree. 26646

**Sec. 4511.81.** (A) When any child who is in either or both of 26647  
the following categories is being transported in a motor vehicle, 26648

other than a taxicab or public safety vehicle as defined in 26649  
section 4511.01 of the Revised Code, that is registered in this 26650  
state and is required by the United States department of 26651  
transportation to be equipped with seat belts at the time of 26652  
manufacture or assembly, the operator of the motor vehicle shall 26653  
have the child properly secured in accordance with the 26654  
manufacturer's instructions in a child restraint system that meets 26655  
federal motor vehicle safety standards: 26656

(1) A child who is less than four years of age; 26657

(2) A child who weighs less than forty pounds. 26658

(B) When any child who is in either or both of the following 26659  
categories is being transported in a motor vehicle, other than a 26660  
taxicab, that is registered in this state and is owned, leased, or 26661  
otherwise under the control of a nursery school, kindergarten, or 26662  
day-care center, the operator of the motor vehicle shall have the 26663  
child properly secured in accordance with the manufacturer's 26664  
instructions in a child restraint system that meets federal motor 26665  
vehicle safety standards: 26666

(1) A child who is less than four years of age; 26667

(2) A child who weighs less than forty pounds. 26668

(C) The director of public safety shall adopt such rules as 26669  
are necessary to carry out this section. 26670

(D) The failure of an operator of a motor vehicle to secure a 26671  
child in a child restraint system as required by this section is 26672  
not negligence imputable to the child, is not admissible as 26673  
evidence in any civil action involving the rights of the child 26674  
against any other person allegedly liable for injuries to the 26675  
child, is not to be used as a basis for a criminal prosecution of 26676  
the operator of the motor vehicle other than a prosecution for a 26677  
violation of this section, and is not admissible as evidence in 26678  
any criminal action involving the operator of the motor vehicle 26679



other than a prosecution for a violation of this section. 26680

(E) This section does not apply when an emergency exists that 26681  
threatens the life of any person operating a motor vehicle and to 26682  
whom this section otherwise would apply or the life of any child 26683  
who otherwise would be required to be restrained under this 26684  
section. 26685

(F) If a person who is not a resident of this state is 26686  
charged with a violation of division (A) or (B) of this section 26687  
and does not prove to the court, by a preponderance of the 26688  
evidence, that the person's use or nonuse of a child restraint 26689  
system was in accordance with the law of the state of which the 26690  
person is a resident, the court shall impose the fine levied by 26691  
division (H)(2) of this section ~~4511.99 of the Revised Code~~. 26692

(G) There is hereby created in the state treasury the "child 26693  
highway safety fund," consisting of fines imposed pursuant to 26694  
divisions (H)(1) and (2) of this section ~~4511.99 of the Revised~~ 26695  
~~Code~~ for violations of divisions (A) and (B) of this section. The 26696  
money in the fund shall be used by the department of health only 26697  
to defray the cost of designating hospitals as pediatric trauma 26698  
centers under section 3727.081 of the Revised Code and to 26699  
establish and administer a child highway safety program. The 26700  
purpose of the program shall be to educate the public about child 26701  
restraint systems generally and the importance of their proper 26702  
use. The program also shall include a process for providing child 26703  
restraint systems to persons who meet the eligibility criteria 26704  
established by the department, and a toll-free telephone number 26705  
the public may utilize to obtain information about child restraint 26706  
systems and their proper use. 26707

The director of health, in accordance with Chapter 119. of 26708  
the Revised Code, shall adopt any rules necessary to carry out 26709  
this section, including rules establishing the criteria a person 26710  
must meet in order to receive a child restraint system under the 26711

department's child restraint system program; provided that rules 26712  
relating to the verification of pediatric trauma centers shall not 26713  
be adopted under this section. 26714

(H)(1) Whoever is a resident of this state and violates 26715  
division (A) or (B) of this section shall be punished as follows: 26716

(a) Except as otherwise provided in division (H)(1)(b) of 26717  
this section, the offender is guilty of a minor misdemeanor. 26718

(b) If the offender previously has been convicted of or 26719  
pleaded guilty to a violation of division (A) or (B) of this 26720  
section or of a municipal ordinance that is substantially similar 26721  
to either of those divisions, the offender is guilty of a 26722  
misdemeanor of the fourth degree. 26723

(2) Whoever is not a resident of this state, violates 26724  
division (A) or (B) of this section, and fails to prove by a 26725  
preponderance of the evidence that the offender's use or nonuse of 26726  
a child restraint system was in accordance with the law of the 26727  
state of which the offender is a resident is guilty of a minor 26728  
misdemeanor on a first offense; on a second or subsequent offense, 26729  
that person is guilty of a misdemeanor of the fourth degree. 26730

(3) All fines imposed pursuant to division (H)(1) or (2) of 26731  
this section shall be forwarded to the treasurer of state for 26732  
deposit in the "child highway safety fund" created by division (G) 26733  
of this section. 26734

**Sec. 4511.82.** (A) No operator or occupant of a motor vehicle 26735  
shall, regardless of intent, throw, drop, discard, or deposit 26736  
litter from any motor vehicle in operation upon any street, road, 26737  
or highway, except into a litter receptacle in a manner that 26738  
prevents its being carried away or deposited by the elements. 26739

26740

(B) No operator of a motor vehicle in operation upon any 26741

street, road, or highway shall allow litter to be thrown, dropped, 26742  
discarded, or deposited from the motor vehicle, except into a 26743  
litter receptacle in a manner that prevents its being carried away 26744  
or deposited by the elements. 26745

(C) Whoever violates division (A) or (B) of this section is 26746  
guilty of a minor misdemeanor. 26747

(D) As used in this section, "litter" means garbage, trash, 26748  
waste, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, 26749  
automobile parts, furniture, glass, or anything else of an 26750  
unsightly or unsanitary nature. 26751

**Sec. 4511.84.** (A) No person shall operate a motor vehicle 26752  
while wearing earphones over, or earplugs in, both ears. As used 26753  
in this section, "earphones" means any headset, radio, tape 26754  
player, or other similar device that provides the listener with 26755  
radio programs, music, or other recorded information through a 26756  
device attached to the head and that covers all or a portion of 26757  
both ears. "Earphones" does not include speakers or other 26758  
listening devices that are built into protective headgear. 26759

(B) This section does not apply to: 26760

(1) Any person wearing a hearing aid; 26761

(2) Law enforcement personnel while on duty; 26762

(3) Fire department personnel and emergency medical service 26763  
personnel while on duty; 26764

(4) Any person engaged in the operation of equipment for use 26765  
in the maintenance or repair of any highway; 26766

(5) Any person engaged in the operation of refuse collection 26767  
equipment. 26768

(C) Except as otherwise provided in this division, whoever 26769  
violates this section is guilty of a minor misdemeanor. If, within 26770

one year of the offense, the offender previously has been 26771  
convicted of or pleaded guilty to one predicate motor vehicle or 26772  
traffic offense, whoever violates this section is guilty of a 26773  
misdemeanor of the fourth degree. If, within one year of the 26774  
offense, the offender previously has been convicted of two or more 26775  
predicate motor vehicle or traffic offenses, whoever violates this 26776  
section is guilty of a misdemeanor of the third degree. 26777

**Sec. 4511.85.** (A) The operator of a chauffeured limousine 26778  
shall accept passengers only on the basis of prearranged 26779  
contracts, as defined in division (LL) of section 4501.01 of the 26780  
Revised Code, and shall not cruise in search of patronage unless 26781  
the limousine is in compliance with any statute or ordinance 26782  
governing the operation of taxicabs or other similar vehicles for 26783  
hire. 26784

(B) No person shall advertise or hold self out as doing 26785  
business as a limousine service or livery service or other similar 26786  
designation unless each vehicle used by the person to provide the 26787  
service is registered in accordance with section 4503.24 of the 26788  
Revised Code and is in compliance with section 4509.80 of the 26789  
Revised Code. 26790

(C) Whoever violates this section is guilty of a misdemeanor 26791  
of the first degree. 26792

**Sec. 4511.99.** ~~(A) Whoever violates division (A)(1), (2), (3),~~ 26793  
~~or (4) of section 4511.19 of the Revised Code, in addition to the~~ 26794  
~~license suspension or revocation provided in section 4507.16 of~~ 26795  
~~the Revised Code and any disqualification imposed under section~~ 26796  
~~4506.16 of the Revised Code, shall be punished as provided in~~ 26797  
~~division (A)(1), (2), (3), or (4) of this section. Whoever~~ 26798  
~~violates division (A)(5), (6), or (7) of section 4511.19 of the~~ 26799  
~~Revised Code, in addition to the license suspension or revocation~~ 26800

~~provided in section 4507.16 of the Revised Code and any 26801  
disqualification imposed under section 4506.16 of the Revised 26802  
Code, shall be punished as provided in division (A)(5), (6), (7), 26803  
or (8) of this section. 26804~~

~~(1) Except as otherwise provided in division (A)(2), (3), or 26805  
(4) of this section, the offender is guilty of a misdemeanor of 26806  
the first degree and the court shall sentence the offender to a 26807  
term of imprisonment of three consecutive days and may sentence 26808  
the offender pursuant to section 2929.21 of the Revised Code to a 26809  
longer term of imprisonment. In addition, the court shall impose 26810  
upon the offender a fine of not less than two hundred fifty and 26811  
not more than one thousand dollars. 26812~~

~~The court may suspend the execution of the mandatory three 26813  
consecutive days of imprisonment that it is required to impose by 26814  
this division, if the court, in lieu of the suspended term of 26815  
imprisonment, places the offender on probation and requires the 26816  
offender to attend, for three consecutive days, a drivers' 26817  
intervention program that is certified pursuant to section 3793.10 26818  
of the Revised Code. The court also may suspend the execution of 26819  
any part of the mandatory three consecutive days of imprisonment 26820  
that it is required to impose by this division, if the court 26821  
places the offender on probation for part of the three consecutive 26822  
days; requires the offender to attend, for that part of the three 26823  
consecutive days, a drivers' intervention program that is 26824  
certified pursuant to section 3793.10 of the Revised Code; and 26825  
sentences the offender to a term of imprisonment equal to the 26826  
remainder of the three consecutive days that the offender does not 26827  
spend attending the drivers' intervention program. The court may 26828  
require the offender, as a condition of probation, to attend and 26829  
satisfactorily complete any treatment or education programs that 26830  
comply with the minimum standards adopted pursuant to Chapter 26831  
3793. of the Revised Code by the director of alcohol and drug 26832~~

~~addiction services, in addition to the required attendance at a 26833  
drivers' intervention program, that the operators of the drivers' 26834  
intervention program determine that the offender should attend and 26835  
to report periodically to the court on the offender's progress in 26836  
the programs. The court also may impose any other conditions of 26837  
probation on the offender that it considers necessary. 26838~~

~~Of the fine imposed pursuant to this division, twenty five 26839  
dollars shall be paid to an enforcement and education fund 26840  
established by the legislative authority of the law enforcement 26841  
agency in this state that primarily was responsible for the arrest 26842  
of the offender, as determined by the court that imposes the fine. 26843  
This share shall be used by the agency to pay only those costs it 26844  
incurs in enforcing section 4511.19 of the Revised Code or a 26845  
substantially similar municipal ordinance and in informing the 26846  
public of the laws governing the operation of a motor vehicle 26847  
while under the influence of alcohol, the dangers of operating a 26848  
motor vehicle while under the influence of alcohol, and other 26849  
information relating to the operation of a motor vehicle and the 26850  
consumption of alcoholic beverages. Fifty dollars of the fine 26851  
imposed pursuant to this division shall be paid to the political 26852  
subdivision that pays the cost of housing the offender during the 26853  
offender's term of incarceration to the credit of the fund that 26854  
pays the cost of the incarceration. If the offender was confined 26855  
as a result of the offense prior to being sentenced for the 26856  
offense but is not sentenced to a term of incarceration, the fifty 26857  
dollars shall be paid to the political subdivision that paid the 26858  
cost of housing the offender during that period of confinement. 26859  
The political subdivision shall use this share to pay or reimburse 26860  
incarceration or treatment costs it incurs in housing or providing 26861  
drug and alcohol treatment to persons who violate section 4511.19 26862  
of the Revised Code or a substantially similar municipal ordinance 26863  
and to pay for ignition interlock devices and electronic house 26864  
arrest equipment for persons who violate that section. Twenty five 26865~~

~~dollars of the fine imposed pursuant to this division shall be 26866  
deposited into the county indigent drivers alcohol treatment fund 26867  
or municipal indigent drivers alcohol treatment fund under the 26868  
control of that court, as created by the county or municipal 26869  
corporation pursuant to division (N) of section 4511.191 of the 26870  
Revised Code. The balance of the fine shall be disbursed as 26871  
otherwise provided by law. 26872~~

~~(2)(a) Except as otherwise provided in division (A)(4) of 26873  
this section, the offender is guilty of a misdemeanor of the first 26874  
degree, and, except as provided in this division, the court shall 26875  
sentence the offender to a term of imprisonment of ten consecutive 26876  
days and may sentence the offender pursuant to section 2929.21 of 26877  
the Revised Code to a longer term of imprisonment if, within six 26878  
years of the offense, the offender has been convicted of or 26879  
pleaded guilty to one violation of the following: 26880~~

~~(i) Division (A) or (B) of section 4511.19 of the Revised 26881  
Code; 26882~~

~~(ii) A municipal ordinance relating to operating a vehicle 26883  
while under the influence of alcohol, a drug of abuse, or alcohol 26884  
and a drug of abuse; 26885~~

~~(iii) A municipal ordinance relating to operating a vehicle 26886  
with a prohibited concentration of alcohol in the blood, breath, 26887  
or urine; 26888~~

~~(iv) Section 2903.04 of the Revised Code in a case in which 26889  
the offender was subject to the sanctions described in division 26890  
(D) of that section; 26891~~

~~(v) Division (A)(1) of section 2903.06 or division (A)(1) of 26892  
section 2903.08 of the Revised Code or a municipal ordinance that 26893  
is substantially similar to either of those divisions; 26894~~

~~(vi) Division (A)(2), (3), or (4) of section 2903.06, 26895  
division (A)(2) of section 2903.08, or former section 2903.07 of 26896~~

~~the Revised Code, or a municipal ordinance that is substantially similar to any of those divisions or that former section, 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;~~

~~(vii) 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.~~

~~As an alternative to the term of imprisonment required to be imposed by this division, but subject to division (A)(12) 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 fifty 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 26929  
dollars shall be paid to an enforcement and education fund 26930  
established by the legislative authority of the law enforcement 26931  
agency in this state that primarily was responsible for the arrest 26932  
of the offender, as determined by the court that imposes the fine. 26933  
This share shall be used by the agency to pay only those costs it 26934  
incurs in enforcing section 4511.19 of the Revised Code or a 26935  
substantially similar municipal ordinance and in informing the 26936  
public of the laws governing the operation of a motor vehicle 26937  
while under the influence of alcohol, the dangers of operating a 26938  
motor vehicle while under the influence of alcohol, and other 26939  
information relating to the operation of a motor vehicle and the 26940  
consumption of alcoholic beverages. One hundred fifteen dollars of 26941  
the fine imposed pursuant to this division shall be paid to the 26942  
political subdivision that pays the cost of housing the offender 26943  
during the offender's term of incarceration. This share shall be 26944  
used by the political subdivision to pay or reimburse 26945  
incarceration or treatment costs it incurs in housing or providing 26946  
drug and alcohol treatment to persons who violate section 4511.19 26947  
of the Revised Code or a substantially similar municipal ordinance 26948  
and to pay for ignition interlock devices and electronic house 26949  
arrest equipment for persons who violate that section, and shall 26950  
be paid to the credit of the fund that pays the cost of the 26951  
incarceration. Fifty dollars of the fine imposed pursuant to this 26952  
division shall be deposited into the county indigent drivers 26953  
alcohol treatment fund or municipal indigent drivers alcohol 26954  
treatment fund under the control of that court, as created by the 26955  
county or municipal corporation pursuant to division (N) of 26956  
section 4511.191 of the Revised Code. The balance of the fine 26957  
shall be disbursed as otherwise provided by law. 26958~~

~~(b) Regardless of whether the vehicle the offender was 26959  
operating at the time of the offense is registered in the 26960~~

~~offender's name or in the name of another person, the court, in 26961  
addition to the penalties imposed under division (A)(2)(a) of this 26962  
section and all other penalties provided by law and subject to 26963  
section 4503.235 of the Revised Code, shall order the 26964  
immobilization for ninety days of the vehicle the offender was 26965  
operating at the time of the offense and the impoundment for 26966  
ninety days of the identification license plates of that vehicle. 26967  
The order for the immobilization and impoundment shall be issued 26968  
and enforced in accordance with section 4503.233 of the Revised 26969  
Code. 26970~~

~~(3)(a) Except as otherwise provided in division (A)(4) of 26971  
this section and except as provided in this division, if, within 26972  
six years of the offense, the offender has been convicted of or 26973  
pleaded guilty to two violations identified in division (A)(2) of 26974  
this section, the court shall sentence the offender to a term of 26975  
imprisonment of thirty consecutive days and may sentence the 26976  
offender to a longer definite term of imprisonment of not more 26977  
than one year. As an alternative to the term of imprisonment 26978  
required to be imposed by this division, but subject to division 26979  
(A)(12) of this section, the court may impose upon the offender a 26980  
sentence consisting of both a term of imprisonment of fifteen 26981  
consecutive days and not less than fifty five consecutive days of 26982  
electronically monitored house arrest as defined in division (A) 26983  
of section 2929.23 of the Revised Code. The fifteen consecutive 26984  
days of imprisonment and the period of electronically monitored 26985  
house arrest shall not exceed one year. The fifteen consecutive 26986  
days of imprisonment do not have to be served prior to or 26987  
consecutively with the period of electronically monitored house 26988  
arrest. 26989~~

~~In addition, the court shall impose upon the offender a fine 26990  
of not less than five hundred fifty and not more than two thousand 26991  
five hundred dollars. 26992~~

~~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 seventy seven dollars of the fine imposed pursuant to this division shall be paid to the political subdivision that pays the cost of housing the offender during the offender's term of incarceration. This share shall be used by the political subdivision to pay or reimburse incarceration or treatment costs it incurs in housing or providing drug and alcohol treatment to 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 incarceration. The balance of 27025  
the fine shall be disbursed as otherwise provided by law. 27026~~

~~(b) Regardless of whether the vehicle the offender was 27027  
operating at the time of the offense is registered in the 27028  
offender's name or in the name of another person, the court, in 27029  
addition to the penalties imposed under division (A)(3)(a) of this 27030  
section and all other penalties provided by law and subject to 27031  
section 4503.235 of the Revised Code, shall order the criminal 27032  
forfeiture to the state of the vehicle the offender was operating 27033  
at the time of the offense. The order of criminal forfeiture shall 27034  
be issued and enforced in accordance with section 4503.234 of the 27035  
Revised Code. 27036~~

~~(4)(a)(i) If, within six years of the offense, the offender 27037  
has been convicted of or pleaded guilty to three or more 27038  
violations identified in division (A)(2) of this section, and if 27039  
sentence is not required to be imposed under division 27040  
(A)(4)(a)(ii) of this section, the offender is guilty of a felony 27041  
of the fourth degree and, notwithstanding division (A)(4) of 27042  
section 2929.14 of the Revised Code, may be sentenced to a 27043  
definite prison term that shall be not less than six months and 27044  
not more than thirty months. The court shall sentence the offender 27045  
in accordance with sections 2929.11 to 2929.19 of the Revised Code 27046  
and shall impose as part of the sentence either a mandatory term 27047  
of local incarceration of sixty consecutive days of imprisonment 27048  
in accordance with division (G)(1) of section 2929.13 of the 27049  
Revised Code or a mandatory prison term of sixty consecutive days 27050  
of imprisonment in accordance with division (G)(2) of that 27051  
section. If the court requires the offender to serve a mandatory 27052  
term of local incarceration of sixty consecutive days of 27053  
imprisonment in accordance with division (G)(1) of section 2929.13 27054  
of the Revised Code, the court, pursuant to section 2929.17 of the 27055  
Revised Code, may impose upon the offender a sentence that 27056~~

~~includes a term of electronically monitored house arrest, provided 27057  
that the term of electronically monitored house arrest shall not 27058  
commence until after the offender has served the mandatory term of 27059  
local incarceration. 27060~~

~~(ii) If the offender previously has been convicted of or 27061  
pleaded guilty to a violation of division (A) of section 4511.19 27062  
of the Revised Code under circumstances in which the violation was 27063  
a felony, regardless of when the prior violation and the prior 27064  
conviction or guilty plea occurred, the offender is guilty of a 27065  
felony of the third degree. The court shall sentence the offender 27066  
in accordance with sections 2929.11 to 2929.19 of the Revised Code 27067  
and shall impose as part of the sentence a mandatory prison term 27068  
of sixty consecutive days of imprisonment in accordance with 27069  
division (C)(2) of section 2929.13 of the Revised Code. 27070~~

~~(iii) In addition to all other sanctions imposed on an 27071  
offender under division (A)(4)(a)(i) or (ii) of this section, the 27072  
court shall impose upon the offender, pursuant to section 2929.18 27073  
of the Revised Code, a fine of not less than eight hundred nor 27074  
more than ten thousand dollars. 27075~~

~~In addition to any other sanction that it imposes upon the 27076  
offender under division (A)(4)(a)(i) or (ii) of this section, the 27077  
court shall require the offender to attend an alcohol and drug 27078  
addiction program authorized by section 3793.02 of the Revised 27079  
Code. The cost of the treatment shall be paid by the offender. If 27080  
the court determines that the offender is unable to pay the cost 27081  
of attendance at the treatment program, the court may order that 27082  
payment of the cost of the offender's attendance at the treatment 27083  
program be made from the court's indigent drivers alcohol 27084  
treatment fund. 27085~~

~~Of the fine imposed pursuant to this division, two hundred 27086  
ten dollars shall be paid to an enforcement and education fund 27087  
established by the legislative authority of the law enforcement 27088~~

~~agency in this state that primarily was responsible for the arrest 27089  
of the offender, as determined by the court that imposes the fine. 27090  
This share shall be used by the agency to pay only those costs it 27091  
incurs in enforcing section 4511.19 of the Revised Code or a 27092  
substantially similar municipal ordinance and in informing the 27093  
public of the laws governing operation of a motor vehicle while 27094  
under the influence of alcohol, the dangers of operation of a 27095  
motor vehicle while under the influence of alcohol, and other 27096  
information relating to the operation of a motor vehicle and the 27097  
consumption of alcoholic beverages. Four hundred forty dollars of 27098  
the fine imposed pursuant to this division shall be paid to the 27099  
political subdivision that pays the cost of housing the offender 27100  
during the offender's term of incarceration. This share shall be 27101  
used by the political subdivision to pay or reimburse 27102  
incarceration or treatment costs it incurs in housing or providing 27103  
drug and alcohol treatment to persons who violate section 4511.19 27104  
of the Revised Code or a substantially similar municipal ordinance 27105  
and to pay for ignition interlock devices and electronic house 27106  
arrest equipment for persons who violate that section, and shall 27107  
be paid to the credit of the fund that pays the cost of 27108  
incarceration. The balance of the fine shall be disbursed as 27109  
otherwise provided by law. 27110~~

~~(b) Regardless of whether the vehicle the offender was 27111  
operating at the time of the offense is registered in the 27112  
offender's name or in the name of another person, the court, in 27113  
addition to the sanctions imposed under division (A)(4)(a) of this 27114  
section and all other sanctions provided by law and subject to 27115  
section 4503.235 of the Revised Code, shall order the criminal 27116  
forfeiture to the state of the vehicle the offender was operating 27117  
at the time of the offense. The order of criminal forfeiture shall 27118  
be issued and enforced in accordance with section 4503.234 of the 27119  
Revised Code. 27120~~

~~(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.~~

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~~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.~~

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~~(5)(a) Except as otherwise provided in division (A)(6), (7), or (8) of this section, the offender is guilty of a misdemeanor of the first degree, and the court shall sentence the offender to one of the following:~~

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~~(i) A term of imprisonment of at least three consecutive days and a requirement that the offender attend, for three consecutive days, a drivers' intervention program that is certified pursuant to section 3793.10 of the Revised Code;~~

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~~(ii) If the court determines that the offender is not conducive to treatment in the program, if the offender refuses to attend the program, or if the place of imprisonment can provide a drivers' intervention program, a term of imprisonment of at least six consecutive days.~~

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~~(b) In addition, the court shall impose upon the offender a fine of not less than two hundred fifty and not more than one thousand dollars.~~

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~~The court may require the offender, as a condition of probation, to attend and satisfactorily complete any treatment or~~

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~~education programs that comply with the minimum standards adopted 27152  
pursuant to Chapter 3793. of the Revised Code by the director of 27153  
alcohol and drug addiction services, in addition to the required 27154  
attendance at a drivers' intervention program, that the operators 27155  
of the drivers' intervention program determine that the offender 27156  
should attend and to report periodically to the court on the 27157  
offender's progress in the programs. The court also may impose any 27158  
other conditions of probation on the offender that it considers 27159  
necessary. 27160~~

~~Of the fine imposed pursuant to this division, twenty five 27161  
dollars shall be paid to an enforcement and education fund 27162  
established by the legislative authority of the law enforcement 27163  
agency in this state that primarily was responsible for the arrest 27164  
of the offender, as determined by the court that imposes the fine. 27165  
The agency shall use this share to pay only those costs it incurs 27166  
in enforcing section 4511.19 of the Revised Code or a 27167  
substantially similar municipal ordinance and in informing the 27168  
public of the laws governing the operation of a motor vehicle 27169  
while under the influence of alcohol, the dangers of operating a 27170  
motor vehicle while under the influence of alcohol, and other 27171  
information relating to the operation of a motor vehicle and the 27172  
consumption of alcoholic beverages. Fifty dollars of the fine 27173  
imposed pursuant to this division shall be paid to the political 27174  
subdivision that pays the cost of housing the offender during the 27175  
offender's term of incarceration to the credit of the fund that 27176  
pays the cost of the incarceration. The political subdivision 27177  
shall use this share to pay or reimburse incarceration or 27178  
treatment costs it incurs in housing or providing drug and alcohol 27179  
treatment to persons who violate section 4511.19 of the Revised 27180  
Code or a substantially similar municipal ordinance and to pay for 27181  
ignition interlock devices and electronic house arrest equipment 27182  
for persons who violate that section. Twenty five dollars of the 27183  
fine imposed pursuant to this division shall be deposited into the 27184~~



~~county indigent drivers alcohol treatment fund or municipal 27185  
indigent drivers alcohol treatment fund under the control of that 27186  
court, as created by the county or municipal corporation pursuant 27187  
to division (N) of section 4511.191 of the Revised Code. The 27188  
balance of the fine shall be disbursed as otherwise provided by 27189  
law. 27190~~

~~(6)(a) Except as otherwise provided in division (A)(8) of 27191  
this section and except as provided in this division, if, within 27192  
six years of the offense, the offender has been convicted of or 27193  
pleaded guilty to one violation of division (A) or (B) of section 27194  
4511.19 of the Revised Code, a municipal ordinance relating to 27195  
operating a vehicle while under the influence of alcohol, a drug 27196  
of abuse, or alcohol and a drug of abuse, a municipal ordinance 27197  
relating to operating a vehicle with a prohibited concentration of 27198  
alcohol in the blood, breath, or urine, section 2903.04 of the 27199  
Revised Code in a case in which the offender was subject to the 27200  
sanctions described in division (D) of that section, section 27201  
2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal 27202  
ordinance that is substantially similar to section 2903.07 of the 27203  
Revised Code in a case in which the jury or judge found that the 27204  
offender was under the influence of alcohol, a drug of abuse, or 27205  
alcohol and a drug of abuse, or a statute of the United States or 27206  
of any other state or a municipal ordinance of a municipal 27207  
corporation located in any other state that is substantially 27208  
similar to division (A) or (B) of section 4511.19 of the Revised 27209  
Code, the offender is guilty of a misdemeanor of the first degree, 27210  
and the court shall sentence the offender to a term of 27211  
imprisonment of twenty consecutive days and may sentence the 27212  
offender pursuant to section 2929.21 of the Revised Code to a 27213  
longer term of imprisonment. As an alternative to the term of 27214  
imprisonment required to be imposed by this division, but subject 27215  
to division (A)(12) of this section, the court may impose upon the 27216  
offender a sentence consisting of both a term of imprisonment of 27217~~

~~ten consecutive days and not less than thirty six consecutive days 27218  
of electronically monitored house arrest as defined in division 27219  
(A) of section 2929.23 of the Revised Code. The ten consecutive 27220  
days of imprisonment and the period of electronically monitored 27221  
house arrest shall not exceed six months. The ten consecutive days 27222  
of imprisonment do not have to be served prior to or consecutively 27223  
with the period of electronically monitored house arrest. 27224~~

~~In addition, the court shall impose upon the offender a fine 27226  
of not less than three hundred fifty and not more than one 27227  
thousand five hundred dollars. 27228~~

~~In addition to any other sentence that it imposes upon the 27229  
offender, the court may require the offender to attend a drivers' 27230  
intervention program that is certified pursuant to section 3793.10 27231  
of the Revised Code. If the officials of the drivers' intervention 27232  
program determine that the offender is alcohol dependent, they 27233  
shall notify the court, and the court shall order the offender to 27234  
obtain treatment through an alcohol and drug addiction program 27235  
authorized by section 3793.02 of the Revised Code. The offender 27236  
shall pay the cost of the treatment. 27237~~

~~Of the fine imposed pursuant to this division, thirty five 27238  
dollars shall be paid to an enforcement and education fund 27239  
established by the legislative authority of the law enforcement 27240  
agency in this state that primarily was responsible for the arrest 27241  
of the offender, as determined by the court that imposes the fine. 27242  
The agency shall use this share to pay only those costs it incurs 27243  
in enforcing section 4511.19 of the Revised Code or a 27244  
substantially similar municipal ordinance and in informing the 27245  
public of the laws governing the operation of a motor vehicle 27246  
while under the influence of alcohol, the dangers of operating a 27247  
motor vehicle while under the influence of alcohol, and other 27248  
information relating to the operation of a motor vehicle and the 27249~~

~~consumption of alcoholic beverages. One hundred fifteen dollars of 27250  
the fine imposed pursuant to this division shall be paid to the 27251  
political subdivision that pays the cost of housing the offender 27252  
during the offender's term of incarceration. The political 27253  
subdivision shall use this share to pay or reimburse incarceration 27254  
or treatment costs it incurs in housing or providing drug and 27255  
alcohol treatment to persons who violate section 4511.19 of the 27256  
Revised Code or a substantially similar municipal ordinance and to 27257  
pay for ignition interlock devices and electronic house arrest 27258  
equipment for persons who violate that section, and this share 27259  
shall be paid to the credit of the fund that pays the cost of the 27260  
incarceration. Fifty dollars of the fine imposed pursuant to this 27261  
division shall be deposited into the county indigent drivers 27262  
alcohol treatment fund or municipal indigent drivers alcohol 27263  
treatment fund under the control of that court, as created by the 27264  
county or municipal corporation pursuant to division (N) of 27265  
section 4511.191 of the Revised Code. The balance of the fine 27266  
shall be disbursed as otherwise provided by law. 27267~~

~~(b) Regardless of whether the vehicle the offender was 27268  
operating at the time of the offense is registered in the 27269  
offender's name or in the name of another person, the court, in 27270  
addition to the penalties imposed under division (A)(6)(a) of this 27271  
section and all other penalties provided by law and subject to 27272  
section 4503.235 of the Revised Code, shall order the 27273  
immobilization for ninety days of the vehicle the offender was 27274  
operating at the time of the offense and the impoundment for 27275  
ninety days of the identification license plates of that vehicle. 27276  
The order for the immobilization and impoundment shall be issued 27277  
and enforced in accordance with section 4503.233 of the Revised 27278  
Code. 27279~~

~~(7)(a) Except as otherwise provided in division (A)(8) of 27280  
this section and except as provided in this division, if, within 27281~~

~~six years of the offense, the offender has been convicted of or 27282  
pleaded guilty to two violations of division (A) or (B) of section 27283  
4511.19 of the Revised Code, a municipal ordinance relating to 27284  
operating a vehicle while under the influence of alcohol, a drug 27285  
of abuse, or alcohol and a drug of abuse, a municipal ordinance 27286  
relating to operating a vehicle with a prohibited concentration of 27287  
alcohol in the blood, breath, or urine, section 2903.04 of the 27288  
Revised Code in a case in which the offender was subject to the 27289  
sanctions described in division (D) of that section, section 27290  
2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal 27291  
ordinance that is substantially similar to section 2903.07 of the 27292  
Revised Code in a case in which the jury or judge found that the 27293  
offender was under the influence of alcohol, a drug of abuse, or 27294  
alcohol and a drug of abuse, or a statute of the United States or 27295  
of any other state or a municipal ordinance of a municipal 27296  
corporation located in any other state that is substantially 27297  
similar to division (A) or (B) of section 4511.19 of the Revised 27298  
Code, the court shall sentence the offender to a term of 27299  
imprisonment of sixty consecutive days and may sentence the 27300  
offender to a longer definite term of imprisonment of not more 27301  
than one year. As an alternative to the term of imprisonment 27302  
required to be imposed by this division, but subject to division 27303  
(A)(12) of this section, the court may impose upon the offender a 27304  
sentence consisting of both a term of imprisonment of thirty 27305  
consecutive days and not less than one hundred ten consecutive 27306  
days of electronically monitored house arrest as defined in 27307  
division (A) of section 2929.23 of the Revised Code. The thirty 27308  
consecutive days of imprisonment and the period of electronically 27309  
monitored house arrest shall not exceed one year. The thirty 27310  
consecutive days of imprisonment do not have to be served prior to 27311  
or consecutively with the period of electronically monitored house 27312  
arrest. 27313~~

~~In addition, the court shall impose upon the offender a fine 27314~~

~~of not less than five hundred fifty and not more than two thousand  
five hundred dollars.~~ 27315  
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~~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 offender shall pay the cost of the  
treatment. 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.~~ 27317  
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~~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. The agency shall use this share 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  
seventy seven dollars of the fine imposed pursuant to this  
division shall be paid to the political subdivision that pays the  
cost of housing the offender during the offender's term of  
incarceration. The political subdivision shall use this share to  
pay or reimburse incarceration or treatment costs it incurs in  
housing or providing drug and alcohol treatment to persons who  
violate section 4511.19 of the Revised Code or a substantially  
similar municipal ordinance and to pay for ignition interlock~~ 27326  
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~~devices and electronic house arrest equipment for persons who 27347  
violate that section, and this share shall be paid to the credit 27348  
of the fund that pays the cost of incarceration. The balance of 27349  
the fine shall be disbursed as otherwise provided by law. 27350~~

~~(b) Regardless of whether the vehicle the offender was 27351  
operating at the time of the offense is registered in the 27352  
offender's name or in the name of another person, the court, in 27353  
addition to the penalties imposed under division (A)(7)(a) of this 27354  
section and all other penalties provided by law and subject to 27355  
section 4503.235 of the Revised Code, shall order the 27356  
immobilization for one hundred eighty days of the vehicle the 27357  
offender was operating at the time of the offense and the 27358  
impoundment for one hundred eighty days of the identification 27359  
license plates of that vehicle. The order for the immobilization 27360  
and impoundment shall be issued and enforced in accordance with 27361  
section 4503.233 of the Revised Code. 27362~~

~~(8)(a)(i) If, within six years of the offense, the offender 27363  
has been convicted of or pleaded guilty to three or more 27364  
violations of division (A) or (B) of section 4511.19 of the 27365  
Revised Code, a municipal ordinance relating to operating a 27366  
vehicle while under the influence of alcohol, a drug of abuse, or 27367  
alcohol and a drug of abuse, a municipal ordinance relating to 27368  
operating a vehicle with a prohibited concentration of alcohol in 27369  
the blood, breath, or urine, section 2903.04 of the Revised Code 27370  
in a case in which the offender was subject to the sanctions 27371  
described in division (D) of that section, section 2903.06, 27372  
2903.07, or 2903.08 of the Revised Code or a municipal ordinance 27373  
that is substantially similar to section 2903.07 of the Revised 27374  
Code in a case in which the jury or judge found that the offender 27375  
was under the influence of alcohol, a drug of abuse, or alcohol 27376  
and a drug of abuse, or a statute of the United States or of any 27377  
other state or a municipal ordinance of a municipal corporation 27378~~

~~located in any other state that is substantially similar to 27379~~  
~~division (A) or (B) of section 4511.19 of the Revised Code, and if 27380~~  
~~sentence is not required to be imposed under division 27381~~  
~~(A)(8)(a)(ii) of this section, the offender is guilty of a felony 27382~~  
~~of the fourth degree and, notwithstanding division (A)(4) of 27383~~  
~~section 2929.14 of the Revised Code, may be sentenced to a 27384~~  
~~definite prison term that shall be not less than six months and 27385~~  
~~not more than thirty months. The court shall sentence the offender 27386~~  
~~in accordance with sections 2929.11 to 2929.19 of the Revised Code 27387~~  
~~and shall impose as part of the sentence either a mandatory term 27388~~  
~~of local incarceration of one hundred twenty consecutive days of 27389~~  
~~imprisonment in accordance with division (C)(1) of section 2929.13 27390~~  
~~of the Revised Code or a mandatory prison term of one hundred 27391~~  
~~twenty consecutive days of imprisonment in accordance with 27392~~  
~~division (C)(2) of that section. If the court requires the 27393~~  
~~offender to serve a mandatory term of local incarceration of one 27394~~  
~~hundred twenty consecutive days of imprisonment in accordance with 27395~~  
~~division (C)(1) of section 2929.13 of the Revised Code, the court, 27396~~  
~~pursuant to section 2929.17 of the Revised Code, may impose upon 27397~~  
~~the offender a sentence that includes a term of electronically 27398~~  
~~monitored house arrest, provided that the term of electronically 27399~~  
~~monitored house arrest shall not commence until after the offender 27400~~  
~~has served the mandatory term of local incarceration. 27401~~

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~~(ii) If the offender previously has been convicted of or 27403~~  
~~pleaded guilty to a violation of division (A) of section 4511.19 27404~~  
~~of the Revised Code under circumstances in which the violation was 27405~~  
~~a felony, regardless of when the prior violation and the prior 27406~~  
~~conviction or guilty plea occurred, the offender is guilty of a 27407~~  
~~felony of the third degree. The court shall sentence the offender 27408~~  
~~in accordance with sections 2929.11 to 2929.19 of the Revised Code 27409~~  
~~and shall impose as part of the sentence a mandatory prison term 27410~~  
~~of one hundred twenty consecutive days of imprisonment in 27411~~

~~accordance with division (G)(2) of section 2929.13 of the Revised Code.~~ 27412  
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~~(iii) In addition to all other sanctions imposed on an offender under division (A)(8)(a)(i) or (ii) of this section, the court shall impose upon the offender, pursuant to section 2929.18 of the Revised Code, a fine of not less than eight hundred nor more than ten thousand dollars.~~ 27414  
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~~In addition to any other sanction that it imposes upon the offender under division (A)(8)(a)(i) or (ii) of this section, 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.~~ 27419  
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~~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. The agency shall use this share 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. Four hundred forty dollars of the fine imposed pursuant to this division shall be paid to the political subdivision that pays the cost of housing the offender~~ 27429  
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~~during the offender's term of incarceration. The political subdivision shall use this share to pay or reimburse incarceration or treatment costs it incurs in housing or providing drug and alcohol treatment to 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 this share 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)(8)(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)(8)(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.~~

~~(d) 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. 27476~~

~~(9)(a) Except as provided in division (A)(9)(b) of this 27477  
section, upon a showing that imprisonment would seriously affect 27478  
the ability of an offender sentenced pursuant to division (A)(1), 27479  
(2), (3), (4), (5), (6), (7), or (8) of this section to continue 27480  
the offender's employment, the court may authorize that the 27481  
offender be granted work release from imprisonment after the 27482  
offender has served the three, six, ten, twenty, thirty, or sixty 27483  
consecutive days of imprisonment or the mandatory term of local 27484  
incarceration of sixty or one hundred twenty consecutive days that 27485  
the court is required by division (A)(1), (2), (3), (4), (5), (6), 27486  
(7), or (8) of this section to impose. No court shall authorize 27487  
work release from imprisonment during the three, six, ten, twenty, 27488  
thirty, or sixty consecutive days of imprisonment or the mandatory 27489  
term of local incarceration or mandatory prison term of sixty or 27490  
one hundred twenty consecutive days that the court is required by 27491  
division (A)(1), (2), (3), (4), (5), (6), (7), or (8) of this 27492  
section to impose. The duration of the work release shall not 27493  
exceed the time necessary each day for the offender to commute to 27494  
and from the place of employment and the place of imprisonment and 27495  
the time actually spent under employment. 27496~~

~~(b) An offender who is sentenced pursuant to division (A)(2), 27497  
(3), (6), or (7) of this section to a term of imprisonment 27498  
followed by a period of electronically monitored house arrest is 27499  
not eligible for work release from imprisonment, but that person 27500  
shall be permitted work release during the period of 27501  
electronically monitored house arrest. The duration of the work 27502  
release shall not exceed the time necessary each day for the 27503  
offender to commute to and from the place of employment and the 27504  
offender's home or other place specified by the sentencing court 27505  
and the time actually spent under employment. 27506~~

~~(10) Notwithstanding any section of the Revised Code that 27507~~

~~authorizes the suspension of the imposition or execution of a 27508  
sentence, the placement of an offender in any treatment program in 27509  
lieu of imprisonment, or the use of a community control sanction 27510  
for an offender convicted of a felony, no court shall suspend the 27511  
ten, twenty, thirty, or sixty consecutive days of imprisonment 27512  
required to be imposed on an offender by division (A)(2), (3), 27513  
(6), or (7) of this section, no court shall place an offender who 27514  
is sentenced pursuant to division (A)(2), (3), (4), (6), (7), or 27515  
(8) of this section in any treatment program in lieu of 27516  
imprisonment until after the offender has served the ten, twenty, 27517  
thirty, or sixty consecutive days of imprisonment or the mandatory 27518  
term of local incarceration or mandatory prison term of sixty or 27519  
one hundred twenty consecutive days required to be imposed 27520  
pursuant to division (A)(2), (3), (4), (6), (7), or (8) of this 27521  
section, no court that sentences an offender under division (A)(4) 27522  
or (8) of this section shall impose any sanction other than a 27523  
mandatory term of local incarceration or mandatory prison term to 27524  
apply to the offender until after the offender has served the 27525  
mandatory term of local incarceration or mandatory prison term of 27526  
sixty or one hundred twenty consecutive days required to be 27527  
imposed pursuant to division (A)(4) or (8) of this section, and no 27528  
court that imposes a sentence of imprisonment and a period of 27529  
electronically monitored house arrest upon an offender under 27530  
division (A)(2), (3), (6), or (7) of this section shall suspend 27531  
any portion of the sentence or place the offender in any treatment 27532  
program in lieu of imprisonment or electronically monitored house 27533  
arrest. Notwithstanding any section of the Revised Code that 27534  
authorizes the suspension of the imposition or execution of a 27535  
sentence or the placement of an offender in any treatment program 27536  
in lieu of imprisonment, no court, except as specifically 27537  
authorized by division (A)(1) or (5) of this section, shall 27538  
suspend the three or more consecutive days of imprisonment 27539  
required to be imposed by division (A)(1) or (5) of this section 27540~~

~~or place an offender who is sentenced pursuant to division (A)(1) 27541  
or (5) of this section in any treatment program in lieu of 27542  
imprisonment until after the offender has served the three or more 27543  
consecutive days of imprisonment required to be imposed pursuant 27544  
to division (A)(1) or (5) of this section. 27545~~

~~(11) No court shall sentence an offender to an alcohol 27546  
treatment program pursuant to division (A)(1), (2), (3), (4), (5), 27547  
(6), (7), or (8) of this section unless the treatment program 27548  
complies with the minimum standards adopted pursuant to Chapter 27549  
3793. of the Revised Code by the director of alcohol and drug 27550  
addiction services. 27551~~

~~(12) No court shall impose the alternative sentence of a term 27552  
of imprisonment plus a term of electronically monitored house 27553  
arrest permitted to be imposed by division (A)(2), (3), (6), or 27554  
(7) of this section, unless within sixty days of the date of 27555  
sentencing, the court issues a written finding, entered into the 27556  
record, that due to the unavailability of space at the 27557  
incarceration facility where the offender is required to serve the 27558  
term of imprisonment imposed upon the offender, the offender will 27559  
not be able to commence serving the term of imprisonment within 27560  
the sixty day period following the date of sentencing. If the 27561  
court issues such a written finding, the court may impose the 27562  
alternative sentence comprised of a term of imprisonment and a 27563  
term of electronically monitored house arrest permitted to be 27564  
imposed by division (A)(2), (3), (6), or (7) of this section. 27565~~

~~(B) Whoever violates section 4511.192, 4511.251, or 4511.85 27566  
of the Revised Code is guilty of a misdemeanor of the first 27567  
degree. The court, in addition to or independent of all other 27568  
penalties provided by law, may suspend for a period not to exceed 27569  
one year the driver's or commercial driver's license or permit or 27570  
nonresident operating privilege of any person who pleads guilty to 27571  
or is convicted of a violation of section 4511.192 of the Revised 27572~~

Code-	27573
<del>(C) Whoever violates section 4511.63, 4511.76, 4511.761,</del>	27574
<del>4511.762, 4511.764, 4511.77, or 4511.79 of the Revised Code is</del>	27575
<del>guilty of one of the following:</del>	27576
<del>(1) Except as otherwise provided in division (C)(2) of this</del>	27577
<del>section, a minor misdemeanor.</del>	27578
<del>(2) If the offender previously has been convicted of or</del>	27579
<del>pleaded guilty to one or more violations of section 4511.63,</del>	27580
<del>4511.76, 4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the</del>	27581
<del>Revised Code or a municipal ordinance that is substantially</del>	27582
<del>similar to any of those sections, a misdemeanor of the fourth</del>	27583
<del>degree.</del>	27584
<del>(D)(1) Whoever violates any provision of sections 4511.01 to</del>	27585
<del>4511.76 or section 4511.84 of the Revised Code, for which no</del>	27586
<del>penalty otherwise is provided in <u>this the section violated</u> is</del>	27587
<del>guilty of one of the following:</del>	27588
<del>(a)(A) Except as otherwise provided in division (D)(1)(b),</del>	27589
<del>(1)(c), (2), (3), (B) or (4)(C) of this section, a minor</del>	27590
<del>misdemeanor;</del>	27591
<del>(b)(B) If, within one year of the offense, the offender</del>	27592
<del>previously has been convicted of or pleaded guilty to one</del>	27593
<del>violation of any provision of sections 4511.01 to 4511.76 or</del>	27594
<del>section 4511.84 of the Revised Code for which no penalty otherwise</del>	27595
<del>is provided in this section or a municipal ordinance that is</del>	27596
<del>substantially similar to any provision of sections 4511.01 to</del>	27597
<del>4511.76 or section 4511.84 of the Revised Code for which no</del>	27598
<del>penalty otherwise is provided in this section <u>predicate motor</u></del>	27599
<del><u>vehicle or traffic offense</u>, a misdemeanor of the fourth degree;</del>	27600
<del>(e)(C) If, within one year of the offense, the offender</del>	27601
<del>previously has been convicted of or pleaded guilty to two or more</del>	27602
<del>violations of any provision described in division (D)(1)(b) of</del>	27603

~~this section or any municipal ordinance that is substantially similar to any of those provisions predicate motor vehicle or traffic offenses, a misdemeanor of the third degree.~~ 27604  
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~~(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.~~ 27607  
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~~(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.~~ 27616  
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~~(4) Notwithstanding section 2929.21 of the Revised Code, upon a finding that a person operated a motor vehicle in violation of division (C) of section 4511.213 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.~~ 27628  
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~~(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~~ 27633  
27634  
27635

~~Revised Code, the trial judge, in addition to or independent of 27636  
all other penalties provided by law, may suspend for any period of 27637  
time not exceeding three years, or revoke the license of any 27638  
person, partnership, association, or corporation, issued under 27639  
section 4511.763 of the Revised Code. 27640~~

~~(F) Whoever violates division (E) or (F) of section 4511.51, 27641  
division (A), (D), or (E) of section 4511.521, section 4511.681, 27642  
division (A) or (C) of section 4511.69, section 4511.772, or 27643  
division (A) or (B) of section 4511.82 of the Revised Code is 27644  
guilty of a minor misdemeanor. 27645~~

~~(G) Whoever violates division (A) of section 4511.75 of the 27646  
Revised Code may be fined an amount not to exceed five hundred 27647  
dollars. A person who is issued a citation for a violation of 27648  
division (A) of section 4511.75 of the Revised Code is not 27649  
permitted to enter a written plea of guilty and waive the person's 27650  
right to contest the citation in a trial, but instead must appear 27651  
in person in the proper court to answer the charge. 27652~~

~~(H)(1) Whoever is a resident of this state and violates 27653  
division (A) or (B) of section 4511.81 of the Revised Code shall 27654  
be punished as follows: 27655~~

~~(a) Except as otherwise provided in division (H)(1)(b) of 27656  
this section, the offender is guilty of a minor misdemeanor. 27657~~

~~(b) If the offender previously has been convicted of or 27658  
pleaded guilty to a violation of division (A) or (B) of section 27659  
4511.81 of the Revised Code or of a municipal ordinance that is 27660  
substantially similar to either of those divisions, the offender 27661  
is guilty of a misdemeanor of the fourth degree. 27662~~

~~(2) Whoever is not a resident of this state, violates 27663  
division (A) or (B) of section 4511.81 of the Revised Code, and 27664  
fails to prove by a preponderance of the evidence that the 27665  
offender's use or nonuse of a child restraint system was in 27666~~

~~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.~~ 27667  
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~~(3) All fines 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.~~ 27671  
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~~(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.~~ 27675  
27676  
27677

~~(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.~~ 27678  
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~~(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.~~ 27682  
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~~(L) Whoever violates division (H) of section 4511.69 of the  
Revised Code shall be punished as follows:~~ 27692  
27693

~~(1) Except as otherwise provided in division (L)(2) of this  
section, the offender shall be issued a warning.~~ 27694  
27695

~~(2) If the offender previously has been convicted of or  
pleaded guilty to a violation of division (H) of section 4511.69~~ 27696  
27697



~~of the Revised Code or of a municipal ordinance that is 27698  
substantially similar to that division, the offender shall not be 27699  
issued a warning but shall be fined twenty five dollars for each 27700  
parking location that is not properly marked or whose markings are 27701  
not properly maintained. 27702~~

~~(M) Whoever violates division (A)(1) or (2) of section 27703  
4511.45 of the Revised Code is guilty of a misdemeanor of the 27704  
fourth degree on a first offense; on a second offense within one 27705  
year after the first offense, the person is guilty of a 27706  
misdemeanor of the third degree; and on each subsequent offense 27707  
within one year after the first offense, the person is guilty of a 27708  
misdemeanor of the second degree. 27709~~

~~(N)(1) Whoever violates division (B) of section 4511.19 of 27710  
the Revised Code is guilty of operating a motor vehicle after 27711  
under age alcohol consumption and shall be punished as follows: 27712~~

~~(a) Except as otherwise provided in division (N)(1)(b) of 27713  
this section, the offender is guilty of a misdemeanor of the 27714  
fourth degree. 27715~~

~~(b) The offender is guilty of a misdemeanor of the third 27716  
degree if, within one year of the offense, the offender has been 27717  
convicted of or pleaded guilty to any violation of the following: 27718~~

~~(i) Division (A) or (B) of section 4511.19 of the Revised 27719  
Code; 27720~~

~~(ii) A municipal ordinance relating to operating a vehicle 27721  
while under the influence of alcohol, a drug of abuse, or alcohol 27722  
and a drug of abuse; 27723~~

~~(iii) A municipal ordinance relating to operating a vehicle 27724  
with a prohibited concentration of alcohol in the blood, breath, 27725  
or urine; 27726~~

~~(iv) Section 2903.04 of the Revised Code in a case in which 27727~~

~~the offender was subject to the sanctions described in division 27728  
(D) of that section; 27729~~

~~(v) Division (A)(1) of section 2903.06 or division (A)(1) of 27730  
section 2903.08 of the Revised Code or a municipal ordinance that 27731  
is substantially similar to either of those divisions; 27732~~

~~(vi) Division (A)(2), (3), or (4) of section 2903.06 or 27733  
division (A)(2) of section 2903.08 of the Revised Code or a 27734  
municipal ordinance that is substantially similar to any of those 27735  
divisions, or former section 2903.07 of the Revised Code or a 27736  
substantially similar municipal ordinance, in a case in which the 27737  
jury or judge found that the offender was under the influence of 27738  
alcohol, a drug of abuse, or alcohol and a drug of abuse; 27739~~

~~(vii) A statute of the United States or of any other state or 27740  
a municipal ordinance of a municipal corporation located in any 27741  
other state that is substantially similar to division (A) or (B) 27742  
of section 4511.19 of the Revised Code. 27743~~

~~(2) In addition to or independent of all other penalties 27744  
provided by law, the offender's driver's or commercial driver's 27745  
license or permit or nonresident operating privilege shall be 27746  
suspended in accordance with, and for the period of time specified 27747  
in, division (E) of section 4507.16 of the Revised Code. 27748~~

~~(O) Whoever violates section 4511.62 of the Revised Code is 27749  
guilty of a misdemeanor of the fourth degree. 27750~~

~~(P) Whoever violates division (F)(1)(a) or (b) of section 27751  
4511.69 of the Revised Code is guilty of a misdemeanor and shall 27752  
be fined not less than two hundred fifty nor more than five 27753  
hundred dollars, but in no case shall an offender be sentenced to 27754  
any term of imprisonment. 27755~~

~~Arrest or conviction for a violation of division (F)(1)(a) or 27756  
(b) of section 4511.69 of the Revised Code does not constitute a 27757  
criminal record and need not be reported by the person so arrested 27758~~

~~or convicted in response to any inquiries contained in any 27759  
application for employment, license, or other right or privilege, 27760  
or made in connection with the person's appearance as a witness. 27761~~

~~Every fine collected under this division shall be paid by the 27762  
clerk of the court to the political subdivision in which the 27763  
violation occurred. Except as provided in this division, the 27764  
political subdivision shall use the fine moneys it receives under 27765  
this division to pay the expenses it incurs in complying with the 27766  
signage and notice requirements contained in division (E) of 27767  
section 4511.69 of the Revised Code. The political subdivision may 27768  
use up to fifty per cent of each fine it receives under this 27769  
division to pay the costs of educational, advocacy, support, and 27770  
assistive technology programs for persons with disabilities, and 27771  
for public improvements within the political subdivision that 27772  
benefit or assist persons with disabilities, if governmental 27773  
agencies or nonprofit organizations offer the programs. 27774~~

**Sec. 4513.02.** (A) No person shall drive or move, or cause or 27775  
knowingly permit to be driven or moved, on any highway any vehicle 27776  
or combination of vehicles which is in such unsafe condition as to 27777  
endanger any person. 27778

(B) When directed by any state highway patrol trooper, the 27779  
operator of any motor vehicle shall stop and submit such motor 27780  
vehicle to an inspection under division (B)(1) or (2) of this 27781  
section, as appropriate, and such tests as are necessary. 27782

(1) Any motor vehicle not subject to inspection by the public 27783  
utilities commission shall be inspected and tested to determine 27784  
whether it is unsafe or not equipped as required by law, or that 27785  
its equipment is not in proper adjustment or repair, or in 27786  
violation of the equipment provisions of Chapter 4513. of the 27787  
Revised Code. 27788

Such inspection shall be made with respect to the brakes, 27789

lights, turn signals, steering, horns and warning devices, glass, 27790  
mirrors, exhaust system, windshield wipers, tires, and such other 27791  
items of equipment as designated by the superintendent of the 27792  
state highway patrol by rule or regulation adopted pursuant to 27793  
sections 119.01 to 119.13 of the Revised Code. 27794

Upon determining that a motor vehicle is in safe operating 27795  
condition and its equipment in conformity with Chapter 4513. of 27796  
the Revised Code, the inspecting officer shall issue to the 27797  
operator an official inspection sticker, which shall be in such 27798  
form as the superintendent prescribes except that its color shall 27799  
vary from year to year. 27800

(2) Any motor vehicle subject to inspection by the public 27801  
utilities commission shall be inspected and tested in accordance 27802  
with rules adopted by the commission. Upon determining that the 27803  
vehicle and operator are in compliance with rules adopted by the 27804  
commission, the inspecting officer shall issue to the operator an 27805  
appropriate official inspection sticker. 27806

(C) The superintendent of the state highway patrol, pursuant 27807  
to sections 119.01 to 119.13 of the Revised Code, shall determine 27808  
and promulgate standards for any inspection program conducted by a 27809  
political subdivision of this state. These standards shall exempt 27810  
licensed collector's vehicles and historical motor vehicles from 27811  
inspection. Any motor vehicle bearing a valid certificate of 27812  
inspection issued by another state or a political subdivision of 27813  
this state whose inspection program conforms to the 27814  
superintendent's standards, and any licensed collector's vehicle 27815  
or historical motor vehicle which is not in a condition which 27816  
endangers the safety of persons or property, shall be exempt from 27817  
the tests provided in division (B) of this section. 27818

(D) Every person, firm, association, or corporation that, in 27819  
the conduct of its business, owns and operates not less than 27820  
fifteen motor vehicles in this state that are not subject to 27821

regulation by the public utilities commission and that, for the 27822  
purpose of storing, repairing, maintaining, and servicing such 27823  
motor vehicles, equips and operates one or more service 27824  
departments within this state, may file with the superintendent of 27825  
the state highway patrol applications for permits for such service 27826  
departments as official inspection stations for its own motor 27827  
vehicles. Upon receiving an application for each such service 27828  
department, and after determining that it is properly equipped and 27829  
has competent personnel to perform the inspections referred to in 27830  
this section, the superintendent shall issue the necessary 27831  
inspection stickers and permit to operate as an official 27832  
inspection station. Any such person who has had one or more 27833  
service departments so designated as official inspection stations 27834  
may have motor vehicles that are owned and operated by the person 27835  
and that are not subject to regulation by the public utilities 27836  
commission, excepting private passenger cars owned by the person 27837  
or the person's employees, inspected at such service department; 27838  
and any motor vehicle bearing a valid certificate of inspection 27839  
issued by such service department shall be exempt from the tests 27840  
provided in division (B) of this section. 27841

No permit for an official inspection station shall be 27842  
assigned or transferred or used at any location other than therein 27843  
designated, and every such permit shall be posted in a conspicuous 27844  
place at the location designated. 27845

If a person, firm, association, or corporation owns and 27846  
operates fifteen or more motor vehicles in the conduct of business 27847  
and is subject to regulation by the public utilities commission, 27848  
that person, firm, association, or corporation is not eligible to 27849  
apply to the superintendent for permits to enable any of its 27850  
service departments to serve as official inspection stations for 27851  
its own motor vehicles. 27852

(E) When any motor vehicle is found to be unsafe for 27853

operation, the inspecting officer may order it removed from the 27854  
highway and not operated, except for purposes of removal and 27855  
repair, until it has been repaired pursuant to a repair order as 27856  
provided in division (F) of this section. 27857

(F) When any motor vehicle is found to be defective or in 27858  
violation of Chapter 4513. of the Revised Code, the inspecting 27859  
officer may issue a repair order, in such form and containing such 27860  
information as the superintendent shall prescribe, to the owner or 27861  
operator of the motor vehicle. The owner or operator shall 27862  
thereupon obtain such repairs as are required and shall, as 27863  
directed by the inspecting officer, return the repair order 27864  
together with proof of compliance with its provisions. When any 27865  
motor vehicle or operator subject to rules of the public utilities 27866  
commission fails the inspection, the inspecting officer shall 27867  
issue an appropriate order to obtain compliance with such rules. 27868

(G) Sections 4513.01 to 4513.37 of the Revised Code, with 27869  
respect to equipment on vehicles, do not apply to implements of 27870  
husbandry, road machinery, road rollers, or agricultural tractors 27871  
except as made applicable to such articles of machinery. 27872

(H) Except as otherwise provided in this division, whoever 27873  
violates this section is guilty of a minor misdemeanor. If the 27874  
offender previously has been convicted of a violation of this 27875  
section, whoever violates this section is guilty of a misdemeanor 27876  
of the third degree. 27877

**Sec. 4513.021.** (A) As used in this section: 27878

(1) "Passenger car" means any motor vehicle with motive 27879  
power, designed for carrying ten persons or less, except a 27880  
multipurpose passenger vehicle or motorcycle. 27881

(2) "Multipurpose passenger vehicle" means a motor vehicle 27882  
with motive power, except a motorcycle, designed to carry ten 27883

persons or less, that is constructed either on a truck chassis or 27884  
with special features for occasional off-road operation. 27885

(3) "Truck" means every motor vehicle, except trailers and 27886  
semitrailers, designed and used to carry property and having a 27887  
gross vehicle weight rating of ten thousand pounds or less. 27888

(4) "Manufacturer" has the same meaning as in section 4501.01 27889  
of the Revised Code. 27890

(5) "Gross vehicle weight rating" means the manufacturer's 27891  
gross vehicle weight rating established for that vehicle. 27892

(B) The director of public safety, in accordance with Chapter 27893  
119. of the Revised Code, shall adopt rules in conformance with 27894  
standards of the vehicle equipment safety commission, that shall 27895  
govern the maximum bumper height or, in the absence of bumpers and 27896  
in cases where bumper heights have been lowered or modified, the 27897  
maximum height to the bottom of the frame rail, of any passenger 27898  
car, multipurpose passenger vehicle, or truck. 27899

(C) No person shall operate upon a street or highway any 27900  
passenger car, multipurpose passenger vehicle, or truck registered 27901  
in this state that does not conform to the requirements of this 27902  
section or to any applicable rule adopted pursuant to this 27903  
section. 27904

(D) No person shall modify any motor vehicle registered in 27905  
this state in such a manner as to cause the vehicle body or 27906  
chassis to come in contact with the ground, expose the fuel tank 27907  
to damage from collision, or cause the wheels to come in contact 27908  
with the body under normal operation, and no person shall 27909  
disconnect any part of the original suspension system of the 27910  
vehicle to defeat the safe operation of that system. 27911

(E) Nothing contained in this section or in the rules adopted 27912  
pursuant to this section shall be construed to prohibit either of 27913  
the following: 27914

(1) The installation upon a passenger car, multipurpose passenger vehicle, or truck registered in this state of heavy duty equipment, including shock absorbers and overload springs;

(2) The operation on a street or highway of a passenger car, multipurpose passenger vehicle, or truck registered in this state with normal wear to the suspension system if the normal wear does not adversely affect the control of the vehicle.

(F) This section and the rules adopted pursuant to it do not apply to any specially designed or modified passenger car, multipurpose passenger vehicle, or truck when operated off a street or highway in races and similar events.

(G) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If the offender previously has been convicted of a violation of this section, whoever violates this section is guilty of a misdemeanor of the third degree.

**Sec. 4513.022.** (A) As part of the motor vehicle inspection conducted pursuant to section 4513.02 of the Revised Code, the state highway patrol trooper shall request that the owner or operator of the motor vehicle produce proof that the owner maintains or has maintained on the owner's behalf, proof of financial responsibility as required by section 4509.101 of the Revised Code.

(B) A state highway patrol trooper shall indicate on every traffic ticket issued pursuant to a motor vehicle inspection whether the person receiving the traffic ticket produced proof of the maintenance of financial responsibility in response to the state highway patrol trooper's request. The state highway patrol trooper shall inform every person who receives a traffic ticket and who has failed to produce proof of the maintenance of



financial responsibility at the time of the motor vehicle 27945  
inspection that the person must submit proof to the traffic 27946  
violations bureau with any payment of a fine and costs for the 27947  
ticketed violation or, if the person is to appear in court for the 27948  
violation, the person must submit proof to the court. 27949

(C)(1) If a person who has failed to produce proof of the 27950  
maintenance of financial responsibility appears in court for a 27951  
ticketed violation, the court may permit the defendant to present 27952  
evidence of proof of financial responsibility to the court at such 27953  
time and in such manner as the court determines to be necessary or 27954  
appropriate. The clerk of courts shall provide the registrar with 27955  
the identity of any person who fails to submit proof of the 27956  
maintenance of financial responsibility pursuant to division (B) 27957  
of this section. 27958

(2) If a person who has failed to present proof of the 27959  
maintenance of financial responsibility also fails to submit that 27960  
proof to the traffic violations bureau, the traffic violations 27961  
bureau shall notify the registrar of the identity of that person. 27962

(3) Upon receiving notice from a clerk of courts or a traffic 27963  
violation bureau pursuant to division (C) of this section, the 27964  
registrar shall proceed against these persons under division (D) 27965  
of section 4509.101 of the Revised Code in the same manner as the 27966  
registrar proceeds against persons identified by the clerk of 27967  
courts under division (D)(4) of section 4509.101 of the Revised 27968  
Code. 27969

(D) A state highway patrol trooper may charge an owner or 27970  
operator of a motor vehicle with a violation ~~if division (B)(1) of~~ 27971  
section ~~4507.02~~ 4510.16 of the Revised Code when the operator 27972  
fails to produce proof of the maintenance of financial 27973  
responsibility upon the state highway patrol trooper's request 27974  
under division (A) of this section, if a check of the owner or 27975  
operator's driving record indicates that the owner or operator, at 27976

the time of the motor vehicle inspection, is required to file and 27977  
maintain proof of financial responsibility under section 4509.45 27978  
of the Revised Code for a previous violation of Chapter 4509. of 27979  
the Revised Code. 27980

**Sec. 4513.03.** (A) Every vehicle upon a street or highway 27981  
within this state during the time from sunset to sunrise, and at 27982  
any other time when there are unfavorable atmospheric conditions 27983  
or when there is not sufficient natural light to render 27984  
discernible persons, vehicles, and substantial objects on the 27985  
highway at a distance of one thousand feet ahead, shall display 27986  
lighted lights and illuminating devices as required by sections 27987  
4513.04 to 4513.37 of the Revised Code, for different classes of 27988  
vehicles; except that every motorized bicycle shall display at 27989  
such times lighted lights meeting the rules adopted by the 27990  
director of public safety under section 4511.521 of the Revised 27991  
Code. No motor vehicle, during such times, shall be operated upon 27992  
a street or highway within this state using only parking lights as 27993  
illumination. 27994

Whenever in such sections a requirement is declared as to the 27995  
distance from which certain lamps and devices shall render objects 27996  
visible, or within which such lamps or devices shall be visible, 27997  
such distance shall be measured upon a straight level unlighted 27998  
highway under normal atmospheric conditions unless a different 27999  
condition is expressly stated. 28000

Whenever in such sections a requirement is declared as to the 28001  
mounted height of lights or devices, it shall mean from the center 28002  
of such light or device to the level ground upon which the vehicle 28003  
stands. 28004

(B) Whoever violates this section shall be punished as 28005  
provided in section 4513.99 of the Revised Code. 28006

**Sec. 4513.04.** (A) Every motor vehicle, other than a motorcycle, and every trackless trolley shall be equipped with at least two headlights with at least one near each side of the front of the motor vehicle or trackless trolley.

Every motorcycle shall be equipped with at least one and not more than two headlights.

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

**Sec. 4513.05.** (A) Every motor vehicle, trackless trolley, trailer, semitrailer, pole trailer, or vehicle which is being drawn at the end of a train of vehicles shall be equipped with at least one tail light mounted on the rear which, when lighted, shall emit a red light visible from a distance of five hundred feet to the rear, provided that in the case of a train of vehicles only the tail light on the rearmost vehicle need be visible from the distance specified.

Either a tail light or a separate light shall be so constructed and placed as to illuminate with a white light the rear registration plate, when such registration plate is required, and render it legible from a distance of fifty feet to the rear. Any tail light, together with any separate light for illuminating the rear registration plate, shall be so wired as to be lighted whenever the headlights or auxiliary driving lights are lighted, except where separate lighting systems are provided for trailers for the purpose of illuminating such registration plate.

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

**Sec. 4513.06.** (A) Every new motor vehicle sold after September 6, 1941, and operated on a highway, other than a

commercial tractor, to which a trailer or semitrailer is attached 28036  
shall carry at the rear, either as a part of the tail lamps or 28037  
separately, two red reflectors meeting the requirements of this 28038  
section, except that vehicles of the type mentioned in section 28039  
4513.07 of the Revised Code shall be equipped with reflectors as 28040  
required by the regulations provided for in said section. 28041

Every such reflector shall be of such size and 28042  
characteristics and so maintained as to be visible at night from 28043  
all distances within three hundred feet to fifty feet from such 28044  
vehicle. 28045

(B) Whoever violates this section shall be punished as 28046  
provided in section 4513.99 of the Revised Code. 28047

**Sec. 4513.07.** (A) The director of public safety shall 28048  
prescribe and promulgate regulations relating to clearance lights, 28049  
marker lights, reflectors, and stop lights on ~~busses~~ buses, 28050  
trackless trolleys, trucks, commercial tractors, trailers, 28051  
semitrailers, and pole trailers, when operated upon any highway, 28052  
and such vehicles shall be equipped as required by such 28053  
regulations, and such equipment shall be lighted at all times 28054  
mentioned in section 4513.03 of the Revised Code, except that 28055  
clearance lights and side marker lights need not be lighted on any 28056  
such vehicle when it is operated within a municipal corporation 28057  
where there is sufficient light to reveal any person or 28058  
substantial object on the highway at a distance of five hundred 28059  
feet. 28060

Such equipment shall be in addition to all other lights 28061  
specifically required by sections 4513.03 to 4513.16 of the 28062  
Revised Code. 28063

Vehicles operated under the jurisdiction of the public 28064  
utilities commission are not subject to this section. 28065

(B) Whoever violates this section shall be punished as 28066  
provided in section 4513.99 of the Revised Code. 28067

**Sec. 4513.071.** (A) Every motor vehicle, trailer, semitrailer, 28068  
and pole trailer when operated upon a highway shall be equipped 28069  
with two or more stop lights, except that passenger cars 28070  
manufactured or assembled prior to January 1, 1967, motorcycles, 28071  
and motor-driven cycles shall be equipped with at least one stop 28072  
light. Stop lights shall be mounted on the rear of the vehicle, 28073  
actuated upon application of the service brake, and may be 28074  
incorporated with other rear lights. Such stop lights when 28075  
actuated shall emit a red light visible from a distance of five 28076  
hundred feet to the rear, provided that in the case of a train of 28077  
vehicles only the stop lights on the rear-most vehicle need be 28078  
visible from the distance specified. 28079

Such stop lights when actuated shall give a steady warning 28080  
light to the rear of a vehicle or train of vehicles to indicate 28081  
the intention of the operator to diminish the speed of or stop a 28082  
vehicle or train of vehicles. 28083

When stop lights are used as required by this section, they 28084  
shall be constructed or installed so as to provide adequate and 28085  
reliable illumination and shall conform to the appropriate rules 28086  
and regulations established under section 4513.19 of the Revised 28087  
Code. 28088

Historical motor vehicles as defined in section 4503.181 of 28089  
the Revised Code, not originally manufactured with stop lights, 28090  
are not subject to this section. 28091

(B) Whoever violates this section shall be punished as 28092  
provided in section 4513.99 of the Revised Code. 28093

**Sec. 4513.09.** (A) Whenever the load upon any vehicle extends 28094  
to the rear four feet or more beyond the bed or body of such 28095

vehicle, there shall be displayed at the extreme rear end of the 28096  
load, at the times specified in section 4513.03 of the Revised 28097  
Code, a red light or lantern plainly visible from a distance of at 28098  
least five hundred feet to the sides and rear. The red light or 28099  
lantern required by this section is in addition to the red rear 28100  
light required upon every vehicle. At any other time there shall 28101  
be displayed at the extreme rear end of such load a red flag or 28102  
cloth not less than sixteen inches square. 28103

(B) Whoever violates this section shall be punished as 28104  
provided in section 4513.99 of the Revised Code. 28105

**Sec. 4513.10.** (A) Except in case of an emergency, whenever a 28106  
vehicle is parked or stopped upon a roadway open to traffic or a 28107  
shoulder adjacent thereto, whether attended or unattended, during 28108  
the times mentioned in section 4513.03 of the Revised Code, such 28109  
vehicle shall be equipped with one or more lights which shall 28110  
exhibit a white or amber light on the roadway side visible from a 28111  
distance of five hundred feet to the front of such vehicle, and a 28112  
red light visible from a distance of five hundred feet to the 28113  
rear. No lights need be displayed upon any such vehicle when it is 28114  
stopped or parked within a municipal corporation where there is 28115  
sufficient light to reveal any person or substantial object within 28116  
a distance of five hundred feet upon such highway. Any lighted 28117  
headlights upon a parked vehicle shall be depressed or dimmed. 28118

(B) Whoever violates this section shall be punished as 28119  
provided in section 4513.99 of the Revised Code. 28120

**Sec. 4513.11.** (A) All vehicles other than bicycles, including 28121  
animal-drawn vehicles and vehicles referred to in division (G) of 28122  
section 4513.02 of the Revised Code, not specifically required to 28123  
be equipped with lamps or other lighting devices by sections 28124  
4513.03 to 4513.10 of the Revised Code, shall, at the times 28125

specified in section 4513.03 of the Revised Code, be equipped with 28126  
at least one lamp displaying a white light visible from a distance 28127  
of not less than one thousand feet to the front of the vehicle, 28128  
and also shall be equipped with two lamps displaying red light 28129  
visible from a distance of not less than one thousand feet to the 28130  
rear of the vehicle, or as an alternative, one lamp displaying a 28131  
red light visible from a distance of not less than one thousand 28132  
feet to the rear and two red reflectors visible from all distances 28133  
of six hundred feet to one hundred feet to the rear when 28134  
illuminated by the lawful lower beams of headlamps. 28135

Lamps and reflectors required or authorized by this section 28136  
shall meet standards adopted by the director of public safety. 28137

(B) All boat trailers, farm machinery, and other machinery, 28138  
including all road construction machinery, upon a street or 28139  
highway, except when being used in actual construction and 28140  
maintenance work in an area guarded by a flagperson, or where 28141  
flares are used, or when operating or traveling within the limits 28142  
of a construction area designated by the director of 28143  
transportation, a city engineer, or the county engineer of the 28144  
several counties, when such construction area is marked in 28145  
accordance with requirements of the director and the manual of 28146  
uniform traffic control devices, as set forth in section 4511.09 28147  
of the Revised Code, which is designed for operation at a speed of 28148  
twenty-five miles per hour or less shall be operated at a speed 28149  
not exceeding twenty-five miles per hour, and shall display a 28150  
triangular slow-moving vehicle emblem (SMV). The emblem shall be 28151  
mounted so as to be visible from a distance of not less than five 28152  
hundred feet to the rear. The director of public safety shall 28153  
adopt standards and specifications for the design and position of 28154  
mounting the SMV emblem. The standards and specifications for SMV 28155  
emblems referred to in this section shall correlate with and, so 28156  
far as possible, conform with those approved by the American 28157

society of agricultural engineers. 28158

As used in this division, "machinery" does not include any 28159  
vehicle designed to be drawn by an animal. 28160

(C) The use of the SMV emblem shall be restricted to 28161  
animal-drawn vehicles, and to the slow-moving vehicles specified 28162  
in division (B) of this section operating or traveling within the 28163  
limits of the highway. Its use on slow-moving vehicles being 28164  
transported upon other types of vehicles or on any other type of 28165  
vehicle or stationary object on the highway is prohibited. 28166

(D) No person shall sell, lease, rent, or operate any boat 28167  
trailer, farm machinery, or other machinery defined as a 28168  
slow-moving vehicle in division (B) of this section, except those 28169  
units designed to be completely mounted on a primary power unit, 28170  
which is manufactured or assembled on or after April 1, 1966, 28171  
unless the vehicle is equipped with a slow-moving vehicle emblem 28172  
mounting device as specified in division (B) of this section. 28173

(E) Any boat trailer, farm machinery, or other machinery 28174  
defined as a slow-moving vehicle in division (B) of this section, 28175  
in addition to the use of the slow-moving vehicle emblem, may be 28176  
equipped with a red flashing light that shall be visible from a 28177  
distance of not less than one thousand feet to the rear at all 28178  
times specified in section 4513.03 of the Revised Code. When a 28179  
double-faced light is used, it shall display amber light to the 28180  
front and red light to the rear. 28181

In addition to the lights described in this division, farm 28182  
machinery and motor vehicles escorting farm machinery may display 28183  
a flashing, oscillating, or rotating amber light, as permitted by 28184  
section 4513.17 of the Revised Code, and also may display 28185  
simultaneously flashing turn signals or warning lights, as 28186  
permitted by that section. 28187

(F) Every animal-drawn vehicle upon a street or highway shall 28188



at all times be equipped in one of the following ways: 28189

(1) With a slow-moving vehicle emblem complying with division 28190  
(B) of this section; 28191

(2) With alternate reflective material complying with rules 28192  
adopted under this division; 28193

(3) With both a slow-moving vehicle emblem and alternate 28194  
reflective material as specified in this division. 28195

The director of public safety, subject to Chapter 119. of the 28196  
Revised Code, shall adopt rules establishing standards and 28197  
specifications for the position of mounting of the alternate 28198  
reflective material authorized by this division. The rules shall 28199  
permit, as a minimum, the alternate reflective material to be 28200  
black, gray, or silver in color. The alternate reflective material 28201  
shall be mounted on the animal-drawn vehicle so as to be visible, 28202  
at all times specified in section 4513.03 of the Revised Code, 28203  
from a distance of not less than five hundred feet to the rear 28204  
when illuminated by the lawful lower beams of headlamps. 28205

(G) Whoever violates this section shall be punished as 28206  
provided in section 4513.99 of the Revised Code. 28207

(H) As used in this section, "boat trailer" means any vehicle 28208  
designed and used exclusively to transport a boat between a place 28209  
of storage and a marina, or in and around a marina, when drawn or 28210  
towed on a street or highway for a distance of no more than ten 28211  
miles and at a speed of twenty-five miles per hour or less. 28212  
28213

**Sec. 4513.111.** (A)(1) Every multi-wheel agricultural tractor 28214  
whose model year was 2001 or earlier, when being operated or 28215  
traveling on a street or highway at the times specified in section 28216  
4513.03 of the Revised Code, at a minimum shall be equipped with 28217  
and display reflectors and illuminated amber lamps so that the 28218

extreme left and right projections of the tractor are indicated by 28219  
flashing lamps displaying amber light, visible to the front and 28220  
the rear, by amber reflectors, all visible to the front, and by 28221  
red reflectors, all visible to the rear. 28222

(2) The lamps displaying amber light need not flash 28223  
simultaneously and need not flash in conjunction with any 28224  
directional signals of the tractor. 28225

(3) The lamps and reflectors required by division (A)(1) of 28226  
this section and their placement shall meet standards and 28227  
specifications contained in rules adopted by the director of 28228  
public safety in accordance with Chapter 119. of the Revised Code. 28229  
The rules governing the amber lamps, amber reflectors, and red 28230  
reflectors and their placement shall correlate with and, as far as 28231  
possible, conform with paragraphs 4.1.4.1, 4.1.7.1, and 4.1.7.2 28232  
respectively of the American society of agricultural engineers 28233  
standard ANSI/SAE S279.10 OCT98, lighting and marking of 28234  
agricultural equipment on highways. 28235

(B) Every unit of farm machinery whose model year was 2002 or 28236  
later, when being operated or traveling on a street or highway at 28237  
the times specified in section 4513.03 of the Revised Code, shall 28238  
be equipped with and display markings and illuminated lamps that 28239  
meet or exceed the lighting, illumination, and marking standards 28240  
and specifications that are applicable to that type of farm 28241  
machinery for the unit's model year specified in the American 28242  
society of agricultural engineers standard ANSI/SAE S279.10 28243  
OCT98, lighting and marking of agricultural equipment on highways. 28244

(C) The lights and reflectors required by division (A) of 28245  
this section are in addition to the slow-moving vehicle emblem and 28246  
lights required or permitted by section 4513.11 or 4513.17 of the 28247  
Revised Code to be displayed on farm machinery being operated or 28248  
traveling on a street or highway. 28249

(D) No person shall operate any unit of farm machinery on a 28250  
street or highway or cause any unit of farm machinery to travel on 28251  
a street or highway in violation of division (A) or (B) of this 28252  
section. 28253

(E) Whoever violates this section shall be punished as 28254  
provided in section 4513.99 of the Revised Code. 28255

**Sec. 4513.12.** (A) Any motor vehicle may be equipped with not 28256  
more than one spotlight and every lighted spotlight shall be so 28257  
aimed and used upon approaching another vehicle that no part of 28258  
the high-intensity portion of the beam will be directed to the 28259  
left of the prolongation of the extreme left side of the vehicle, 28260  
nor more than one hundred feet ahead of the vehicle. 28261

Any motor vehicle may be equipped with not more than three 28262  
auxiliary driving lights mounted on the front of the vehicle. The 28263  
director of public safety shall prescribe specifications for 28264  
auxiliary driving lights and regulations for their use, and any 28265  
such lights which do not conform to said specifications and 28266  
regulations shall not be used. 28267

(B) Whoever violates this section shall be punished as 28268  
provided in section 4513.99 of the Revised Code. 28269

**Sec. 4513.13.** (A) Any motor vehicle may be equipped with side 28270  
cowl or fender lights which shall emit a white or amber light 28271  
without glare. 28272

Any motor vehicle may be equipped with lights on each side 28273  
thereof which shall emit a white or amber light without glare. 28274

Any motor vehicle may be equipped with back-up lights, either 28275  
separately or in combination with another light. No back-up lights 28276  
shall be continuously lighted when the motor vehicle is in forward 28277  
motion. 28278

(B) Whoever violates this section shall be punished as 28279  
provided in section 4513.99 of the Revised Code. 28280

**Sec. 4513.14.** (A) At all times mentioned in section 4513.03 28281  
of the Revised Code at least two lighted lights shall be 28282  
displayed, one near each side of the front of every motor vehicle 28283  
and trackless trolley, except when such vehicle or trackless 28284  
trolley is parked subject to the regulations governing lights on 28285  
parked vehicles and trackless trolleys. 28286

The director of public safety shall prescribe and promulgate 28287  
regulations relating to the design and use of such lights and such 28288  
regulations shall be in accordance with currently recognized 28289  
standards. 28290

(B) Whoever violates this section shall be punished as 28291  
provided in section 4513.99 of the Revised Code. 28292

**Sec. 4513.15.** (A) Whenever a motor vehicle is being operated 28293  
on a roadway or shoulder adjacent thereto during the times 28294  
specified in section 4513.03 of the Revised Code, the driver shall 28295  
use a distribution of light, or composite beam, directed high 28296  
enough and of sufficient intensity to reveal persons, vehicles, 28297  
and substantial objects at a safe distance in advance of the 28298  
vehicle, subject to the following requirements; 28299

~~(A)~~(1) Whenever the driver of a vehicle approaches an 28300  
oncoming vehicle, such driver shall use a distribution of light, 28301  
or composite beam, so aimed that the glaring rays are not 28302  
projected into the eyes of the oncoming driver. 28303

~~(B)~~(2) Every new motor vehicle registered in this state, 28304  
which has multiple-beam road lighting equipment shall be equipped 28305  
with a beam indicator, which shall be lighted whenever the 28306  
uppermost distribution of light from the headlights is in use, and 28307  
shall not otherwise be lighted. Said indicator shall be so 28308

designed and located that, when lighted, it will be readily  
visible without glare to the driver of the vehicle.

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

**Sec. 4513.16.** (A) Any motor vehicle may be operated under the  
conditions specified in section 4513.03 of the Revised Code when  
it is equipped with two lighted lights upon the front thereof  
capable of revealing persons and substantial objects seventy-five  
feet ahead, in lieu of lights required in section 4513.14 of the  
Revised Code, provided that such vehicle shall not be operated at  
a speed in excess of twenty miles per hour.

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

**Sec. 4513.17.** (A) Whenever a motor vehicle equipped with  
headlights also is equipped with any auxiliary lights or spotlight  
or any other light on the front thereof projecting a beam of an  
intensity greater than three hundred candle power, not more than a  
total of five of any such lights on the front of a vehicle shall  
be lighted at any one time when the vehicle is upon a highway.

(B) Any lighted light or illuminating device upon a motor  
vehicle, other than headlights, spotlights, signal lights, or  
auxiliary driving lights, that projects a beam of light of an  
intensity greater than three hundred candle power, shall be so  
directed that no part of the beam will strike the level of the  
roadway on which the vehicle stands at a distance of more than  
seventy-five feet from the vehicle.

(C)(1) Flashing lights are prohibited on motor vehicles,  
except as a means for indicating a right or a left turn, or in the  
presence of a vehicular traffic hazard requiring unusual care in  
approaching, or overtaking or passing. This prohibition does not

apply to emergency vehicles, road service vehicles servicing or 28339  
towing a disabled vehicle, traffic line stripers, snow plows, 28340  
rural mail delivery vehicles, vehicles as provided in section 28341  
4513.182 of the Revised Code, department of transportation 28342  
maintenance vehicles, funeral hearses, funeral escort vehicles, 28343  
and similar equipment operated by the department or local 28344  
authorities, which shall be equipped with and display, when used 28345  
on a street or highway for the special purpose necessitating such 28346  
lights, a flashing, oscillating, or rotating amber light, but 28347  
shall not display a flashing, oscillating, or rotating light of 28348  
any other color, nor to vehicles or machinery permitted by section 28349  
4513.11 of the Revised Code to have a flashing red light. 28350

(2) When used on a street or highway, farm machinery and 28351  
vehicles escorting farm machinery may be equipped with and display 28352  
a flashing, oscillating, or rotating amber light, and the 28353  
prohibition contained in division (C)(1) of this section does not 28354  
apply to such machinery or vehicles. Farm machinery also may 28355  
display the lights described in section 4513.11 of the Revised 28356  
Code. 28357

(D) Except a person operating a public safety vehicle, as 28358  
defined in division (E) of section 4511.01 of the Revised Code, or 28359  
a school bus, no person shall operate, move, or park upon, or 28360  
permit to stand within the right-of-way of any public street or 28361  
highway any vehicle or equipment that is equipped with and 28362  
displaying a flashing red or a flashing combination red and white 28363  
light, or an oscillating or rotating red light, or a combination 28364  
red and white oscillating or rotating light; and except a public 28365  
law enforcement officer, or other person sworn to enforce the 28366  
criminal and traffic laws of the state, operating a public safety 28367  
vehicle when on duty, no person shall operate, move, or park upon, 28368  
or permit to stand within the right-of-way of any street or 28369  
highway any vehicle or equipment that is equipped with, or upon 28370

which is mounted, and displaying a flashing blue or a flashing  
combination blue and white light, or an oscillating or rotating  
blue light, or a combination blue and white oscillating or  
rotating light.

(E) This section does not prohibit the use of warning lights  
required by law or the simultaneous flashing of turn signals on  
disabled vehicles or on vehicles being operated in unfavorable  
atmospheric conditions in order to enhance their visibility. This  
section also does not prohibit the simultaneous flashing of turn  
signals or warning lights either on farm machinery or vehicles  
escorting farm machinery, when used on a street or highway.

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

**Sec. 4513.171.** (A) Notwithstanding any other provision of  
law, a motor vehicle operated by a coroner, deputy coroner, or  
coroner's investigator may be equipped with a flashing,  
oscillating, or rotating red or blue light and a siren, whistle,  
or bell capable of emitting sound audible under normal conditions  
from a distance of not less than five hundred feet. Such a vehicle  
may display the flashing, oscillating, or rotating red or blue  
light and may give the audible signal of the siren, exhaust  
whistle, or bell only when responding to a fatality or a fatal  
motor vehicle accident on a street or highway and only at those  
locations where the stoppage of traffic impedes the ability of the  
coroner, deputy coroner, or coroner's investigator to arrive at  
the site of the fatality.

This section does not relieve a coroner, deputy coroner, or  
coroner's investigator operating a motor vehicle from the duty to  
drive with due regard for the safety of all persons and property  
upon the highway.

(B) Whoever violates this section shall be punished as

provided in section 4513.99 of the Revised Code. 28402

**Sec. 4513.18.** (A) The director of transportation shall adopt 28403  
standards and specifications applicable to headlights, clearance 28404  
lights, identification, and other lights, on snow removal 28405  
equipment when operated on the highways, and on vehicles operating 28406  
under special permits pursuant to section 4513.34 of the Revised 28407  
Code, in lieu of the lights otherwise required on motor vehicles. 28408  
Such standards and specifications may permit the use of flashing 28409  
lights for purposes of identification on snow removal equipment, 28410  
and oversize vehicles when in service upon the highways. The 28411  
standards and specifications for lights referred to in this 28412  
section shall correlate with and, so far as possible, conform with 28413  
those approved by the American association of state highway 28414  
officials. 28415

It is unlawful to operate snow removal equipment on a highway 28416  
unless the lights thereon comply with and are lighted when and as 28417  
required by the standards and specifications adopted as provided 28418  
in this section. 28419

(B) Whoever violates this section shall be punished as 28420  
provided in section 4513.99 of the Revised Code. 28421

**Sec. 4513.182.** (A) No person shall operate any motor vehicle 28422  
owned, leased, or hired by a nursery school, kindergarten, or 28423  
day-care center, while transporting preschool children to or from 28424  
such an institution unless the motor vehicle is equipped with and 28425  
displaying two amber flashing lights mounted on a bar attached to 28426  
the top of the vehicle, and a sign bearing the designation 28427  
"caution--children," which shall be attached to the bar carrying 28428  
the amber flashing lights in such a manner as to be legible to 28429  
persons both in front of and behind the vehicle. The lights and 28430  
sign shall meet standards and specifications adopted by the 28431



director of public safety. The director, subject to Chapter 119. 28432  
of the Revised Code, shall adopt standards and specifications for 28433  
the lights and sign, which shall include, but are not limited to, 28434  
requirements for the color and size of lettering to be used on the 28435  
sign, the type of material to be used for the sign, and the method 28436  
of mounting the lights and sign so that they can be removed from a 28437  
motor vehicle being used for purposes other than those specified 28438  
in this section. 28439

(B) No person shall operate a motor vehicle displaying the 28440  
lights and sign required by this section for any purpose other 28441  
than the transportation of preschool children as provided in this 28442  
section. 28443

(C) Whoever violates this section shall be punished as 28444  
provided in section 4513.99 of the Revised Code. 28445

**Sec. 4513.19.** (A) No person shall use any lights mentioned in 28446  
sections 4513.03 to 4513.18 of the Revised Code, upon any motor 28447  
vehicle, trailer, or semitrailer unless said lights are equipped, 28448  
mounted, and adjusted as to focus and aim in accordance with 28449  
regulations which are prescribed by the director of public safety. 28450

(B) Whoever violates this section shall be punished as 28451  
provided in section 4513.99 of the Revised Code. 28452

**Sec. 4513.20.** (A) The following requirements govern as to 28453  
brake equipment on vehicles: 28454

~~(A)~~(1) Every trackless trolley and motor vehicle, other than 28455  
a motorcycle, when operated upon a highway shall be equipped with 28456  
brakes adequate to control the movement of and to stop and hold 28457  
such trackless trolley or motor vehicle, including two separate 28458  
means of applying the brakes, each of which means shall be 28459  
effective to apply the brakes to at least two wheels. If these two 28460  
separate means of applying the brakes are connected in any way, 28461

then on such trackless trolleys or motor vehicles manufactured or 28462  
assembled after January 1, 1942, they shall be so constructed that 28463  
failure of any one part of the operating mechanism shall not leave 28464  
the trackless trolley or motor vehicle without brakes on at least 28465  
two wheels. 28466

~~(B)~~(2) Every motorcycle, when operated upon a highway shall 28467  
be equipped with at least one adequate brake, which may be 28468  
operated by hand or by foot. 28469

~~(C)~~(3) Every motorized bicycle shall be equipped with brakes 28470  
meeting the rules adopted by the director of public safety under 28471  
section 4511.521 of the Revised Code. 28472

~~(D)~~(4) When operated upon the highways of this state, the 28473  
following vehicles shall be equipped with brakes adequate to 28474  
control the movement of and to stop and to hold the vehicle, 28475  
designed to be applied by the driver of the towing motor vehicle 28476  
from its cab, and also designed and connected so that, in case of 28477  
a breakaway of the towed vehicle, the brakes shall be 28478  
automatically applied: 28479

~~(1)~~(a) Every trailer or semitrailer, except a pole trailer, 28480  
with an empty weight of two thousand pounds or more, manufactured 28481  
or assembled on or after January 1, 1942; 28482

~~(2)~~(b) Every manufactured home or travel trailer with an 28483  
empty weight of two thousand pounds or more, manufactured or 28484  
assembled on or after January 1, 2001. 28485

~~(E)~~(5) In any combination of motor-drawn trailers or 28486  
semitrailers equipped with brakes, means shall be provided for 28487  
applying the rearmost brakes in approximate synchronism with the 28488  
brakes on the towing vehicle, and developing the required braking 28489  
effort on the rearmost wheels at the fastest rate; or means shall 28490  
be provided for applying braking effort first on the rearmost 28491  
brakes; or both of the above means, capable of being used 28492

alternatively, may be employed. 28493

~~(F)~~(6) Every vehicle and combination of vehicles, except 28494  
motorcycles and motorized bicycles, and except trailers and 28495  
semitrailers of a gross weight of less than two thousand pounds, 28496  
and pole trailers, shall be equipped with parking brakes adequate 28497  
to hold the vehicle on any grade on which it is operated, under 28498  
all conditions of loading, on a surface free from snow, ice, or 28499  
loose material. The parking brakes shall be capable of being 28500  
applied in conformance with the foregoing requirements by the 28501  
driver's muscular effort or by spring action or by equivalent 28502  
means. Their operation may be assisted by the service brakes or 28503  
other source of power provided that failure of the service brake 28504  
actuation system or other power assisting mechanism will not 28505  
prevent the parking brakes from being applied in conformance with 28506  
the foregoing requirements. The parking brakes shall be so 28507  
designed that when once applied they shall remain applied with the 28508  
required effectiveness despite exhaustion of any source of energy 28509  
or leakage of any kind. 28510

~~(G)~~(7) The same brake drums, brake shoes and lining 28511  
assemblies, brake shoe anchors, and mechanical brake shoe 28512  
actuation mechanism normally associated with the wheel brake 28513  
assemblies may be used for both the service brakes and the parking 28514  
brakes. If the means of applying the parking brakes and the 28515  
service brakes are connected in any way, they shall be so 28516  
constructed that failure of any one part shall not leave the 28517  
vehicle without operative brakes. 28518

~~(H)~~(8) Every trackless trolley, motor vehicle, or combination 28519  
of motor-drawn vehicles shall be capable at all times and under 28520  
all conditions of loading of being stopped on a dry, smooth, level 28521  
road free from loose material, upon application of the service or 28522  
foot brake, within the following specified distances, or shall be 28523  
capable of being decelerated at a sustained rate corresponding to 28524

these distances:	28525
<del>(1)</del> (a) Trackless trolleys, vehicles, or combinations of vehicles having brakes on all wheels shall come to a stop in thirty feet or less from a speed of twenty miles per hour.	28526 28527 28528
<del>(2)</del> (b) Vehicles or combinations of vehicles not having brakes on all wheels shall come to a stop in forty feet or less from a speed of twenty miles per hour.	28529 28530 28531
<del>(I)</del> (9) All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the trackless trolley or vehicle.	28532 28533 28534 28535
<u>(B) Whoever violates this section shall be punished as provided in section 4513.99 of the Revised Code.</u>	28536 28537
<b>Sec. 4513.201.</b> (A) No hydraulic brake fluid for use in motor vehicles shall be sold in this state if the brake fluid is below the minimum standard of specifications for heavy duty type brake fluid established by the society of automotive engineers and the standard of specifications established by 49 C.F.R. 571.116, as amended.	28538 28539 28540 28541 28542 28543
(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 the standard of specifications established in 49 C.F.R. 571.116, as amended.	28544 28545 28546 28547 28548
<u>(C) Whoever violates this section shall be punished as provided in section 4513.99 of the Revised Code.</u>	28549 28550
<b>Sec. 4513.202.</b> (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 these items do not	28551 28552 28553

meet or exceed the minimum standard of specifications established 28554  
by the society of automotive engineers and the standard of 28555  
specifications established in 49 C.F.R. 571.105, as amended, and 28556  
49 C.F.R. 571.135, as amended. 28557

(B) All manufacturers or distributors of brake lining, brake 28558  
lining material, or brake lining assemblies selling these items 28559  
for use as repair and replacement parts in motor vehicles shall 28560  
state that the items meet or exceed the applicable minimum 28561  
standard of specifications. 28562

(C) Whoever violates this section shall be punished as 28563  
provided in section 4513.99 of the Revised Code. 28564

(D) As used in this section, "minimum standard of 28565  
specifications" means a minimum standard for brake system or brake 28566  
component performance that meets the need for motor vehicle safety 28567  
and complies with the applicable SAE standards and recommended 28568  
practices, and the federal motor vehicle safety standards that 28569  
cover the same aspect of performance for any brake lining, brake 28570  
lining material, or brake lining assemblies. 28571

**Sec. 4513.21.** (A) Every motor vehicle or trackless trolley 28572  
when operated upon a highway shall be equipped with a horn which 28573  
is in good working order and capable of emitting sound audible, 28574  
under normal conditions, from a distance of not less than two 28575  
hundred feet. 28576

No motor vehicle or trackless trolley shall be equipped with, 28577  
nor shall any person use upon a vehicle, any siren, whistle, or 28578  
bell. Any vehicle may be equipped with a theft alarm signal device 28579  
which shall be so arranged that it cannot be used as an ordinary 28580  
warning signal. Every emergency vehicle shall be equipped with a 28581  
siren, whistle, or bell, capable of emitting sound audible under 28582  
normal conditions from a distance of not less than five hundred 28583  
feet and of a type approved by the director of public safety. Such 28584

equipment shall not be used except when such vehicle is operated 28585  
in response to an emergency call or is in the immediate pursuit of 28586  
an actual or suspected violator of the law, in which case the 28587  
driver of the emergency vehicle shall sound such equipment when it 28588  
is necessary to warn pedestrians and other drivers of the approach 28589  
thereof. 28590

(B) Whoever violates this section shall be punished as 28591  
provided in section 4513.99 of the Revised Code. 28592

**Sec. 4513.22.** (A) Every motor vehicle and motorcycle with an 28593  
internal combustion engine shall at all times be equipped with a 28594  
muffler which is in good working order and in constant operation 28595  
to prevent excessive or unusual noise, and no person shall use a 28596  
muffler cutout, by-pass, or similar device upon a motor vehicle on 28597  
a highway. Every motorcycle muffler shall be equipped with baffle 28598  
plates. 28599

No person shall own, operate, or have in ~~his~~ the person's 28600  
possession any motor vehicle or motorcycle equipped with a device 28601  
for producing excessive smoke or gas, or so equipped as to permit 28602  
oil or any other chemical to flow into or upon the exhaust pipe or 28603  
muffler of such vehicle, or equipped in any other way to produce 28604  
or emit smoke or dangerous or annoying gases from any portion of 28605  
such vehicle, other than the ordinary gases emitted by the exhaust 28606  
of an internal combustion engine under normal operation. 28607

(B) Whoever violates this section shall be punished as 28608  
provided in section 4513.99 of the Revised Code. 28609

**Sec. 4513.23.** (A) Every motor vehicle, motorcycle, and 28610  
trackless trolley shall be equipped with a mirror so located as to 28611  
reflect to the operator a view of the highway to the rear of such 28612  
vehicle, motorcycle, or trackless trolley. Operators of vehicles, 28613  
motorcycles, streetcars, and trackless trolleys shall have a clear 28614

and unobstructed view to the front and to both sides of their 28615  
vehicles, motorcycles, streetcars, or trackless trolleys and shall 28616  
have a clear view to the rear of their vehicles, motorcycles, 28617  
streetcars, or trackless trolleys by mirror. 28618

(B) Whoever violates this section shall be punished as 28619  
provided in section 4513.99 of the Revised Code. 28620

**Sec. 4513.24.** (A) No person shall drive any motor vehicle on 28621  
a street or highway in this state, other than a motorcycle or 28622  
motorized bicycle, that is not equipped with a windshield. 28623

(B) No person shall drive any motor vehicle, other than a 28624  
bus, with any sign, poster, or other nontransparent material upon 28625  
the front windshield, sidewings, side, or rear windows of such 28626  
vehicle other than a certificate or other paper required to be 28627  
displayed by law, except that there may be in the lower left-hand 28628  
or right-hand corner of the windshield a sign, poster, or decal 28629  
not to exceed four inches in height by six inches in width. No 28630  
sign, poster, or decal shall be displayed in the front windshield 28631  
in such a manner as to conceal the vehicle identification number 28632  
for the motor vehicle when, in accordance with federal law, that 28633  
number is located inside the vehicle passenger compartment and so 28634  
placed as to be readable through the vehicle glazing without 28635  
moving any part of the vehicle. 28636

(C) The windshield on every motor vehicle, streetcar, and 28637  
trackless trolley shall be equipped with a device for cleaning 28638  
rain, snow, or other moisture from the windshield. The device 28639  
shall be maintained in good working order and so constructed as to 28640  
be controlled or operated by the operator of the vehicle, 28641  
streetcar, or trackless trolley. 28642

(D) Whoever violates this section shall be punished as 28643  
provided in section 4513.99 of the Revised Code. 28644

Sec. 4513.241. (A) The director of public safety, in 28645  
accordance with Chapter 119. of the Revised Code, shall adopt 28646  
rules governing the use of tinted glass, and the use of 28647  
transparent, nontransparent, translucent, and reflectorized 28648  
materials in or on motor vehicle windshields, side windows, 28649  
sidewings, and rear windows that prevent a person of normal vision 28650  
looking into the motor vehicle from seeing or identifying persons 28651  
or objects inside the motor vehicle. 28652

(B) The rules adopted under this section may provide for 28653  
persons who meet either of the following qualifications: 28654

(1) On November 11, 1994, or the effective date of ~~this~~ 28655  
~~section or of~~ any rule adopted under this section, own a motor 28656  
vehicle that does not ~~conform~~ conform to the requirements of this 28657  
section or of any rule adopted under this section; 28658

(2) Establish residency in this state and are required to 28659  
register a motor vehicle that does not conform to the requirements 28660  
of this section or of any rule adopted under this section. 28661

(C) No person shall operate, on any highway or other public 28662  
or private property open to the public for vehicular travel or 28663  
parking, lease, or rent any motor vehicle that is registered in 28664  
this state unless the motor vehicle conforms to the requirements 28665  
of this section and of any applicable rule adopted under this 28666  
section. 28667

(D) No person shall install in or on any motor vehicle, any 28668  
glass or other material that fails to conform to the requirements 28669  
of this section or of any rule adopted under this section. 28670

(E) No used motor vehicle dealer or new motor vehicle dealer, 28671  
as defined in section 4517.01 of the Revised Code, shall sell any 28672  
motor vehicle that fails to conform to the requirements of this 28673  
section or of any rule adopted under this section. 28674



(F) No reflectorized materials shall be permitted upon or in any front windshield, side windows, sidewings, or rear window. 28675  
28676

(G) This section does not apply to the manufacturer's tinting or glazing of motor vehicle windows or windshields that is otherwise in compliance with or permitted by federal motor vehicle safety standard number two hundred five. 28677  
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(H) With regard to any side window behind a driver's seat or any rear window other than any window on an emergency door, this section does not apply to any school bus used to transport a handicapped child pursuant to a special education program under Chapter 3323. of the Revised Code, whom it is impossible or impractical to transport by regular school bus in the course of regular route transportation provided by a school district. As used in this division, "handicapped child" and "special education program" have the same meanings as in section 3323.01 of the Revised Code. 28681  
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(I) This section does not apply to any school bus that is to be sold and operated outside this state. 28691  
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(J) Whoever violates division (C), (D), (E), or (F) of this section is guilty of a minor misdemeanor. 28693  
28694

**Sec. 4513.242.** (A) Notwithstanding section 4513.24 and division (F) of section 4513.241 of the Revised Code or any rule adopted thereunder, a decal, whether reflectorized or not, may be displayed upon any side window or siding of a motor vehicle if all of the following are met: 28695  
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28697  
28698  
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~~(A)~~(1) The decal is necessary for public or private security arrangements to which the motor vehicle periodically is subjected; 28700  
28701

~~(B)~~(2) The decal is no larger than is necessary to accomplish the security arrangements; 28702  
28703

~~(C)~~(3) The decal does not obscure the vision of the motor 28704

vehicle operator or prevent a person looking into the motor 28705  
vehicle from seeing or identifying persons or objects inside the 28706  
motor vehicle. 28707

(B) Whoever violates this section shall be punished as 28708  
provided in section 4513.99 of the Revised Code. 28709

**Sec. 4513.25.** (A) Every solid tire, as defined in section 28710  
4501.01 of the Revised Code, on a vehicle shall have rubber or 28711  
other resilient material on its entire traction surface at least 28712  
one inch thick above the edge of the flange of the entire 28713  
periphery. 28714

(B) Whoever violates this section shall be punished as 28715  
provided in section 4513.99 of the Revised Code. 28716

**Sec. 4513.26.** (A) No person shall sell any new motor vehicle 28717  
nor shall any new motor vehicle be registered, and no person shall 28718  
operate any motor vehicle, which is registered in this state and 28719  
which has been manufactured or assembled on or after January 1, 28720  
1936, unless the motor vehicle is equipped with safety glass 28721  
wherever glass is used in the windshields, doors, partitions, rear 28722  
windows, and windows on each side immediately adjacent to the rear 28723  
window. 28724

"Safety glass" means any product composed of glass so 28725  
manufactured, fabricated, or treated as substantially to prevent 28726  
shattering and flying of the glass when it is struck or broken, or 28727  
such other or similar product as may be approved by the registrar 28728  
of motor vehicles. 28729

Glass other than safety glass shall not be offered for sale, 28730  
or sold for use in, or installed in any door, window, partition, 28731  
or windshield that is required by this section to be equipped with 28732  
safety glass. 28733

(B) Whoever violates this section shall be punished as 28734

provided in section 4513.99 of the Revised Code. 28735

**Sec. 4513.261.** (A)(1) No person shall operate any motor 28736  
vehicle manufactured or assembled on or after January 1, 1954, 28737  
unless the vehicle is equipped with electrical or mechanical 28738  
directional signals. 28739

(2) No person shall operate any motorcycle or motor-driven 28740  
cycle manufactured or assembled on or after January 1, 1968, 28741  
unless the vehicle is equipped with electrical or mechanical 28742  
directional signals. 28743

(B) "Directional signals" means an electrical or mechanical 28744  
signal device capable of clearly indicating an intention to turn 28745  
either to the right or to the left and which shall be visible from 28746  
both the front and rear. 28747

(C) All mechanical signal devices shall be self-illuminating 28748  
devices when in use at the times mentioned in section 4513.03 of 28749  
the Revised Code. 28750

(D) Whoever violates this section is guilty of a minor 28751  
misdemeanor. 28752

**Sec. 4513.262.** (A) As used in this section and in section 28753  
4513.263 of the Revised Code, the component parts of a "seat 28754  
safety belt" include a belt, anchor attachment assembly, and a 28755  
buckle or closing device. 28756

~~(A)~~(B) No person shall sell, lease, rent, or operate any 28757  
passenger car, as defined in division (E) of section 4501.01 of 28758  
the Revised Code, that is registered or to be registered in this 28759  
state and that is manufactured or assembled on or after January 1, 28760  
1962, unless the passenger car is equipped with sufficient 28761  
anchorage units at the attachment points for attaching at least 28762  
two sets of seat safety belts to its front seat. Such anchorage 28763  
units at the attachment points shall be of such construction, 28764

design, and strength to support a loop load pull of not less than 28765  
four thousand pounds for each belt. 28766

~~(B)~~(C) No person shall sell, lease, or rent any passenger 28767  
car, as defined in division (E) of section 4501.01 of the Revised 28768  
Code, that is registered or to be registered in this state and 28769  
that is manufactured or assembled on or after January 1, 1966, 28770  
unless the passenger car has installed in its front seat at least 28771  
two seat safety belt assemblies. 28772

~~(C)~~(D) After January 1, 1966, neither any seat safety belt 28773  
for use in a motor vehicle nor any component part of any such seat 28774  
safety belt shall be sold in this state unless the seat safety 28775  
belt or the component part satisfies the minimum standard of 28776  
specifications established by the society of automotive engineers 28777  
for automotive seat belts and unless the seat safety belt or 28778  
component part is labeled so as to indicate that it meets those 28779  
minimum standard specifications. 28780

~~(D)~~(E) Each sale, lease, or rental in violation of this 28781  
section constitutes a separate offense. 28782

(F) Whoever violates this section is guilty of a minor 28783  
misdemeanor. 28784

**Sec. 4513.263.** (A) As used in this section and in section 28785  
4513.99 of the Revised Code: 28786

(1) "Automobile" means any commercial tractor, passenger car, 28787  
commercial car, or truck that is required to be factory-equipped 28788  
with an occupant restraining device for the operator or any 28789  
passenger by regulations adopted by the United States secretary of 28790  
transportation pursuant to the "National Traffic and Motor Vehicle 28791  
Safety Act of 1966," 80 Stat. 719, 15 U.S.C.A. 1392. 28792

(2) "Occupant restraining device" means a seat safety belt, 28793  
28794

shoulder belt, harness, or other safety device for restraining a 28795  
person who is an operator of or passenger in an automobile and 28796  
that satisfies the minimum federal vehicle safety standards 28797  
established by the United States department of transportation. 28798

(3) "Passenger" means any person in an automobile, other than 28799  
its operator, who is occupying a seating position for which an 28800  
occupant restraining device is provided. 28801

(4) "Commercial tractor," "passenger car," and "commercial 28802  
car" have the same meanings as in section 4501.01 of the Revised 28803  
Code. 28804

(5) "Vehicle" and "motor vehicle," as used in the definitions 28805  
of the terms set forth in division (A)(4) of this section, have 28806  
the same meanings as in section 4511.01 of the Revised Code. 28807

(B) No person shall do any of the following: 28808  
28809

(1) Operate an automobile on any street or highway unless 28810  
that person is wearing all of the available elements of a properly 28811  
adjusted occupant restraining device, or operate a school bus that 28812  
has an occupant restraining device installed for use in its 28813  
operator's seat unless that person is wearing all of the available 28814  
elements of the device, as properly adjusted; 28815

(2) Operate an automobile on any street or highway unless 28816  
each passenger in the automobile who is subject to the requirement 28817  
set forth in division (B)(3) of this section is wearing all of the 28818  
available elements of a properly adjusted occupant restraining 28819  
device; 28820

(3) Occupy, as a passenger, a seating position on the front 28821  
seat of an automobile being operated on any street or highway 28822  
unless that person is wearing all of the available elements of a 28823  
properly adjusted occupant restraining device; 28824

(4) Operate a taxicab on any street or highway unless all 28825  
factory-equipped occupant restraining devices in the taxicab are 28826  
maintained in usable form. 28827

(C) Division (B)(3) of this section does not apply to a 28828  
person who is required by section 4511.81 of the Revised Code to 28829  
be secured in a child restraint device. Division (B)(1) of this 28830  
section does not apply to a person who is an employee of the 28831  
United States postal service or of a newspaper home delivery 28832  
service, during any period in which the person is engaged in the 28833  
operation of an automobile to deliver mail or newspapers to 28834  
addressees. Divisions (B)(1) and (3) of this section do not apply 28835  
to a person who has an affidavit signed by a physician licensed to 28836  
practice in this state under Chapter 4731. of the Revised Code or 28837  
a chiropractor licensed to practice in this state under Chapter 28838  
4734. of the Revised Code that states that the person has a 28839  
physical impairment that makes use of an occupant restraining 28840  
device impossible or impractical. 28841

(D) Notwithstanding any provision of law to the contrary, no 28842  
law enforcement officer shall cause an operator of an automobile 28843  
being operated on any street or highway to stop the automobile for 28844  
the sole purpose of determining whether a violation of division 28845  
(B) of this section has been or is being committed or for the sole 28846  
purpose of issuing a ticket, citation, or summons for a violation 28847  
of that nature or causing the arrest of or commencing a 28848  
prosecution of a person for a violation of that nature, and no law 28849  
enforcement officer shall view the interior or visually inspect 28850  
any automobile being operated on any street or highway for the 28851  
sole purpose of determining whether a violation of that nature has 28852  
been or is being committed. 28853

(E) All fines collected for violations of division (B) of 28854  
this section, or for violations of any ordinance or resolution of 28855  
a political subdivision that is substantively comparable to that 28856

division, shall be forwarded to the treasurer of state for deposit 28857  
as follows: 28858

(1) Eight per cent shall be deposited into the seat belt 28859  
education fund, which is hereby created in the state treasury, and 28860  
shall be used by the department of public safety to establish a 28861  
seat belt education program. 28862

(2) Eight per cent shall be deposited into the elementary 28863  
school program fund, which is hereby created in the state 28864  
treasury, and shall be used by the department of public safety to 28865  
establish and administer elementary school programs that encourage 28866  
seat safety belt use. 28867

(3) Two per cent shall be deposited into the Ohio ambulance 28868  
licensing trust fund created by section 4766.05 of the Revised 28869  
Code. 28870

(4) Twenty-eight per cent shall be deposited into the trauma 28871  
and emergency medical services fund, which is hereby created in 28872  
the state treasury, and shall be used by the department of public 28873  
safety for the administration of the division of emergency medical 28874  
services and the state board of emergency medical services. 28875

(5) Fifty-four per cent shall be deposited into the trauma 28876  
and emergency medical services grants fund, which is hereby 28877  
created in the state treasury, and shall be used by the state 28878  
board of emergency medical services to make grants, in accordance 28879  
with section 4765.07 of the Revised Code and rules the board 28880  
adopts under section 4765.11 of the Revised Code. 28881

(F)(1) Subject to division (F)(2) of this section, the 28882  
failure of a person to wear all of the available elements of a 28883  
properly adjusted occupant restraining device or to ensure that 28884  
each passenger of an automobile being operated by the person is 28885  
wearing all of the available elements of such a device, in 28886  
violation of division (B) of this section, shall not be considered 28887

or used as evidence of negligence or contributory negligence, 28888  
shall not diminish recovery for damages in any civil action 28889  
involving the person arising from the ownership, maintenance, or 28890  
operation of an automobile; shall not be used as a basis for a 28891  
criminal prosecution of the person other than a prosecution for a 28892  
violation of this section; and shall not be admissible as evidence 28893  
in any civil or criminal action involving the person other than a 28894  
prosecution for a violation of this section. 28895

(2) If, at the time of an accident involving a passenger car 28896  
equipped with occupant restraining devices, any occupant of the 28897  
passenger car who sustained injury or death was not wearing an 28898  
available occupant restraining device, was not wearing all of the 28899  
available elements of such a device, or was not wearing such a 28900  
device as properly adjusted, then, consistent with the Rules of 28901  
Evidence, the fact that the occupant was not wearing the available 28902  
occupant restraining device, was not wearing all of the available 28903  
elements of such a device, or was not wearing such a device as 28904  
properly adjusted is admissible in evidence in relation to any 28905  
claim for relief in a tort action to the extent that the claim for 28906  
relief satisfies all of the following: 28907

(a) It seeks to recover damages for injury or death to the 28908  
occupant. 28909

(b) The defendant in question is the manufacturer, designer, 28910  
distributor, or seller of the passenger car. 28911

(c) The claim for relief against the defendant in question is 28912  
that the injury or death sustained by the occupant was enhanced or 28913  
aggravated by some design defect in the passenger car or that the 28914  
passenger car was not crashworthy. 28915

(3) As used in division (F)(2) of this section, "tort action" 28916  
means a civil action for damages for injury, death, or loss to 28917  
person or property. "Tort action" includes a product liability 28918



claim that is subject to sections 2307.71 to 2307.80 of the Revised Code, but does not include a civil action for damages for a breach of a contract or another agreement between persons.

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

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

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

**Sec. 4513.27.** (A) No person shall operate any motor truck, trackless trolley, bus, or commercial tractor upon any highway outside the corporate limits of municipalities at any time from sunset to sunrise unless there is carried in such vehicle and trackless trolley, except as provided in division (B) of this section, the following equipment which shall be of the types approved by the director of transportation:

(1) At least three flares or three red reflectors or three red electric lanterns, each of which is capable of being seen and distinguished at a distance of five hundred feet under normal atmospheric conditions at night time;

(2) At least three red-burning fusees, unless red reflectors or red electric lanterns are carried;

(3) At least two red cloth flags, not less than twelve inches square, with standards to support them;

(4) The type of red reflectors shall comply with such standards and specifications in effect on September 16, 1963 or

later established by the interstate commerce commission and must 28949  
be certified as meeting such standards by underwriter's 28950  
laboratories. 28951

(B) No person shall operate at the time and under the 28952  
conditions stated in this section any motor vehicle used in 28953  
transporting flammable liquids in bulk, or in transporting 28954  
compressed flammable gases, unless there is carried in such 28955  
vehicle three red electric lanterns or three red reflectors 28956  
meeting the requirements stated in division (A) of this section. 28957  
There shall not be carried in any such vehicle any flare, fusee, 28958  
or signal produced by a flame. 28959

(C) This section does not apply to any person who operates 28960  
any motor vehicle in a work area designated by protection 28961  
equipment devices that are displayed and used in accordance with 28962  
the manual adopted by the department of transportation under 28963  
section 4511.09 of the Revised Code. 28964

(D) Whoever violates this section shall be punished as 28965  
provided in section 4513.99 of the Revised Code. 28966

**Sec. 4513.28.** (A) Whenever any motor truck, trackless 28967  
trolley, bus, commercial tractor, trailer, semi-trailer, or pole 28968  
trailer is disabled upon the traveled portion of any highway or 28969  
the shoulder thereof outside of any municipality, or upon any 28970  
freeway, expressway, thruway and connecting, entering or exiting 28971  
ramps within a municipality, at any time when lighted lamps are 28972  
required on vehicles and trackless trolleys, the operator of such 28973  
vehicle or trackless trolley shall display the following warning 28974  
devices upon the highway during the time the vehicle or trackless 28975  
trolley is so disabled on the highway except as provided in 28976  
division (B) of this section: 28977

~~(1)~~(1) A lighted fusee shall be immediately placed on the 28978  
roadway at the traffic side of such vehicle or trackless trolley, 28979

unless red electric lanterns or red reflectors are displayed. 28980

(2) Within the burning period of the fusee and as promptly as 28981  
possible, three lighted flares or pot torches, or three red 28982  
reflectors or three red electric lanterns shall be placed on the 28983  
roadway as follows: 28984

(a) One at a distance of forty paces or approximately one 28985  
hundred feet in advance of the vehicle; 28986

(b) One at a distance of forty paces or approximately one 28987  
hundred feet to the rear of the vehicle or trackless trolley 28988  
except as provided in this section, each in the center of the lane 28989  
of traffic occupied by the disabled vehicle or trackless trolley; 28990

(c) One at the traffic side of the vehicle or trackless 28991  
trolley. 28992

(B) Whenever any vehicle used in transporting flammable 28993  
liquids in bulk, or in transporting compressed flammable gases, is 28994  
disabled upon a highway at any time or place mentioned in division 28995  
(A) of this section, the driver of such vehicle shall display upon 28996  
the roadway the following warning devices: 28997

~~(1)~~(1) One red electric lantern or one red reflector shall be 28998  
immediately placed on the roadway at the traffic side of the 28999  
vehicle; 29000

(2) Two other red electric lanterns or two other red 29001  
reflectors shall be placed to the front and rear of the vehicle in 29002  
the same manner prescribed for flares in division (A) of this 29003  
section. 29004

(C) When a vehicle of a type specified in division (B) of 29005  
this section is disabled, the use of flares, fusees, or any signal 29006  
produced by flame as warning signals is prohibited. 29007

(D) Whenever any vehicle or trackless trolley of a type 29008  
referred to in this section is disabled upon the traveled portion 29009

of a highway or the shoulder thereof, outside of any municipality, 29010  
or upon any freeway, expressway, thruway and connecting, entering 29011  
or exiting ramps within a municipality, at any time when the 29012  
display of fusees, flares, red reflectors, or electric lanterns is 29013  
not required, the operator of such vehicle or trackless trolley 29014  
shall display two red flags upon the roadway in the lane of 29015  
traffic occupied by the disabled vehicle or trackless trolley, one 29016  
at a distance of forty paces or approximately one hundred feet in 29017  
advance of the vehicle or trackless trolley, and one at a distance 29018  
of forty paces or approximately one hundred feet to the rear of 29019  
the vehicle or trackless trolley, except as provided in this 29020  
section. 29021

(E) The flares, fusees, lanterns, red reflectors, and flags 29022  
to be displayed as required in this section shall conform with the 29023  
requirements of section 4513.27 of the Revised Code applicable 29024  
thereto. 29025

(F) In the event the vehicle or trackless trolley is disabled 29026  
near a curve, crest of a hill, or other obstruction of view, the 29027  
flare, flag, reflector, or lantern in that direction shall be 29028  
placed as to afford ample warning to other users of the highway, 29029  
but in no case shall it be placed less than forty paces or 29030  
approximately one hundred feet nor more than one hundred twenty 29031  
paces or approximately three hundred feet from the disabled 29032  
vehicle or trackless trolley. 29033

(G) This section does not apply to the operator of any 29034  
vehicle in a work area designated by protection equipment devices 29035  
that are displayed and used in accordance with the manual adopted 29036  
by the department of transportation under section 4511.09 of the 29037  
Revised Code. 29038

(H) Whoever violates this section shall be punished as 29039  
provided in section 4513.99 of the Revised Code. 29040

**Sec. 4513.29.** (A) Any person operating any vehicle 29041  
transporting explosives upon a highway shall at all times comply 29042  
with the following requirements: 29043

~~(A)~~(1) Said vehicle shall be marked or placarded on each side 29044  
and on the rear with the word "explosives" in letters not less 29045  
than eight inches high, or there shall be displayed on the rear of 29046  
such vehicle a red flag not less than twenty-four inches square 29047  
marked with the word "danger" in white letters six inches high, or 29048  
shall be marked or placarded in accordance with section 177.823 of 29049  
the United States department of transportation regulations. 29050

~~(B)~~(2) Said vehicle shall be equipped with not less than two 29052  
fire extinguishers, filled and ready for immediate use, and placed 29053  
at convenient points on such vehicle. 29054

~~(C)~~(3) The director of transportation may promulgate such 29055  
regulations governing the transportation of explosives and other 29056  
dangerous articles by vehicles upon the highway as are reasonably 29057  
necessary to enforce sections 4513.01 to 4513.37 of the Revised 29058  
Code. 29059

(B) Whoever violates this section shall be punished as 29060  
provided in section 4513.99 of the Revised Code. 29061

**Sec. 4513.30.** (A) No passenger-type vehicle shall be operated 29062  
on a highway with any load carried on such vehicle which extends 29063  
more than six inches beyond the line of the fenders on the 29064  
vehicle's left side. 29065

(B) Whoever violates this section shall be punished as 29066  
provided in section 4513.99 of the Revised Code. 29067

**Sec. 4513.31.** (A) No vehicle shall be driven or moved on any 29068  
highway unless the vehicle is so constructed, loaded, or covered 29069

as to prevent any of its load from dropping, sifting, leaking, or 29070  
otherwise escaping therefrom, except that sand or other substance 29071  
may be dropped for the purpose of securing traction, or water or 29072  
other substance may be sprinkled on a roadway in cleaning or 29073  
maintaining the roadway. 29074

(B) Except for a farm vehicle used to transport agricultural 29075  
produce or agricultural production materials or a rubbish vehicle 29076  
in the process of acquiring its load, no vehicle loaded with 29077  
garbage, swill, cans, bottles, waste paper, ashes, refuse, trash, 29078  
rubbish, waste, wire, paper, cartons, boxes, glass, solid waste, 29079  
or any other material of an unsanitary nature that is susceptible 29080  
to blowing or bouncing from a moving vehicle shall be driven or 29081  
moved on any highway unless the load is covered with a sufficient 29082  
cover to prevent the load or any part of the load from spilling 29083  
onto the highway. 29084

(C) Whoever violates this section shall be punished as 29085  
provided in section 4513.99 of the Revised Code. 29086

**Sec. 4513.32.** (A) When one vehicle is towing another vehicle, 29087  
the drawbar or other connection shall be of sufficient strength to 29088  
pull all the weight towed thereby, and the drawbar or other 29089  
connection shall not exceed fifteen feet from one vehicle to the 29090  
other, except the connection between any two vehicles transporting 29091  
poles, pipe, machinery, or other objects of structural nature 29092  
which cannot readily be dismembered. 29093

When one vehicle is towing another and the connection 29094  
consists only of a chain, rope, or cable, there shall be displayed 29095  
upon such connection a white flag or cloth not less than twelve 29096  
inches square. 29097

In addition to such drawbar or other connection, each trailer 29098  
and each semitrailer which is not connected to a commercial 29099  
tractor by means of a fifth wheel shall be coupled with stay 29100

chains or cables to the vehicle by which it is being drawn. The 29101  
chains or cables shall be of sufficient size and strength to 29102  
prevent the towed vehicle's parting from the drawing vehicle in 29103  
case the drawbar or other connection should break or become 29104  
disengaged. In case of a loaded pole trailer, the connecting pole 29105  
to the drawing vehicle shall be coupled to the drawing vehicle 29106  
with stay chains or cables of sufficient size and strength to 29107  
prevent the towed vehicle's parting from the drawing vehicle. 29108

Every trailer or semitrailer, except pole and cable trailers 29109  
and pole and cable dollies operated by a public utility as defined 29110  
in section 5727.01 of the Revised Code, shall be equipped with a 29111  
coupling device, which shall be so designed and constructed that 29112  
the trailer will follow substantially in the path of the vehicle 29113  
drawing it, without whipping or swerving from side to side. 29114  
Vehicles used to transport agricultural produce or agricultural 29115  
production materials between a local place of storage and supply 29116  
and the farm, when drawn or towed on a street or highway at a 29117  
speed of twenty-five miles per hour or less, and vehicles designed 29118  
and used exclusively to transport a boat between a place of 29119  
storage and a marina, or in and around a marina, when drawn or 29120  
towed on a street or highway for a distance of no more than ten 29121  
miles and at a speed of twenty-five miles per hour or less, shall 29122  
have a drawbar or other connection, including the hitch mounted on 29123  
the towing vehicle, which shall be of sufficient strength to pull 29124  
all the weight towed thereby. Only one such vehicle used to 29125  
transport agricultural produce or agricultural production 29126  
materials as provided in this section may be towed or drawn at one 29127  
time, except as follows: 29128

~~(A)~~(1) An agricultural tractor may tow or draw more than one 29129  
such vehicle; 29130

~~(B)~~(2) A pickup truck or straight truck designed by the 29131  
manufacturer to carry a load of not less than one-half ton and not 29132

more than two tons may tow or draw not more than two such vehicles 29133  
that are being used to transport agricultural produce from the 29134  
farm to a local place of storage. No vehicle being so towed by 29135  
such a pickup truck or straight truck shall be considered to be a 29136  
motor vehicle. 29137

(B) Whoever violates this section shall be punished as 29138  
provided in section 4513.99 of the Revised Code. 29139

**Sec. 4513.34.** (A) The director of transportation with respect 29140  
to all highways that are a part of the state highway system and 29141  
local authorities with respect to highways under their 29142  
jurisdiction, upon application in writing and for good cause 29143  
shown, may issue a special permit in writing authorizing the 29144  
applicant to operate or move a vehicle or combination of vehicles 29145  
of a size or weight of vehicle or load exceeding the maximum 29146  
specified in sections 5577.01 to 5577.09 of the Revised Code, or 29147  
otherwise not in conformity with sections 4513.01 to 4513.37 of 29148  
the Revised Code, upon any highway under the jurisdiction of the 29149  
authority granting the permit. 29150

For purposes of this section, the director may designate 29151  
certain state highways or portions of state highways as special 29152  
economic development highways. If an application submitted to the 29153  
director under this section involves travel of a nonconforming 29154  
vehicle or combination of vehicles upon a special economic 29155  
development highway, the director, in determining whether good 29156  
cause has been shown that issuance of a permit is justified, shall 29157  
consider the effect the travel of the vehicle or combination of 29158  
vehicles will have on the economic development in the area in 29159  
which the designated highway or portion of highway is located. 29160

(B) Notwithstanding sections 715.22 and 723.01 of the Revised 29161  
Code, the holder of a special permit issued by the director under 29162  
this section may move the vehicle or combination of vehicles 29163



described in the special permit on any highway that is a part of 29164  
the state highway system when the movement is partly within and 29165  
partly without the corporate limits of a municipal corporation. No 29166  
local authority shall require any other permit or license or 29167  
charge any license fee or other charge against the holder of a 29168  
permit for the movement of a vehicle or combination of vehicles on 29169  
any highway that is a part of the state highway system. The 29170  
director shall not require the holder of a permit issued by a 29171  
local authority to obtain a special permit for the movement of 29172  
vehicles or combination of vehicles on highways within the 29173  
jurisdiction of the local authority. Permits may be issued for any 29174  
period of time not to exceed one year, as the director in the 29175  
director's discretion or a local authority in its discretion 29176  
determines advisable, or for the duration of any public 29177  
construction project. 29178

(C) The application for a permit shall be in the form that 29179  
the director or local authority prescribes. The director or local 29180  
authority may prescribe a permit fee to be imposed and collected 29181  
when any permit described in this section is issued. The permit 29182  
fee may be in an amount sufficient to reimburse the director or 29183  
local authority for the administrative costs incurred in issuing 29184  
the permit, and also to cover the cost of the normal and expected 29185  
damage caused to the roadway or a street or highway structure as 29186  
the result of the operation of the nonconforming vehicle or 29187  
combination of vehicles. The director, in accordance with Chapter 29188  
119. of the Revised Code, shall establish a schedule of fees for 29189  
permits issued by the director under this section. 29190

For the purposes of this section and of rules adopted by the 29191  
director under this section, milk transported in bulk by vehicle 29192  
is deemed a nondivisible load. 29193

(D) The director or local authority may issue or withhold a 29194  
permit. If a permit is to be issued, the director or local 29195

authority may limit or prescribe conditions of operation for the 29196  
vehicle and may require the posting of a bond or other security 29197  
conditioned upon the sufficiency of the permit fee to compensate 29198  
for damage caused to the roadway or a street or highway structure. 29199  
In addition, a local authority, as a condition of issuance of an 29200  
overweight permit, may require the applicant to develop and enter 29201  
into a mutual agreement with the local authority to compensate for 29202  
or to repair excess damage caused to the roadway by travel under 29203  
the permit. 29204

For a permit that will allow travel of a nonconforming 29205  
vehicle or combination of vehicles on a special economic 29206  
development highway, the director, as a condition of issuance, may 29207  
require the applicant to agree to make periodic payments to the 29208  
department to compensate for damage caused to the roadway by 29209  
travel under the permit. 29210

(E) Every permit shall be carried in the vehicle or 29211  
combination of vehicles to which it refers and shall be open to 29212  
inspection by any police officer or authorized agent of any 29213  
authority granting the permit. No person shall violate any of the 29214  
terms of a permit. 29215

(F) Whoever violates this section shall be punished as 29216  
provided in section 4513.99 of the Revised Code. 29217

**Sec. 4513.36.** (A) No person shall resist, hinder, obstruct, 29218  
or abuse any sheriff, constable, or other official while ~~such~~ that 29219  
official is attempting to arrest offenders under any provision of 29220  
sections 4511.01 to 4511.78, ~~inclusive,~~ 4511.99, and 4513.01 to 29221  
4513.37, ~~inclusive,~~ of the Revised Code. No person shall interfere 29222  
with any person charged under ~~such~~ any provision of any of those 29223  
sections with the enforcement of the law relative to public 29224  
highways. 29225

(B) Whoever violates this section is guilty of a minor 29226

misdemeanor. 29227

**Sec. 4513.361.** (A) No person shall knowingly present, 29228  
display, or orally communicate a false name, social security 29229  
number, or date of birth to a law enforcement officer who is in 29230  
the process of issuing to the person a traffic ticket or 29231  
complaint. 29232

(B) Whoever violates this section is guilty of a misdemeanor 29233  
of the first degree. 29234

**Sec. 4513.51.** (A) Except as provided in division (B) of this 29235  
section, on and after July 1, 2001, no person shall operate a bus, 29236  
nor shall any person being the owner of a bus or having 29237  
supervisory responsibility for a bus permit the operation of any 29238  
bus, unless the bus displays a valid, current safety inspection 29239  
decal issued by the state highway patrol under section 4513.52 of 29240  
the Revised Code. 29241

(B) For the purpose of complying with the requirements of 29242  
this section and section 4513.52 of the Revised Code, the owner or 29243  
other operator of a bus may drive the bus directly to an 29244  
inspection site conducted by the state highway patrol and directly 29245  
back to the person's place of business without a valid 29246  
registration and without displaying a safety inspection decal, 29247  
provided that no passengers may occupy the bus during such 29248  
operation. 29249

(C) The registrar of motor vehicles shall not accept an 29250  
application for registration of a bus unless the bus owner 29251  
presents a valid safety inspection report for the applicable 29252  
registration year. 29253

(D) Whoever violates division (A) of this section is guilty 29254  
of a misdemeanor of the first degree. 29255

**Sec. 4513.60.** (A)(1) The sheriff of a county or chief of 29256  
police of a municipal corporation, township, or township police 29257  
district, within the sheriff's or chief's respective territorial 29258  
jurisdiction, upon complaint of any person adversely affected, may 29259  
order into storage any motor vehicle, other than an abandoned junk 29260  
motor vehicle as defined in section 4513.63 of the Revised Code, 29261  
that has been left on private residential or private agricultural 29262  
property for at least four hours without the permission of the 29263  
person having the right to the possession of the property. The 29264  
sheriff or chief of police, upon complaint of the owner of a 29265  
repair garage or place of storage, may order into storage any 29266  
motor vehicle, other than an abandoned junk motor vehicle, that 29267  
has been left at the garage or place of storage for a longer 29268  
period than that agreed upon. The place of storage shall be 29269  
designated by the sheriff or chief of police. When ordering a 29270  
motor vehicle into storage pursuant to this division, a sheriff or 29271  
chief of police, whenever possible, shall arrange for the removal 29272  
of the motor vehicle by a private tow truck operator or towing 29273  
company. Subject to division (C) of this section, the owner of a 29274  
motor vehicle that has been removed pursuant to this division may 29275  
recover the vehicle only in accordance with division (E) of this 29276  
section. 29277

(2) Divisions (A)(1) to (3) of this section do not apply to 29278  
any private residential or private agricultural property that is 29279  
established as a private tow-away zone in accordance with division 29280  
(B) of this section. 29281

(3) As used in divisions (A)(1) and (2) of this section, 29282  
"private residential property" means private property on which is 29283  
located one or more structures that are used as a home, residence, 29284  
or sleeping place by one or more persons, if no more than three 29285  
separate households are maintained in the structure or structures. 29286

"Private residential property" does not include any private 29287  
property on which is located one or more structures that are used 29288  
as a home, residence, or sleeping place by two or more persons, if 29289  
more than three separate households are maintained in the 29290  
structure or structures. 29291

(B)(1) The owner of private property may establish a private 29292  
tow-away zone only if all of the following conditions are 29293  
satisfied: 29294

(a) The owner posts on the owner's property a sign, that is 29295  
at least eighteen inches by twenty-four inches in size, that is 29296  
visible from all entrances to the property, and that contains at 29297  
least all of the following information: 29298

(i) A notice that the property is a private tow-away zone and 29299  
that vehicles not authorized to park on the property will be towed 29300  
away; 29301

(ii) The telephone number of the person from whom a 29302  
towed-away vehicle can be recovered, and the address of the place 29303  
to which the vehicle will be taken and the place from which it may 29304  
be recovered; 29305

(iii) A statement that the vehicle may be recovered at any 29306  
time during the day or night upon the submission of proof of 29307  
ownership and the payment of a towing charge, in an amount not to 29308  
exceed ninety dollars, and a storage charge, in an amount not to 29309  
exceed twelve dollars per twenty-four-hour period; except that the 29310  
charge for towing shall not exceed one hundred fifty dollars, and 29311  
the storage charge shall not exceed twenty dollars per 29312  
twenty-four-hour period, if the vehicle has a manufacturer's gross 29313  
vehicle weight rating in excess of ten thousand pounds and is a 29314  
truck, bus, or a combination of a commercial tractor and trailer 29315  
or semitrailer. 29316

(b) The place to which the towed vehicle is taken and from 29317

which it may be recovered is conveniently located, is well 29318  
lighted, and is on or within a reasonable distance of a regularly 29319  
scheduled route of one or more modes of public transportation, if 29320  
any public transportation is available in the municipal 29321  
corporation or township in which the private tow-away zone is 29322  
located. 29323

(2) If a vehicle is parked on private property that is 29324  
established as a private tow-away zone in accordance with division 29325  
(B)(1) of this section, without the consent of the owner of the 29326  
property or in violation of any posted parking condition or 29327  
regulation, the owner or the owner's agent may remove, or cause 29328  
the removal of, the vehicle, the owner and the operator of the 29329  
vehicle shall be deemed to have consented to the removal and 29330  
storage of the vehicle and to the payment of the towing and 29331  
storage charges specified in division (B)(1)(a)(iii) of this 29332  
section, and the owner, subject to division (C) of this section, 29333  
may recover a vehicle that has been so removed only in accordance 29334  
with division (E) of this section. 29335

(3) If a municipal corporation requires tow trucks and tow 29336  
truck operators to be licensed, no owner of private property 29337  
located within the municipal corporation shall remove, or shall 29338  
cause the removal and storage of, any vehicle pursuant to division 29339  
(B)(2) of this section by an unlicensed tow truck or unlicensed 29340  
tow truck operator. 29341

(4) Divisions (B)(1) to (3) of this section do not affect or 29342  
limit the operation of division (A) of this section or sections 29343  
4513.61 to 4513.65 of the Revised Code as they relate to property 29344  
other than private property that is established as a private 29345  
tow-away zone under division (B)(1) of this section. 29346

(C) If the owner or operator of a motor vehicle that has been 29347  
ordered into storage pursuant to division (A)(1) of this section 29348  
or of a vehicle that is being removed under authority of division 29349

(B)(2) of this section arrives after the motor vehicle or vehicle 29350  
has been prepared for removal, but prior to its actual removal 29351  
from the property, the owner or operator shall be given the 29352  
opportunity to pay a fee of not more than one-half of the charge 29353  
for the removal of motor vehicles under division (A)(1) of this 29354  
section or of vehicles under division (B)(2) of this section, 29355  
whichever is applicable, that normally is assessed by the person 29356  
who has prepared the motor vehicle or vehicle for removal, in 29357  
order to obtain release of the motor vehicle or vehicle. Upon 29358  
payment of that fee, the motor vehicle or vehicle shall be 29359  
released to the owner or operator, and upon its release, the owner 29360  
or operator immediately shall move it so that: 29361

(1) If the motor vehicle was ordered into storage pursuant to 29362  
division (A)(1) of this section, it is not on the private 29363  
residential or private agricultural property without the 29364  
permission of the person having the right to possession of the 29365  
property, or is not at the garage or place of storage without the 29366  
permission of the owner, whichever is applicable. 29367

(2) If the vehicle was being removed under authority of 29368  
division (B)(2) of this section, it is not parked on the private 29369  
property established as a private tow-away zone without the 29370  
consent of the owner or in violation of any posted parking 29371  
condition or regulation. 29372

(D)(1) If an owner of private property that is established as 29373  
a private tow-away zone in accordance with division (B)(1) of this 29374  
section or the authorized agent of such an owner removes or causes 29375  
the removal of a vehicle from that property under authority of 29376  
division (B)(2) of this section, the owner or agent promptly shall 29377  
notify the police department of the municipal corporation, 29378  
township, or township police district in which the property is 29379  
located, of the removal, the vehicle's license number, make, 29380  
model, and color, the location from which it was removed, the date 29381

and time of its removal, the telephone number of the person from 29382  
whom it may be recovered, and the address of the place to which it 29383  
has been taken and from which it may be recovered. 29384

(2) Each county sheriff and each chief of police of a 29385  
municipal corporation, township, or township police district shall 29386  
maintain a record of motor vehicles that the sheriff or chief 29387  
orders into storage pursuant to division (A)(1) of this section 29388  
and of vehicles removed from private property in the sheriff's or 29389  
chief's jurisdiction that is established as a private tow-away 29390  
zone of which the sheriff or chief has received notice under 29391  
division (D)(1) of this section. The record shall include an entry 29392  
for each such motor vehicle or vehicle that identifies the motor 29393  
vehicle's or vehicle's license number, make, model, and color, the 29394  
location from which it was removed, the date and time of its 29395  
removal, the telephone number of the person from whom it may be 29396  
recovered, and the address of the place to which it has been taken 29397  
and from which it may be recovered. Any information in the record 29398  
that pertains to a particular motor vehicle or vehicle shall be 29399  
provided to any person who, either in person or pursuant to a 29400  
telephone call, identifies self as the owner or operator of the 29401  
motor vehicle or vehicle and requests information pertaining to 29402  
its location. 29403

(3) Any person who registers a complaint that is the basis of 29404  
a sheriff's or police chief's order for the removal and storage of 29405  
a motor vehicle under division (A)(1) of this section shall 29406  
provide the identity of the law enforcement agency with which the 29407  
complaint was registered to any person who identifies self as the 29408  
owner or operator of the motor vehicle and requests information 29409  
pertaining to its location. 29410

(E) The owner of a motor vehicle that is ordered into storage 29411  
pursuant to division (A)(1) of this section or of a vehicle that 29412  
is removed under authority of division (B)(2) of this section may 29413



reclaim it upon payment of any expenses or charges incurred in its removal, in an amount not to exceed ninety dollars, and storage, in an amount not to exceed twelve dollars per twenty-four-hour period; except that the charge for towing shall not exceed one hundred fifty dollars, and the storage charge shall not exceed twenty dollars per twenty-four-hour period, if the vehicle has a manufacturer's gross vehicle weight rating in excess of ten thousand pounds and is a truck, bus, or a combination of a commercial tractor and trailer or semitrailer. Presentation of proof of ownership, which may be evidenced by a certificate of title to the motor vehicle or vehicle also shall be required for reclamation of the vehicle. If a motor vehicle that is ordered into storage pursuant to division (A)(1) of this section remains unclaimed by the owner for thirty days, the procedures established by sections 4513.61 and 4513.62 of the Revised Code shall apply.

(F) No person shall remove, or cause the removal of, any vehicle from private property that is established as a private tow-away zone under division (B)(1) of this section other than in accordance with division (B)(2) of this section, and no person shall remove, or cause the removal of, any motor vehicle from any other private property other than in accordance with division (A)(1) of this section or sections 4513.61 to 4513.65 of the Revised Code.

(G)(1) Whoever violates division (B)(3) of this section is guilty of a minor misdemeanor.

(2) Except as otherwise provided in this division, whoever violates division (F) of this section is guilty of a minor misdemeanor. If the offender previously has been convicted of or pleaded guilty to a violation of division (F) of this section, whoever violates division (F) of this section is guilty of a misdemeanor of the third degree.

**Sec. 4513.64.** (A) No person shall willfully leave an 29446  
abandoned junk motor vehicle as defined in section 4513.63 of the 29447  
Revised Code on private property for more than seventy-two hours 29448  
without the permission of the person having the right to the 29449  
possession of the property, or on a public street or other 29450  
property open to the public for purposes of vehicular travel or 29451  
parking, or upon or within the right-of-way of any road or 29452  
highway, for forty-eight hours or longer without notification to 29453  
the sheriff of the county or chief of police of the municipal 29454  
corporation, township, or township police district of the reasons 29455  
for leaving the motor vehicle in such place. 29456

For purposes of this section, the fact that a motor vehicle 29457  
has been so left without permission or notification is prima-facie 29458  
evidence of abandonment. 29459

Nothing contained in sections 4513.60, 4513.61, and 4513.63 29460  
of the Revised Code shall invalidate the provisions of municipal 29461  
ordinances or township resolutions regulating or prohibiting the 29462  
abandonment of motor vehicles on streets, highways, public 29463  
property, or private property within municipal corporations or 29464  
townships. 29465

(B) Whoever violates this section is guilty of a minor 29466  
misdemeanor and shall also be assessed any costs incurred by the 29467  
county, township, or municipal corporation in disposing of the 29468  
abandoned junk motor vehicle that is the basis of the violation, 29469  
less any money accruing to the county, to the township, or to the 29470  
municipal corporation from this disposal of the vehicle. 29471

**Sec. 4513.65.** (A) For purposes of this section, "junk motor 29472  
vehicle" means any motor vehicle meeting the requirements of 29473  
divisions (B), (C), (D), and (E) of section 4513.63 of the Revised 29474  
Code that is left uncovered in the open on private property for 29475

more than seventy-two hours with the permission of the person 29476  
having the right to the possession of the property, except if the 29477  
person is operating a junk yard or scrap metal processing facility 29478  
licensed under authority of sections 4737.05 to 4737.12 of the 29479  
Revised Code, or regulated under authority of a political 29480  
subdivision; or if the property on which the motor vehicle is left 29481  
is not subject to licensure or regulation by any governmental 29482  
authority, unless the person having the right to the possession of 29483  
the property can establish that the motor vehicle is part of a 29484  
bona fide commercial operation; or if the motor vehicle is a 29485  
collector's vehicle. 29486

No political subdivision shall prevent a person from storing 29487  
or keeping, or restrict ~~him~~ a person in the method of storing or 29488  
keeping, any collector's vehicle on private property with the 29489  
permission of the person having the right to the possession of the 29490  
property; except that a political subdivision may require a person 29491  
having such permission to conceal, by means of buildings, fences, 29492  
vegetation, terrain, or other suitable obstruction, any unlicensed 29493  
collector's vehicle stored in the open. 29494

The sheriff of a county, or chief of police of a municipal 29495  
corporation, within ~~his~~ the sheriff's or chief's respective 29496  
territorial jurisdiction, a state highway patrol trooper, a board 29497  
of township trustees, the legislative authority of a municipal 29498  
corporation, or the zoning authority of a township or a municipal 29499  
corporation, may send notice, by certified mail with return 29500  
receipt requested, to the person having the right to the 29501  
possession of the property on which a junk motor vehicle is left, 29502  
that within ten days of receipt of the notice, the junk motor 29503  
vehicle either shall be covered by being housed in a garage or 29504  
other suitable structure, or shall be removed from the property. 29505

No person shall willfully leave a junk motor vehicle 29506  
uncovered in the open for more than ten days after receipt of a 29507

notice as provided in this section. The fact that a junk motor 29508  
vehicle is so left is prima-facie evidence of willful failure to 29509  
comply with the notice, and each subsequent period of thirty days 29510  
that a junk motor vehicle continues to be so left constitutes a 29511  
separate offense. 29512

(B) Except as otherwise provided in this division, whoever 29513  
violates this section is guilty of a minor misdemeanor on a first 29514  
offense. If the offender previously has been convicted of or 29515  
pleaded guilty to one violation of this section, whoever violates 29516  
this section is guilty of a misdemeanor of the fourth degree. If 29517  
the offender previously has been convicted of or pleaded guilty to 29518  
two or more violations of this section, whoever violates this 29519  
section is guilty of a misdemeanor of the third degree. 29520

**Sec. 4513.99.** ~~(A) Whoever violates division (C), (D), (E), or 29521  
(F) of section 4513.241, section 4513.261, 4513.262, or 4513.36, 29522  
or division (B)(3) of section 4513.60 of the Revised Code is 29523  
guilty of a minor misdemeanor. 29524~~

~~(B) Whoever violates section 4513.02 or 4513.021, or division 29525  
(B)(4) of section 4513.263, or division (F) of section 4513.60 of 29526  
the Revised Code is guilty of a minor misdemeanor on a first 29527  
offense; on a second or subsequent offense such person is guilty 29528  
of a misdemeanor of the third degree. 29529~~

~~(C) Any violation of section 4513.03, 4513.04, 4513.05, 29530  
4513.06, 4513.07, 4513.071, 4513.09, 4513.10, 4513.11, 4513.111, 29531  
4513.12, 4513.13, 4513.14, 4513.15, 4513.16, 4513.17, 4513.171, 29532  
4513.18, 4513.182, 4513.19, 4513.20, 4513.201, 4513.202, 4513.21, 29533  
4513.22, 4513.23, 4513.24, 4513.242, 4513.25, 4513.26, 4513.27, 29534  
4513.28, 4513.29, 4513.30, 4513.31, 4513.32, or 4513.34 of the 29535  
Revised Code shall be punished under division (B) of this section. 29536~~

~~(B) Whoever violates the sections of this chapter that are 29537  
specifically required to be punished under this division, or any 29538~~

provision of sections 4513.03 to 4513.262 or 4513.27 to 4513.37 of 29539  
the Revised Code, for which violation no penalty is otherwise 29540  
provided, is guilty of a minor misdemeanor on a first offense; on 29541  
a second offense within one year after the first offense, ~~such the~~ 29542  
person is guilty of a misdemeanor of the fourth degree; on each 29543  
subsequent offense within one year after the first offense, ~~such~~ 29544  
the person is guilty of a misdemeanor of the third degree. 29545

~~(D) Whoever violates section 4513.64 of the Revised Code is 29546  
guilty of a minor misdemeanor, and shall also be assessed any 29547  
costs incurred by the county, township, or municipal corporation 29548  
in disposing of such abandoned junk motor vehicle, less any money 29549  
accruing to the county, to the township, or to the municipal 29550  
corporation from such disposal. 29551~~

~~(E) Whoever violates section 4513.65 of the Revised Code is 29552  
guilty of a minor misdemeanor on a first offense; on a second 29553  
offense, such person is guilty of a misdemeanor of the fourth 29554  
degree; on each subsequent offense, such person is guilty of a 29555  
misdemeanor of the third degree. 29556~~

~~(F) Whoever violates division (B)(1) of section 4513.263 of 29557  
the Revised Code shall be fined thirty dollars. 29558~~

~~(G) Whoever violates division (B)(3) of section 4513.263 of 29559  
the Revised Code shall be fined twenty dollars. 29560~~

~~(H) Whoever violates section 4513.361 or division (A) of 29561  
section 4513.51 of the Revised Code is guilty of a misdemeanor of 29562  
the first degree. 29563~~

**Sec. 4517.02.** (A) Except as otherwise provided in this 29564  
section, no person shall do any of the following: 29565

(1) Engage in the business of displaying or selling at retail 29566  
new motor vehicles or assume to engage in such business, unless 29567  
the person is licensed as a new motor vehicle dealer under 29568

sections 4517.01 to 4517.45 of the Revised Code, or is a 29569  
salesperson licensed under those sections and employed by a 29570  
licensed new motor vehicle dealer; 29571

(2) Engage in the business of offering for sale, displaying 29572  
for sale, or selling at retail or wholesale used motor vehicles or 29573  
assume to engage in that business, unless the person is licensed 29574  
as a dealer under sections 4517.01 to 4517.45 of the Revised Code, 29575  
or is a salesperson licensed under those sections and employed by 29576  
a licensed used motor vehicle dealer or licensed new motor vehicle 29577  
dealer; 29578

(3) Engage in the business of regularly making available, 29579  
offering to make available, or arranging for another person to use 29580  
a motor vehicle, in the manner described in division (M) of 29581  
section 4517.01 of the Revised Code, unless the person is licensed 29582  
as a motor vehicle leasing dealer under sections 4517.01 to 29583  
4517.45 of the Revised Code; 29584

(4) Engage in the business of motor vehicle auctioning or 29585  
assume to engage in such business, unless the person is licensed 29586  
as a motor vehicle auction owner under sections 4517.01 to 4517.45 29587  
and 4707.01 to 4707.99 of the Revised Code; 29588

(5) Engage in the business of distributing motor vehicles or 29589  
assume to engage in such business, unless the person is licensed 29590  
as a distributor under sections 4517.01 to 4517.45 of the Revised 29591  
Code; 29592

(6) Make more than five casual sales of motor vehicles in a 29593  
twelve-month period, commencing with the day of the month in which 29594  
the first such sale is made, nor provide a location or space for 29595  
the sale of motor vehicles at a flea market, without obtaining a 29596  
license as a dealer under sections 4517.01 to 4517.45 of the 29597  
Revised Code; provided however that nothing in this section shall 29598  
be construed to prohibit the disposition without a license of a 29599

motor vehicle originally acquired and held for purposes other than 29600  
sale, rental, or lease to an employee, retiree, officer, or 29601  
director of the person making the disposition, to a corporation 29602  
affiliated with the person making the disposition, or to a person 29603  
licensed under sections 4517.01 to 4517.45 of the Revised Code; 29604

(7) Engage in the business of brokering manufactured homes 29605  
unless that person is licensed as a manufactured home broker under 29606  
sections 4517.01 to 4517.45 of the Revised Code. 29607

(B) Nothing in this section shall be construed to require an 29608  
auctioneer licensed under sections 4707.01 to 4707.19 of the 29609  
Revised Code, to obtain a motor vehicle salesperson's license 29610  
under sections 4517.01 to 4517.45 of the Revised Code when 29611  
conducting an auction sale for a licensed motor vehicle dealer on 29612  
the dealer's premises, or when conducting an auction sale for a 29613  
licensed motor vehicle auction owner; nor shall such an auctioneer 29614  
be required to obtain a motor vehicle auction owner's license 29615  
under sections 4517.01 to 4517.45 of the Revised Code when engaged 29616  
in auctioning for a licensed motor vehicle auction owner. 29617

(C) Sections 4517.01 to 4517.45 of the Revised Code do not 29618  
apply to any of the following: 29619

(1) Persons engaging in the business of selling commercial 29620  
tractors, trailers, or semitrailers incidentally to engaging 29621  
primarily in business other than the selling or leasing of motor 29622  
vehicles; 29623

(2) Mortgagees selling at retail only those motor vehicles 29624  
that have come into their possession by a default in the terms of 29625  
a mortgage contract; 29626

(3) The leasing, rental, and interchange of motor vehicles 29627  
used directly in the rendition of a public utility service by 29628  
regulated motor carriers. 29629

(D) When a partnership licensed under sections 4517.01 to 29630

4517.45 of the Revised Code is dissolved by death, the surviving 29631  
partners may operate under the license for a period of sixty days, 29632  
and the heirs or representatives of deceased persons and receivers 29633  
or trustees in bankruptcy appointed by any competent authority may 29634  
operate under the license of the person succeeded in possession by 29635  
such heir, representative, receiver, or trustee in bankruptcy. 29636

(E) No remanufacturer shall engage in the business of selling 29637  
at retail any new motor vehicle without having written authority 29638  
from the manufacturer or distributor of the vehicle to sell new 29639  
motor vehicles and to perform repairs under the terms of the 29640  
manufacturer's or distributor's new motor vehicle warranty, 29641  
unless, at the time of the sale of the vehicle, each customer is 29642  
furnished with a binding agreement ensuring that the customer has 29643  
the right to have the vehicle serviced or repaired by a new motor 29644  
vehicle dealer who is franchised to sell and service vehicles of 29645  
the same line-make as the chassis of the remanufactured vehicle 29646  
purchased by the customer and whose service or repair facility is 29647  
located within either twenty miles of the remanufacturer's 29648  
location and place of business or twenty miles of the customer's 29649  
residence or place of business. If there is no such new motor 29650  
vehicle dealer located within twenty miles of the remanufacturer's 29651  
location and place of business or the customer's residence or 29652  
place of business, the binding agreement furnished to the customer 29653  
may be with the new motor vehicle dealer who is franchised to sell 29654  
and service vehicles of the same line-make as the chassis of the 29655  
remanufactured vehicle purchased by the customer and whose service 29656  
or repair facility is located nearest to the remanufacturer's 29657  
location and place of business or the customer's residence or 29658  
place of business. Additionally, at the time of sale of any 29659  
vehicle, each customer of the remanufacturer shall be furnished 29660  
with a warranty issued by the remanufacturer for a term of at 29661  
least one year. 29662



(F) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor and shall be subject to a mandatory fine of one hundred dollars. If the offender previously has been convicted of or pleaded guilty to a violation of this section, whoever violates this section is guilty of a misdemeanor of the first degree and shall be subject to a mandatory fine of one thousand dollars.

**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, farm machinery, outdoor power equipment, watercraft and related products, or products manufactured or distributed by a motor vehicle manufacturer with which the motor vehicle dealer has a franchise agreement are 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 or a motor vehicle renting dealer 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 29694  
purpose of selling, displaying, offering for sale, or dealing in 29695  
motor vehicles. The place of business shall have space, under 29696  
roof, for the display of at least one new motor vehicle and 29697  
facilities and space therewith for the inspection, servicing, and 29698  
repair of at least one motor vehicle; except that a new motor 29699  
vehicle dealer selling manufactured or mobile homes is exempt from 29700  
the requirement that a place of business have space, under roof, 29701  
for the display of at least one new motor vehicle and facilities 29702  
and space for the inspection, servicing, and repair of at least 29703  
one motor vehicle. 29704

Nothing in Chapter 4517. of the Revised Code shall be 29705  
construed as prohibiting the sale of a new or used manufactured or 29706  
mobile home located in a manufactured home park by a licensed new 29707  
or used motor vehicle dealer. 29708

(C) No used motor vehicle dealer shall sell, display, offer 29709  
for sale, or deal in motor vehicles at any place except an 29710  
established place of business that is used exclusively for the 29711  
purpose of selling, displaying, offering for sale, or dealing in 29712  
motor vehicles. 29713

(D) No motor vehicle leasing dealer shall make a motor 29714  
vehicle available for use by another, in the manner described in 29715  
division (M) of section 4517.01 of the Revised Code, at any place 29716  
except an established place of business that is used for leasing 29717  
motor vehicles; except that a motor vehicle leasing dealer who is 29718  
also a new motor vehicle dealer or used motor vehicle dealer may 29719  
lease motor vehicles at the same place of business at which the 29720  
dealer sells, offers for sale, or deals in new or used motor 29721  
vehicles. 29722

(E) No motor vehicle leasing dealer or motor vehicle renting 29723  
dealer shall sell a motor vehicle within ninety days after a 29724  
certificate of title to the motor vehicle is issued to the dealer, 29725

except when a salvage certificate of title is issued to replace 29726  
the original certificate of title and except when a motor vehicle 29727  
leasing dealer sells a motor vehicle to another motor vehicle 29728  
leasing dealer at the end of a sublease pursuant to that sublease. 29729

(F) No distributor shall distribute new motor vehicles to new 29730  
motor vehicle dealers at any place except an established place of 29731  
business that is used exclusively for the purpose of distributing 29732  
new motor vehicles to new motor vehicle dealers; except that a 29733  
distributor who is also a new motor vehicle dealer may distribute 29734  
new motor vehicles at the same place of business at which the 29735  
distributor sells, displays, offers for sale, or deals in new 29736  
motor vehicles. 29737

(G) No person, firm, or corporation that sells, displays, or 29738  
offers for sale tent-type fold-out camping trailers is subject to 29739  
the requirement that the person's, firm's, or corporation's place 29740  
of business be used exclusively for the purpose of selling, 29741  
displaying, offering for sale, or dealing in motor vehicles. No 29742  
person, firm, or corporation that sells, displays, or offers for 29743  
sale tent-type fold-out camping trailers, trailers, semitrailers, 29744  
or park trailers is subject to the requirement that the place of 29745  
business have space, under roof, for the display of at least one 29746  
new motor vehicle and facilities and space for the inspection, 29747  
servicing, and repair of at least one motor vehicle. 29748

(H) No manufactured or mobile home broker shall engage in the 29749  
business of brokering manufactured or mobile homes at any place 29750  
except an established place of business that is used exclusively 29751  
for the purpose of brokering manufactured or mobile homes. 29752  
29753

(I) Nothing in this section shall be construed to prohibit 29754  
persons licensed under this chapter from making sales calls. 29755

(J) Whoever violates this section is guilty of a misdemeanor 29756

<u>of the fourth degree.</u>	29757
<u>(K)</u> As used in this section:	29758
(1) "Motor vehicle leasing dealer" has the same meaning as in section 4517.01 of the Revised Code.	29759 29760
(2) "Motor vehicle renting dealer" has the same meaning as in section 4549.65 of the Revised Code.	29761 29762
(3) "Watercraft" has the same meaning as in section 1547.01 of the Revised Code.	29763 29764
<b>Sec. 4517.19.</b> <u>(A)</u> No motor vehicle wholesaler shall:	29765
<del>(A)</del> <u>(1)</u> Sell, offer for sale, or display for sale at wholesale a motor vehicle, when the motor vehicle wholesaler has reasonable cause to believe that the odometer of the motor vehicle has been changed, tampered with, or disconnected to reflect a lesser mileage or use, unless the motor vehicle wholesaler first gives clear and unequivocal notice of the odometer's altered condition;	29766 29767 29768 29769 29770 29771 29772
<del>(B)</del> <u>(2)</u> Sell or offer for sale at wholesale a motor vehicle unless the motor vehicle wholesaler is the legal owner of the motor vehicle;	29773 29774 29775
<del>(C)</del> <u>(3)</u> Sell, offer for sale, or display for sale at wholesale a motor vehicle without making available an odometer disclosure statement that is signed by the owner of the motor vehicle as required by section 4505.06 of the Revised Code and that complies with subchapter IV of the "Motor Vehicle Information and Cost Savings Act," 86 Stat. 961 (1972), 15 U.S.C. 1981;	29776 29777 29778 29779 29780 29781
<del>(D)</del> <u>(4)</u> Fail, within ten days of acceptance of an offer for sale at wholesale, to deliver an Ohio certificate of title or the current certificate of title issued for the motor vehicle, and all title assignments that evidence the seller's ownership of the motor vehicle, to the purchaser of the motor vehicle. Failure to	29782 29783 29784 29785 29786

deliver title within ten days of acceptance of an offer for sale 29787  
at wholesale is grounds for rescission of the agreement to buy. 29788

(B) Except as otherwise provided in this division, whoever 29789  
violates this section is guilty of a misdemeanor of the second 29790  
degree. If the offender previously has been convicted of or 29791  
pleaded guilty to a violation of this section, whoever violates 29792  
this section is guilty of a misdemeanor of the first degree. 29793

**Sec. 4517.20.** (A) No motor vehicle dealer licensed under 29794  
Chapter 4517. of the Revised Code shall do any of the following: 29795

~~(A)~~(1) Directly or indirectly, solicit the sale of a motor 29796  
vehicle through a pecuniarily interested person other than a 29797  
salesperson licensed in the employ of a licensed dealer; 29798

~~(B)~~(2) Pay any commission or compensation in any form to any 29799  
person in connection with the sale of a motor vehicle unless the 29800  
person is licensed as a salesperson in the employ of the dealer; 29801

~~(C)~~(3) Fail to immediately notify the registrar of motor 29802  
vehicles upon termination of the employment of any person licensed 29803  
as a salesperson to sell, display, offer for sale, or deal in 29804  
motor vehicles for the dealer; 29805

~~(D)~~(4) Knowingly engage in any wholesale motor vehicle 29806  
transaction with any person required to be licensed pursuant to 29807  
Chapter 4517. of the Revised Code, if the person is not licensed 29808  
pursuant to that chapter, if the person's license to operate as a 29809  
dealer has been suspended or revoked, or if the person's 29810  
application for a license to operate as a dealer has been denied. 29811

(B) Whoever violates this section is guilty of a misdemeanor 29812  
of the fourth degree. 29813

**Sec. 4517.21.** (A) No motor vehicle auction owner licensed 29814  
under Chapter 4517. of the Revised Code shall: 29815

<del>(A)</del> <u>(1)</u> Engage in the sale of motor vehicles at retail from the same licensed location;	29816 29817
<del>(B)</del> <u>(2)</u> Knowingly permit the auctioning of a motor vehicle if the motor vehicle auction owner has reasonable cause to believe it is not being offered for sale by the legal owner of the motor vehicle;	29818 29819 29820 29821
<del>(C)</del> <u>(3)</u> Knowingly permit the sale of a motor vehicle to any person except a motor vehicle dealer licensed in this state or any other jurisdiction, or any other person licensed pursuant to Chapter 4517. of the Revised Code or a substantially similar statute of any other jurisdiction;	29822 29823 29824 29825 29826
<del>(D)</del> <u>(4)</u> Knowingly permit the sale of a motor vehicle by any person who is not licensed pursuant to Chapter 4517. of the Revised Code;	29827 29828 29829
<del>(E)</del> <u>(5)</u> Knowingly permit any person to violate section 4517.19 of the Revised Code;	29830 29831
<del>(F)</del> <u>(6)</u> Deny reasonable inspection of the motor vehicle auction owner's business records, relating to the sale of motor vehicles, to the registrar of motor vehicles or the attorney general, when requested in writing to do so. The motor vehicle auction owner shall maintain for a period of six years from the date of the sale of a motor vehicle at least the following information:	29832 29833 29834 29835 29836 29837 29838
<del>(1)</del> <u>(a)</u> The year, make, model and vehicle identification number of the motor vehicle;	29839 29840
<del>(2)</del> <u>(b)</u> The name and address of the selling dealer;	29841
<del>(3)</del> <u>(c)</u> The name and address of the buying dealer;	29842
<del>(4)</del> <u>(d)</u> The date of the sale;	29843
<del>(5)</del> <u>(e)</u> The purchase price;	29844

~~(6)~~(f) The odometer reading of the motor vehicle at the time 29845  
of sale and an odometer disclosure statement from the seller that 29846  
complies with subchapter IV of the "Motor Vehicle Information and 29847  
Cost Savings Act," 86 Stat. 961 (1972), 15 U.S.C. 1981. 29848

A motor vehicle auction owner may supplement the required 29849  
information with any additional information the motor vehicle 29850  
auction owner considers appropriate. 29851

~~(G)~~(7) Knowingly permit a dealer whose license has been 29852  
suspended or revoked, or a person whose application for a license 29853  
to operate as a dealer has been denied, to participate as a buyer 29854  
or seller at the motor vehicle auction owner's auction after 29855  
notification by the registrar of the suspension or revocation of a 29856  
license, or denial of an application for a license. The registrar 29857  
shall notify each auction owner by certified mail, return receipt 29858  
requested, within five business days of the suspension or 29859  
revocation of a license, or the denial of an application for 29860  
license. Any motor vehicle auction owner who has knowledge of the 29861  
presence at the motor vehicle auction owner's auction of a dealer 29862  
whose license has been suspended or revoked, or of a person whose 29863  
application for a license to operate as a dealer has been denied, 29864  
shall immediately cause the removal of the person from the 29865  
auction. 29866

~~(H)~~(8) Knowingly accept a motor vehicle for sale or possible 29867  
sale by a dealer whose license has been suspended or revoked, 29868  
during the period of suspension or revocation, or by a person 29869  
whose application for a license to operate as a dealer has been 29870  
denied, after notification by the registrar, in accordance with 29871  
division (G) of this section, of the suspension or revocation of 29872  
the license, or denial of an application for a license. 29873

~~(I)~~(9) Knowingly permit the auctioning of a motor vehicle 29874  
whose ownership is not evidenced at the time of auctioning by a 29875

current certificate of title or a manufacturer's certificate of 29876  
origin, and all title assignments that evidence the seller's 29877  
ownership of the motor vehicle, without first giving clear and 29878  
unequivocal notice of the lack of such evidence. 29879

(B) Whoever violates this section is guilty of a misdemeanor 29880  
of the fourth degree. 29881

**Sec. 4517.22.** (A) Any group of licensed new motor vehicle 29882  
dealers may display motor vehicles at a motor vehicle show within 29883  
the general market area allocated to a licensed new motor vehicle 29884  
dealer, whenever all of the following conditions are met: 29885

(1) The primary purpose of the motor vehicle show is the 29886  
exhibition of competitive makes and models of motor vehicles to 29887  
provide the general public the opportunity to review and inspect 29888  
various makes and models of motor vehicles at a single location; 29889

(2) Not less than thirty days before the planned opening date 29890  
of the motor vehicle show, the group requests and receives 29891  
permission to hold the show from the registrar of motor vehicles. 29892

(B) No contracts shall be signed, deposits taken, or sales 29893  
consummated at the location of a motor vehicle show. 29894

(C) Any sponsor of a motor vehicle show shall offer by mail 29895  
an invitation to all new motor vehicle dealers dealing in 29896  
competitive types of motor vehicles in the general market area to 29897  
participate and display motor vehicles in the show. The sponsor 29898  
may offer a similar invitation to manufacturers or distributors. A 29899  
copy of each invitation shall be retained by the sponsor for at 29900  
least one year after the show. 29901

(D) No person except a manufacturer or distributor shall hold 29902  
in any public place a motor vehicle show at which only one motor 29903  
vehicle is displayed, and no such single unit show shall be held 29904  
unless the manufacturer or distributor requests and receives 29905



permission from the registrar not less than thirty days before the 29906  
show. 29907

(E) The registrar shall not grant permission for any motor 29908  
vehicle show to be held, unless it is proven to the registrar's 29909  
satisfaction that no attempt is being made to circumvent the 29910  
provisions of sections 4517.01 to 4517.45 of the Revised Code. 29911

(F) Nothing contained in this section shall be construed as 29912  
prohibiting the taking of orders for nonmotorized recreational 29913  
vehicles as defined in section 4501.01 of the Revised Code at 29914  
sports or camping shows. 29915

(G) No motor vehicle dealer, motor vehicle leasing dealer, 29916  
motor vehicle auction owner, or distributor licensed under 29917  
sections 4517.01 to 4517.45 of the Revised Code shall display a 29918  
motor vehicle at any place except the dealer's, owner's, or 29919  
distributor's licensed location, unless the dealer, owner, or 29920  
distributor first obtains permission from the registrar and 29921  
complies with the applicable rules of the motor vehicle dealers 29922  
board. 29923

(H) Nothing contained in this section shall be construed as 29924  
prohibiting the display of, the taking of orders for, or the sale 29925  
of, livestock trailers at livestock and agricultural shows, 29926  
including county fairs. Notwithstanding section 4517.03 of the 29927  
Revised Code, livestock trailers may be sold at livestock and 29928  
agricultural shows, including county fairs, as permitted by this 29929  
division. 29930

As used in this division, "livestock trailer" means a new or 29931  
used trailer designed by its manufacturer to be used to transport 29932  
horses or to transport animals generally used for food or in the 29933  
production of food, including cattle, sheep, goats, rabbits, 29934  
poultry, swine, and any other animals included by the director of 29935  
agriculture in rules adopted under section 901.72 of the Revised 29936

Code. 29937

(I) Notwithstanding division (B) of this section, contracts 29938  
may be signed, deposits taken, and sales consummated at the 29939  
location of a motor vehicle show where the motor vehicles involved 29940  
are horse trailers or towing vehicles that are trucks and have a 29941  
gross vehicle weight of more than three-quarters of a ton, the 29942  
motor vehicle show is being held as part of or in connection with 29943  
a major livestock show, the licensed new motor vehicle dealers 29944  
involved have complied with the applicable requirements of this 29945  
section, and the registrar has granted permission for the motor 29946  
vehicle show in accordance with division (E) of this section. 29947

As used in this division ~~(I) of this section~~: 29948

(1) "Major livestock show" means any show of livestock that 29949  
is held at the Ohio state fairgrounds, is national in scope, and 29950  
that continues for more than ten consecutive days. 29951

(2) "Truck" has the same meaning as in section 4511.01 of the 29952  
Revised Code. 29953

(3) "Gross vehicle weight" means the unladen weight of the 29954  
vehicle fully equipped. 29955

(J) Whoever violates this section is guilty of a misdemeanor 29956  
of the fourth degree. 29957

**Sec. 4517.23. (A)** Any licensed motor vehicle dealer, motor 29958  
vehicle leasing dealer, manufactured home broker, or distributor 29959  
shall notify the registrar of motor vehicles concerning any change 29960  
in status as a dealer, motor vehicle leasing dealer, manufactured 29961  
home broker, or distributor during the period for which the 29962  
dealer, broker, or distributor is licensed, if the change of 29963  
status concerns any of the following: 29964

~~(A)~~(1) Personnel of owners, partners, officers, or directors; 29965  
29966

~~(B)(2)~~ Location of office or principal place of business; 29967

~~(C)(3)~~ In the case of a motor vehicle dealer, any contract or 29968  
agreement with any manufacturer or distributor; and in the case of 29969  
a distributor, any contract or agreement with any manufacturer. 29970

(B) The notification required by division (A) of this section 29971  
shall be made by filing with the registrar, within fifteen days 29972  
after the change of status, a supplemental statement in a form 29973  
prescribed by the registrar showing in what respect the status has 29974  
been changed. If the change involves a change in any contract or 29975  
agreement between any manufacturer or distributor, and dealer, or 29976  
any manufacturer and distributor, the supplemental statement shall 29977  
be accompanied by such copies of contracts, statements, and 29978  
certificates as would have been required by sections 4517.01 to 29979  
4517.45 of the Revised Code if the change had occurred prior to 29980  
the licensee's application for license. 29981

The motor vehicle dealers board may adopt a rule exempting 29982  
from the notification requirement of division (A)(1) of this 29983  
section any dealer if stock in the dealer or its parent company is 29984  
publicly traded and if there are public records with state or 29985  
federal agencies that provide the information required by division 29986  
(A)(1) of this section. 29987

(C) Whoever violates this section is guilty of a misdemeanor 29988  
of the fourth degree. 29989

**Sec. 4517.24.** (A) No two motor vehicle dealers shall engage 29990  
in business at the same location, unless they agree to be jointly, 29991  
severally, and personally liable for any liability arising from 29992  
their engaging in business at the same location. The agreement 29993  
shall be filed with the motor vehicle dealers board, and shall 29994  
also be made a part of the articles of incorporation of each such 29995  
dealer filed with the secretary of state. Whenever the board has 29996

reason to believe that a dealer who has entered into such an 29997  
agreement has revoked the agreement but continues to engage in 29998  
business at the same location, the board shall revoke the dealer's 29999  
license. 30000

(B) This section does not apply to two or more motor vehicle 30001  
dealers engaged in the business of selling new or used 30002  
manufactured or mobile homes in the same manufactured home park. 30003

(C) Whoever violates this section is guilty of a misdemeanor 30004  
of the fourth degree. 30005

**Sec. 4517.25.** (A) Every dealer shall maintain a mileage 30006  
disclosure statement from the previous owner of each motor vehicle 30007  
the dealer sells, purchases, or receives as a trade on another 30008  
motor vehicle. The mileage disclosure statement shall be in such 30009  
form and include such information as the motor vehicle dealers 30010  
board requires by rule. 30011

(B) Whoever violates this section is guilty of a misdemeanor 30012  
of the fourth degree. 30013

**Sec. 4517.26.** (A) Every retail and wholesale sale of a motor 30014  
vehicle shall be preceded by a written instrument or contract that 30015  
shall contain all of the agreements of the parties and shall be 30016  
signed by the buyer and the seller. The seller, upon execution of 30017  
the agreement or contract and before the delivery of the motor 30018  
vehicle, shall deliver to the buyer a copy of the agreement or 30019  
contract that shall clearly describe the motor vehicle sold to the 30020  
buyer, including, where applicable, its vehicle identification 30021  
number and the mileage appearing on the odometer of the vehicle at 30022  
the time of sale and whether the mileage is accurate; the sale 30023  
price of the vehicle, and, if applicable, the amount paid down by 30024  
the buyer; the amount credited to the buyer for any trade-in, and 30025  
a description thereof; the amount of any finance charge; the 30026

amount charged for any motor vehicle insurance, and a statement of 30027  
the types of insurance provided by the policy or policies; the 30028  
amount of any other charge, and a specification of its purpose; 30029  
the net balance due from the buyer; and the terms of the payment 30030  
of the net balance. 30031

This section does not apply to a casual sale of a motor 30032  
vehicle. 30033

(B) Whoever violates this section is guilty of a misdemeanor 30034  
of the fourth degree. 30035

**Sec. 4517.27.** (A) In accordance with Chapter 119. of the 30036  
Revised Code, the registrar of motor vehicles shall adopt rules 30037  
for the regulation of manufactured home brokers. The rules shall 30038  
require that a manufactured home broker maintain a bond of a 30039  
surety company authorized to transact business in this state in an 30040  
amount determined by the registrar. The rules also shall require 30041  
each person licensed as a manufactured home broker to maintain at 30042  
all times a special or trust bank account that is 30043  
noninterest-bearing, is separate and distinct from any personal or 30044  
other account of the broker, and into which shall be deposited and 30045  
maintained all escrow funds, security deposits, and other moneys 30046  
received by the broker in a fiduciary capacity. In a form 30047  
determined by the registrar, a manufactured home broker shall 30048  
submit written proof to the registrar of the continued maintenance 30049  
of the special or trust account. A depository where special or 30050  
trust accounts are maintained in accordance with this section 30051  
shall be located in this state. 30052

(B) Whoever violates this section is guilty of a misdemeanor 30053  
of the fourth degree. 30054

**Sec. 4517.40.** (A) No person who is engaged in or about to 30055  
engage in the business of selling motor vehicles at retail shall 30056

enter into any contract, agreement, or understanding, express or 30057  
implied, with any manufacturer or distributor of motor vehicles, 30058  
that ~~he~~ the person will sell only to a designated person or class 30059  
of persons all or any part of the retail installment contracts 30060  
arising out of the sale by ~~him~~ the person of motor vehicles, or 30061  
that ~~he~~ the person will refuse to sell such retail installment 30062  
contracts to any designated person or class of persons. Any such 30063  
contract, agreement, or understanding is void. 30064

(B) Whoever violates this section is guilty of a misdemeanor 30065  
of the fourth degree. 30066

**Sec. 4517.41.** (A) No manufacturer or distributor of motor 30067  
vehicles, or the officer, agent, or representative of such 30068  
manufacturer or distributor, shall induce or coerce, or attempt to 30069  
induce or coerce, any retail motor vehicle dealer or prospective 30070  
retail motor vehicle dealer to sell or refuse to sell all or any 30071  
portion of ~~his~~ the dealer's or prospective dealer's retail 30072  
installment contracts to any person or class of persons designated 30073  
by the manufacturer or distributor, by means of any statement, 30074  
suggestion, promise, or threat, made directly or indirectly, that 30075  
the manufacturer or distributor will in any manner injure or 30076  
benefit the dealer, or by means of any act of the manufacturer or 30077  
distributor that has benefited or injured the dealer, or by means 30078  
of any statement or representation, made directly or indirectly, 30079  
that the dealer is under any obligation to make or refuse to make 30080  
such sale. 30081

(B) Whoever violates this section is guilty of a misdemeanor 30082  
of the fourth degree. 30083

**Sec. 4517.42.** (A) No person engaged in the business of buying 30084  
retail installment contracts from motor vehicle dealers in this 30085  
state, and no officer, agent, or representative of such person, 30086

shall purchase or attempt to purchase any such retail installment 30087  
contract from any motor vehicle dealer in this state in the 30088  
following circumstances: 30089

~~(A)~~(1) When the dealer in consequence of any contract, 30090  
agreement, or arrangement between such person and a manufacturer 30091  
or distributor supplying motor vehicles to the dealer has been 30092  
induced or coerced to sell the retail installment contract by 30093  
means of any statement, suggestion, promise, or threat, made 30094  
directly or indirectly, that the manufacturer or distributor 30095  
supplying motor vehicles to the dealer would in any manner injure 30096  
or benefit the dealer, or by means of any act of the manufacturer 30097  
or distributor that has benefited or injured the dealer, or by 30098  
means of any statement or representation, made directly or 30099  
indirectly, that the dealer is under any obligation to make such 30100  
sale; 30101

~~(B)~~(2) When such person has received or has contracted to 30102  
receive from any manufacturer or distributor supplying motor 30103  
vehicles to the dealer, or has given or contracted to give to the 30104  
manufacturer or distributor, any subsidy or thing of service or 30105  
value, where the effect of the giving or receiving of the subsidy 30106  
or thing of service or value may be to lessen or eliminate 30107  
competition in the business of purchasing retail installment 30108  
contracts from motor vehicle dealers or may tend to grant an 30109  
unfair trade advantage or to create a monopoly in such person. 30110

(B) Whoever violates this section is guilty of a misdemeanor 30111  
of the fourth degree. 30112

**Sec. 4517.43.** (A) The applications for licenses and the 30113  
copies of contracts required by sections 4517.04, 4517.05, 30114  
4517.051, 4517.052, 4517.06, 4517.07, 4517.08, and 4517.09 of the 30115  
Revised Code are not part of the public records but are 30116  
confidential information for the use of the registrar of motor 30117

vehicles and the motor vehicle dealers board. No person shall 30118  
divulge any information contained in such applications and 30119  
acquired by the person in the person's capacity as an official or 30120  
employee of the bureau of motor vehicles or of the board, except 30121  
in a report to the registrar, to the board, or when called upon to 30122  
testify in any court or proceeding. 30123

(B) Whoever violates this section is guilty of a minor 30124  
misdemeanor. 30125

**Sec. 4517.44.** (A) No manufacturer or distributor of motor 30126  
vehicles, dealer in motor vehicles, or manufactured home broker, 30127  
nor any owner, proprietor, person in control, or keeper of any 30128  
garage, stable, shop, or other place of business, shall fail to 30129  
keep or cause to be kept any record required by law. 30130

(B) Whoever violates this section is guilty of a minor 30131  
misdemeanor. 30132

**Sec. 4517.45.** (A) No dealer licensed to sell motor vehicles 30133  
at retail in this state under Chapter 4517. of the Revised Code 30134  
shall attach to any motor vehicle offered for sale by ~~him~~ the 30135  
dealer any tag or placard bearing ~~his~~ the dealer's name, or the 30136  
name of ~~his~~ the dealer's place of business, whenever the method of 30137  
attachment involves drilling or otherwise creating holes in any 30138  
part of the body or trim of the vehicle, unless the purchaser 30139  
consents in writing to such method of attachment. 30140

Any damage to the body or trim of a motor vehicle that 30141  
results from a violation of this section shall, at the request of 30142  
the purchaser of the vehicle, be repaired by the dealer in a 30143  
manner acceptable to the purchaser, and at no cost to ~~him~~ the 30144  
purchaser. 30145

(B) Whoever violates this section is guilty of a minor 30146  
misdemeanor. 30147



Sec. 4517.64. (A) No franchisor shall do any of the 30148  
following: 30149

~~(A)(1)~~ Fail to obey a requirement or order made by the motor 30150  
vehicle dealers board, or the order of any court upon application 30151  
of the board; 30152

~~(B)(2)~~ Fail to perform a duty imposed upon it by sections 30153  
4517.50 to 4517.65 of the Revised Code, or do any act prohibited 30154  
by those sections. 30155

(B) No franchisee or prospective transferee shall fail to 30156  
perform a duty imposed upon it by sections 4517.50 to 4517.65 of 30157  
the Revised Code or do any act prohibited by those sections. 30158

(C) Whoever violates division (A) or (B) of this section is 30159  
guilty of a misdemeanor of the fourth degree. 30160

Sec. 4517.99. ~~(A)~~ Whoever violates any provision of sections 30161  
4517.01 to 4517.65 of the Revised Code, for which no penalty ~~is~~ 30162  
otherwise is provided in ~~this~~ the section that contains the 30163  
provision violated, or any rule promulgated by the registrar of 30164  
motor vehicles or the motor vehicle dealers board under sections 30165  
4517.01 to 4517.45 of the Revised Code, is guilty of a misdemeanor 30166  
of the fourth degree. 30167

~~(B) Whoever violates sections 4517.43 to 4517.45 of the~~ 30168  
~~Revised Code is guilty of a minor misdemeanor.~~ 30169

~~(C) Whoever violates section 4517.02 of the Revised Code is~~ 30170  
~~guilty of a minor misdemeanor on a first offense and shall be~~ 30171  
~~subject to a mandatory fine of one hundred dollars; on each~~ 30172  
~~subsequent offense such person is guilty of a misdemeanor of the~~ 30173  
~~first degree and shall be subject to a mandatory fine of one~~ 30174  
~~thousand dollars.~~ 30175

~~(D) Whoever violates section 4517.19 of the Revised Code is~~ 30176

~~guilty of a misdemeanor of the second degree on a first offense;~~ 30177  
~~on each subsequent offense the person is guilty of a misdemeanor~~ 30178  
~~of the first degree.~~ 30179

**Sec. 4519.02.** (A) Except as provided in divisions (B), (C), 30180  
and (D) of this section, no person shall operate any snowmobile, 30181  
off-highway motorcycle, or all-purpose vehicle within this state 30182  
unless the snowmobile, off-highway motorcycle, or all-purpose 30183  
vehicle is registered and numbered in accordance with sections 30184  
4519.03 and 4519.04 of the Revised Code. 30185

(B) No registration is required for a snowmobile, off-highway 30186  
motorcycle, or all-purpose vehicle that is operated exclusively 30187  
upon lands owned by the owner of the snowmobile, off-highway 30188  
motorcycle, or all-purpose vehicle, or on lands to which the owner 30189  
has a contractual right. 30190

(C) No registration is required for a snowmobile, off-highway 30191  
motorcycle, or all-purpose vehicle owned and used in this state by 30192  
a resident of another state whenever that state has in effect a 30193  
registration law similar to this chapter and the snowmobile, 30194  
off-highway motorcycle, or all-purpose vehicle is properly 30195  
registered thereunder. Any snowmobile, off-highway motorcycle, or 30196  
all purpose vehicle owned and used in this state by a resident of 30197  
another state not having such a registration requirement shall 30198  
comply with section 4519.09 of the Revised Code. 30199

(D) No registration is required for a snowmobile, off-highway 30200  
motorcycle, or all-purpose vehicle owned and used in this state by 30201  
the United States, another state, or a political subdivision 30202  
thereof, but the snowmobile, off-highway motorcycle, or 30203  
all-purpose vehicle shall display the name of the owner thereon. 30204

(E) The owner or operator of any all-purpose vehicle operated 30206  
or used upon the waters in this state shall comply with Chapters 30207

1547. and 1548. of the Revised Code relative to the operation of 30208  
watercraft. 30209

(F) Except as otherwise provided in this division, whoever 30210  
violates division (A) of this section shall be fined not more than 30211  
twenty-five dollars. If the offender previously has been convicted 30212  
of or pleaded guilty to a violation of division (A) of this 30213  
section, whoever violates division (A) of this section shall be 30214  
fined not less than twenty-five nor more than fifty dollars. 30215

**Sec. 4519.05.** (A) Whenever a registered snowmobile, 30216  
off-highway motorcycle, or all-purpose vehicle is destroyed or 30217  
similarly disposed of, the owner shall surrender the certificate 30218  
of registration to the registrar of motor vehicles or a deputy 30219  
registrar within fifteen days following the destruction or 30220  
disposal. The registrar thereupon shall cancel the certificate and 30221  
enter that fact in the registrar's records. 30222

In the case of an off-highway motorcycle or all-purpose 30223  
vehicle for which a certificate of title has been issued, the 30224  
owner also shall surrender the certificate of title to the clerk 30225  
of the court of common pleas who issued it and the clerk, with the 30226  
consent of any lienholders noted thereon, shall enter a 30227  
cancellation upon the clerk's records and shall notify the 30228  
registrar of the cancellation. Upon the cancellation of a 30229  
certificate of title in the manner prescribed by this division, 30230  
the clerk and the registrar may cancel and destroy all 30231  
certificates of title and memorandum certificates of title in that 30232  
chain of title. 30233

(B) Subject to division (B) of section 4519.03 of the Revised 30234  
Code, whenever the ownership of a registered snowmobile, 30235  
off-highway motorcycle, or all-purpose vehicle is transferred by 30236  
sale or otherwise, the new owner, within fifteen days following 30237  
the transfer, shall make application to the registrar or a deputy 30238

registrar for the transfer of the certificate of registration. 30239  
Upon receipt of the application and a fee of one dollar, the 30240  
registrar shall transfer the certificate to the new owner and 30241  
shall enter the new owner's name and address in the registrar's 30242  
records. 30243

(C) Whenever the owner of a registered snowmobile, 30244  
off-highway motorcycle, or all-purpose vehicle changes address, 30245  
the owner shall surrender the certificate of registration to the 30246  
registrar or a deputy registrar within fifteen days following the 30247  
address change. Upon receipt of the certificate, the registrar 30248  
shall enter the new address thereon and shall make the appropriate 30249  
change in the registrar's records. In a case where the owner's 30250  
change of address involves a move outside of the state, the 30251  
registrar shall cancel the certificate of registration for that 30252  
snowmobile, off-highway motorcycle, or all-purpose vehicle. 30253

(D) Whenever a certificate of registration for a snowmobile, 30254  
off-highway motorcycle, or all-purpose vehicle is lost, mutilated, 30255  
or destroyed, the owner may obtain a duplicate certificate, which 30256  
shall be identified as such, upon application and the payment of a 30257  
fee of one dollar. 30258

(E) Whoever violates division (A), (B), or (C) of this 30259  
section shall be fined not more than twenty-five dollars for a 30260  
first offense; for each subsequent offense, the offender shall be 30261  
fined not less than twenty-five nor more than fifty dollars. 30262

**Sec. 4519.06.** (A) Any person who is a dealer in snowmobiles, 30263  
off-highway motorcycles, or all-purpose vehicles shall make 30264  
application for registration, for each place in this state at 30265  
which the business of selling, manufacturing, leasing, or renting 30266  
snowmobiles, off-highway motorcycles, or all-purpose vehicles is 30267  
carried on. The application shall show the make of snowmobile, 30268  
off-highway motorcycle, or all-purpose vehicle manufactured, sold, 30269

leased, or rented at such place, and shall be accompanied by a fee 30270  
of twenty-five dollars. Upon the filing of the application and the 30271  
payment of the fee therefor, the registrar of motor vehicles shall 30272  
assign to the applicant a distinctive number. The number shall be 30273  
displayed upon each snowmobile, off-highway motorcycle, or 30274  
all-purpose vehicle in the places prescribed in section 4519.04 of 30275  
the Revised Code whenever the vehicle is being used prior to sale 30276  
or transfer. The registrar shall adopt rules specifying the manner 30277  
in which the number may be temporarily affixed to the vehicle. 30278

30279

Upon the termination of any dealership registered under this 30280  
section, the dealer, within fifteen days following such 30281  
termination, shall notify the registrar, who shall enter that fact 30282  
in the registrar's records. 30283

Notwithstanding section 4517.01 of the Revised Code, a dealer 30284  
licensed to sell motor vehicles also may be registered as a dealer 30285  
in snowmobiles, off-highway motorcycles, or all-purpose vehicles 30286  
under this section, and may display, sell, or rent such vehicles 30287  
at the dealer's established place of business. 30288

(B) Except as otherwise provided in this division, whoever 30289  
violates this section shall be fined not more than fifty dollars. 30290  
If the offender previously has been convicted of or pleaded guilty 30291  
to a violation of this section, whoever violates this section 30292  
shall be fined not less than fifty nor more than two hundred 30293  
dollars. 30294

**Sec. 4519.20.** (A) The director of public safety, pursuant to 30295  
Chapter 119. of the Revised Code, shall adopt rules for the 30296  
equipment of snowmobiles, off-highway motorcycles, and all-purpose 30297  
vehicles. The rules may be revised from time to time as the 30298  
director considers necessary, and shall include, but not 30299  
necessarily be limited to, requirements for the following items of 30300

equipment: 30301

(1) At least one headlight having a minimum candlepower of 30302  
sufficient intensity to reveal persons and objects at a distance 30303  
of at least one hundred feet ahead under normal atmospheric 30304  
conditions during hours of darkness; 30305

(2) At least one red tail light having a minimum candlepower 30306  
of sufficient intensity to be plainly visible from a distance of 30307  
five hundred feet to the rear under normal atmospheric conditions 30308  
during hours of darkness; 30309

(3) Adequate brakes. Every snowmobile, while traveling on 30310  
packed snow, shall be capable of carrying a driver who weighs one 30311  
hundred seventy-five pounds or more, and, while carrying such 30312  
driver, be capable of stopping in not more than forty feet from an 30313  
initial steady speed of twenty miles per hour, or locking its 30314  
traction belt. 30315

(4) A muffler system capable of precluding the emission of 30316  
excessive smoke or exhaust fumes, and of limiting the engine noise 30317  
of vehicles. On snowmobiles manufactured after January 1, 1973, 30318  
such requirement shall include sound dampening equipment such that 30319  
noise does not exceed eighty-two decibels on the "A" scale at 30320  
fifty feet as measured according to SAE J192 (September 1970). 30321

(B) No person shall operate any snowmobile, off-highway 30322  
motorcycle, or all-purpose vehicle in violation of division 30323  
(A)(1), (2), (3), or (4) of this section, except that equipment 30324  
specified in divisions (A)(1) and (2) of this section shall not be 30325  
required on snowmobiles, off-highway motorcycles, or all-purpose 30326  
vehicles operated during the daylight hours. 30327

(C) Except as otherwise provided in this division, whoever 30328  
violates division (B) of this section shall be fined not more than 30329  
fifty dollars. If the offender within the preceding year 30330  
previously has committed a violation of division (B) of this 30331

section, whoever violates division (B) of this section shall be 30332  
fined not less than fifteen nor more than one hundred dollars, 30333  
imprisoned not more than three days, or both. 30334

**Sec. 4519.22.** (A) No person shall have for sale, sell, offer 30335  
for sale, lease, rent, or otherwise furnish for hire in this state 30336  
any new snowmobile, off-highway motorcycle, or all-purpose vehicle 30337  
that fails to comply with any rule adopted by the director of 30338  
public safety under section 4519.20 of the Revised Code, after the 30339  
effective date of the rule. 30340

(B) Except as otherwise provided in this division, whoever 30341  
violates this section shall be fined not more than fifty dollars. 30342  
If the offender within the preceding year previously has committed 30343  
a violation of this section, whoever violates this section shall 30344  
be fined not less than fifteen nor more than one hundred dollars, 30345  
imprisoned not more than three days, or both. 30346

**Sec. 4519.40.** (A) The applicable provisions of Chapters 4511. 30347  
and 4549. of the Revised Code shall be applied to the operation of 30348  
snowmobiles, off-highway motorcycles, and all-purpose vehicles, 30349  
except that no snowmobile, off-highway motorcycle, or all-purpose 30350  
vehicle shall be operated as follows: 30351

~~(A)~~(1) On any limited access highway or freeway or the 30352  
right-of-way thereof, except for emergency travel only during such 30353  
time and in such manner as the director of public safety shall 30354  
designate; 30355

~~(B)~~(2) On any private property, or in any nursery or planting 30356  
area, without the permission of the owner or other person having 30357  
the right to possession of the property; 30358

~~(C)~~(3) On any land or waters controlled by the state, except 30359  
at those locations where a sign has been posted permitting such 30360  
operation; 30361

<del>(D)</del> (4) On the tracks or right-of-way of any operating railroad;	30362 30363
<del>(E)</del> (5) While transporting any firearm, bow, or other implement for hunting, that is not unloaded and securely encased;	30364 30365
<del>(F)</del> (6) For the purpose of chasing, pursuing, capturing, or killing any animal or wildfowl;	30366 30367
<del>(G)</del> (7) During the time from sunset to sunrise, unless displaying lighted lights as required by section 4519.20 of the Revised Code.	30368 30369 30370
<u>(B) Whoever violates this section shall be fined not less than fifty nor more than five hundred dollars, imprisoned not less than three nor more than thirty days, or both.</u>	30371 30372 30373
<b>Sec. 4519.41.</b> Snowmobiles, off-highway motorcycles, and all-purpose vehicles may be operated as follows:	30374 30375
(A) To make a crossing of a highway, other than a highway as designated in division (A)(1) of section 4519.40 of the Revised Code, whenever the crossing can be made in safety and will not interfere with the movement of vehicular traffic approaching from any direction on the highway, and provided that the operator yields the right-of-way to any approaching traffic that presents an immediate hazard;	30376 30377 30378 30379 30380 30381 30382
(B) On highways in the county or township road systems whenever the local authority having jurisdiction over such highways so permits;	30383 30384 30385
(C) Off and alongside a street or highway for limited distances from the point of unloading from a conveyance to the point at which the snowmobile, off-highway motorcycle, or all-purpose vehicle is intended and authorized to be operated;	30386 30387 30388 30389
(D) On the berm or shoulder of a highway, other than a	30390



highway as designated in division (A)(1) of section 4519.40 of the Revised Code, when the terrain permits such operation to be undertaken safely and without the necessity of entering any traffic lane;

(E) On the berm or shoulder of a county or township road, while traveling from one area of operation of the snowmobile, off-highway motorcycle, or all-purpose vehicle to another such area.

**Sec. 4519.44.** (A) No person who does not hold a valid, current motor vehicle driver's or commercial driver's license, motorcycle operator's endorsement, or probationary license, issued under Chapter 4506. or 4507. of the Revised Code, shall operate a snowmobile, off-highway motorcycle, or all-purpose vehicle on any street or highway in this state, on any portion of the right-of-way thereof, or on any public land or waters.

(B) No person who is less than sixteen years of age shall operate a snowmobile, off-highway motorcycle, or all-purpose vehicle on any land or waters other than private property or waters owned by or leased to the person's parent or guardian, unless accompanied by another person who is eighteen years of age, or older, and who holds a license as provided in division (A) of this section, except that the department of natural resources may permit such operation on state controlled land under its jurisdiction when such person is less than sixteen years of age, but is twelve years of age or older and is accompanied by a parent or guardian who is a licensed driver eighteen years of age or older.

(C) Whoever violates this section shall be fined not less than fifty nor more than five hundred dollars, imprisoned not less than three nor more than thirty days, or both.

Sec. 4519.45. (A) Any dealer who rents, leases, or otherwise 30421  
furnishes a snowmobile, off-highway motorcycle, or all-purpose 30422  
vehicle for hire shall maintain the vehicle in safe operating 30423  
condition. No dealer, or agent or employee of a dealer, shall 30424  
rent, lease, or otherwise furnish a snowmobile, off-highway 30425  
motorcycle, or all-purpose vehicle for hire to any person who does 30426  
not hold a license as required by division (A) of section 4519.44 30427  
of the Revised Code, or to any person whom the dealer or an agent 30428  
or employee of the dealer has reasonable cause to believe is 30429  
incompetent to operate the vehicle in a safe and lawful manner. 30430

(B) Whoever violates this section shall be fined not less 30431  
than one hundred nor more than five hundred dollars. 30432

Sec. 4519.52. (A) Except as provided in sections 4519.521 and 30433  
4519.54 of the Revised Code, no dealer engaged in the business of 30434  
selling new or used off-highway motorcycles or all-purpose 30435  
vehicles shall sell or otherwise transfer a new or used 30436  
off-highway motorcycle or all-purpose vehicle without obtaining a 30437  
certificate of title to the new or used motorcycle or vehicle, in 30438  
accordance with this chapter, and delivering the certificate of 30439  
title or memorandum certificate of title to the purchaser or 30440  
transferee. 30441

(B)(1) A person who is not a dealer engaged in the business 30442  
of selling new or used off-highway motorcycles or all-purpose 30443  
vehicles and who owns an off-highway motorcycle or all-purpose 30444  
vehicle may choose to obtain a certificate of title to the 30445  
motorcycle or vehicle. The person shall comply with this chapter 30446  
in order to obtain the certificate of title. 30447

(2) If a person who is not a dealer engaged in the business 30448  
of selling new or used off-highway motorcycles or all-purpose 30449  
vehicles and who owns an off-highway motorcycle or all-purpose 30450

vehicle obtains a certificate of title to the motorcycle or 30451  
vehicle, that person, except as otherwise provided in section 30452  
4519.521 of the Revised Code, shall not sell or otherwise transfer 30453  
the motorcycle or vehicle without delivering to the purchaser or 30454  
transferee a certificate of title with an assignment on it as is 30455  
necessary to show title in the purchaser or transferee, and no 30456  
person shall subsequently purchase or otherwise acquire the 30457  
motorcycle or vehicle without obtaining a certificate of title to 30458  
the motorcycle or vehicle in the person's own name. 30459

(C) Whoever violates this section shall be fined fifty 30461  
dollars. 30462

**Sec. 4519.66. (A)** No person shall do any of the following: 30463

~~(A)~~(1) Operate in this state an off-highway motorcycle or 30464  
all-purpose vehicle without having a certificate of title for the 30465  
off-highway motorcycle or all-purpose vehicle, if such a 30466  
certificate is required by this chapter to be issued for the 30467  
off-highway motorcycle or all-purpose vehicle, or, if a physical 30468  
certificate of title has not been issued for it, operate an 30469  
off-highway motorcycle or all-purpose vehicle knowing that the 30470  
ownership information relating to the motorcycle or vehicle has 30471  
not been entered into the automated title processing system by a 30472  
clerk of a court of common pleas; 30473

~~(B)~~(2) Operate in this state an off-highway motorcycle or 30474  
all-purpose vehicle if a certificate of title to the off-highway 30475  
motorcycle or all-purpose vehicle has been issued and then has 30476  
been canceled; 30477

~~(C)~~(3) Fail to surrender any certificate of title upon 30478  
cancellation of it by the registrar of motor vehicles and notice 30479  
of the cancellation as prescribed in this chapter; 30480

~~(D)~~(4) Fail to surrender the certificate of title to a clerk 30481  
of a court of common pleas as provided in this chapter, in case of 30482  
the destruction or dismantling of, or change in, the off-highway 30483  
motorcycle or all-purpose vehicle described in the certificate of 30484  
title; 30485

~~(E)~~(5) Violate any provision of sections 4519.51 to 4519.70 30486  
of the Revised Code for which no penalty is otherwise provided or 30487  
any lawful rules adopted pursuant to those sections; 30488

~~(F)~~(6) Operate in this state an off-highway motorcycle or 30489  
all-purpose vehicle knowing that the certificate of title to or 30490  
ownership of the motorcycle or vehicle as otherwise reflected in 30491  
the automated title processing system has been canceled. 30492

(B) Whoever violates this section shall be fined not more 30493  
than two hundred dollars, imprisoned not more than ninety days, or 30494  
both. 30495

**Sec. 4519.67. (A)** No person shall do any of the following: 30496

~~(A)~~(1) Procure or attempt to procure a certificate of title 30497  
to an off-highway motorcycle or all-purpose vehicle, or pass or 30498  
attempt to pass a certificate of title or any assignment of a 30499  
certificate of title to an off-highway motorcycle or all-purpose 30500  
vehicle, or in any other manner gain or attempt to gain ownership 30501  
to an off-highway motorcycle or all-purpose vehicle, knowing or 30502  
having reason to believe that the off-highway motorcycle or 30503  
all-purpose vehicle has been stolen; 30504

~~(B)~~(2) Sell or offer for sale in this state an off-highway 30505  
motorcycle or all-purpose vehicle on which the manufacturer's or 30506  
assigned vehicle identification number has been destroyed, 30507  
removed, covered, altered, or defaced with knowledge of the 30508  
destruction, removal, covering, alteration, or defacement of the 30509  
manufacturer's or assigned vehicle identification number; 30510

~~(C)~~(3) Except as otherwise provided in this chapter, sell or 30511  
transfer an off-highway motorcycle or all-purpose vehicle without 30512  
delivering to the purchaser or transferee of it a certificate of 30513  
title, or a manufacturer's or importer's certificate to it, 30514  
assigned to the purchaser as provided for in this chapter. 30515  
30516

(B) Whoever violates this section shall be fined not more 30517  
than five thousand dollars, imprisoned in the county jail or 30518  
workhouse not less than six months nor more than one year or in 30519  
the penitentiary not less than one year nor more than five years, 30520  
or both. 30521

**Sec. 4549.01.** (A) No person while operating a motor vehicle 30522  
shall fail to slow down and stop ~~said~~ the vehicle when signalled 30523  
to do so upon meeting or overtaking a horse-drawn vehicle or 30524  
person on horseback and to remain stationary until ~~such~~ the 30525  
vehicle or person has passed, provided ~~such~~ the signal to stop is 30526  
given in good faith, under circumstances of necessity, and only as 30527  
often and for ~~such~~ that length of time as is required for ~~such~~ the 30528  
vehicle or person to pass, whether it is approaching from the 30529  
front or rear. 30530

(B) Whoever violates this section is guilty of a minor 30531  
misdemeanor on a first offense and a misdemeanor of the fourth 30532  
degree on each subsequent offense. 30533

**Sec. 4549.02.** (A) In case of accident to or collision with 30534  
persons or property upon any of the public roads or highways, due 30535  
to the driving or operation thereon of any motor vehicle, the 30536  
person ~~se~~ driving or operating ~~such~~ the motor vehicle, having 30537  
knowledge of ~~such~~ the accident or collision, ~~shall~~ immediately 30538  
shall stop ~~his~~ the driver's or operator's motor vehicle at the 30539  
scene of the accident or collision and shall remain at the scene 30540

of ~~such~~ the accident or collision until ~~he~~ the driver or operator 30541  
has given ~~his~~ the driver's or operator's name and address and, if 30542  
~~he~~ the driver or operator is not the owner, the name and address 30543  
of the owner of ~~such~~ that motor vehicle, together with the 30544  
registered number of ~~such~~ that motor vehicle, to any person 30545  
injured in ~~such~~ the accident or collision or to the operator, 30546  
occupant, owner, or attendant of any motor vehicle damaged in ~~such~~ 30547  
the accident or collision, or to any police officer at the scene 30548  
of ~~such~~ the accident or collision. 30549

In the event the injured person is unable to comprehend and 30550  
record the information required to be given by this section, the 30551  
other driver involved in ~~such~~ the accident or collision ~~shall~~ 30552  
forthwith shall notify the nearest police authority concerning the 30553  
location of the accident or collision, and ~~his~~ the driver's name, 30554  
address, and the registered number of the motor vehicle ~~he~~ the 30555  
driver was operating, and then remain at the scene of the accident 30556  
or collision until a police officer arrives, unless removed from 30557  
the scene by an emergency vehicle operated by a political 30558  
subdivision or an ambulance. 30559

If ~~such~~ the accident or collision is with an unoccupied or 30560  
unattended motor vehicle, the operator ~~so colliding~~ who collides 30561  
with ~~such~~ the motor vehicle shall securely attach the information 30562  
required to be given in this section, in writing, to a conspicuous 30563  
place in or on ~~said~~ the unoccupied or unattended motor vehicle. 30564

(B) Whoever violates division (A) of this section is guilty 30565  
of failure to stop after an accident, a misdemeanor of the first 30566  
degree. If the violation results in serious physical harm or death 30567  
to a person, failure to stop after an accident is a felony of the 30568  
fifth degree. The court, in addition to any other penalties 30569  
provided by law, shall impose upon the offender a class five 30570  
suspension of the offender's driver's license, commercial driver's 30571  
license, temporary instruction permit, probationary license, or 30572

nonresident operating privilege from the range specified in 30573  
division (A)(5) of section 4510.02 of the Revised Code. No judge 30574  
shall suspend the first six months of suspension of an offender's 30575  
license, permit, or privilege required by this division. 30576

30577

**Sec. 4549.021.** (A) In case of accident or collision resulting 30578  
in injury or damage to persons or property upon any public or 30579  
private property other than public roads or highways, due to the 30580  
driving or operation thereon of any motor vehicle, the person ~~so~~ 30581  
driving or operating ~~such~~ the motor vehicle, having knowledge of 30582  
~~such~~ the accident or collision, shall stop, and, upon request of 30583  
the person injured or damaged, or any other person, shall give 30584  
~~such~~ that person ~~his~~ the driver's or operator's name and address, 30585  
and, if ~~he~~ the driver or operator is not the owner, the name and 30586  
address of the owner of ~~such~~ that motor vehicle, together with the 30587  
registered number of ~~such~~ that motor vehicle, and, if available, 30588  
exhibit ~~his~~ the driver's or operator's driver's or commercial 30589  
driver's license. 30590

If the owner or person in charge of ~~such~~ the damaged property 30591  
is not furnished such information, the driver of the motor vehicle 30592  
involved in the accident or collision ~~shall~~, within twenty-four 30593  
hours after ~~such~~ the accident or collision, shall forward to the 30594  
police department of the city or village in which ~~such~~ the 30595  
accident or collision occurred or if it occurred outside the 30596  
corporate limits of a city or village to the sheriff of the county 30597  
in which ~~such~~ the accident or collision occurred the same 30598  
information required to be given to the owner or person in control 30599  
of ~~such~~ the damaged property and give the date, time, and location 30600  
of the accident or collision. 30601

If the accident or collision is with an unoccupied or 30602  
unattended motor vehicle, the operator ~~so colliding~~ who collides 30603

with ~~such~~ the motor vehicle shall securely attach the information 30604  
required to be given in this section, in writing, to a conspicuous 30605  
place in or on the unoccupied or unattended motor vehicle. 30606

(B) Whoever violates division (A) of this section is guilty 30607  
of failure to stop after a nonpublic road accident, a misdemeanor 30608  
of the first degree. If the violation results in serious physical 30609  
harm or death to a person, failure to stop after a nonpublic road 30610  
accident is a felony of the fifth degree. The court, in addition 30611  
to any other penalties provided by law, shall impose upon the 30612  
offender a class five suspension of the offender's driver's 30613  
license, commercial driver's license, temporary instruction 30614  
permit, probationary license, or nonresident operating privilege 30615  
from the range specified in division (A)(5) of section 4510.02 of 30616  
the Revised Code. No judge shall suspend the first six months of 30617  
suspension of an offender's license, permit, or privilege required 30618  
by this division. 30619

**Sec. 4549.03.** (A) The driver of any vehicle involved in an 30620  
accident resulting in damage to real property, or personal 30621  
property attached to ~~such~~ real property, legally upon or adjacent 30622  
to a public road or highway ~~shall~~ immediately shall stop and take 30623  
reasonable steps to locate and notify the owner or person in 30624  
charge of ~~such~~ the property of ~~such~~ that fact, of ~~his~~ the driver's 30625  
name and ~~his~~ address, and of the registration number of the 30626  
vehicle ~~he~~ the driver is driving and ~~shall~~, upon request and if 30627  
available, shall exhibit ~~his~~ the driver's driver's or commercial 30628  
driver's license. 30629

If the owner or person in charge of ~~such~~ the property cannot 30630  
be located after reasonable search, the driver of the vehicle 30631  
involved in the accident resulting in damage to ~~such~~ the property 30632  
~~shall~~, within twenty-four hours after ~~such~~ the accident, shall 30633  
forward to the police department of the city or village in which 30634



~~such the~~ accident or collision occurred, or if it occurred outside 30635  
the corporate limits of a city or village to the sheriff of the 30636  
county in which ~~such the~~ accident or collision occurred, the same 30637  
information required to be given to the owner or person in control 30638  
of ~~such the~~ property and give the location of the accident and a 30639  
description of the damage insofar as it is known. 30640

(B) Whoever violates division (A) of this section is guilty 30641  
of failure to stop after an accident involving the property of 30642  
others, a misdemeanor of the first degree. 30643

**Sec. 4549.042.** (A)(1) No person shall sell or otherwise 30644  
dispose of a master key designed to fit more than one motor 30645  
vehicle, knowing or having reasonable cause to believe ~~such the~~ 30646  
key will be used to commit a crime. 30647

(2) No person shall buy, receive, or have in ~~his~~ the person's 30648  
possession a master key designed to fit more than one motor 30649  
vehicle, for the purpose of using ~~such the~~ key to commit a crime. 30650  
30651

(B) Whoever violates division (A)(1) or (2) of this section 30652  
is guilty of a motor vehicle master key violation, a felony of the 30653  
fifth degree on a first offense and a felony of the fourth degree 30654  
on each subsequent offense. 30655

**Sec. 4549.08.** (A) No person shall operate or drive a motor 30656  
vehicle upon the public roads and highways in this state if it 30657  
displays a license plate or a distinctive number or identification 30658  
mark that meets any of the following criteria: 30659

~~(A)~~(1) Is fictitious; 30660

~~(B)~~(2) Is a counterfeit or an unlawfully made copy of any 30661  
distinctive number or identification mark; 30662

~~(C)~~(3) Belongs to another motor vehicle, provided that this 30663

section does not apply to a motor vehicle that is operated on the 30664  
public roads and highways in this state when the motor vehicle 30665  
displays license plates that originally were issued for a motor 30666  
vehicle that previously was owned by the same person who owns the 30667  
motor vehicle that is operated on the public roads and highways in 30668  
this state, during the thirty-day period described in division 30669  
~~(D)~~(A)(4) of section 4503.12 of the Revised Code. 30670

(B) A person who fails to comply with the transfer of 30671  
registration provisions of section 4503.12 of the Revised Code and 30672  
is charged with a violation of that section shall not be charged 30673  
with a violation of this section. 30674

(C) Whoever violates division (A)(1), (2), or (3) of this 30675  
section is guilty of operating a motor vehicle bearing an invalid 30676  
license plate or identification mark, a misdemeanor of the fourth 30677  
degree on a first offense and a misdemeanor of the third degree on 30678  
each subsequent offense. 30679

**Sec. 4549.10.** (A) No person shall operate or cause to be 30680  
operated upon a public road or highway a motor vehicle of a 30681  
manufacturer or dealer unless ~~such~~ the vehicle carries and 30682  
displays two placards, except as provided in section 4503.21 of 30683  
the Revised Code, issued by the director of public safety, ~~bearing~~ 30684  
that bear the registration number of its manufacturer or dealer. 30685

(B) Whoever violates division (A) of this section is guilty 30686  
of illegal operation of a manufacturer's or dealer's motor 30687  
vehicle, a minor misdemeanor on a first offense and a misdemeanor 30688  
of the fourth degree on each subsequent offense. 30689

**Sec. 4549.11.** (A) No person shall operate or drive upon the 30690  
highways of this state a motor vehicle acquired from a former 30691  
owner who has registered the ~~same~~ motor vehicle, while ~~such~~ the 30692  
motor vehicle displays the distinctive number or identification 30693

mark assigned to it upon its original registration. 30694

(B) Whoever violates division (A) of this section is guilty 30695  
of operation of a motor vehicle bearing license plates or an 30696  
identification mark issued to another, a minor misdemeanor on a 30697  
first offense and a misdemeanor of the fourth degree on each 30698  
subsequent offense. 30699

**Sec. 4549.12.** (A) No person who is the owner of a motor 30700  
vehicle and a resident of this state shall operate or drive ~~such~~ 30701  
the motor vehicle upon the highways of this state, while it 30702  
displays a distinctive number or identification mark issued by or 30703  
under the authority of another state, without complying with the 30704  
laws of this state relating to the registration and identification 30705  
of motor vehicles. 30706

(B) Whoever violates division (A) of this section is guilty 30707  
of illegal operation by a resident of this state of a motor 30708  
vehicle bearing the distinctive number or identification mark 30709  
issued by a foreign jurisdiction, a minor misdemeanor on a first 30710  
offense and a misdemeanor of the fourth degree on each subsequent 30711  
offense. 30712

**Sec. 4549.18.** (A) The operator of a "commercial car," as 30713  
defined in section 4501.01 of the Revised Code, when ~~such~~ the 30714  
commercial car is required to be registered under the Revised 30715  
Code, shall, when operating ~~such~~ the commercial car, trailer, or 30716  
semitrailer on the streets, roads, or highways of this state, 30717  
display inside or on the vehicle the certificate of registration 30718  
for ~~such~~ the commercial car, trailer, or semitrailer provided for 30719  
in section 4503.19 of the Revised Code, or shall carry ~~such~~ the 30720  
certificate on ~~his~~ the operator's person and display ~~such~~ 30721  
~~certificate~~ it upon the demand of any state highway patrol trooper 30722  
or other peace officer. 30723

Every person operating a commercial car, trailer, or 30724  
semitrailer required to be registered under the Revised Code, 30725  
shall permit the inspection of the certificate of registration 30726  
upon demand of the superintendent or any member of the state 30727  
highway patrol or other peace officer of this state. 30728

(B) Whoever violates division (A) of this section is guilty 30729  
of a commercial car certificate of registration violation, a minor 30730  
misdemeanor. 30731

**Sec. 4549.42.** (A) No person shall adjust, alter, change, 30732  
tamper with, advance, set back, disconnect, or fail to connect, an 30733  
odometer of a motor vehicle, or cause any of the foregoing to 30734  
occur to an odometer of a motor vehicle with the intent to alter 30735  
the number of miles registered on the odometer. 30736

(B) Division (A) of this section does not apply to the 30737  
disconnection of an odometer used for registering the mileage of 30738  
any new motor vehicle being tested by the manufacturer prior to 30739  
delivery to a franchise dealer. 30740

(C) Nothing in this section ~~shall prevent~~ prevents the 30741  
service of an odometer, provided that after ~~such~~ the service a 30742  
completed form, captioned "notice of odometer repair", shall be 30743  
attached to the left door frame of the motor vehicle by the person 30744  
performing ~~such~~ the repairs. ~~Such~~ The notice shall contain, in 30745  
bold-face type, the following information and statements: 30746

"Notice of Odometer Repair 30747

The odometer of this motor vehicle was repaired or replaced 30748  
on ..... (date of service). 30749

The mileage registered on the odometer of this motor vehicle 30750  
before repair was ..... (mileage). 30751

The mileage registered on the odometer of this motor vehicle 30752  
after repair is ..... (mileage). 30753

..... 30754  
(~~Repairman's~~ Repairer's  
signature)" 30755

(D) No person shall intentionally remove or alter the notice 30756  
required by division (C) of this section. 30757

(E) If after the service of an odometer, the odometer can be 30758  
set at the same mileage as before ~~such~~ the service, the odometer 30759  
shall be adjusted to reflect that mileage registered on the 30760  
odometer of the motor vehicle before the service. If the odometer 30761  
cannot be set at the same mileage as before ~~such~~ the service, the 30762  
odometer of the motor vehicle shall be adjusted to read "zero". 30763

(F) Except as otherwise provided in this division, whoever 30764  
violates this section is guilty of tampering with an odometer, a 30765  
felony of the fifth degree. If the offender previously has been 30766  
convicted of or pleaded guilty to a violation of this section or 30767  
of any provision of sections 4549.43 to 4549.46 of the Revised 30768  
Code, tampering with an odometer is a felony of the fourth degree. 30769

**Sec. 4549.43.** (A) No person, with intent to defraud, shall 30770  
advertise for sale, sell, use, or install on any part of any motor 30771  
vehicle or an odometer in any motor vehicle any device ~~which~~ that 30772  
causes the odometer to register any mileage other than the actual 30773  
mileage driven by the motor vehicle. For the purpose of this 30774  
section, the actual mileage driven is that mileage driven by the 30775  
motor vehicle as registered by an odometer within the 30776  
manufacturer's designed tolerance. 30777

(B) Except as otherwise provided in this division, whoever 30778  
violates this section is guilty of selling or installing an 30779  
odometer tampering device, a felony of the fourth degree. If the 30780  
offender previously has been convicted of or pleaded guilty to a 30781  
violation of this section, section 4549.42, or any provision of 30782  
sections 4549.44 to 4549.46 of the Revised Code, selling or 30783

installing an odometer tampering device is a felony of the third degree. 30784  
30785

**Sec. 4549.44.** (A) No person, with intent to defraud, shall 30786  
operate a motor vehicle on any public street, road, or highway of 30787  
this state knowing that the odometer of ~~such~~ the vehicle is 30788  
disconnected or nonfunctional. 30789

A person's intent to defraud under this section may be 30790  
inferred from evidence of the circumstances of the vehicle's 30791  
operation, including facts pertaining to the length of time or 30792  
number of miles of operation with a nonfunctioning or disconnected 30793  
odometer, and the fact that the person subsequently transferred 30794  
the vehicle without disclosing the inoperative odometer to the 30795  
transferee in violation of section 4549.45 of the Revised Code. 30796

(B) Except as otherwise provided in this division, whoever 30797  
violates this section is guilty of fraudulent driving without a 30798  
functional odometer, a felony of the fourth degree. If the 30799  
offender previously has been convicted of or pleaded guilty to a 30800  
violation of this section, section 4549.42 or 4549.43, or any 30801  
provision of sections 4549.45 to 4549.46 of the Revised Code, 30802  
fraudulent driving without a functional odometer is a felony of 30803  
the third degree. 30804

**Sec. 4549.45.** (A) No person shall transfer a motor vehicle if 30805  
the person knows or recklessly disregards facts indicating that 30806  
the odometer of the motor vehicle has been changed, tampered with, 30807  
or disconnected, or has been in any other manner nonfunctional, to 30808  
reflect a lesser mileage or use, unless that person gives clear 30809  
and unequivocal notice of ~~such~~ the tampering or nonfunction or of 30810  
~~his~~ the person's reasonable belief of tampering or nonfunction, to 30811  
the transferee in writing prior to the transfer. In a prosecution 30812  
for violation of this section, evidence that a transferor or ~~his~~ 30813

the transferor's agent has changed, tampered with, disconnected, 30814  
or failed to connect the odometer of the motor vehicle constitutes 30815  
prima-facie evidence of knowledge of the odometer's altered 30816  
condition. 30817

(B) Except as otherwise provided in this division, whoever 30818  
violates this section is guilty of transferring a motor vehicle 30819  
that has a tampered or nonfunctional odometer, a felony of the 30820  
fourth degree. If the offender previously has been convicted of or 30821  
pleaded guilty to a violation of this section, any provision of 30822  
sections 4549.42 to 4549.44, or any provision of section 4549.451 30823  
or 4549.46 of the Revised Code, transferring a motor vehicle that 30824  
has a tampered or nonfunctional odometer is a felony of the third 30825  
degree. 30826

**Sec. 4549.451.** (A) No auctioneer licensed under Chapter 4707. 30827  
of the Revised Code shall advertise for sale by means of any 30828  
written advertisement, brochure, flyer, or other writing, any 30829  
motor vehicle the auctioneer knows or has reason to believe has an 30830  
odometer that has been changed, tampered with, or disconnected, or 30831  
in any other manner has been nonfunctional, unless the listing or 30832  
description of the vehicle contained in the written advertisement, 30833  
brochure, flyer, or other writing contains one of the two 30834  
following statements: 30835

~~(A)~~(1) "This motor vehicle has an odometer that has been 30836  
changed, tampered with, or disconnected, or otherwise has been 30837  
nonfunctional." 30838

~~(B)~~(2) "Nonactual odometer reading: warning - odometer 30839  
discrepancy." 30840

(B) The statement selected by the auctioneer shall be printed 30841  
in type identical in size to the other type used in the listing or 30842  
description, and shall be located within the listing or 30843  
description and not located as a footnote to the listing or 30844

description. 30845

(C) Except as otherwise provided in this division, whoever 30846  
violates this section is guilty of a felony of the fourth degree. 30847  
If the offender previously has been convicted of or pleaded guilty 30848  
to a violation of this section, any provision of sections 4549.42 30849  
to 4549.45, or section 4549.46 of the Revised Code, whoever 30850  
violates this section is guilty of a felony of the third degree. 30851

**Sec. 4549.46.** (A) No transferor shall fail to provide the 30852  
true and complete odometer disclosures required by section 4505.06 30853  
of the Revised Code. The transferor of a motor vehicle is not in 30854  
violation of this ~~section's provisions~~ division requiring a true 30855  
odometer reading if the odometer reading is incorrect due to a 30856  
previous owner's violation of any of the provisions contained in 30857  
sections 4549.42 to 4549.46 of the Revised Code, unless the 30858  
transferor knows of or recklessly disregards facts indicating the 30859  
violation. 30860

(B) No dealer or wholesaler who acquires ownership of a motor 30861  
vehicle shall accept any written odometer disclosure statement 30862  
unless the statement is completed as required by section 4505.06 30863  
of the Revised Code. 30864

(C) A motor vehicle leasing dealer may obtain a written 30865  
odometer disclosure statement completed as required by section 30866  
4505.06 of the Revised Code from a motor vehicle lessee that can 30867  
be used as prima-facie evidence in any legal action arising under 30868  
sections 4549.41 to 4549.46 of the Revised Code. 30869

(D) Except as otherwise provided in this division, whoever 30870  
violates division (A) or (B) of this section is guilty of an 30871  
odometer disclosure violation, a felony of the fourth degree. If 30872  
the offender previously has been convicted of or pleaded guilty to 30873  
a violation of this section or any provision of sections 4549.42 30874  
to 4549.451 of the Revised Code, a violation of this section is a 30875



felony of the third degree. 30876

Sec. 4549.52. The prosecuting attorney of the county in which 30877  
a violation of any provision of sections 4549.41 to 4549.51 of the 30878  
Revised Code occurs, or the attorney general, may bring a criminal 30879  
action to enforce the provisions of sections 4549.41 to 4549.51 of 30880  
the Revised Code. The attorney general and the prosecuting 30881  
attorney of the county in which a person licensed or granted a 30882  
permit under Chapter 4517. of the Revised Code is convicted of or 30883  
pleads guilty to a violation of any provision of sections 4549.41 30884  
to 4549.46 of the Revised Code shall report the conviction or 30885  
guilty plea to the registrar of motor vehicles within five 30886  
business days of the conviction or plea. 30887

Sec. 4549.62. (A) No person shall, with purpose to conceal or 30888  
destroy the identity of a vehicle or vehicle part, shall remove, 30889  
deface, cover, alter, or destroy any vehicle identification number 30890  
or derivative thereof of a vehicle identification number on a 30891  
vehicle or vehicle part. 30892

(B) No person ~~shall~~, with purpose to conceal or destroy the 30893  
identity of a vehicle or a vehicle part, shall remove, deface, 30894  
cover, alter, or destroy any identifying number that has been 30895  
lawfully placed upon a vehicle or vehicle part by an owner of the 30896  
vehicle or vehicle part, other than the manufacturer, for the 30897  
purpose of deterring its theft and facilitating its recovery if 30898  
stolen. 30899

(C) No person ~~shall~~, with purpose to conceal or destroy the 30900  
identity of a vehicle or vehicle part, shall place a counterfeit 30901  
vehicle identification number or derivative ~~thereof~~ of a vehicle 30902  
identification number upon the vehicle or vehicle part. 30903

(D)(1) No person shall buy, offer to buy, sell, offer to 30904  
sell, receive, dispose of, conceal, or, except as provided in 30905

division (D)(4) of this section, possess any vehicle or vehicle 30906  
part with knowledge that the vehicle identification number or a 30907  
derivative ~~thereof~~ of the vehicle identification number has been 30908  
removed, defaced, covered, altered, or destroyed in such a manner 30909  
that the identity of the vehicle or part cannot be determined by a 30910  
visual examination of the number at the site where the 30911  
manufacturer placed the number. 30912

(2)(a) A vehicle or vehicle part from which the vehicle 30913  
identification number or a derivative ~~thereof~~ of the vehicle  
identification number has been so removed, defaced, covered, 30914  
altered, or destroyed shall be seized and forfeited under section 30915  
2933.41 of the Revised Code unless division (D)(3) or (4) of this 30916  
section applies to the vehicle or part. If a derivative of the 30917  
vehicle identification number has been removed, defaced, covered, 30918  
altered, or destroyed in such a manner that the identity of the 30919  
part cannot be determined, the entire vehicle is subject to 30920  
seizure pending a determination of the original identity and 30921  
ownership of the vehicle and parts of the vehicle, and the rights 30922  
of innocent owners to reclaim the remainder or any part of the 30923  
vehicle. 30924  
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(b) The lawful owners of parts upon a vehicle that has been 30926  
seized under this section and that is subject to forfeiture under 30927  
section 2933.41 of the Revised Code are entitled to reclaim their 30928  
respective parts upon satisfactory proof of all of the following: 30929

(i) That the part is not needed for evidence in pending 30930  
proceedings involving the vehicle or part and is not subject to 30931  
forfeiture under section 2933.41 of the Revised Code; 30932

(ii) That the original identity and ownership of the part can 30933  
be determined and that the claimant is the lawful owner of the 30934  
part; 30935

(iii) That no vehicle identification number or derivative of 30936

a vehicle identification number on the part has been destroyed or 30937  
concealed in such a manner that the identity of the part cannot be 30938  
determined from that number; 30939

(iv) Payment of all costs of removing the part. 30940

(3) Divisions (A), (B), and (D)(1) and (2) of this section do 30941  
not apply to the good faith acquisition and disposition of 30942  
vehicles and vehicle parts as junk or scrap in the ordinary course 30943  
of business by a scrap metal processing facility as defined in 30944  
division ~~(E)~~(D) of section 4737.05 of the Revised Code or by a 30945  
motor vehicle salvage dealer licensed under Chapter 4738. of the 30946  
Revised Code. This division ~~(D)~~~~(3)~~ does not create an element of 30947  
an offense or an affirmative defense, or affect the burden of 30948  
proceeding with the evidence or burden of proof in a criminal 30949  
proceeding. 30950

(4)(a) Divisions (D)(1) and (2) of this section do not apply 30951  
to the possession of an owner, or the owner's insurer, who 30952  
provides satisfactory evidence of all of the following: 30953

(i) That the vehicle identification number or derivative 30954  
thereof on the vehicle or part has been removed, defaced, covered, 30955  
altered, or destroyed, after the owner acquired such possession, 30956  
by another person without the consent of the owner, by accident or 30957  
other casualty not due to the owner's purpose to conceal or 30958  
destroy the identity of the vehicle or vehicle part, or by 30959  
ordinary wear and tear; 30960

(ii) That the person is the owner of the vehicle as shown on 30961  
a valid certificate of title issued by this state or certificate 30962  
of title or other lawful evidence of title issued in another 30963  
state, in a clear chain of title beginning with the manufacturer; 30964

(iii) That the original identity of the vehicle can be 30965  
established in a manner that excludes any reasonable probability 30966  
that the vehicle has been stolen from another person. 30967

(b) The registrar of motor vehicles shall adopt rules under Chapter 119. of the Revised Code to permit an owner described in division (D)(4)(a) of this section, upon application and submission of satisfactory evidence to the registrar ~~of motor vehicles~~, to obtain authority to replace the vehicle identification number under the supervision of a peace officer, trooper of the state highway patrol, or representative of the registrar. The rules shall be designed to restore the identification of the vehicle in a manner that will deter its theft and facilitate its marketability. Until such rules are adopted, the registrar shall follow the existing procedure for the replacement of vehicle identification numbers that have been established by the registrar, with such modifications as the registrar determines to be necessary or appropriate for the administration of the laws ~~he~~ the registrar is required to administer.

The registrar may issue a temporary permit to an owner of a motor vehicle who is described in division (D)(4)(a) of this section to authorize the owner to retain possession of the motor vehicle and to transfer title to the motor vehicle with the consent of the registrar.

(c) No owner described in division (D)(4)(a) of this section shall ~~knowingly~~ fail knowingly to apply to the registrar for authority to replace the vehicle identification number, within thirty days after the later of the following dates:

(i) The date of receipt by the applicant of actual knowledge of the concealment or destruction;

(ii) If the property has been stolen, the date thereafter upon which the applicant obtains possession of the vehicle or has been notified by a law enforcement agency that the vehicle has been recovered.

The requirement of division (D)(4)(c) of this section may be excused by the registrar for good cause shown. 30999  
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(E) Whoever violates division (A), (B), (C), or (D)(1) of this section is guilty of a felony of the fifth degree on a first offense and a felony of the fourth degree on each subsequent offense. 31001  
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(F) Whoever violates division (D)(4)(c) of this section is guilty of a minor misdemeanor. 31005  
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**Sec. 4551.04.** (A) No person shall transport trees or boughs described in section 4551.01 of the Revised Code in violation of sections 4551.01 to 4551.03, ~~inclusive,~~ of the Revised Code. 31007  
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(B) Whoever violates this section shall be fined not more than one thousand dollars, imprisoned not more than thirty days, or both. 31010  
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**Sec. 4561.11.** (A) All airports, landing fields, and landing areas shall be approved by the department of transportation before being used for commercial purposes. The department may issue a certificate of approval in each case. The department shall require that a complete plan of such airport, landing field, or landing area be filed with it before granting or issuing such approval; provided that in no case in which the department licenses or certifies an airport, landing field, or landing area constructed, maintained, or supported, in whole or in part, by public funds, under sections 4561.01 to 4561.151 of the Revised Code, shall the public be deprived of the use thereof or its facilities for aviation purposes as fully and equally as all other parties. 31013  
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In any case in which the department rejects or disapproves an application to operate an airport, landing field, or landing area, or in any case in which the department issues an order requiring 31026  
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certain things to be done before approval, it shall set forth its 31029  
reasons therefor and shall state the requirements to be met before 31030  
such approval will be given or such order modified or changed. In 31031  
any case in which the department considers it necessary, it may 31032  
order the closing of any airport, landing field, or landing area 31033  
for commercial purposes until the requirements of the order made 31034  
by the department are complied with. 31035

Appeal from any action or decision of the department in any 31036  
such matter shall be made in accordance with sections 119.01 to 31037  
119.13 of the Revised Code. 31038

The department shall require that any person engaged within 31039  
this state in operating aircraft, in any form of navigation, shall 31040  
be the holder of a currently effective ~~airman's~~ aviator's license 31041  
issued by the civil aeronautics administration. 31042

The ~~airman's~~ aviator's license required by this section shall 31043  
be kept in the personal possession of the pilot when the pilot is 31044  
operating aircraft within this state, and shall be presented for 31045  
inspection upon the request of any passenger, any authorized 31046  
representative of the department, or any official manager or 31047  
person in charge of any airport, landing field, or area in this 31048  
state upon which the pilot lands. 31049

(B) Whoever violates this section shall be fined not more 31050  
than five hundred dollars, imprisoned not more than ninety days, 31051  
or both. 31052

**Sec. 4561.12.** (A) No aircraft shall be operated or maintained 31053  
on any public land or water owned or controlled by this state, or 31054  
by any political subdivision ~~thereof~~ of this state, except at such 31055  
places and under such rules and regulations governing and 31056  
controlling the operation and maintenance of aircraft as are 31057  
adopted and promulgated by the department of transportation in 31058  
accordance with sections 119.01 to 119.13 of the Revised Code. 31059

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Such action and approval by the department shall not become  
effective until it has been approved by the adoption and  
promulgation of appropriate rules and regulations governing,  
controlling, and approving said places and the method of operation  
and maintenance of aircraft, by the department, division,  
political subdivision, agent, or agency of this state having  
ownership or control of the places on said public land or water  
which are affected by such operation or maintenance of aircraft  
thereon.

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(B) Whoever violates this section shall be fined not more  
than five hundred dollars, imprisoned not more than ninety days,  
or both.

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**Sec. 4561.14.** (A) No person shall operate any aircraft in  
this state unless such person is the holder of a valid ~~airman's~~  
aviator's license issued by the United States.

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No person operating an aircraft within this state shall fail  
to exhibit such license for inspection upon the demand of any  
passenger on such aircraft, or fail to exhibit same for inspection  
upon the demand of any peace officer, member or employee of the  
department of transportation, or manager or person in charge of an  
airport or landing field within this state, prior to taking off or  
upon landing said aircraft.

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No person shall operate an aircraft within this state unless  
such aircraft is licensed and registered by the United States;  
this section is inapplicable to the operation of military aircraft  
of the United States, aircraft of a state, territory, or  
possession of the United States, or aircraft licensed by a foreign  
country with which the United States has a reciprocal agreement  
covering the operation of such aircraft.

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No person shall operate an aircraft within this state in violation of any air traffic rules in force under the laws of the United States or under sections 4561.01 to 4561.14 of the Revised Code, and the rules and regulations of the department adopted pursuant thereto.

(B) Whoever violates this section shall be fined not more than five hundred dollars, imprisoned not more than ninety days, or both.

**Sec. 4561.15.** (A) No person shall commit any of the following acts:

(1) Carry passengers in an aircraft unless the person piloting the aircraft is a holder of a valid ~~airman's~~ airperson's certificate of competency in the grade of private pilot or higher issued by the United States; this division of this section is inapplicable to the operation of military aircraft of the United States, aircraft of a state, territory, or possession of the United States, or aircraft licensed by a foreign country with which the United States has a reciprocal agreement covering the operation of such aircraft-i

(2) Operate an aircraft on the land or water or in the air space over this state in a careless or reckless manner that endangers any person or property, or with willful or wanton disregard for the rights or safety of others-i

(3) Operate an aircraft on the land or water or in the air space over this state while under the influence of intoxicating liquor, controlled substances, or other habit-forming drugs-i

(4) Tamper with, alter, destroy, remove, carry away, or cause to be carried away any object used for the marking of airports, landing fields, or other aeronautical facilities in this state, or in any way change the position or location of such markings,



except by the direction of the proper authorities charged with the 31120  
maintenance and operation of such facilities, or illegally possess 31121  
any object used for such markings. 31122

(B) Jurisdiction over any proceedings charging a violation of 31123  
this section is limited to courts of record. 31124

(C) Whoever violates this section shall be fined not more 31125  
than five hundred dollars, imprisoned not more than six months, or 31126  
both. 31127

**Sec. 4561.22.** (A) No owner or operator of an aircraft shall 31128  
violate sections 4561.17 to 4561.20, ~~inclusive,~~ of the Revised 31129  
Code. 31130

(B) Whoever violates this section shall be fined not more 31131  
than one hundred dollars, imprisoned not more than thirty days, or 31132  
both. 31133

**Sec. 4561.24.** (A) No person shall operate a motor vehicle 31134  
upon any runway of an airport without prior approval of the person 31135  
in charge of the airport when the airport has been certified as a 31136  
commercial airport by the office of aviation. 31137

Any person lending assistance to the operator or operation of 31138  
a vehicle engaged in such activity shall be equally charged as the 31139  
participants. 31140

(B) Except as otherwise provided in this division, whoever 31141  
violates this section shall be fined not less than one hundred nor 31142  
more than five hundred dollars, imprisoned for not more than six 31143  
months, or both. If the offender previously has committed a 31144  
violation of this section, whoever violates this section shall be 31145  
fined not less than two hundred nor more than one thousand 31146  
dollars, imprisoned for not more than one year, or both. 31147

(C) As used in this section, "motor vehicle" has the same 31148

meaning as in section 4501.01 of the Revised Code. 31149

(D) Airport vehicles and emergency and maintenance equipment 31150  
are exempted from this section. 31151

**Sec. 4561.31.** (A)(1) Except as provided in divisions (D), 31152  
(E), and (F) of this section, no person shall commence to install 31153  
any structure or object of natural growth in this state, any part 31154  
of which will penetrate or is reasonably expected to penetrate 31155  
into or through any airport's clear zone surface, horizontal 31156  
surface, conical surface, primary surface, approach surface, or 31157  
transitional surface without first obtaining a permit from the 31158  
department of transportation under section 4561.34 of the Revised 31159  
Code. The replacement of an existing structure or object of 31160  
natural growth with, respectively, a structure or object that is 31161  
not more than ten feet or twenty per cent higher than the height 31162  
of the existing structure or object, whichever is higher, does not 31163  
constitute commencing to install a structure or object, except 31164  
when any part of the structure or object will penetrate or is 31165  
reasonably expected to penetrate into or through any airport's 31166  
clear zone surface, horizontal surface, conical surface, primary 31167  
surface, approach surface, or transitional surface. Such 31168  
replacement of a like structure or object is not exempt from any 31169  
other requirements of state or local law. 31170

(2) No person shall substantially change, as determined by 31171  
the department, the height or location of any structure or object 31172  
of natural growth in this state, any part of which, as a result of 31173  
such change, will penetrate or is reasonably expected to penetrate 31174  
into or through any airport's clear zone surface, horizontal 31175  
surface, conical surface, primary surface, approach surface, or 31176  
transitional surface, and for which installation had commenced or 31177  
which was already installed prior to ~~the effective date of this~~ 31178  
~~section~~ October 15, 1991, without first obtaining a permit from 31179

the department under section 4561.34 of the Revised Code. This 31180  
division does not exempt the structure or object from any other 31181  
requirements of state or local law. 31182

(3) No person shall substantially change, as determined by 31183  
the department, the height or location of any structure or object 31184  
of natural growth for which a permit was issued pursuant to 31185  
section 4561.34 of the Revised Code, without first obtaining an 31186  
amended permit from the department under that section. 31187

(B) No person shall install, operate, or maintain any 31188  
structure or object of natural growth for which a permit has been 31189  
issued under section 4561.34 of the Revised Code, except in 31190  
compliance with the permit's terms and conditions and with any 31191  
rules or orders issued under sections 4561.30 to 4561.39 of the 31192  
Revised Code. 31193

(C) The holder of a permit issued under section 4561.34 of 31194  
the Revised Code, with the department's approval, may transfer the 31195  
permit to another person who agrees to comply with its terms and 31196  
conditions. 31197

(D) Any person who receives a permit to construct, establish, 31198  
substantially change, or substantially alter a structure or object 31199  
of natural growth from an airport zoning board on or after ~~the~~ 31200  
~~effective date of this section~~ October 15, 1991, under Chapter 31201  
4563. of the Revised Code is not required to apply for a permit 31202  
from the department under sections 4561.30 to 4561.39 of the 31203  
Revised Code, provided that the airport zoning board has adopted 31204  
airport zoning regulations pursuant to section 4563.032 of the 31205  
Revised Code. 31206

(E) Any person who receives a certificate from the power 31207  
siting board pursuant to section 4906.03 or 4906.10 of the Revised 31208  
Code on or after ~~the effective date of this section~~ October 15, 31209  
1991, is not required to apply for a permit from the department 31210

under sections 4561.30 to 4561.39 of the Revised Code. 31211

(F) Any person who, in accordance with 14 C.F.R. 77.11 to 31212  
77.19, notified the federal aviation administration prior to June 31213  
1, 1991, that ~~he~~ the person proposes to construct, establish, 31214  
substantially change, or substantially alter a structure or object 31215  
of natural growth is not required to apply for a permit from the 31216  
department under sections 4561.30 to 4561.39 of the Revised Code 31217  
in connection with the construction, establishment, substantial 31218  
change, or substantial alteration of the structure or object of 31219  
natural growth either as originally proposed to the federal 31220  
aviation administration or as altered as the person or the federal 31221  
aviation administration considers necessary, provided that the 31222  
federal aviation administration, pursuant to 14 C.F.R. Part 77, 31223  
does not determine that the proposed construction, establishment, 31224  
substantial change, or substantial alteration of the structure or 31225  
object of natural growth would be a hazard to air navigation. 31226

(G)(1) Whoever violates division (A)(1) or (2) of this 31227  
section is guilty of a misdemeanor of the third degree. Each day 31228  
of violation constitutes a separate offense. 31229

(2) Whoever violates division (A)(3) or (B) of this section 31230  
is guilty of a misdemeanor of the first degree. Each day of 31231  
violation constitutes a separate offense. 31232

**Sec. 4561.99.** ~~(A)~~ Whoever violates any provision of sections 31233  
~~4561.01~~ 4561.021 to ~~4561.14~~ 4561.13 of the Revised Code for which 31234  
no penalty otherwise is provided in the section that contains the 31235  
provision violated shall be fined not more than five hundred 31236  
dollars, imprisoned not more than ninety days, or both. 31237

~~(B) Whoever violates section 4561.15 of the Revised Code 31238  
shall be fined not more than five hundred dollars, imprisoned not 31239  
more than six months, or both.~~ 31240

~~(C) Whoever violates section 4561.22 of the Revised Code shall be fined not more than one hundred dollars, imprisoned not more than thirty days, or both.~~ 31241  
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~~(D) Whoever violates section 4561.24 of the Revised Code shall be fined not less than one hundred nor more than five hundred dollars, imprisoned for not more than six months, or both, for a first offense and shall be fined not less than two hundred nor more than one thousand dollars, imprisoned for not more than one year, or both, for each subsequent offense.~~ 31244  
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~~(E) Whoever violates division (A)(1) or (2) of section 4561.31 of the Revised Code is guilty of a misdemeanor of the third degree. Each day of violation constitutes a separate offense.~~ 31250  
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~~(F) Whoever violates division (A)(3) or (B) of section 4561.31 of the Revised Code is guilty of a misdemeanor of the first degree. Each day of violation constitutes a separate offense.~~ 31254  
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**Sec. 4563.09.** No airport zoning regulations adopted under sections 4563.01 to 4563.21, ~~inclusive, and section 4563.99~~ of the Revised Code, shall require the removal, lowering, or other change or alteration of any structure or object of natural growth not conforming to the regulations when adopted or amended, or otherwise interfere with the continuance of any nonconforming use, except as provided in section 4563.14 of the Revised Code. 31258  
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**Sec. 4563.10.** Nothing in sections 4563.01 to 4563.21, ~~inclusive,~~ of the Revised Code, shall confer any power on any political subdivision or airport zoning board to prohibit the use of any land for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, or animal and poultry husbandry, except where such use shall create an airport hazard. 31265  
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The provisions of sections 4563.01 to 4563.21, ~~inclusive, and~~ 31271  
~~section 4563.99~~ of the Revised Code shall not apply in respect to 31272  
the location, relocation, erection, construction, reconstruction, 31273  
change, alteration, maintenance, removal, use, or enlargement of 31274  
any buildings or structures, now existing or constructed in the 31275  
future, of any public utility or railroad. 31276

**Sec. 4563.20.** (A) No person shall violate any regulation, 31277  
order, or ruling promulgated or made pursuant to sections 4563.01 31278  
to 4563.21, ~~inclusive,~~ of the Revised Code. 31279

(B) Whoever violates this section shall be fined not more 31280  
than one hundred dollars. Each day's willful continuation of the 31281  
violation is a separate offense. 31282

**Sec. 4582.06.** (A) A port authority created in accordance with 31283  
section 4582.02 of the Revised Code may: 31284

~~(A)~~(1) Acquire, construct, furnish, equip, maintain, repair, 31285  
sell, exchange, lease to or from, lease with an option to 31286  
purchase, convey other interests in, or operate real or personal 31287  
property, or any combination thereof, related to, useful for, or 31288  
in furtherance of any authorized purpose, and make charges for the 31289  
use of any port authority facility, which shall be not less than 31290  
the charges established for the same services furnished by a 31291  
public utility or common carrier in the jurisdiction of the 31292  
particular port authority; 31293

~~(B)~~(2) Straighten, deepen, and improve any canal, channel, 31294  
river, stream, or other water course or way that may be necessary 31295  
or proper in the development of the facilities of the port 31296  
authority; 31297

~~(C)~~(3) Issue bonds or notes for the acquisition, 31298  
construction, furnishing, or equipping of any real or personal 31299  
property, or any combination thereof, related to, useful for, or 31300

in furtherance of any authorized purpose, in compliance with 31301  
Chapter 133. of the Revised Code, except that the bonds or notes 31302  
only may be issued pursuant to a vote of the electors residing 31303  
within the territory of the port authority. The net indebtedness 31304  
incurred by a port authority shall never exceed two per cent of 31305  
the total value of all property within the territory comprising 31306  
the authority as listed and assessed for taxation. 31307

~~(D)~~(4) By resolution of its board of directors, issue revenue 31308  
bonds beyond the limit of bonded indebtedness provided by law, for 31309  
the acquisition, construction, furnishing, or equipping of any 31310  
real or personal property, or any combination thereof, related to, 31311  
useful for, or in furtherance of any authorized purpose, including 31312  
all costs in connection with or incidental thereto. 31313  
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The revenue bonds of the port authority shall be secured only 31315  
by a pledge of and a lien on the revenues of the port authority 31316  
derived from those loan payments, rentals, fees, charges, or other 31317  
revenues that are designated in the resolution, including, but not 31318  
limited to, any property to be acquired, constructed, furnished, 31319  
or equipped with the proceeds of the bond issue, after provision 31320  
only for the reasonable cost of operating, maintaining, and 31321  
repairing the property of the port authority so designated. The 31322  
bonds may further be secured by the covenant of the port authority 31323  
to maintain rates or charges that will produce revenues sufficient 31324  
to meet the costs of operating, maintaining, and repairing such 31325  
property and to meet the interest and principal requirements of 31326  
the bonds and to establish and maintain reserves for the foregoing 31327  
purposes. The board of directors, by resolution, may provide for 31328  
the issuance of additional revenue bonds from time to time, to be 31329  
secured equally and ratably, without preference, priority, or 31330  
distinction, with outstanding revenue bonds, but subject to the 31331  
terms and limitations of any trust agreement described in this 31332

section, and of any resolution authorizing bonds then outstanding. 31333  
The board of directors, by resolution, may designate additional 31334  
property of the port authority, the revenues of which shall be 31335  
pledged and be subject to a lien for the payment of the debt 31336  
charges on revenue bonds theretofore authorized by resolution of 31337  
the board of directors, to the same extent as the revenues above 31338  
described. 31339

In the discretion of the board of directors, the revenue 31340  
bonds of the port authority may be secured by a trust agreement 31341  
between the board of directors on behalf of the port authority and 31342  
a corporate trustee, that may be any trust company or bank having 31343  
powers of a trust company, within or without the state. 31344

The trust agreement may provide for the pledge or assignment 31345  
of the revenues to be received, but shall not pledge the general 31346  
credit and taxing power of the port authority. A trust agreement 31347  
securing revenue bonds issued to acquire, construct, furnish, or 31348  
equip real property, plants, factories, offices, and other 31349  
structures and facilities for authorized purposes consistent with 31350  
Section 13 or 16 of Article VIII, Ohio Constitution, may mortgage 31351  
the real or personal property, or a combination thereof, to be 31352  
acquired, constructed, furnished, or equipped from the proceeds of 31353  
such revenue bonds, as further security for the bonds. The trust 31354  
agreement or the resolution providing for the issuance of revenue 31355  
bonds may set forth the rights and remedies of the bondholders and 31356  
trustee, and may contain other provisions for protecting and 31357  
enforcing their rights and remedies that are determined in the 31358  
discretion of the board of directors to be reasonable and proper. 31359  
The agreement or resolution may provide for the custody, 31360  
investment, and disbursement of all moneys derived from the sale 31361  
of such bonds, or from the revenues of the port authority, other 31362  
than those moneys received from taxes levied pursuant to section 31363  
4582.14 of the Revised Code, and may provide for the deposit of 31364



such funds without regard to section 4582.15 of the Revised Code. 31365

All bonds issued under authority of this chapter, regardless 31366  
of form or terms and regardless of any other law to the contrary, 31367  
shall have all qualities and incidents of negotiable instruments, 31368  
subject to provisions for registration, and may be issued in 31369  
coupon, fully registered, or other form, or any combination 31370  
thereof, as the board of directors determines. Provision may be 31371  
made for the registration of any coupon bonds as to principal 31372  
alone or as to both principal and interest, and for the conversion 31373  
into coupon bonds of any fully registered bonds or bonds 31374  
registered as to both principal and interest. 31375

The revenue bonds shall bear interest at such rate or rates, 31376  
shall bear such date or dates, and shall mature within forty years 31377  
following the date of issuance and in such amount, at such time or 31378  
times, and in such number of installments, as may be provided in 31379  
or pursuant to the resolution authorizing their issuance. Any 31380  
original issue of revenue bonds shall mature not later than forty 31381  
years from their date of issue. Such resolution also shall provide 31382  
for the execution of the bonds, which may be by facsimile 31383  
signatures unless prohibited by the resolution, and the manner of 31384  
sale of the bonds. The resolution shall provide for, or provide 31385  
for the determination of, any other terms and conditions relative 31386  
to the issuance, sale, and retirement of the bonds that the board 31387  
of directors in its discretion determines to be reasonable and 31388  
proper. 31389

Whenever a port authority considers it expedient, it may 31390  
issue renewal notes and refund any bonds, whether the bonds to be 31391  
refunded have or have not matured. The final maturity of any 31392  
notes, including any renewal notes, shall not be later than five 31393  
years from the date of issue of the original issue of notes. The 31394  
final maturity of any refunding bonds shall not be later than the 31395  
later of forty years from the date of issue of the original issue 31396

of bonds or the date by which it is expected, at the time of 31397  
issuance of the refunding bonds, that the useful life of all of 31398  
the property, other than interests in land, refinanced with 31399  
proceeds of the bonds will have expired. The refunding bonds shall 31400  
be sold and the proceeds applied to the purchase, redemption, or 31401  
payment of the bonds to be refunded and the costs of issuance of 31402  
the refunding bonds. The bonds and notes issued under this 31403  
chapter, their transfer, and the income therefrom, shall at all 31404  
times be free from taxation within the state. 31405

~~(E)~~(5) Do any of the following, in regard to any interests in 31406  
any real or personal property, or any combination thereof, 31407  
including, without limitation, machinery, equipment, plants, 31408  
factories, offices, and other structures and facilities related 31409  
to, useful for, or in furtherance of any authorized purpose, for 31410  
such consideration and in such manner, consistent with Article 31411  
VIII, Ohio Constitution, as the board in its sole discretion may 31412  
determine: 31413

~~(1)~~(a) Loan moneys to any person for the acquisition, 31414  
construction, furnishing, and equipping of the property; 31415

~~(2)~~(b) Acquire, construct, maintain, repair, furnish, and 31416  
equip the property; 31417

~~(3)~~(c) Sell to, exchange with, lease, convey other interests 31418  
in, or lease with an option to purchase the same or any lesser 31419  
interest in the property to the same or any other person or 31420  
governmental entity; 31421

~~(4)~~(d) Guarantee the obligations of any person or 31422  
governmental entity. 31423

A port authority may accept and hold as consideration for the 31424  
conveyance of property or any interest therein such property or 31425  
interests therein as the board in its discretion may determine, 31426  
notwithstanding any restrictions that apply to the investment of 31427

funds by a port authority. 31428

~~(F)~~(6) Construct, maintain, repair, furnish, equip, sell, 31429  
exchange, lease, or lease with an option to purchase, any property 31430  
that it is authorized to acquire. A port authority that is subject 31431  
to this section also may operate any property in connection with 31432  
transportation, recreational, governmental operations, or cultural 31433  
activities. 31434

~~(1)~~(a) Any purchase, exchange, sale, lease, lease with an 31435  
option to purchase, conveyance of other interests in, or other 31436  
contract with a person or governmental entity that pertains to the 31437  
acquisition, construction, maintenance, repair, furnishing, 31438  
equipping, or operation of any real or personal property, or any 31439  
combination thereof, related to, useful for, or in furtherance of 31440  
an activity contemplated by Section 13 or 16 of Article VIII, Ohio 31441  
Constitution, shall be made in such manner and subject to such 31442  
terms and conditions as may be determined by the board of 31443  
directors in its discretion. 31444

~~(2)~~(b) Division ~~(F)~~~~(1)~~(A)(6)(a) of this section applies to 31445  
all contracts that are subject to the division, notwithstanding 31446  
any other provision of law that might otherwise apply, including, 31447  
without limitation, any requirement of notice, any requirement of 31448  
competitive bidding or selection, or any requirement for the 31449  
provision of security. 31450

~~(3)~~(c) Divisions ~~(F)~~~~(1)~~(A)(6)(a) and ~~(2)~~(b) of this section 31451  
do not apply to either of the following: 31452

~~(a)~~(i) Any contract secured by or to be paid from moneys 31453  
raised by taxation or the proceeds of obligations secured by a 31454  
pledge of moneys raised by taxation; 31455

~~(b)~~(ii) Any contract secured exclusively by or to be paid 31456  
exclusively from the general revenues of the port authority. For 31457  
the purposes of this section, any revenues derived by the port 31458

authority under a lease or other agreement that, by its terms, 31459  
contemplates the use of amounts payable under the agreement either 31460  
to pay the costs of the improvement that is the subject of the 31461  
contract or to secure obligations of the port authority issued to 31462  
finance costs of such improvement, are excluded from general 31463  
revenues. 31464

~~(G)~~(7) Apply to the proper authorities of the United States 31465  
pursuant to appropriate law for the right to establish, operate, 31466  
and maintain foreign trade zones and to establish, operate, and 31467  
maintain foreign trade zones; and to acquire land or property 31468  
therefor, in a manner consistent with section 4582.17 of the 31469  
Revised Code; 31470

~~(H)~~(8) Exercise the right of eminent domain to appropriate 31471  
any land, rights, rights-of-way, franchises, easements, or other 31472  
property, necessary or proper for any authorized purpose, pursuant 31473  
to the procedure provided in sections 163.01 to 163.22 of the 31474  
Revised Code, if funds equal to the appraised value of the 31475  
property to be acquired as a result of such proceedings are 31476  
available for that purpose, except that nothing contained in 31477  
sections 4582.01 to 4582.20 of the Revised Code shall authorize a 31478  
port authority to take or disturb property or facilities belonging 31479  
to any agency or political subdivision of this state, public 31480  
utility, or common carrier, which property or facilities are 31481  
necessary and convenient in the operation of the agency or 31482  
political subdivision, public utility, or common carrier, unless 31483  
provision is made for the restoration, relocation, or duplication 31484  
of the property or facilities, or upon the election of the agency 31485  
or political subdivision, public utility, or common carrier, for 31486  
the payment of compensation, if any, at the sole cost of the port 31487  
authority, provided that: 31488

~~(I)~~(a) If any restoration or duplication proposed to be made 31489  
pursuant to this section involves a relocation of such property or 31490

facilities, the new facilities and location shall be of at least 31491  
comparable utilitarian value and effectiveness, and the relocation 31492  
shall not impair the ability of the public utility or common 31493  
carrier to compete in its original area of operation. 31494

~~(2)~~(b) If any restoration or duplication made pursuant to 31495  
this section involves a relocation of such property or facilities, 31496  
the port authority shall acquire no interest or right in or to the 31497  
appropriated property or facilities, except as provided in 31498  
division ~~(K)~~(A)(11) of this section, until the relocated property 31499  
or facilities are available for use and until marketable title 31500  
thereto has been transferred to the public utility or common 31501  
carrier. 31502

~~(3)~~(c) Provisions for restoration or duplication shall be 31503  
described in detail in the resolution for appropriation passed by 31504  
the port authority. 31505

~~(I)~~(9) Enjoy and possess the same rights, privileges, and 31506  
powers granted municipal corporations under sections 721.04 to 31507  
721.11 of the Revised Code; 31508

~~(J)~~(10) Maintain such funds as it considers necessary; 31509

~~(K)~~(11) Direct its agents or employees, when properly 31510  
identified in writing, and after at least five days' written 31511  
notice, to enter upon lands within the confines of its 31512  
jurisdiction in order to make surveys and examinations preliminary 31513  
to location and construction of works for the purposes of the port 31514  
authority, without liability of the port authority or its agents 31515  
or employees except for actual damage done; 31516

~~(L)~~(12) Sell, lease, or convey other interests in real and 31517  
personal property and grant easements or rights-of-way over 31518  
property of the port authority. The board of directors shall 31519  
specify the consideration and any terms thereof for the sale, 31520  
lease, or conveyance of other interests in real and personal 31521

property. Any determinations made by the board of directors under 31522  
this division shall be conclusive. The sale, lease, or conveyance 31523  
may be made without advertising and the receipt of bids. 31524

~~(M)~~(13) Promote, advertise, and publicize the port authority 31525  
facilities and its authorized purposes, provide information to 31526  
persons with an interest in transportation and other port 31527  
authority activities, and appear before rate-making authorities to 31528  
represent and promote the interests of the port authority and its 31529  
authorized purposes; 31530

~~(N)~~(14) Adopt rules, not in conflict with general law, 31531  
governing the use of and the safeguarding of its property, 31532  
grounds, buildings, equipment, and facilities, safeguarding 31533  
persons and their property located on or in port authority 31534  
property, and governing the conduct of its employees and the 31535  
public, in order to promote the public safety and convenience in 31536  
and about its terminals and grounds, and to maintain order. Any 31537  
such regulation shall be posted at no less than five public places 31538  
in the port authority, as determined by the board of directors, 31539  
for a period of not fewer than fifteen days, and shall be 31540  
available for public inspection at the principal office of the 31541  
port authority during regular business hours. No person shall 31542  
violate any lawful regulation adopted and posted as provided in 31543  
this division. 31544

~~(O)~~(15) Do all acts necessary or appropriate to carry out its 31545  
authorized purposes. The port authority shall have the powers and 31546  
rights granted to other subdivisions under section 9.20 of the 31547  
Revised Code. 31548

(B) Any instrument by which real property is acquired 31549  
pursuant to this section shall identify the agency of the state 31550  
that has the use and benefit of the real property as specified in 31551  
section 5301.012 of the Revised Code. 31552

(C) Whoever violates division (A)(14) of this section is 31553  
guilty of a minor misdemeanor. 31554

**Sec. 4582.31. (A)** A port authority created in accordance with 31555  
section 4582.22 of the Revised Code may: 31556

~~(A)(1)~~ Adopt bylaws for the regulation of its affairs and the 31557  
conduct of its business; 31558

~~(B)(2)~~ Adopt an official seal; 31559

~~(C)(3)~~ Maintain a principal office within its jurisdiction, 31560  
and maintain such branch offices as it may require; 31561

~~(D)(4)~~ Acquire, construct, furnish, equip, maintain, repair, 31562  
sell, exchange, lease to or from, or lease with an option to 31563  
purchase, convey other interests in real or personal property, or 31564  
any combination thereof, related to, useful for, or in furtherance 31565  
of any authorized purpose and operate any property in connection 31566  
with transportation, recreational, governmental operations, or 31567  
cultural activities; 31568

~~(E)(5)~~ Straighten, deepen, and improve any channel, river, 31569  
stream, or other water course or way which may be necessary or 31570  
proper in the development of the facilities of a port authority; 31571

~~(F)(6)~~ Make available the use or services of any port 31572  
authority facility to one or more persons, one or more 31573  
governmental agencies, or any combination thereof; 31574

~~(G)(7)~~ Issue bonds or notes for the acquisition, 31575  
construction, furnishing, or equipping of any port authority 31576  
facility or other permanent improvement that a port authority is 31577  
authorized to acquire, construct, furnish, or equip, in compliance 31578  
with Chapter 133. of the Revised Code, except that such bonds or 31579  
notes may only be issued pursuant to a vote of the electors 31580  
residing within the area of jurisdiction of the port authority. 31581  
The net indebtedness incurred by a port authority shall never 31582

exceed two per cent of the total value of all property within the 31583  
territory comprising the port authority as listed and assessed for 31584  
taxation. 31585

~~(H)~~(8) Issue port authority revenue bonds beyond the limit of 31586  
bonded indebtedness provided by law, payable solely from revenues 31587  
as provided in section 4582.48 of the Revised Code, for the 31588  
purpose of providing funds to pay the costs of any port authority 31589  
facility or facilities or parts thereof; 31590

~~(I)~~(9) Apply to the proper authorities of the United States 31591  
pursuant to appropriate law for the right to establish, operate, 31592  
and maintain foreign trade zones and establish, operate, and 31593  
maintain foreign trade zones and to acquire, exchange, sell, lease 31594  
to or from, lease with an option to purchase, or operate 31595  
facilities, land, or property therefor in accordance with the 31596  
"Foreign Trade Zones Act," 48 Stat. 998 (1934), 19 U.S.C. 81a to 31597  
81u; 31598

~~(J)~~(10) Enjoy and possess the same rights, privileges, and 31599  
powers granted municipal corporations under sections 721.04 to 31600  
721.11 of the Revised Code; 31601

~~(K)~~(11) Maintain such funds as it considers necessary; 31602

~~(L)~~(12) Direct its agents or employees, when properly 31603  
identified in writing, and after at least five days' written 31604  
notice, to enter upon lands within the confines of its 31605  
jurisdiction in order to make surveys and examinations preliminary 31606  
to location and construction of works for the purposes of the port 31607  
authority, without liability of the port authority or its agents 31608  
or employees except for actual damage done; 31609

~~(M)~~(13) Promote, advertise, and publicize the port authority 31610  
and its facilities; provide information to shippers and other 31611  
commercial interests; and appear before rate-making authorities to 31612  
represent and promote the interests of the port authority; 31613



~~(N)~~(14) Adopt rules, not in conflict with general law, it 31614  
finds necessary or incidental to the performance of its duties and 31615  
the execution of its powers under sections 4582.21 to 4582.54 of 31616  
the Revised Code. Any such rule shall be posted at no less than 31617  
five public places in the port authority, as determined by the 31618  
board of directors, for a period of not fewer than fifteen days, 31619  
and shall be available for public inspection at the principal 31620  
office of the port authority during regular business hours. No 31621  
person shall violate any lawful rule adopted and posted as 31622  
provided in this division. 31623

~~(O)~~(15) Do any of the following, in regard to any interests 31624  
in any real or personal property, or any combination thereof, 31625  
including, without limitation, machinery, equipment, plants, 31626  
factories, offices, and other structures and facilities related 31627  
to, useful for, or in furtherance of any authorized purpose, for 31628  
such consideration and in such manner, consistent with Article 31629  
VIII of the Ohio Constitution, as the board in its sole discretion 31630  
may determine: 31631

~~(1)~~(a) Loan moneys to any person or governmental entity for 31632  
the acquisition, construction, furnishing, and equipping of the 31633  
property; 31634

~~(2)~~(b) Acquire, construct, maintain, repair, furnish, and 31635  
equip the property; 31636

~~(3)~~(c) Sell to, exchange with, lease, convey other interests 31637  
in, or lease with an option to purchase the same or any lesser 31638  
interest in the property to the same or any other person or 31639  
governmental entity; 31640

~~(4)~~(d) Guarantee the obligations of any person or 31641  
governmental entity. 31642

A port authority may accept and hold as consideration for the 31643  
conveyance of property or any interest therein such property or 31644

interests therein as the board in its discretion may determine, 31645  
notwithstanding any restrictions that apply to the investment of 31646  
funds by a port authority. 31647

~~(P)~~(16) Sell, lease, or convey other interests in real and 31648  
personal property, and grant easements or rights-of-way over 31649  
property of the port authority. The board of directors shall 31650  
specify the consideration and any terms for the sale, lease, or 31651  
conveyance of other interests in real and personal property. Any 31652  
determination made by the board under this division shall be 31653  
conclusive. The sale, lease, or conveyance may be made without 31654  
advertising and the receipt of bids. 31655

~~(Q)~~(17) Exercise the right of eminent domain to appropriate 31656  
any land, rights, rights-of-way, franchises, easements, or other 31657  
property, necessary or proper for any authorized purpose, pursuant 31658  
to the procedure provided in sections 163.01 to 163.22 of the 31659  
Revised Code, if funds equal to the appraised value of the 31660  
property to be acquired as a result of such proceedings are 31661  
available for that purpose. However, nothing contained in sections 31662  
4582.201 to 4582.59 of the Revised Code shall authorize a port 31663  
authority to take or disturb property or facilities belonging to 31664  
any agency or political subdivision of this state, public utility, 31665  
or common carrier, which property or facilities are necessary and 31666  
convenient in the operation of the agency or political 31667  
subdivision, public utility, or common carrier, unless provision 31668  
is made for the restoration, relocation, or duplication of such 31669  
property or facilities, or upon the election of the agency or 31670  
political subdivision, public utility, or common carrier, for the 31671  
payment of compensation, if any, at the sole cost of the port 31672  
authority, provided that: 31673

~~(1)~~(a) If any restoration or duplication proposed to be made 31674  
under this section involves a relocation of the property or 31675  
facilities, the new facilities and location shall be of at least 31676

comparable utilitarian value and effectiveness and shall not 31677  
impair the ability of the public utility or common carrier to 31678  
compete in its original area of operation; 31679

~~(2)~~(b) If any restoration or duplication made under this 31680  
section involves a relocation of the property or facilities, the 31681  
port authority shall acquire no interest or right in or to the 31682  
appropriated property or facilities, except as provided in 31683  
division (O) of this section, until the relocated property or 31684  
facilities are available for use and until marketable title 31685  
thereto has been transferred to the public utility or common 31686  
carrier. 31687

~~(R)(1)~~(18)(a) Make and enter into all contracts and 31688  
agreements and execute all instruments necessary or incidental to 31689  
the performance of its duties and the execution of its powers 31690  
under sections 4582.21 to 4582.59 of the Revised Code. 31691

~~(2)~~(b) Except as provided in division ~~(R)(3)(A)~~(18)(c) of 31692  
this section, when the cost of a contract for the construction of 31693  
any building, structure, or other improvement undertaken by a port 31694  
authority involves an expenditure exceeding twenty-five thousand 31695  
dollars, and the port authority is the contracting entity, the 31696  
port authority shall make a written contract after notice calling 31697  
for bids for the award of the contract has been given by 31698  
publication twice, with at least seven days between publications, 31699  
in a newspaper of general circulation in the area of the port 31700  
authority. Each such contract shall be let to the lowest 31701  
responsive and responsible bidder in accordance with section 9.312 31702  
of the Revised Code. Every contract shall be accompanied by or 31703  
shall refer to plans and specifications for the work to be done, 31704  
prepared for and approved by the port authority, signed by an 31705  
authorized officer of the port authority and by the contractor, 31706  
and shall be executed in triplicate. 31707

Each bid shall be awarded in accordance with sections 153.54, 31708

153.57, and 153.571 of the Revised Code. The port authority may 31709  
reject any and all bids. 31710

~~(3)~~(c) The board of directors by rule may provide criteria 31711  
for the negotiation and award without competitive bidding of any 31712  
contract as to which the port authority is the contracting entity 31713  
for the construction of any building or structure or other 31714  
improvement under any of the following circumstances: 31715

~~(a)~~(i) There exists a real and present emergency that 31716  
threatens damage or injury to persons or property of the port 31717  
authority or other persons, provided that a statement specifying 31718  
the nature of the emergency that is the basis for the negotiation 31719  
and award of a contract without competitive bidding shall be 31720  
signed by the officer of the port authority that executes that 31721  
contract at the time of the contract's execution and shall be 31722  
attached to the contract. 31723

~~(b)~~(ii) A commonly recognized industry or other standard or 31724  
specification does not exist and cannot objectively be articulated 31725  
for the improvement. 31726

~~(e)~~(iii) The contract is for any energy conservation measure 31727  
as defined in section 307.041 of the Revised Code. 31728

~~(d)~~(iv) With respect to material to be incorporated into the 31729  
improvement, only a single source or supplier exists for the 31730  
material. 31731

~~(e)~~(v) A single bid is received by the port authority after 31732  
complying with the provisions of division ~~(R)~~~~(2)~~(A)(18)(b) of this 31733  
section. 31734

~~(4)~~~~(a)~~(d)(i) If a contract is to be negotiated and awarded 31735  
without competitive bidding for the reason set forth in division 31736  
~~(R)~~~~(3)~~~~(b)~~(A)(18)(c)(ii) of this section, the port authority shall 31737  
publish a notice calling for technical proposals at least twice, 31738  
with at least seven days between publications, in a newspaper of 31739

general circulation in the area of the port authority. After 31740  
receipt of the technical proposals, the port authority may 31741  
negotiate with and award a contract for the improvement to the 31742  
proposer making the proposal considered to be the most 31743  
advantageous to the port authority. 31744

~~(b)(ii)~~ If a contract is to be negotiated and awarded without 31745  
competitive bidding for the reason set forth in division 31746  
~~(R)(3)(d)(A)(18)(c)(iv)~~ of this section, any construction 31747  
activities related to the incorporation of the material into the 31748  
improvement also may be provided without competitive bidding by 31749  
the source or supplier of that material. 31750

~~(5)(a)(e)(i)~~ Any purchase, exchange, sale, lease, lease with 31751  
an option to purchase, conveyance of other interests in, or other 31752  
contract with a person or governmental entity that pertains to the 31753  
acquisition, construction, maintenance, repair, furnishing, 31754  
equipping, or operation of any real or personal property, or any 31755  
combination thereof, related to, useful for, or in furtherance of 31756  
an activity contemplated by Section 13 or 16 of Article VIII, Ohio 31757  
Constitution, shall be made in such manner and subject to such 31758  
terms and conditions as may be determined by the board of 31759  
directors in its discretion. 31760

~~(b)(ii)~~ Division ~~(R)(5)(a)(A)(18)(e)(i)~~ of this section 31761  
applies to all contracts that are subject to the division, 31762  
notwithstanding any other provision of law that might otherwise 31763  
apply, including, without limitation, any requirement of notice, 31764  
any requirement of competitive bidding or selection, or any 31765  
requirement for the provision of security. 31766

~~(e)(iii)~~ Divisions ~~(R)(5)(a)(A)(18)(e)(i)~~ and ~~(b)(ii)~~ of this 31767  
section do not apply to either of the following: 31768

~~(i) Any:~~ any contract secured by or to be paid from moneys 31769  
raised by taxation or the proceeds of obligations secured by a 31770

pledge of moneys raised by taxation- 31771

~~(ii) Any; or any~~ contract secured exclusively by or to be 31772  
paid exclusively from the general revenues of the port authority. 31773  
For the purposes of this section, any revenues derived by the port 31774  
authority under a lease or other agreement that, by its terms, 31775  
contemplates the use of amounts payable under the agreement either 31776  
to pay the costs of the improvement that is the subject of the 31777  
contract or to secure obligations of the port authority issued to 31778  
finance costs of such improvement, are excluded from general 31779  
revenues. 31780

~~(S)(19)~~ Employ managers, superintendents, and other employees 31781  
and retain or contract with consulting engineers, financial 31782  
consultants, accounting experts, architects, attorneys, and any 31783  
other consultants and independent contractors as are necessary in 31784  
its judgment to carry out this chapter, and fix the compensation 31785  
thereof. All expenses thereof shall be payable from any available 31786  
funds of the port authority or from funds appropriated for that 31787  
purpose by a political subdivision creating or participating in 31788  
the creation of the port authority. 31789

~~(T)(20)~~ Receive and accept from any state or federal agency 31790  
grants and loans for or in aid of the construction of any port 31791  
authority facility or for research and development with respect to 31792  
port authority facilities, and receive and accept aid or 31793  
contributions from any source of money, property, labor, or other 31794  
things of value, to be held, used, and applied only for the 31795  
purposes for which the grants and contributions are made; 31796

~~(U)(21)~~ Engage in research and development with respect to 31797  
port authority facilities; 31798

~~(V)(22)~~ Purchase fire and extended coverage and liability 31799  
insurance for any port authority facility and for the principal 31800  
office and branch offices of the port authority, insurance 31801

protecting the port authority and its officers and employees 31802  
against liability for damage to property or injury to or death of 31803  
persons arising from its operations, and any other insurance the 31804  
port authority may agree to provide under any resolution 31805  
authorizing its port authority revenue bonds or in any trust 31806  
agreement securing the same; 31807

~~(W)~~(23) Charge, alter, and collect rentals and other charges 31808  
for the use or services of any port authority facility as provided 31809  
in section 4582.43 of the Revised Code; 31810

~~(X)~~(24) Provide coverage for its employees under Chapters 31811  
145., 4123., and 4141. of the Revised Code; 31812

~~(Y)~~(25) Do all acts necessary or proper to carry out the 31813  
powers expressly granted in sections 4582.21 to 4582.59 of the 31814  
Revised Code. 31815

(B) Any instrument by which real property is acquired 31816  
pursuant to this section shall identify the agency of the state 31817  
that has the use and benefit of the real property as specified in 31818  
section 5301.012 of the Revised Code. 31819

(C) Whoever violates division (A)(14) of this section is 31820  
guilty of a minor misdemeanor. 31821

**Sec. 4582.59.** Sections 4582.22 to ~~4582.99~~ 4582.59 of the 31822  
Revised Code and division (C) of section 4582.06 of the Revised 31823  
Code being necessary for the welfare of the state and its 31824  
inhabitants shall be liberally construed to effect the purposes 31825  
thereof. 31826

**Sec. 4583.01.** (A) No person shall keep a ferry across a 31827  
stream running through or bounding on a county in this state, 31828  
without having obtained a license therefor from the court of 31829  
common pleas of such county. 31830

(B) Whoever violates this section shall be fined not more 31831  
than thirty dollars. 31832

**Sec. 5120.032.** (A) No later than January 1, 1998, the 31833  
department of rehabilitation and correction shall develop and 31834  
implement intensive program prisons for male and female prisoners 31835  
other than prisoners described in division (B)(2) of this section. 31836  
The intensive program prisons shall include institutions at which 31837  
imprisonment of the type described in division (B)(2)(a) of 31838  
section 5120.031 of the Revised Code is provided and prisons that 31839  
focus on educational achievement, vocational training, alcohol and 31840  
other drug abuse treatment, community service and conservation 31841  
work, and other intensive regimens or combinations of intensive 31842  
regimens. 31843

(B)(1)(a) Except as provided in division (B)(2) of this 31844  
section, if an offender is sentenced to a term of imprisonment 31845  
under the custody of the department, if the sentencing court 31846  
either recommends the prisoner for placement in the intensive 31847  
program prison under this section or makes no recommendation on 31848  
placement of the prisoner, and if the department determines that 31849  
the prisoner is eligible for placement in an intensive program 31850  
prison under this section, the department may place the prisoner 31851  
in an intensive program prison established pursuant to division 31852  
(A) of this section. If the sentencing court disapproves placement 31853  
of the prisoner in an intensive program prison, the department 31854  
shall not place the prisoner in any intensive program prison. 31855

If the sentencing court recommends a prisoner for placement 31856  
in an intensive program prison and if the department subsequently 31857  
places the prisoner in the recommended prison, the department 31858  
shall notify the court of the prisoner's placement in the 31859  
recommended intensive program prison and shall include with the 31860  
notice a brief description of the placement. 31861



If the sentencing court recommends placement of a prisoner in an intensive program prison and the department for any reason does not subsequently place the prisoner in the recommended prison, the department shall send a notice to the court indicating why the prisoner was not placed in the recommended prison.

If the sentencing court does not make a recommendation on the placement of a prisoner in an intensive program prison and if the department determines that the prisoner is eligible for placement in a prison of that nature, the department shall screen the prisoner and determine if the prisoner is suited for the prison. If the prisoner is suited for the intensive program prison, at least three weeks prior to placing the prisoner in the prison, the department shall notify the sentencing court of the proposed placement of the prisoner in the intensive program prison and shall include with the notice a brief description of the placement. The court shall have ten days from receipt of the notice to disapprove the placement. If the sentencing court disapproves the placement, the department shall not proceed with it. If the sentencing court does not timely disapprove of the placement, the department may proceed with plans for it.

If the department determines that a prisoner is not eligible for placement in an intensive program prison, the department shall not place the prisoner in any intensive program prison.

(b) The department may reduce the stated prison term of a prisoner upon the prisoner's successful completion of a ninety-day period in an intensive program prison. A prisoner whose term has been so reduced shall be required to serve an intermediate, transitional type of detention followed by a release under post-release control sanctions or, in the alternative, shall be placed under post-release control sanctions, as described in division (B)(2)(b)(ii) of section 5120.031 of the Revised Code. In either case, the placement under post-release control sanctions

shall be under terms set by the parole board in accordance with 31894  
section 2967.28 of the Revised Code and shall be subject to the 31895  
provisions of that section and section 2929.141 of the Revised 31896  
Code with respect to a violation of any post-release control 31897  
sanction. 31898

(2) A prisoner who is in any of the following categories is 31899  
not eligible to participate in an intensive program prison 31900  
established pursuant to division (A) of this section: 31901

(a) The prisoner is serving a prison term for aggravated 31902  
murder, murder, or a felony of the first or second degree or a 31903  
comparable offense under the law in effect prior to July 1, 1996, 31904  
or the prisoner previously has been imprisoned for aggravated 31905  
murder, murder, or a felony of the first or second degree or a 31906  
comparable offense under the law in effect prior to July 1, 1996. 31907

(b) The prisoner is serving a mandatory prison term, as 31908  
defined in section 2929.01 of the Revised Code. 31909

(c) The prisoner is serving a prison term for a felony of the 31910  
third, fourth, or fifth degree that either is a sex offense, an 31911  
offense betraying public trust, or an offense in which the 31912  
prisoner caused or attempted to cause actual physical harm to a 31913  
person, the prisoner is serving a prison term for a comparable 31914  
offense under the law in effect prior to July 1, 1996, or the 31915  
prisoner previously has been imprisoned for an offense of that 31916  
type or a comparable offense under the law in effect prior to July 31917  
1, 1996. 31918

(d) The prisoner is serving a mandatory prison term in prison 31919  
for a third or fourth degree felony ~~OMVI~~ OVI offense, as defined 31920  
in section 2929.01 of the Revised Code, that was imposed pursuant 31921  
to division (G)(2) of section 2929.13 of the Revised Code. 31922

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(C) Upon the implementation of intensive program prisons 31924

pursuant to division (A) of this section, the department at all 31925  
times shall maintain intensive program prisons sufficient in 31926  
number to reduce the prison terms of at least three hundred fifty 31927  
prisoners who are eligible for reduction of their stated prison 31928  
terms as a result of their completion of a regimen in an intensive 31929  
program prison under this section. 31930

**Sec. 5120.033.** (A) As used in this section, "third degree 31931  
felony ~~OMVI~~ OVI offense" and "fourth degree felony ~~OMVI~~ OVI 31932  
offense" have the same meanings as in section 2929.01 of the 31933  
Revised Code. 31934

(B) Within eighteen months after October 17, 1996, the 31935  
department of rehabilitation and correction shall develop and 31936  
implement intensive program prisons for male and female prisoners 31937  
who are sentenced pursuant to division (G)(2) of section 2929.13 31938  
of the Revised Code to a mandatory prison term for a third or 31939  
fourth degree felony ~~OMVI~~ OVI offense. The department shall 31940  
contract pursuant to section 9.06 of the Revised Code for the 31941  
private operation and management of the initial intensive program 31942  
prison established under this section and may contract pursuant to 31943  
that section for the private operation and management of any other 31944  
intensive program prison established under this section. The 31945  
intensive program prisons established under this section shall 31946  
include prisons that focus on educational achievement, vocational 31947  
training, alcohol and other drug abuse treatment, community 31948  
service and conservation work, and other intensive regimens or 31949  
combinations of intensive regimens. 31950

(C) Except as provided in division (D) of this section, the 31951  
department may place a prisoner who is sentenced to a mandatory 31952  
prison term for a third or fourth degree felony ~~OMVI~~ OVI offense 31953  
in an intensive program prison established pursuant to division 31954  
(B) of this section if the sentencing judge, upon notification by 31955

the department of its intent to place the prisoner in an intensive program prison, does not notify the department that the judge disapproves the placement. If the stated prison term imposed on a prisoner who is so placed is longer than the mandatory prison term that is required to be imposed on the prisoner, the department may reduce the stated prison term upon the prisoner's successful completion of the prisoner's mandatory prison term in an intensive program prison. A prisoner whose term has been so reduced shall be required to serve an intermediate, transitional type of detention followed by a release under post-release control sanctions or, in the alternative, shall be placed under post-release control sanctions, as described in division (B)(2)(b)(ii) of section 5120.031 of the Revised Code. In either case, the placement under post-release control sanctions shall be under terms set by the parole board in accordance with section 2967.28 of the Revised Code and shall be subject to the provisions of that section and section 2929.141 of the Revised Code with respect to a violation of any post-release control sanction. Upon the establishment of the initial intensive program prison pursuant to division (B) of this section that is privately operated and managed by a contractor pursuant to a contract entered into under section 9.06 of the Revised Code, the department shall comply with divisions (G)(2)(a) and (b) of section 2929.13 of the Revised Code in placing prisoners in intensive program prisons under this section.

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(D) A prisoner who is sentenced to a mandatory prison term for a third or fourth degree felony ~~OMVI~~ OVI offense is not eligible to participate in an intensive program prison established under division (B) of this section if any of the following applies regarding the prisoner:

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(1) In addition to the mandatory prison term for the third or fourth degree felony ~~OMVI~~ OVI offense, the prisoner also is

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serving a prison term of a type described in division (B)(2)(a), 31988  
(b), or (c) of section 5120.032 of the Revised Code. 31989

(2) The prisoner previously has been imprisoned for an 31990  
offense of a type described in division (B)(2)(a) or (c) of 31991  
section 5120.032 of the Revised Code or a comparable offense under 31992  
the law in effect prior to July 1, 1996. 31993

(E) Intensive program prisons established under division (B) 31994  
of this section are not subject to section 5120.032 of the Revised 31995  
Code. 31996

**Sec. 5120.161.** (A) Except as provided in division (C) of this 31997  
section, the department of rehabilitation and correction may enter 31998  
into an agreement with any local authority operating a county, 31999  
multicounty, municipal, municipal-county, or multicounty-municipal 32000  
jail or workhouse, as described in section 307.93, 341.21, or 32001  
753.16 of the Revised Code, for the housing in the jail or 32002  
workhouse operated by the local authority of persons who are 32003  
convicted of or plead guilty to a felony of the fourth or fifth 32004  
degree if the person previously has not been convicted of or 32005  
pleaded guilty to a felony and if the felony is not an offense of 32006  
violence. The agreement shall specify a per diem fee that the 32007  
department shall pay the local authority for each such person 32008  
housed in the jail or workhouse pursuant to the agreement, shall 32009  
set forth any other terms and conditions for the housing of such 32010  
persons in the jail or workhouse, and shall indicate that the 32011  
department, subject to the relevant terms and conditions set 32012  
forth, may designate those persons to be housed at the jail or 32013  
workhouse. 32014

(B) A person designated by the department to be housed in a 32015  
county, multicounty, municipal, municipal-county, or 32016  
multicounty-municipal jail or workhouse that is the subject of an 32017  
agreement entered into under division (A) of this section shall be 32018

conveyed by the department to that jail or workhouse and shall be 32019  
kept at the jail or workhouse until the person's term of 32020  
imprisonment expires, the person is pardoned, paroled, or placed 32021  
under a post-release control sanction, or the person is 32022  
transferred under the laws permitting the transfer of prisoners. 32023  
The department shall pay the local authority that operates the 32024  
jail or workhouse the per diem fee specified in the agreement for 32025  
each such person housed in the jail or workhouse. Each such person 32026  
housed in the jail or workhouse shall be under the direct 32027  
supervision and control of the keeper, superintendent, or other 32028  
person in charge of the jail or workhouse, but shall be considered 32029  
for all other purposes to be within the custody of the department 32030  
of rehabilitation and correction. Section 2967.193 of the Revised 32031  
Code and all other provisions of the Revised Code that pertain to 32032  
persons within the custody of the department that would not by 32033  
their nature clearly be inapplicable apply to persons housed 32034  
pursuant to this section. 32035

(C) The department of rehabilitation and correction shall not 32036  
enter into an agreement pursuant to division (A) of this section 32037  
with any local authority unless the jail or workhouse operated by 32038  
the authority complies with the Minimum Standards for Jails in 32039  
Ohio. 32040

(D) A court that sentences a person for a felony may include 32041  
as the sentence or part of the sentence, in accordance with 32042  
division (A) of section 2929.16 of the Revised Code and regardless 32043  
of whether the jail or workhouse is the subject of an agreement 32044  
entered into under division (A) of this section, a sanction that 32045  
consists of a term of up to six months in a jail or workhouse or, 32046  
if the offense is a fourth degree felony ~~OMVI~~ OVI offense and the 32047  
offender is sentenced under division (G)(1) of section 2929.13 of 32048  
the Revised Code, a sanction that consists of a term of up to one 32049  
year in jail less the mandatory term of local incarceration of 32050

sixty or one hundred twenty consecutive days imposed pursuant to 32051  
division (G)(1) of section 2929.13 of the Revised Code. 32052

(E) "Fourth degree felony ~~OMVI~~ OVI offense" and "mandatory 32053  
term of local incarceration" have the same meanings as in section 32054  
2929.01 of the Revised Code. 32055

**Sec. 5503.22.** Driver's license examiners assigned to the 32056  
driver's license examination section shall conduct all 32057  
examinations for driver's licenses as required by sections 4507.01 32058  
to ~~4507.38, inclusive,~~ 4507.36 of the Revised Code, subject to the 32059  
regulations issued by the registrar of motor vehicles. 32060

**Sec. 5743.99.** (A) Whoever violates section 5743.10, 5743.11, 32061  
or 5743.12 or division (C) of section 5743.54 of the Revised Code 32062  
is guilty of a misdemeanor of the first degree. If the offender 32063  
has been previously convicted of an offense under this division, 32064  
violation is a felony of the fourth degree. 32065

(B) Whoever violates section 5743.111, 5743.112, 5743.13, 32066  
5743.14, 5743.59, or 5743.60 of the Revised Code is guilty of a 32067  
felony of the fourth degree. If the offender has been previously 32068  
convicted of an offense under this division, violation is a felony 32069  
of the second degree. 32070

(C) Whoever violates section 5743.41 or 5743.42 of the 32071  
Revised Code is guilty of a misdemeanor of the fourth degree. If 32072  
the offender has been previously convicted of an offense under 32073  
this division, violation is a misdemeanor of the third degree. 32074

(D) Whoever violates section 5743.21 of the Revised Code is 32075  
guilty of a misdemeanor of the first degree. If the offender has 32076  
been previously convicted of an offense under this division, 32077  
violation is a felony of the fifth degree. 32078

(E) Whoever violates any provision of this chapter, or any 32079  
rule promulgated by the tax commissioner under authority of this 32080

chapter, for the violation of which no penalty is provided 32081  
elsewhere, is guilty of a misdemeanor of the fourth degree. 32082

(F) In addition to any other penalty imposed upon a person 32083  
convicted of a violation of section 5743.112 or 5743.60 of the 32084  
Revised Code who was the operator of a motor vehicle used in the 32085  
violation, the ~~registrar of motor vehicles~~ court shall suspend ~~any~~ 32086  
for not less than thirty days or more than three years the 32087  
offender's driver's or license, commercial driver's license issued 32088  
to the offender, temporary instruction permit, probationary 32089  
license, or nonresident operating privilege. The court shall send 32090  
a copy of its suspension order and determination to the registrar 32091  
of motor vehicles, and the registrar, pursuant to the order and 32092  
determination of the trial judge of any court of record as 32093  
provided in section 4507.16 of the Revised Code, shall impose a 32094  
suspension of the same duration. No judge shall suspend the first 32095  
thirty days of suspension of an offender's license, permit, or 32096  
privilege required by this division. 32097

**Section 2.** That existing sections 9.981, 119.062, 733.40, 32098  
1547.11, 1547.111, 1547.99, 1901.024, 1901.31, 1905.01, 1905.201, 32099  
1907.20, 2151.354, 2152.19, 2152.21, 2743.191, 2743.51, 2743.52, 32100  
2903.04, 2903.06, 2903.08, 2907.24, 2919.22, 2921.331, 2923.01, 32101  
2923.122, 2925.01, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 32102  
2925.11, 2925.12, 2925.13, 2925.14, 2925.22, 2925.23, 2925.31, 32103  
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4503.10, 4503.102, 4503.11, 4503.12, 4503.182, 4503.19, 4503.21, 32110  
4503.231, 4503.233, 4503.234, 4503.236, 4503.28, 4503.30, 32111  
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4506.14, 4506.15, 4506.16, 4506.17, 4506.18, 4506.19, 4506.20, 32116  
4506.99, 4507.02, 4507.022, 4507.023, 4507.05, 4507.06, 4507.061, 32117  
4507.071, 4507.08, 4507.081, 4507.111, 4507.12, 4507.13, 4507.14, 32118  
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4508.03, 4508.04, 4508.06, 4509.02, 4509.101, 4509.17, 4509.24, 32125  
4509.291, 4509.33, 4509.34, 4509.35, 4509.37, 4509.40, 4509.42, 32126  
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4511.451, 4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 32135  
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4513.07, 4513.071, 4513.09, 4513.10, 4513.11, 4513.111, 4513.12, 32144  
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4513.65, 4513.99, 4517.02, 4517.03, 4517.19, 4517.20, 4517.21, 32150  
4517.22, 4517.23, 4517.24, 4517.25, 4517.26, 4517.27, 4517.40, 32151  
4517.41, 4517.42, 4517.43, 4517.44, 4517.45, 4517.64, 4517.99, 32152  
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4549.18, 4549.42, 4549.43, 4549.44, 4549.45, 4549.451, 4549.46, 32156  
4549.62, 4551.04, 4561.11, 4561.12, 4561.14, 4561.15, 4561.22, 32157  
4561.24, 4561.31, 4561.99, 4563.09, 4563.10, 4563.20, 4582.06, 32158  
4582.31, 4582.59, 4583.01, 5120.032, 5120.033, 5120.161, 5503.22, 32159  
and 5743.99 and sections 3123.611, 4503.235, 4503.99, 4507.012, 32160  
4507.021, 4507.165, 4507.166, 4507.18, 4508.99, 4509.105, 4509.31, 32161  
4509.32, 4509.99, 4511.83, 4511.991, 4519.99, 4549.99, 4551.99, 32162  
4563.99, 4582.99, and 4583.99 of the Revised Code are hereby 32163  
repealed. 32164

**Section 3.** The General Assembly hereby recommends to the 32165  
Supreme Court that it amend the Ohio Traffic Rules that have been 32166  
adopted under authority of section 2937.46 of the Revised Code to 32167  
provide procedures to govern felony violations of section 4511.19 32168  
of the Revised Code. 32169

**Section 4.** Sections 1 and 2 of this act shall take effect on 32170  
January 1, 2004. 32171

**Section 5.** Notwithstanding division (B) of section 1.58 of 32172  
the Revised Code, the provisions of the Revised Code amended or 32173  
enacted in Sections 1 and 2 of this act shall apply only in 32174  
relation to conduct and offenses committed on or after January 1, 32175

2004. Conduct and offenses committed prior to January 1, 2004, 32176  
shall be governed by the law in effect on the date the conduct or 32177  
offense was committed. 32178

**Section 6.** From any amount appropriated to the Attorney 32179  
General specifically for this purpose or from any other funds 32180  
available to the Attorney General that could be used for this 32181  
purpose, the Attorney General shall develop, print, and 32182  
distribute, in conjunction with the Ohio Department of Public 32183  
Safety and the Ohio Criminal Sentencing Commission, training 32184  
materials for the Ohio Department of Public Safety, law 32185  
enforcement, and other appropriate persons for the implementation 32186  
of this act. 32187

**Section 7.** (A) If, on or after March 31, 1999, a person filed 32188  
an application in a court that requested the sealing of a 32189  
conviction record under sections 2953.31 to 2953.36 of the Revised 32190  
Code, if at the time the application was filed section 2953.36 did 32191  
not make sections 2953.31 to 2953.35 of the Revised Code 32192  
inapplicable to the conviction that was the subject of the 32193  
application, if the person withdrew the application prior to March 32194  
31, 2001, and if the person refiles an application in the 32195  
appropriate court within ninety days after the effective date of 32196  
this section that requests the sealing of the same conviction 32197  
record under sections 2953.31 to 2953.36 of the Revised Code, all 32198  
of the following apply: 32199

(1) Divisions (C), (D), and (E) of section 2953.36 of the 32200  
Revised Code, as they have existed since March 23, 2000, do not 32201  
apply regarding the application or the determination of whether it 32202  
should be accepted or granted, and the court may accept and grant 32203  
the application regardless of whether the conviction that is the 32204  
subject of the application is a conviction to which any of those 32205  
divisions, but for the operation of this division, makes sections 32206

2953.31 to 2953.35 of the Revised Code inapplicable. 32207

(2) Except as provided in division (A)(1) of this section, 32208  
the provisions of sections 2953.31 to 2953.36 of the Revised Code 32209  
that are in effect at the time of the refiling of the application 32210  
apply regarding the application and the determination of whether 32211  
it should be granted. 32212

(B) This section shall expire one year after this act becomes 32213  
law. 32214

**Section 8.** Section 2152.19 of the Revised Code is presented 32215  
in this act as a composite of the section as amended by both Sub. 32216  
H.B. 247 and Sub. H.B. 393 of the 124th General Assembly. Section 32217  
2923.01 of the Revised Code is presented in this act as a 32218  
composite of the section as amended by both Sub. H.B. 125 and Am. 32219  
Sub. S.B. 269 of the 121st General Assembly. Section 2925.03 of 32220  
the Revised Code is presented in this act as a composite of the 32221  
section as amended by both Am. H.B. 528 and Am. Sub. S.B. 107 of 32222  
the 123rd General Assembly. Section 2929.15 of the Revised Code is 32223  
presented in this act as a composite of the section as amended by 32224  
Am. Sub. H.B. 349, Am. Sub. S.B. 22, and Am. Sub. S.B. 107 of the 32225  
123rd General Assembly. Section 2929.17 of the Revised Code is 32226  
presented in this act as a composite of the section as amended by 32227  
Am. Sub. H.B. 349, Am. S.B. 9, Am. Sub. S.B. 22, and Am. Sub. S.B. 32228  
107 of the 123rd General Assembly. Section 2929.18 of the Revised 32229  
Code is presented in this act as a composite of the section as 32230  
amended by Am. H.B. 528, Am. Sub. S.B. 22, and Am. Sub. S.B. 107 32231  
of the 123rd General Assembly. Section 2929.41 of the Revised Code 32232  
is presented in this act as a composite of the section as amended 32233  
by both Am. Sub. S.B. 22 and Am. Sub. S.B. 107 of the 123rd 32234  
General Assembly. Section 2937.222 of the Revised Code is 32235  
presented in this act as a composite of the section as amended by 32236  
both Am. Sub. H.B. 137 and Am. Sub. S.B. 22 of the 123rd General 32237  
Assembly. Section 4503.10 of the Revised Code is presented in this 32238

act as a composite of the section as amended by Am. Sub. H.B. 94, 32239  
S.B. 31, and Sub. S.B. 59, all of the 124th General Assembly. 32240  
Sections 4503.233 and 4507.164 of the Revised Code are presented 32241  
in this act as a composite of the sections as amended by Am. H.B. 32242  
80, Am. Sub. S.B. 22 and Am. Sub. S.B. 107 of the 123rd General 32243  
Assembly. Section 4503.234 of the Revised Code is presented in 32244  
this act as a composite of the section as amended by both Am. Sub. 32245  
H.B. 353 and Am. Sub. H.B. 676 of the 121st General Assembly. 32246  
Section 4507.38 of the Revised Code, renumbered as section 4510.41 32247  
of the Revised Code, is presented in this act as a composite of 32248  
the section as amended by both Am. Sub. H.B. 353 and Am. Sub. H.B. 32249  
676 of the 121st General Assembly. Section 4511.193 of the Revised 32250  
Code is presented in this act as a composite of the section as 32251  
amended by both Am. H.B. 80 and Am. Sub. S.B. 107 of the 123rd 32252  
General Assembly. Section 4513.99 of the Revised Code is presented 32253  
in this act as a composite of the section as amended by both Am. 32254  
Sub. H.B. 138 and Am. Sub. H.B. 600 of the 123rd General Assembly. 32255  
Sections 4582.06 and 4582.31 of the Revised Code are presented in 32256  
this act as a composite of the sections as amended by both Sub. 32257  
H.B. 19 and Am. S.B. 137 of the 123rd General Assembly. The 32258  
General Assembly, applying the principle stated in division (B) of 32259  
section 1.52 of the Revised Code that amendments are to be 32260  
harmonized if reasonably capable of simultaneous operation, finds 32261  
that the composites are the resulting versions of the sections in 32262  
effect prior to the effective date of the sections as presented in 32263  
this act. 32264