

As Passed by the House

125th General Assembly

Regular Session

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Sub. H. B. No. 230

Representatives Reinhard, Schlichter, Widowfield, Aslanides, Carmichael,
Cates, DeBose, C. Evans, Flowers, Gibbs, Hagan, Otterman, Perry, Raussen,
Schmidt, Seitz, Setzer, Webster

A BILL

To amend sections 109.801, 121.08, 1548.08, 1548.09, 1
1548.13, 1548.20, 2935.27, 2937.221, 3937.41, 2
3937.43, 3937.45, 4501.01, 4501.02, 4501.021, 3
4501.11, 4503.01, 4503.03, 4503.034, 4503.04, 4
4503.041, 4503.042, 4503.10, 4503.12, 4503.13, 5
4503.231, 4503.24, 4503.44, 4504.01, 4505.07, 6
4505.08, 4505.09, 4505.10, 4505.11, 4505.13, 7
4505.141, 4506.01, 4506.08, 4506.09, 4506.11, 8
4506.12, 4507.13, 4507.141, 4507.19, 4507.20, 9
4507.50, 4507.51, 4507.53, 4507.99, 4509.05, 10
4509.101, 4509.79, 4510.10, 4510.22, 4510.31, 11
4510.43, 4511.01, 4513.61, 4513.63, 4517.01, 12
4517.03, 4517.05, 4517.10, 4517.14, 4519.03, 13
4519.05, 4519.56, 4519.57, 4519.58, 4519.61, 14
4519.631, 4519.68, 4738.05, 4738.18, 4749.02, 15
4749.03, 4749.04, 4749.05, 4749.06, 4749.07, 16
4749.08, 4749.10, 4749.11, 4749.12, 4749.13, 17
4749.14, 4905.06, 4919.79, 4923.20, 5502.01, 18
5502.11, 5503.34, 5516.01, 5516.04, 5516.061, 19
5516.10, 5577.042, 5577.05, and 5577.99 and to 20
enact sections 4503.642, 4507.1614, 4511.121, 21
4549.081, 4738.19, 5502.011, and 5516.062 of the 22
Revised Code to amend Sections 29 and 85 of Am. 23

Sub. H.B. 95 of the 125th General Assembly, to 24
revise and clarify the laws governing the 25
Department of Public Safety, including the Bureau 26
of Motor Vehicles and the State Highway Patrol, to 27
make changes and corrections to the motor vehicle 28
certificate of title law and registration law, to 29
clarify that the state is the sole regulator for 30
the registration, licensing, and regulation of 31
motor vehicle salvage dealers, to expand the 32
authority of the Department of Transportation 33
concerning the regulation of advertising devices, 34
to transfer regulatory authority for private 35
investigators and security guard providers from 36
the Division of Real Estate and Professional 37
Licensing in the Department of Commerce to the 38
Department of Public Safety, and to make an 39
appropriation. 40

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

Section 1. That sections 109.801, 121.08, 1548.08, 1548.09, 41
1548.13, 1548.20, 2935.27, 2937.221, 3937.41, 3937.43, 3937.45, 42
4501.01, 4501.02, 4501.021, 4501.11, 4503.01, 4503.03, 4503.034, 43
4503.04, 4503.041, 4503.042, 4503.10, 4503.12, 4503.13, 4503.231, 44
4503.24, 4503.44, 4504.01, 4505.07, 4505.08, 4505.09, 4505.10, 45
4505.11, 4505.13, 4505.141, 4506.01, 4506.08, 4506.09, 4506.11, 46
4506.12, 4507.13, 4507.141, 4507.19, 4507.20, 4507.50, 4507.51, 47
4507.53, 4507.99, 4509.05, 4509.101, 4509.79, 4510.10, 4510.22, 48
4510.31, 4510.43, 4511.01, 4513.61, 4513.63, 4517.01, 4517.03, 49
4517.05, 4517.10, 4517.14, 4519.03, 4519.05, 4519.56, 4519.57, 50
4519.58, 4519.61, 4519.631, 4519.68, 4738.05, 4738.18, 4749.02, 51
4749.03, 4749.04, 4749.05, 4749.06, 4749.07, 4749.08, 4749.10, 52

4749.11, 4749.12, 4749.13, 4749.14, 4905.06, 4919.79, 4923.20, 53
5502.01, 5502.11, 5503.34, 5516.01, 5516.04, 5516.061, 5516.10, 54
5577.042, 5577.05, and 5577.99 be amended and sections 4503.642, 55
4507.1614, 4511.121, 4549.081, 4738.19, 5502.011, and 5516.062 of 56
the Revised Code be enacted to read as follows: 57

Sec. 109.801. (A)(1) Each year the following persons shall 58
complete successfully a firearms requalification program approved 59
by the executive director of the Ohio peace officer training 60
commission in accordance with rules adopted by the attorney 61
general pursuant to section 109.743 of the Revised Code: any 62
sheriff, deputy sheriff, marshal, deputy marshal, township 63
constable, chief of police or member of an organized police 64
department of a municipal corporation or township, chief of police 65
or member of a township police district police force, 66
superintendent of the state highway patrol, state highway patrol 67
trooper, special police officer of the state highway patrol 68
designated under section 5503.09 of the Revised Code, enforcement 69
agent employed under section 5502.14 of the Revised Code, or chief 70
of police of a university or college police department or state 71
university law enforcement officer appointed under section 3345.04 72
of the Revised Code; any parole or probation officer who carries a 73
firearm in the course of official duties; any employee of the 74
department of natural resources who is a natural resources law 75
enforcement staff officer, park officer, forest officer, preserve 76
officer, wildlife officer, or state watercraft officer who carries 77
a firearm in the course of official duties; the house of 78
representatives sergeant at arms if the house of representatives 79
sergeant at arms has arrest authority pursuant to division (E)(1) 80
of section 101.311 of the Revised Code; any assistant house of 81
representatives sergeant at arms; any employee of the department 82
of youth services who is designated pursuant to division (A)(2) of 83
section 5139.53 of the Revised Code as being authorized to carry a 84

firearm while on duty as described in that division; or a special 85
police officer employed by a municipal corporation at a municipal 86
airport or other municipal air navigation facility described in 87
division (A)(19) of section 109.71 of the Revised Code. 88

(2) No person listed in division (A)(1) of this section shall 89
carry a firearm during the course of official duties if the person 90
does not comply with division (A)(1) of this section. 91

(B) The hours that a sheriff spends attending a firearms 92
requalification program required by division (A) of this section 93
are in addition to the sixteen hours of continuing education that 94
are required by division (E) of section 311.01 of the Revised 95
Code. 96

(C) As used in this section, "firearm" has the same meaning 97
as in section 2923.11 of the Revised Code. 98

Sec. 121.08. (A) There is hereby created in the department of 99
commerce the position of deputy director of administration. This 100
officer shall be appointed by the director of commerce, serve 101
under the director's direction, supervision, and control, perform 102
such duties as the director prescribes, and hold office during the 103
director's pleasure. The director of commerce may designate an 104
assistant director of commerce to serve as the deputy director of 105
administration. The deputy director of administration shall 106
perform ~~such~~ duties ~~as~~ that are prescribed by the director of 107
commerce in supervising the activities of the division of 108
administration of the department of commerce. 109

(B) Except as provided in section 121.07 of the Revised Code, 110
the department of commerce shall have all powers and perform all 111
duties vested in the deputy director of administration, the state 112
fire marshal, the superintendent of financial institutions, the 113
superintendent of real estate and professional licensing, the 114
superintendent of liquor control, the superintendent of the 115

division of industrial compliance, the superintendent of labor and 116
worker safety, and the commissioner of securities, and shall have 117
all powers and perform all duties vested by law in all officers, 118
deputies, and employees of ~~such~~ these offices. Except as provided 119
in section 121.07 of the Revised Code, wherever powers are 120
conferred or duties imposed upon any of ~~such~~ these officers, such 121
powers and duties shall be construed as vested in the department 122
of commerce. 123

(C)(1) There is hereby created in the department of commerce 124
a division of financial institutions, which shall have all powers 125
and perform all duties vested by law in the superintendent of 126
financial institutions. Wherever powers are conferred or duties 127
imposed upon the superintendent of financial institutions, such 128
powers and duties shall be construed as vested in the division of 129
financial institutions. The division of financial institutions 130
shall be administered by a superintendent of financial 131
institutions. 132

(2) All provisions of law governing the superintendent of 133
financial institutions shall apply to and govern the 134
superintendent of financial institutions provided for in this 135
section; all authority vested by law in the superintendent of 136
financial institutions with respect to the management of the 137
division of financial institutions shall be construed as vested in 138
the superintendent of financial institutions created by this 139
section with respect to the division of financial institutions 140
provided for in this section; and all rights, privileges, and 141
emoluments conferred by law upon the superintendent of financial 142
institutions shall be construed as conferred upon the 143
superintendent of financial institutions as head of the division 144
of financial institutions. The director of commerce shall not 145
transfer from the division of financial institutions any of the 146
functions specified in division (C)(2) of this section. 147

(D) Beginning on July 1, 1997, there is hereby created in the 148
department of commerce a division of liquor control, which shall 149
have all powers and perform all duties vested by law in the 150
superintendent of liquor control. Wherever powers are conferred or 151
duties are imposed upon the superintendent of liquor control, 152
those powers and duties shall be construed as vested in the 153
division of liquor control. The division of liquor control shall 154
be administered by a superintendent of liquor control. 155

(E) The director of commerce shall not be interested, 156
directly or indirectly, in any firm or corporation which is a 157
dealer in securities as defined in sections 1707.01 and 1707.14 of 158
the Revised Code, or in any firm or corporation licensed under 159
sections 1321.01 to 1321.19 of the Revised Code. 160

(F) The director of commerce shall not have any official 161
connection with a savings and loan association, a savings bank, a 162
bank, a bank holding company, a savings and loan association 163
holding company, a consumer finance company, or a credit union 164
that is under the supervision of the division of financial 165
institutions, or a subsidiary of any of the preceding entities, or 166
be interested in the business thereof. 167

(G) There is hereby created in the state treasury the 168
division of administration fund. The fund shall receive 169
assessments on the operating funds of the department of commerce 170
in accordance with procedures prescribed by the director of 171
commerce and approved by the director of budget and management. 172
All operating expenses of the division of administration shall be 173
paid from the division of administration fund. 174

(H) There is hereby created in the department of commerce a 175
division of real estate and professional licensing, which shall be 176
under the control and supervision of the director of commerce. The 177
division of real estate and professional licensing shall be 178

administered by a superintendent of real estate and professional 179
licensing. The superintendent of real estate and professional 180
licensing shall exercise the powers and perform the functions and 181
duties delegated to the superintendent under Chapters 4735., 182
~~4749.~~ 4763., and 4767. of the Revised Code. 183

(I) There is hereby created in the department of commerce a 184
division of labor and worker safety, which shall have all powers 185
and perform all duties vested by law in the superintendent of 186
labor and worker safety. Wherever powers are conferred or duties 187
imposed upon the superintendent of labor and worker safety, such 188
powers and duties shall be construed as vested in the division of 189
labor and worker safety. The division of labor and worker safety 190
is under the control and supervision of the director of commerce, 191
and administered by a superintendent of labor and worker safety. 192
The superintendent of labor and worker safety shall exercise the 193
powers and perform the duties delegated to the superintendent by 194
the director under Chapters 4109., 4111., 4115., and 4167. of the 195
Revised Code. 196

Sec. 1548.08. (A) When the clerk of a court of common pleas 197
issues a physical certificate of title for a watercraft or 198
outboard motor, the clerk shall issue it over the clerk's official 199
seal. All physical certificates of title to watercraft or outboard 200
motors shall contain the information required in the application 201
for them as prescribed by section 1548.07 of the Revised Code, as 202
well as spaces for the dates of notation and cancellation of each 203
lien, mortgage, or encumbrance, over the signature of the clerk. 204
If any certificate of title is issued for a watercraft or outboard 205
motor in which two persons are establishing joint ownership with 206
right of survivorship under section 2106.17 of the Revised Code, 207
the certificate, in addition to the information required by this 208
section, shall show that the two persons have established joint 209
ownership with right of survivorship in the watercraft or outboard 210

motor. 211

An assignment of certificate of title before a notary public 212
or other officer empowered to administer oaths shall appear on the 213
reverse side of each physical certificate of title in the form to 214
be prescribed by the chief of the division of watercraft. The 215
assignment form shall include a warranty that the signer is the 216
owner of the watercraft or outboard motor and that there are no 217
mortgages, liens, or encumbrances on the watercraft or outboard 218
motor except as are noted on the face of the certificate of title. 219

(B) An electronic certificate of title is an electronic 220
record stored in the automated title processing system that 221
establishes ownership of a watercraft or outboard motor, as well 222
as any security interests that exist in that watercraft or 223
outboard motor. 224

Sec. 1548.09. When the clerk of a court of common pleas 225
issues a physical certificate of title, the clerk shall issue the 226
certificate of title on a form and in duplicate. ~~One copy shall be~~ 227
~~retained and filed~~ a manner prescribed by the clerk in the clerk's 228
~~office, and the information contained in it~~ chief of the division 229
of watercraft. The clerk shall file a copy of the physical 230
evidence for the creation of the certificate of title in a manner 231
prescribed by the chief of the division of watercraft. A clerk may 232
retain digital images of documents used as evidence for issuance 233
of a certificate of title. Certified printouts of documents 234
retained as digital images shall have the same evidentiary value 235
as the original physical documents. The record of the issuance of 236
the certificate of title shall be ~~transmitted on the day it is~~ 237
~~issued to~~ maintained in the ~~chief of the division of watercraft~~ 238
automated title processing system. The clerk shall sign and affix 239
the clerk's seal to the original certificate of title and, if 240
there are no liens on the watercraft or outboard motor, shall 241

deliver the certificate to the applicant. If there are one or more 242
liens on the watercraft or outboard motor, the clerk shall deliver 243
the certificate of title to the holder of the first lien. 244

The chief shall approve a uniform method of numbering 245
certificates of title. The numbering shall be in such manner that 246
the county of issuance is indicated. Numbers shall be assigned to 247
certificates of title in the manner approved by the chief. The 248
clerk shall file all certificates of title according to policies 249
prescribed by the chief, and the clerk shall maintain in the 250
clerk's office indexes for the certificates of title. 251

The clerk need not retain on file any certificate of title, 252
duplicate certificate of title, or memorandum certificate of 253
title, or supporting evidence of them, covering any watercraft or 254
outboard motor for a period longer than seven years after the date 255
of its filing; thereafter, the certificate and supporting 256
information may be destroyed. The clerk shall issue a duplicate 257
title, when duly applied for, of any title that has been destroyed 258
as provided in this section. 259

The clerk shall issue a physical certificate of title to an 260
applicant unless the applicant specifically requests the clerk not 261
to issue a physical certificate of title and instead to issue an 262
electronic certificate of title. The fact that a physical 263
certificate of title is not issued for a watercraft or outboard 264
motor does not affect ownership of the watercraft or outboard 265
motor. In that case, when the clerk completes the process of 266
entering certificate of title application information into the 267
automated title processing system, the effect of the completion of 268
the process is the same as if the clerk actually issued a physical 269
certificate of title for the watercraft or outboard motor. 270

Sec. 1548.13. In the event of a lost or destroyed certificate 271
of title, application shall be made to a clerk of a court of 272

common pleas by the owner of the watercraft or outboard motor, or 273
the holder of a lien on it, for a certified copy of the 274
certificate upon a form prescribed by the chief of the division of 275
watercraft and accompanied by the fee prescribed by section 276
1548.10 of the Revised Code. The application shall be signed and 277
sworn to by the person making the application, and the clerk shall 278
issue a certified copy of the certificate of title to the person 279
entitled to receive it under this chapter. The certified copy 280
shall be plainly marked across its face with the word "duplicate," 281
and any subsequent purchaser of the watercraft or outboard motor 282
in the chain of title originating through the certified copy 283
acquires only such rights in the watercraft or outboard motor as 284
the original holder of the certified copy had. Any purchaser of 285
the watercraft or outboard motor, at the time of purchase, may 286
require the seller to indemnify the purchaser and all subsequent 287
purchasers of the watercraft or outboard motor against any loss 288
that the purchaser or any subsequent purchaser may suffer by 289
reason of any claim presented upon the original certificate. In 290
the event of the recovery of the original certificate of title by 291
the owner, the owner shall surrender it immediately to ~~the~~ a clerk 292
for cancellation. 293

The holder of a certificate of title for a watercraft or 294
outboard motor upon which is noted an existing lien, encumbrance, 295
or mortgage may apply at any time to a clerk for a memorandum 296
certificate, on a form prescribed by the chief, that is signed and 297
sworn to by the applicant. Upon receipt of the application 298
together with the fee prescribed by section 1548.10 of the Revised 299
Code, and if the application appears to be regular, the clerk 300
shall issue to the applicant a memorandum certificate for the 301
watercraft or outboard motor. If the memorandum certificate is 302
lost or destroyed, the holder of it may obtain a certified copy of 303
it by applying for the copy on a form prescribed by the chief, 304
accompanied by the fee prescribed in section 1548.10 of the 305

Revised Code. In the event of the recovery of the original 306
memorandum certificate by the owner, the owner shall surrender it 307
immediately to a clerk for cancellation. Such a memorandum 308
certificate is not assignable and constitutes no evidence of title 309
or of right to transfer or encumber the watercraft or outboard 310
motor described in it. 311

~~If an electronic certificate of title previously has been~~ 312
~~issued for a watercraft or outboard motor, the~~ The owner of the a 313
watercraft or outboard motor may apply at any time to a clerk for 314
a non-negotiable evidence of ownership for the watercraft or 315
outboard motor. 316

Sec. 1548.20. (A) Chapter 1309. of the Revised Code does not 317
permit or require the deposit, filing, or other record of a 318
security interest covering a watercraft or outboard motor for 319
which a certificate of title is required. Any security agreement 320
covering a security interest in a watercraft or outboard motor, if 321
it is accompanied by delivery of a manufacturer's or importer's 322
certificate and followed by actual and continued possession of 323
that certificate by the holder of the instrument, or, in the case 324
of a certificate of title, if a notation of the security agreement 325
has been made by a clerk of a court of common pleas on the face of 326
the certificate of title or the clerk has entered a notation of 327
the agreement into the automated title processing system and a 328
physical certificate of title for the watercraft or outboard motor 329
has not been issued, shall be valid as against the creditors of 330
the debtor, whether armed with process or not, and against 331
subsequent purchasers, secured parties, and other lienholders or 332
claimants. All security interests, liens, mortgages, and 333
encumbrances entered into the automated title processing system in 334
relation to a particular certificate of title, regardless of 335
whether a physical certificate of title is issued, take priority 336
according to the order of time in which they are entered into the 337

automated title processing system by the clerk. Exposure for sale 338
of any watercraft or outboard motor by its owner, with the 339
knowledge or with the knowledge and consent of the holder of any 340
security interest, lien, mortgage, or encumbrance on the 341
watercraft or outboard motor, shall not render the security 342
interest lien, mortgage, or encumbrance ineffective as against the 343
creditors of the owner or against holders of subsequent security 344
interests, liens, mortgages, or encumbrances upon the watercraft 345
or outboard motor. 346

(B) If a secured party presents evidence of the security 347
interest to a clerk of a court of common pleas together with the 348
certificate of title, if a physical certificate of title for the 349
watercraft or outboard motor exists, and the fee prescribed by 350
section 1548.10 of the Revised Code, the clerk, unless the secured 351
party specifically requests the clerk not to issue a physical 352
certificate of title, shall issue a new original certificate of 353
title from the automated title processing records. The new 354
certificate shall indicate the security interest and the date of 355
the security interest. The clerk also shall note the security 356
interest and its date in the clerk's files and enter that 357
information into the automated title processing system, and on 358
that day shall notify the chief of the division of watercraft. The 359
clerk shall indicate by appropriate notation on the security 360
agreement itself the fact that the security interest has been 361
noted on the certificate of title. 362

(C) If a security interest is fully discharged as a result of 363
its holder's receipt of good funds in the correct amount and if 364
the holder holds a physical certificate of title, the holder shall 365
note the discharge of the security interest over the holder's 366
signature on the face of the certificate of title, or, if there is 367
not sufficient space for the notation on the face of the 368
certificate of title, the holder shall note the discharge over the 369

holder's signature on a form prescribed by the chief. Except as 370
otherwise provided in this section, prior to delivering the 371
certificate of title to the owner, the holder or the holder's 372
agent shall convey the certificate of title or a separate sworn 373
statement of the discharge of the security interest and any 374
additional information the chief requires to a clerk. The 375
conveyance shall occur not more than seven business days after the 376
date good funds in the correct amount to fully discharge the 377
security interest have been credited to an account of the holder, 378
provided the holder has been provided accurate information 379
concerning the watercraft or outboard motor. Conveyance of the 380
certificate of title or separate sworn statement of the discharge 381
within the required seven business days may be indicated by 382
postmark or receipt by a clerk within that period. If the 383
discharge of the security interest appears to be genuine, the 384
clerk shall note the discharge of the security interest on the 385
face of the certificate of title, if it was so conveyed, and note 386
it in the automated title processing system and upon the records 387
of the clerk. 388

If a security interest is fully discharged as a result of its 389
holder's receipt of good funds in the correct amount and the 390
holder does not hold a physical certificate of title, when the 391
holder notifies a clerk of the discharge of its security interest, 392
the holder at that time also may request the clerk to issue a 393
physical certificate of title to the watercraft or outboard motor. 394
The request shall specify whether the clerk is to send the 395
certificate of title directly to the owner or to the holder or the 396
holder's agent for transmission to the owner. If such a request is 397
made, the clerk shall issue a physical certificate of title and 398
send it to the specified person. 399

The clerk shall not honor such a request for a physical 400
certificate of title if it is not made by the holder at the same 401

time as the holder's notification to the clerk of the discharge of 402
its security interest. 403

(D)(1) In all cases, a secured party may choose to present a 404
clerk with evidence of a security interest via electronic means, 405
and the clerk shall enter the security interest into the automated 406
title processing system. A secured party also may choose to notify 407
a clerk of the discharge of its security interest via electronic 408
means, and the clerk shall enter the cancellation into the 409
automated title processing system. 410

(2) In the case of a security interest that is being 411
satisfied by a watercraft dealer to whom a certificate of title is 412
being transferred, the cancellation of the security interest shall 413
occur during the course of the transfer. The dealer shall submit a 414
discharge request to the secured party. A discharge request shall 415
include good funds in the correct amount to fully discharge the 416
security interest and accurate information concerning the 417
watercraft or outboard motor. 418

(3)(a) Upon receiving a discharge request that complies with 419
division (D)(2) of this section, except as otherwise provided in 420
this division, a secured party shall convey the certificate of 421
title, with the discharge of the security interest noted on its 422
face, to the dealer within seven business days after the date good 423
funds in the correct amount to fully discharge the security 424
interest have been credited to an account of the secured party. 425

If a secured party is unable to convey to the dealer a 426
certificate of title within the required seven business days, the 427
secured party instead shall convey to the dealer an affidavit 428
stating that the security interest has been discharged, together 429
with payment for a duplicate certificate of title, within that 430
period. 431

(b) Conveyance of a certificate of title, or affidavit and 432

required payment, from a secured party to a dealer under the 433
circumstances described in division (D)(3)(a) of this section 434
within the required seven business days may be indicated by a 435
postmark within that period. 436

(4) A secured party is liable to a dealer for a late fee of 437
ten dollars per day for each certificate of title, or affidavit 438
and required payment, conveyed to the dealer more than seven 439
business days but less than twenty-one days after the date 440
specified in division (D)(3)(a) of this section and, from then on, 441
twenty-five dollars per day until the certificate of title, or 442
affidavit and required payment, are conveyed to the dealer. 443

(E) If a physical certificate of title has not been issued 444
for a watercraft or outboard motor and all the security interests 445
relating to that watercraft or outboard motor have been 446
discharged, the owner of the watercraft or outboard motor may 447
obtain a physical certificate of title from the clerk of any court 448
of common pleas upon payment of the fee specified in section 449
1548.10 of the Revised Code. 450

(F) If a clerk of a court of common pleas, other than the 451
clerk of the court of common pleas of the county in which the 452
owner of a watercraft or outboard motor resides, enters a notation 453
of the existence of, or the cancellation of, a security interest 454
relating to the watercraft or outboard motor, the clerk shall 455
transmit the data relating to the notation to the automated title 456
processing system. 457

(G) The electronic transmission of security interest and 458
other information under this section shall comply with rules 459
adopted by the registrar of motor vehicles under section 4505.13 460
of the Revised Code. 461

(H) As used in this section: 462

(1) "Accurate information" means the serial number of the 463

watercraft or outboard motor, if any; the make and model of the 464
watercraft or outboard motor; and the name and address of the 465
owner of the watercraft or outboard motor as they appear on the 466
certificate of title that is to be conveyed. 467

(2) "Good funds" has the same meaning as in section 4505.13 468
of the Revised Code. 469

(3) "Watercraft dealer" has the same meaning as in section 470
1547.01 of the Revised Code. 471

Sec. 2935.27. (A)(1) If a law enforcement officer issues a 472
citation to a person pursuant to section 2935.26 of the Revised 473
Code and if the minor misdemeanor offense for which the citation 474
is issued is an act prohibited by Chapter 4511., 4513., or 4549. 475
of the Revised Code or an act prohibited by any municipal 476
ordinance that is substantially similar to any section contained 477
in Chapter 4511., 4513., or 4549. of the Revised Code, the officer 478
shall inform the person, if the person has a current valid Ohio 479
driver's or commercial driver's license, of the possible 480
consequences of the person's actions as required under division 481
(E) of this section, and also shall inform the person that the 482
person is required either to appear at the time and place stated 483
in the citation or to comply with division (C) of section 2935.26 484
of the Revised Code. 485

(2) If the person is an Ohio resident but does not have a 486
current valid Ohio driver's or commercial driver's license or if 487
the person is a resident of a state that is not a member of the 488
nonresident violator compact of which this state is a member 489
pursuant to section 4510.71 of the Revised Code, and if the court, 490
by local rule, has prescribed a procedure for the setting of a 491
reasonable security pursuant to division (F) of this section, 492
security shall be set in accordance with that local rule and that 493
division. 494

A court by local rule may prescribe a procedure for the setting of reasonable security as described in this division. As an alternative to this procedure, a court by local rule may prescribe a procedure for the setting of a reasonable security by the person without the person appearing before the court.

(B) A person who has security set under division (A)(2) of this section shall be given a receipt or other evidence of the deposit of the security by the court.

(C) Upon compliance with division (C) of section 2935.26 of the Revised Code by a person who was issued a citation, the clerk of the court shall notify the court. The court shall immediately return any sum of money, license, or other security deposited in relation to the citation to the person, or to any other person who deposited the security.

(D) If a person who has a current valid Ohio driver's or commercial driver's license and who was issued a citation fails to appear at the time and place specified on the citation, fails to comply with division (C) of section 2935.26 of the Revised Code, or fails to comply with or satisfy any judgment of the court within the time allowed by the court, the court shall declare the ~~suspension~~ forfeiture of the person's license. Thirty days after the declaration of forfeiture, the court shall enter information relative to the ~~suspension~~ forfeiture on a form approved and furnished by the registrar of motor vehicles, and forward the form to the registrar. The registrar shall suspend the person's driver's or commercial driver's license, send written notification of the suspension to the person at the person's last known address, and order the person to surrender the person's driver's or commercial driver's license to the registrar within forty-eight hours. No valid driver's or commercial driver's license shall be granted to the person until the court having jurisdiction of the offense that led to the ~~suspension~~ forfeiture orders that the

~~suspension forfeiture~~ be terminated. The court shall so order if 527
the person, after having failed to appear in court at the required 528
time and place to answer the charge or after having pleaded guilty 529
to or been found guilty of the violation and having failed within 530
the time allowed by the court to pay the fine imposed by the 531
court, thereafter appears to answer the charge and pays any fine 532
imposed by the court or pays the fine originally imposed by the 533
court. The court shall inform the registrar of the termination of 534
the ~~suspension forfeiture~~ by entering information relative to the 535
termination on a form approved and furnished by the registrar and 536
sending the form to the registrar as provided in this division. 537
The person shall pay to the bureau of motor vehicles a 538
fifteen-dollar ~~processing~~ reinstatement fee to cover the costs of 539
the bureau in administering this section. The registrar shall 540
deposit the fees so paid into the state bureau of motor vehicles 541
fund created by section 4501.25 of the Revised Code. 542

In addition, upon receipt of the copy of the declaration of 543
~~suspension forfeiture~~ from the court, neither the registrar nor 544
any deputy registrar shall accept any application for the 545
registration or transfer of registration of any motor vehicle 546
owned or leased by the person named in the declaration of 547
~~suspension forfeiture~~ until the court having jurisdiction of the 548
offense that led to the ~~suspension forfeiture~~ orders that the 549
~~suspension forfeiture~~ be terminated. However, for a motor vehicle 550
leased by a person named in a declaration of ~~suspension~~ 551
forfeiture, the registrar shall not implement the preceding 552
sentence until the registrar adopts procedures for that 553
implementation under section 4503.39 of the Revised Code. Upon 554
receipt by the registrar of an order terminating the ~~suspension~~ 555
forfeiture, the registrar shall take such measures as may be 556
necessary to permit the person to register a motor vehicle owned 557
or leased by the person or to transfer the registration of such a 558
motor vehicle, if the person later makes application to take such 559

action and the person otherwise is eligible to register the motor 560
vehicle or to transfer the registration of it. 561

The registrar is not required to give effect to any 562
declaration of ~~suspension~~ forfeiture or order terminating a 563
~~suspension~~ forfeiture unless the order is transmitted to the 564
registrar by means of an electronic transfer system. The registrar 565
shall not restore the person's driving or vehicle registration 566
privileges until the person pays the reinstatement fee as provided 567
in this division. 568

If the person who was issued the citation fails to appear at 569
the time and place specified on the citation and fails to comply 570
with division (C) of section 2935.26 of the Revised Code and the 571
person has deposited a sum of money or other security in relation 572
to the citation under division (A)(2) of this section, the deposit 573
immediately shall be forfeited to the court. 574

This section does not preclude further action as authorized 575
by division (F) of section 2935.26 of the Revised Code. 576

(E) A law enforcement officer who issues a person a minor 577
misdemeanor citation for an act prohibited by Chapter 4511., 578
4513., or 4549. of the Revised Code or an act prohibited by a 579
municipal ordinance that is substantially similar to any section 580
contained in Chapter 4511., 4513., or 4549. of the Revised Code 581
shall inform the person that if the person does not appear at the 582
time and place stated on the citation or does not comply with 583
division (C) of section 2935.26 of the Revised Code, the person's 584
driver's or commercial driver's license will be suspended, the 585
person will not be eligible for the reissuance of the license or 586
the issuance of a new license or the issuance of a certificate of 587
registration for a motor vehicle owned or leased by the person, 588
until the person appears and complies with all orders of the 589
court. The person also is subject to any applicable criminal 590
penalties. 591

(F) A court setting security under division (A)(2) of this section shall do so in conformity with sections 2937.22 and 2937.23 of the Revised Code and the Rules of Criminal Procedure.

Sec. 2937.221. (A) A person arrested without warrant for any violation listed in division (B) of this section, and having a current valid Ohio driver's or commercial driver's license, if the person has been notified of the possible consequences of the person's actions as required by division (C) of this section, may post bond by depositing the license with the arresting officer if the officer and person so choose, or with the local court having jurisdiction if the court and person so choose. The license may be used as bond only during the period for which it is valid.

When an arresting officer accepts the driver's or commercial driver's license as bond, the officer shall note the date, time, and place of the court appearance on "the violator's notice to appear," and the notice shall serve as a valid Ohio driver's or commercial driver's license until the date and time appearing thereon. The arresting officer immediately shall forward the license to the appropriate court.

When a local court accepts the license as bond or continues the case to another date and time, it shall provide the person with a card in a form approved by the registrar of motor vehicles setting forth the license number, name, address, the date and time of the court appearance, and a statement that the license is being held as bond. The card shall serve as a valid license until the date and time contained in the card.

The court may accept other bond at any time and return the license to the person. The court shall return the license to the person when judgment is satisfied, including, but not limited to, compliance with any court orders, unless a suspension or cancellation is part of the penalty imposed.

Neither "the violator's notice to appear" nor a court- 623
granted card shall continue driving privileges beyond the 624
expiration date of the license. 625

If the person arrested fails to appear in court at the date 626
and time set by the court or fails to satisfy the judgment of the 627
court, including, but not limited to, compliance with all court 628
orders within the time allowed by the court, the court may ~~impose~~ 629
~~a class seven suspension~~ declare the forfeiture of the person's 630
license ~~from the range specified in division (A)(7) of section~~ 631
~~4510.02 of the Revised Code.~~ Thirty days after the ~~suspension~~ 632
declaration of the forfeiture, the court shall forward the 633
person's license to the registrar. The court also shall enter 634
information relative to the ~~suspension~~ forfeiture on a form 635
approved and furnished by the registrar and send the form to the 636
registrar, ~~and the.~~ The registrar shall suspend the person's 637
license and send written notification of the suspension to the 638
person at the person's last known address. No valid driver's or 639
commercial driver's license shall be granted to the person until 640
the ~~expiration of the period of the suspension or, prior to the~~ 641
~~expiration of that period,~~ the court having jurisdiction orders 642
that the ~~suspension is~~ forfeiture be terminated. ~~If the court~~ 643
~~terminates the suspension, the~~ The court shall inform the 644
registrar of the termination of the forfeiture by entering 645
information relative to the termination on a form approved and 646
furnished by the registrar and sending the form to the registrar. 647
Upon the ~~expiration or termination of the suspension,~~ the person 648
shall pay to the bureau of motor vehicles a ~~processing~~ 649
reinstatement fee of fifteen dollars to cover the costs of the 650
bureau in administering this section. The registrar shall deposit 651
the fees so paid into the state bureau of motor vehicles fund 652
created by section 4501.25 of the Revised Code. 653

In addition, upon receipt from the court of the copy of the 654

~~suspension declaration of forfeiture~~, neither the registrar nor 655
any deputy registrar shall accept any application for the 656
registration or transfer of registration of any motor vehicle 657
owned by or leased in the name of the person named in the 658
~~suspension declaration of forfeiture~~ until the ~~expiration of the~~ 659
~~period of the suspension or, prior to the expiration of that~~ 660
~~period,~~ the court having jurisdiction over the offense that led to 661
the suspension issues an order terminating the ~~suspension~~ 662
~~forfeiture~~. However, for a motor vehicle leased in the name of a 663
person named in a ~~suspension declaration of forfeiture~~, the 664
registrar shall not implement the preceding sentence until the 665
registrar adopts procedures for that implementation under section 666
4503.39 of the Revised Code. Upon ~~the expiration of the suspension~~ 667
~~or upon~~ receipt by the registrar of such an order ~~terminating the~~ 668
~~suspension~~, the registrar also shall take the measures necessary 669
to permit the person to register a motor vehicle the person owns 670
or leases or to transfer the registration of a motor vehicle the 671
person owns or leases if the person later makes a proper 672
application and otherwise is eligible to be issued or to transfer 673
a motor vehicle registration. 674

(B) Division (A) of this section applies to persons arrested 675
for violation of: 676

(1) Any of the provisions of Chapter 4511. or 4513. of the 677
Revised Code, except sections 4511.19, 4511.20, 4511.251, and 678
4513.36 of the Revised Code; 679

(2) Any municipal ordinance substantially similar to a 680
section included in division (B)(1) of this section; 681

(3) Any bylaw, rule, or regulation of the Ohio turnpike 682
commission substantially similar to a section included in division 683
(B)(1) of this section. 684

Division (A) of this section does not apply to those persons 685

issued a citation for the commission of a minor misdemeanor under 686
section 2935.26 of the Revised Code. 687

(C) No license shall be accepted as bond by an arresting 688
officer or by a court under this section until the officer or 689
court has notified the person that, if the person deposits the 690
license with the officer or court and either does not appear on 691
the date and at the time set by the officer or the court, if the 692
court sets a time, or does not satisfy any judgment rendered, 693
including, but not limited to, compliance with all court orders, 694
the license will be suspended, and the person will not be eligible 695
for reissuance of the license or issuance of a new license, or the 696
issuance of a certificate of registration for a motor vehicle 697
owned or leased by the person until the person appears and 698
complies with any order issued by the court. The person also is 699
subject to any criminal penalties that may apply to the person. 700

(D) The registrar shall not restore the person's driving or 701
vehicle registration privileges until the person pays the 702
reinstatement fee as provided in this section. 703

Sec. 3937.41. (A) As used in this section: 704

(1) "Ambulance" has the same meaning as in section 4765.01 of 705
the Revised Code and also includes private ambulance companies 706
under contract to a municipal corporation, township, or county. 707

(2) "Emergency vehicle" means any of the following: 708

(a) Any vehicle, as defined in section 4511.01 of the Revised 709
Code, that is an emergency vehicle of a municipal, township, or 710
county department or public utility corporation and that is 711
identified as such as required by law, the director of public 712
safety, or local authorities; 713

(b) Any motor vehicle, as defined in section 4511.01 of the 714
Revised Code, when commandeered by a police officer; 715

(c) Any vehicle, as defined in section 4511.01 of the Revised Code, that is an emergency vehicle of a qualified nonprofit corporation police department established pursuant to section 1702.80 of the Revised Code and that is identified as an emergency vehicle;

(d) Any vehicle, as defined in section 4511.01 of the Revised Code, that is an emergency vehicle of a proprietary police department or security department of a hospital operated by a public hospital agency or a nonprofit hospital agency that employs police officers under section 4973.17 of the Revised Code, and that is identified as an emergency vehicle.

(3) "Firefighter" means any regular, paid, member of a lawfully constituted fire department of a municipal corporation or township.

(4) "Law enforcement officer" means a sheriff, deputy sheriff, constable, marshal, deputy marshal, municipal or township police officer, state highway patrol trooper, police officer employed by a qualified nonprofit police department pursuant to section 1702.80 of the Revised Code, or police officer employed by a proprietary police department or security department of a hospital operated by a public hospital agency or nonprofit hospital agency pursuant to section 4973.17 of the Revised Code.

(5) "Motor vehicle accident" means any accident involving a motor vehicle which results in bodily injury to any person, or damage to the property of any person.

(B) No insurer shall consider the circumstance that an applicant or policyholder has been involved in a motor vehicle accident while in the pursuit of the applicant's or policyholder's official duties as a law enforcement officer, firefighter, or operator of an emergency vehicle or ambulance, while operating a vehicle engaged in mowing or snow and ice removal as a county,

township, or department of transportation employee, or while 747
operating a vehicle while engaged in the pursuit of the 748
applicant's or policyholder's official duties as a member of the 749
~~commercial motor vehicle safety~~ carrier enforcement unit of the 750
state highway patrol under section 5503.34 of the Revised Code, as 751
a basis for doing either of the following: 752

(1) Refusing to issue or deliver a policy of insurance upon a 753
private automobile, or increasing the rate to be charged for such 754
a policy; 755

(2) Increasing the premium rate, canceling, or failing to 756
renew an existing policy of insurance upon a private automobile. 757

(C) Any applicant or policyholder affected by an action of an 758
insurer in violation of this section may appeal to the 759
superintendent of insurance. After a hearing held upon not less 760
than ten days' notice to the applicant or policyholder and to the 761
insurer and if the superintendent determines that the insurer has 762
violated this section, the superintendent may direct the issuance 763
of a policy, decrease the premium rate on a policy, or reinstate 764
insurance coverage. 765

(D) The employer of the law enforcement officer, firefighter, 766
or operator of an emergency vehicle or ambulance, operator of a 767
vehicle engaged in mowing or snow and ice removal, or operator of 768
a vehicle who is a member of the ~~commercial motor vehicle safety~~ 769
carrier enforcement unit, except as otherwise provided in division 770

(F) of this section, shall certify to the state highway patrol or 771
law enforcement agency that investigates the accident whether the 772
officer, firefighter, or operator of an emergency vehicle or 773
ambulance, operator of a vehicle engaged in mowing or snow and ice 774
removal, or operator of a vehicle who is a member of the 775
~~commercial motor vehicle safety~~ carrier enforcement unit, was 776
engaged in the performance of the person's official duties as such 777
employee at the time of the accident. The employer shall designate 778

an official authorized to make the certifications. The state 779
highway patrol or law enforcement agency shall include the 780
certification in any report of the accident forwarded to the 781
department of public safety pursuant to sections 5502.11 and 782
5502.12 of the Revised Code and shall forward the certification to 783
the department if received after the report of the accident has 784
been forwarded to the department. The registrar of motor vehicles 785
shall not include an accident in a certified abstract of 786
information under division (A) of section 4509.05 of the Revised 787
Code, if the person involved has been so certified as having been 788
engaged in the performance of the person's official duties at the 789
time of the accident. 790

(E) Division (B) of this section does not apply to an insurer 791
whose policy covers the motor vehicle at the time the motor 792
vehicle is involved in an accident described in division (B) of 793
this section. 794

(F) Division (B) of this section does not apply if an 795
applicant or policyholder, on the basis of the applicant's or 796
policyholder's involvement in an accident described in that 797
division, is convicted of or pleads guilty or no contest to a 798
violation of section 4511.19 of the Revised Code; of a municipal 799
ordinance relating to operating a vehicle while under the 800
influence of alcohol, a drug of abuse, or alcohol and a drug of 801
abuse; or of a municipal ordinance relating to operating a vehicle 802
with a prohibited concentration of alcohol in the blood, breath, 803
or urine, or other bodily substance. 804

Sec. 3937.43. (A) As used in this section: 805

(1) "Automobile insurance policies" has the same meaning as 806
in section 3937.30 of the Revised Code. 807

(2) "Moving violation" means any violation of any statute or 808
ordinance that regulates the operation of vehicles, streetcars, or 809

trackless trolleys on highways or streets or that regulates size 810
or load limitations or fitness requirements of vehicles. "Moving 811
violation" does not include the violation of any statute or 812
ordinance that regulates pedestrians or the parking of vehicles. 813

(3) "Community control sanction" has the same meaning as in 814
section 2929.01 of the Revised Code. 815

(B) Every rating plan or schedule of rates for automobile 816
insurance policies that is filed with the superintendent of 817
insurance shall provide for an appropriate reduction in premium 818
charges for any insured or applicant for insurance under the 819
following conditions: 820

(1) The applicant or insured is sixty years of age or older; 821

(2) The applicant or insured successfully completes a motor 822
vehicle accident prevention course, which includes classroom 823
instruction and the passing of an examination in accordance with 824
both of the following: 825

(a) The ~~state highway patrol~~ department of public safety 826
shall approve the course and the examination. However, the ~~state~~ 827
~~highway patrol~~ department shall not approve any correspondence 828
course or any other course that does not provide classroom 829
instruction. 830

(b) The examination shall include an actual demonstration of 831
the applicant's or insured's ability to exercise ordinary and 832
reasonable control in the operation of a motor vehicle. 833

(3) The applicant or insured submits to the insurer a 834
certificate that is issued by the sponsor of the motor vehicle 835
accident prevention course and attests to the successful 836
completion of the course by the applicant or insured; 837

(4) The insurer may consider the driving record of the 838
applicant or insured in accordance with divisions (C) and (D) of 839

this section. 840

(C) In determining whether to grant a reduction in premium 841
charges in accordance with this section, the insurer may consider 842
the driving record of the insured or applicant for a three-year 843
period prior to the successful completion of a motor vehicle 844
accident prevention course. 845

(D)(1) Subject to division (D)(2) of this section, every 846
reduction in premium charges granted in accordance with this 847
section shall be effective for an insured for a three-year period 848
after each successful completion of a motor vehicle accident 849
prevention course. 850

(2) As a condition of maintaining a reduction in premium 851
charges granted in accordance with this section, an insurer may 852
require that the insured, during the three-year period for which 853
the reduction has been granted, neither be involved in an accident 854
for which the insured is primarily at fault, nor be convicted of 855
more than one moving violation. 856

(E) A reduction in premium charges granted in accordance with 857
this section shall not become effective until the first full term 858
of coverage following the successful completion of a motor vehicle 859
accident prevention course in accordance with division (B) of this 860
section. 861

(F) The ~~superintendent~~ director of the ~~state highway patrol~~ 862
department of public safety shall adopt rules in accordance with 863
Chapter 119. of the Revised Code that are necessary to carry out 864
the duties of the ~~state highway patrol~~ department under this 865
section. 866

(G) This section does not apply to any automobile insurance 867
policy issued under an assigned risk plan pursuant to section 868
4509.70 of the Revised Code. 869

(H) This section does not apply to circumstances in which the 870

motor vehicle accident prevention course is required by a court as 871
a condition of a community control sanction imposed for a moving 872
violation. 873

Sec. 3937.45. (A) No insurer shall consider the circumstance 874
that an applicant or policyholder has been convicted of any 875
violation of the weight provisions of Chapter 5577. of the Revised 876
Code, or a substantially similar municipal ordinance relating to 877
vehicle weight as a basis for doing either of the following: 878

(1) Refusing to issue or deliver a policy of insurance upon a 879
private automobile, or increasing the rate to be charged for such 880
a policy; 881

(2) Increasing the premium rate, canceling, or failing to 882
renew an existing policy of insurance upon a private automobile. 883

(B) Any applicant or policyholder affected by an action of an 884
insurer in violation of division (A) of this section may appeal to 885
the superintendent of insurance. After a hearing held upon not 886
less than ten days' notice to the applicant or policyholder and to 887
the insurer and ~~if he determines~~ after determining that the 888
insurer has violated this section, the superintendent may direct 889
the issuance of a policy, decrease the premium rate on a policy, 890
or reinstate insurance coverage. 891

(C) The registrar shall not include the conviction for a 892
violation of the weight provisions of Chapter 5577. of the Revised 893
Code, or a substantially similar municipal ordinance relating to 894
vehicle weight as part of the driver's or operator's permanent 895
record and shall not include the conviction in a certified 896
abstract of information under division ~~(B)~~(A) of section 4509.05 897
of the Revised Code. 898

(D) Division (A) of this section does not apply to an insurer 899
whose policy covers the vehicle, trackless trolley, load, object, 900

or structure operated or moved upon improved public highways, 901
streets, bridges, or culverts in violation of the weight 902
provisions of Chapter 5577. of the Revised Code, or a 903
substantially similar municipal ordinance relating to vehicle 904
weight. 905

Sec. 4501.01. As used in this chapter and Chapters 4503., 906
4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of the 907
Revised Code, and in the penal laws, except as otherwise provided: 908

(A) "Vehicles" means everything on wheels or runners, 909
including motorized bicycles, but does not mean electric personal 910
assistive mobility devices, vehicles that are operated exclusively 911
on rails or tracks or from overhead electric trolley wires, and 912
vehicles that belong to any police department, municipal fire 913
department, or volunteer fire department, or that are used by such 914
a department in the discharge of its functions. 915

(B) "Motor vehicle" means any vehicle, including mobile homes 916
and recreational vehicles, that is propelled or drawn by power 917
other than muscular power or power collected from overhead 918
electric trolley wires. "Motor vehicle" does not include motorized 919
bicycles, road rollers, traction engines, power shovels, power 920
cranes, and other equipment used in construction work and not 921
designed for or employed in general highway transportation, 922
well-drilling machinery, ditch-digging machinery, farm machinery, 923
trailers that are used to transport agricultural produce or 924
agricultural production materials between a local place of storage 925
or supply and the farm when drawn or towed on a public road or 926
highway at a speed of twenty-five miles per hour or less, 927
threshing machinery, hay-baling machinery, corn sheller, 928
hammermill and agricultural tractors, machinery used in the 929
production of horticultural, agricultural, and vegetable products, 930
and trailers that are designed and used exclusively to transport a 931

boat between a place of storage and a marina, or in and around a 932
marina, when drawn or towed on a public road or highway for a 933
distance of no more than ten miles and at a speed of twenty-five 934
miles per hour or less. 935

(C) "Agricultural tractor" and "traction engine" mean any 936
self-propelling vehicle that is designed or used for drawing other 937
vehicles or wheeled machinery, but has no provisions for carrying 938
loads independently of such other vehicles, and that is used 939
principally for agricultural purposes. 940

(D) "Commercial tractor," except as defined in division (C) 941
of this section, means any motor vehicle that has motive power and 942
either is designed or used for drawing other motor vehicles, or is 943
designed or used for drawing another motor vehicle while carrying 944
a portion of the other motor vehicle or its load, or both. 945

(E) "Passenger car" means any motor vehicle that is designed 946
and used for carrying not more than nine persons and includes any 947
motor vehicle that is designed and used for carrying not more than 948
fifteen persons in a ridesharing arrangement. 949

(F) "Collector's vehicle" means any motor vehicle or 950
agricultural tractor or traction engine that is of special 951
interest, that has a fair market value of one hundred dollars or 952
more, whether operable or not, and that is owned, operated, 953
collected, preserved, restored, maintained, or used essentially as 954
a collector's item, leisure pursuit, or investment, but not as the 955
owner's principal means of transportation. "Licensed collector's 956
vehicle" means a collector's vehicle, other than an agricultural 957
tractor or traction engine, that displays current, valid license 958
tags issued under section 4503.45 of the Revised Code, or a 959
similar type of motor vehicle that displays current, valid license 960
tags issued under substantially equivalent provisions in the laws 961
of other states. 962

(G) "Historical motor vehicle" means any motor vehicle that 963
is over twenty-five years old and is owned solely as a collector's 964
item and for participation in club activities, exhibitions, tours, 965
parades, and similar uses, but that in no event is used for 966
general transportation. 967

(H) "Noncommercial motor vehicle" means any motor vehicle, 968
including a farm truck as defined in section 4503.04 of the 969
Revised Code, that is designed by the manufacturer to carry a load 970
of no more than one ton and is used exclusively for purposes other 971
than engaging in business for profit. 972

(I) "Bus" means any motor vehicle that has motor power and is 973
designed and used for carrying more than nine passengers, except 974
any motor vehicle that is designed and used for carrying not more 975
than fifteen passengers in a ridesharing arrangement. 976

(J) "Commercial car" or "truck" means any motor vehicle that 977
has motor power and is designed and used for carrying merchandise 978
or freight, or that is used as a commercial tractor. 979

(K) "Bicycle" means every device, other than a tricycle that 980
is designed solely for use as a play vehicle by a child, that is 981
propelled solely by human power upon which any person may ride, 982
and that has either two tandem wheels, or one wheel in front and 983
two wheels in the rear, any of which is more than fourteen inches 984
in diameter. 985

(L) "Motorized bicycle" means any vehicle that either has two 986
tandem wheels or one wheel in the front and two wheels in the 987
rear, that is capable of being pedaled, and that is equipped with 988
a helper motor of not more than fifty cubic centimeters piston 989
displacement that produces no more than one brake horsepower and 990
is capable of propelling the vehicle at a speed of no greater than 991
twenty miles per hour on a level surface. 992

(M) "Trailer" means any vehicle without motive power that is 993

designed or used for carrying property or persons wholly on its 994
own structure and for being drawn by a motor vehicle, and includes 995
any such vehicle that is formed by or operated as a combination of 996
a semitrailer and a vehicle of the dolly type such as that 997
commonly known as a trailer dolly, a vehicle used to transport 998
agricultural produce or agricultural production materials between 999
a local place of storage or supply and the farm when drawn or 1000
towed on a public road or highway at a speed greater than 1001
twenty-five miles per hour, and a vehicle that is designed and 1002
used exclusively to transport a boat between a place of storage 1003
and a marina, or in and around a marina, when drawn or towed on a 1004
public road or highway for a distance of more than ten miles or at 1005
a speed of more than twenty-five miles per hour. "Trailer" does 1006
not include a manufactured home or travel trailer. 1007

(N) "Noncommercial trailer" means any trailer, except a 1008
travel trailer or trailer that is used to transport a boat as 1009
described in division (B) of this section, but, where applicable, 1010
includes a vehicle that is used to transport a boat as described 1011
in division (M) of this section, that has a gross weight of no 1012
more than three thousand pounds, and that is used exclusively for 1013
purposes other than engaging in business for a profit. 1014

(O) "Mobile home" means a building unit or assembly of closed 1015
construction that is fabricated in an off-site facility, is more 1016
than thirty-five body feet in length or, when erected on site, is 1017
three hundred twenty or more square feet, is built on a permanent 1018
chassis, is transportable in one or more sections, and does not 1019
qualify as a manufactured home as defined in division (C)(4) of 1020
section 3781.06 of the Revised Code or as an industrialized unit 1021
as defined in division (C)(3) of section 3781.06 of the Revised 1022
Code. 1023

(P) "Semitrailer" means any vehicle of the trailer type that 1024
does not have motive power and is so designed or used with another 1025

and separate motor vehicle that in operation a part of its own 1026
weight or that of its load, or both, rests upon and is carried by 1027
the other vehicle furnishing the motive power for propelling 1028
itself and the vehicle referred to in this division, and includes, 1029
for the purpose only of registration and taxation under those 1030
chapters, any vehicle of the dolly type, such as a trailer dolly, 1031
that is designed or used for the conversion of a semitrailer into 1032
a trailer. 1033

(Q) "Recreational vehicle" means a vehicular portable 1034
structure that meets all of the following conditions: 1035

(1) It is designed for the sole purpose of recreational 1036
travel. 1037

(2) It is not used for the purpose of engaging in business 1038
for profit. 1039

(3) It is not used for the purpose of engaging in intrastate 1040
commerce. 1041

(4) It is not used for the purpose of commerce as defined in 1042
49 C.F.R. 383.5, as amended. 1043

(5) It is not regulated by the public utilities commission 1044
pursuant to Chapter 4919., 4921., or 4923. of the Revised Code. 1045

(6) It is classed as one of the following: 1046

(a) "Travel trailer" means a nonself-propelled recreational 1047
vehicle that does not exceed an overall length of thirty-five 1048
feet, exclusive of bumper and tongue or coupling, and contains 1049
less than three hundred twenty square feet of space when erected 1050
on site. "Travel trailer" includes a tent-type fold-out camping 1051
trailer as defined in section 4517.01 of the Revised Code. 1052

(b) "Motor home" means a self-propelled recreational vehicle 1053
that has no fifth wheel and is constructed with permanently 1054
installed facilities for cold storage, cooking and consuming of 1055

food, and for sleeping. 1056

(c) "Truck camper" means a nonself-propelled recreational 1057
vehicle that does not have wheels for road use and is designed to 1058
be placed upon and attached to a motor vehicle. "Truck camper" 1059
does not include truck covers that consist of walls and a roof, 1060
but do not have floors and facilities enabling them to be used as 1061
a dwelling. 1062

(d) "Fifth wheel trailer" means a vehicle that is of such 1063
size and weight as to be movable without a special highway permit, 1064
that has a gross trailer area of four hundred square feet or less, 1065
that is constructed with a raised forward section that allows a 1066
bi-level floor plan, and that is designed to be towed by a vehicle 1067
equipped with a fifth-wheel hitch ordinarily installed in the bed 1068
of a truck. 1069

(e) "Park trailer" means a vehicle that is commonly known as 1070
a park model recreational vehicle, meets the American national 1071
standard institute standard A119.5 (1988) for park trailers, is 1072
built on a single chassis, has a gross trailer area of four 1073
hundred square feet or less when set up, is designed for seasonal 1074
or temporary living quarters, and may be connected to utilities 1075
necessary for the operation of installed features and appliances. 1076

(R) "Pneumatic tires" means tires of rubber and fabric or 1077
tires of similar material, that are inflated with air. 1078

(S) "Solid tires" means tires of rubber or similar elastic 1079
material that are not dependent upon confined air for support of 1080
the load. 1081

(T) "Solid tire vehicle" means any vehicle that is equipped 1082
with two or more solid tires. 1083

(U) "Farm machinery" means all machines and tools that are 1084
used in the production, harvesting, and care of farm products, and 1085
includes trailers that are used to transport agricultural produce 1086

or agricultural production materials between a local place of 1087
storage or supply and the farm when drawn or towed on a public 1088
road or highway at a speed of twenty-five miles per hour or less. 1089

(V) "Owner" includes any person or firm, other than a 1090
manufacturer or dealer, that has title to a motor vehicle, except 1091
that, in sections 4505.01 to 4505.19 of the Revised Code, "owner" 1092
includes in addition manufacturers and dealers. 1093

(W) "Manufacturer" and "dealer" include all persons and firms 1094
that are regularly engaged in the business of manufacturing, 1095
selling, displaying, offering for sale, or dealing in motor 1096
vehicles, at an established place of business that is used 1097
exclusively for the purpose of manufacturing, selling, displaying, 1098
offering for sale, or dealing in motor vehicles. A place of 1099
business that is used for manufacturing, selling, displaying, 1100
offering for sale, or dealing in motor vehicles shall be deemed to 1101
be used exclusively for those purposes even though snowmobiles or 1102
all-purpose vehicles are sold or displayed for sale thereat, even 1103
though farm machinery is sold or displayed for sale thereat, or 1104
even though repair, accessory, gasoline and oil, storage, parts, 1105
service, or paint departments are maintained thereat, or, in any 1106
county having a population of less than seventy-five thousand at 1107
the last federal census, even though a department in a place of 1108
business is used to dismantle, salvage, or rebuild motor vehicles 1109
by means of used parts, if such departments are operated for the 1110
purpose of furthering and assisting in the business of 1111
manufacturing, selling, displaying, offering for sale, or dealing 1112
in motor vehicles. Places of business or departments in a place of 1113
business used to dismantle, salvage, or rebuild motor vehicles by 1114
means of using used parts are not considered as being maintained 1115
for the purpose of assisting or furthering the manufacturing, 1116
selling, displaying, and offering for sale or dealing in motor 1117
vehicles. 1118

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

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

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

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

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

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

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

(EE) "Ridesharing arrangement" means the transportation of

persons in a motor vehicle where the transportation is incidental 1149
to another purpose of a volunteer driver and includes ridesharing 1150
arrangements known as carpools, vanpools, and buspools. 1151

(FF) "Apportionable vehicle" means any vehicle that is used 1152
or intended for use in two or more international registration plan 1153
member jurisdictions that allocate or proportionally register 1154
vehicles, that is used for the transportation of persons for hire 1155
or designed, used, or maintained primarily for the transportation 1156
of property, and that meets any of the following qualifications: 1157

(1) Is a power unit having a gross vehicle weight in excess 1158
of twenty-six thousand pounds; 1159

(2) Is a power unit having three or more axles, regardless of 1160
the gross vehicle weight; 1161

(3) Is a combination vehicle with a gross vehicle weight in 1162
excess of twenty-six thousand pounds. 1163

"Apportionable vehicle" does not include recreational 1164
vehicles, vehicles displaying restricted plates, city pick-up and 1165
delivery vehicles, buses used for the transportation of chartered 1166
parties, or vehicles owned and operated by the United States, this 1167
state, or any political subdivisions thereof. 1168

(GG) "Chartered party" means a group of persons who contract 1169
as a group to acquire the exclusive use of a passenger-carrying 1170
motor vehicle at a fixed charge for the vehicle in accordance with 1171
the carrier's tariff, lawfully on file with the United States 1172
department of transportation, for the purpose of group travel to a 1173
specified destination or for a particular itinerary, either agreed 1174
upon in advance or modified by the chartered group after having 1175
left the place of origin. 1176

(HH) "International registration plan" means a reciprocal 1177
agreement of member jurisdictions that is endorsed by the American 1178
association of motor vehicle administrators, and that promotes and 1179

encourages the fullest possible use of the highway system by 1180
authorizing apportioned registration of fleets of vehicles and 1181
recognizing registration of vehicles apportioned in member 1182
jurisdictions. 1183

(II) "Restricted plate" means a license plate that has a 1184
restriction of time, geographic area, mileage, or commodity, and 1185
includes license plates issued to farm trucks under division 1186
~~(K)~~(J) of section 4503.04 of the Revised Code. 1187

(JJ) "Gross vehicle weight," with regard to any commercial 1188
car, trailer, semitrailer, or bus that is taxed at the rates 1189
established under section 4503.042 of the Revised Code, means the 1190
unladen weight of the vehicle fully equipped plus the maximum 1191
weight of the load to be carried on the vehicle. 1192

(KK) "Combined gross vehicle weight" with regard to any 1193
combination of a commercial car, trailer, and semitrailer, that is 1194
taxed at the rates established under section 4503.042 of the 1195
Revised Code, means the total unladen weight of the combination of 1196
vehicles fully equipped plus the maximum weight of the load to be 1197
carried on that combination of vehicles. 1198

(LL) "Chauffeured limousine" means a motor vehicle that is 1199
designed to carry nine or fewer passengers and is operated for 1200
hire on an hourly basis pursuant to a prearranged contract for the 1201
transportation of passengers on public roads and highways along a 1202
route under the control of the person hiring the vehicle and not 1203
over a defined and regular route. "Prearranged contract" means an 1204
agreement, made in advance of boarding, to provide transportation 1205
from a specific location in a chauffeured limousine at a fixed 1206
rate per hour or trip. "Chauffeured limousine" does not include 1207
any vehicle that is used exclusively in the business of funeral 1208
directing. 1209

(MM) "Manufactured home" has the same meaning as in division 1210

(C)(4) of section 3781.06 of the Revised Code. 1211

(NN) "Acquired situs," with respect to a manufactured home or 1212
a mobile home, means to become located in this state by the 1213
placement of the home on real property, but does not include the 1214
placement of a manufactured home or a mobile home in the inventory 1215
of a new motor vehicle dealer or the inventory of a manufacturer, 1216
remanufacturer, or distributor of manufactured or mobile homes. 1217

(OO) "Electronic" includes electrical, digital, magnetic, 1218
optical, electromagnetic, or any other form of technology that 1219
entails capabilities similar to these technologies. 1220

(PP) "Electronic record" means a record generated, 1221
communicated, received, or stored by electronic means for use in 1222
an information system or for transmission from one information 1223
system to another. 1224

(QQ) "Electronic signature" means a signature in electronic 1225
form attached to or logically associated with an electronic 1226
record. 1227

(RR) "Financial transaction device" has the same meaning as 1228
in division (A) of section 113.40 of the Revised Code. 1229

(SS) "Electronic motor vehicle dealer" means a motor vehicle 1230
dealer licensed under Chapter 4517. of the Revised Code whom the 1231
registrar of motor vehicles determines meets the criteria 1232
designated in section 4503.035 of the Revised Code for electronic 1233
motor vehicle dealers and designates as an electronic motor 1234
vehicle dealer under that section. 1235

(TT) "Electric personal assistive mobility device" means a 1236
self-balancing two non-tandem wheeled device that is designed to 1237
transport only one person, has an electric propulsion system of an 1238
average of seven hundred fifty watts, and when ridden on a paved 1239
level surface by an operator who weighs one hundred seventy pounds 1240
has a maximum speed of less than twenty miles per hour. 1241

~~(TT)~~(UU) "Limited driving privileges" means the privilege to
operate a motor vehicle that a court grants under section 4510.021
of the Revised Code to a person whose driver's or commercial
driver's license or permit or nonresident operating privilege has
been suspended.

Sec. 4501.02. (A) There is hereby created in the department
of public safety a bureau of motor vehicles, which shall be
administered by a registrar of motor vehicles. The registrar shall
be appointed by the director of public safety and shall serve at
the director's pleasure.

The registrar shall administer the laws of the state relative
to the registration of and certificates of title for motor
vehicles, and the licensing of motor vehicle dealers, motor
vehicle leasing dealers, distributors, and salespersons, and of
motor vehicle salvage dealers, salvage motor vehicle auctions, and
salvage motor vehicle pools. The registrar also shall, in
accordance with section 4503.61 of the Revised Code, take those
steps necessary to enter this state into membership in the
international registration plan and carry out the registrar's
other duties under that section. The registrar, with the approval
of the director of public safety, may do all of the following:

(1) Adopt such forms and rules as are necessary to carry out
all laws the registrar is required to administer;

(2) Appoint such number of assistants, deputies, clerks,
stenographers, and other employees as are necessary to carry out
such laws;

(3) Acquire or lease such facilities as are necessary to
carry out the duties of the registrar's office;

(4) Establish accounts in a bank or depository and deposit
any funds collected by the registrar in those accounts to the

credit of "state of Ohio, bureau of motor vehicles." Within three 1272
days after the deposit of funds in such an account, the registrar 1273
shall draw on that account in favor of the treasurer of state. The 1274
registrar may reserve funds against the draw to the treasurer of 1275
state to the extent reasonably necessary to ensure that the 1276
deposited items are not dishonored. The registrar may pay any 1277
service charge usually collected by the bank or depository. 1278

The registrar shall give a bond for the faithful performance 1279
of the registrar's duties in such amount and with such security as 1280
the director approves. When in the opinion of the director it is 1281
advisable, any deputy or other employee may be required to give 1282
bond in such amount and with such security as the director 1283
approves. In the discretion of the director, the bonds authorized 1284
to be taken on deputies or other employees may be individual, 1285
schedule, or blanket bonds. 1286

The director of public safety may investigate the activities 1287
of the bureau and have access to its records at any time, and the 1288
registrar shall make a report to the director at any time upon 1289
request. 1290

All laws relating to the licensing of motor vehicle dealers, 1291
motor vehicle leasing dealers, distributors, and salespersons, and 1292
of motor vehicle salvage dealers, salvage motor vehicle auctions, 1293
and salvage motor vehicle pools, designating and granting power to 1294
the registrar shall be liberally construed to the end that the 1295
practice or commission of fraud in the business of selling motor 1296
vehicles and of disposing of salvage motor vehicles may be 1297
prohibited and prevented. 1298

(B) There is hereby created in the department of public 1299
safety a division of emergency medical services, which shall be 1300
administered by an executive director of emergency medical 1301
services appointed under section 4765.03 of the Revised Code. 1302

Sec. 4501.021. (A) Notwithstanding sections 149.33 to 149.34 1303
of the Revised Code, the registrar of motor vehicles shall 1304
determine the methods for obtaining, collecting, recording, and 1305
maintaining the records of the bureau of motor vehicles and of 1306
deputy registrars that pertain to driver's or commercial driver's 1307
licenses, identification cards, and vehicle registrations, 1308
including photographic or digitalized images, and electronic or 1309
digitalized signatures. The registrar may choose methods including 1310
paper, film, digital or other electronic media, or any other media 1311
that reasonably allows for recording, maintaining, and retrieving 1312
the records in a reliable manner. 1313

(B) The registrar of motor vehicles may dispose of all 1314
records of the bureau of motor vehicles pursuant to section 149.34 1315
of the Revised Code. 1316

The disposal of all records shall not take place when the 1317
registrar has received notice that a court case or other legal 1318
action is pending involving such records. 1319

Any surplus from the sale of such records, after paying the 1320
cost of administering the destruction or sale of such records, 1321
shall be paid into the state treasury. 1322

~~(B)~~(C) Each deputy registrar shall retain in the deputy 1323
registrar's office a file containing copies of all records and 1324
transactions performed for the bureau. Copies of motor vehicle 1325
registration applications shall be retained for a period of 1326
eighteen months from the date of the record or transaction, 1327
whichever is later; copies of driver's license or identification 1328
card applications shall be retained for a period of four years 1329
from the date of the record or transaction, whichever is later; 1330
and all other records shall be retained for a period of three 1331
years from the date of the record or transaction, whichever is 1332
later. The retained records shall be available for public 1333

examination, but no person may make copies of the records for sale 1334
or distribution. 1335

Sec. 4501.11. (A) There is hereby created in the state 1336
treasury the security, investigations, and policing fund. 1337
Notwithstanding section 5503.04 of the Revised Code, no fines 1338
collected from or money arising from bonds or bail forfeited by 1339
persons apprehended or arrested by state highway patrol troopers 1340
shall be credited to the general revenue fund until sufficient 1341
revenue to fund appropriations for the activities described under 1342
division (B) of this section are credited to the security, 1343
investigations, and policing fund. All investment earnings of the 1344
security, investigations, and policing fund shall be credited to 1345
that fund. 1346

This division does not apply to fines for violations of 1347
division (B) of section 4513.263 of the Revised Code, or to fines 1348
for violations of any municipal ordinance that is substantively 1349
comparable to that division, which fines shall be delivered to the 1350
treasurer of state as provided in division (E) of section 4513.263 1351
of the Revised Code. 1352

(B) The money credited to the security, investigations, and 1353
policing fund shall be used to pay the costs of: 1354

(1) Providing security for the governor, other officials and 1355
dignitaries, the capitol square, and other state property pursuant 1356
to division (E) of section 5503.02 of the Revised Code; 1357

(2) Undertaking major criminal investigations that involve 1358
state property interests; 1359

(3) Providing traffic control and security for the Ohio 1360
expositions commission on a full-time, year-round basis; 1361

(4) Performing nonhighway-related duties of the state highway 1362
patrol at the Ohio state fair; 1363

(5) Coordinating homeland security activities. 1364

Sec. 4503.01. "Motor vehicle" as defined in section 4505.01 1365
of the Revised Code applies to sections 4503.02 to 4503.10, and 1366
4503.12 to 4503.18 of the Revised Code. For the purposes of 1367
sections 4503.02 to 4503.04, 4503.10 to 4503.12, 4503.182, 1368
4503.19, 4503.21, 4503.22, and 4503.25 of the Revised Code, the 1369
term "motor vehicle" also includes a motorized bicycle and a 1370
trailer or semitrailer whose weight is four thousand pounds or 1371
less but does not include a trailer or semitrailer used to 1372
transport any of the following: 1373

(A) An industrialized unit as defined in division (C)(3) of 1374
section 3781.06 of the Revised Code or a manufactured home as 1375
defined in division (C)(4) of that section; 1376

(B) A mobile home as defined in division (O) of section 1377
4501.01 of the Revised Code. 1378

As used in this chapter, "motor vehicle" does not include a 1379
concrete pump or a concrete conveyor. 1380

Sec. 4503.03. (A)(1)(a) The registrar of motor vehicles may 1381
designate the county auditor in each county a deputy registrar. If 1382
the population of a county is forty thousand or less according to 1383
the last federal census and if the county auditor is designated by 1384
the registrar as a deputy registrar, no other person need be 1385
designated in the county to act as a deputy registrar. 1386

(b) ~~For three years after the effective date of this~~ 1387
~~amendment, the~~ The registrar may designate a clerk of a court of 1388
common pleas as a deputy registrar if the population of the county 1389
is forty thousand or less according to the last federal census. 1390
All fees collected and retained by a clerk for conducting deputy 1391
registrar services shall be paid into the county treasury to the 1392
credit of the certificate of title administration fund created 1393

under section 325.33 of the Revised Code. 1394

(c) In all other instances, the registrar shall contract with 1395
one or more other persons in each county to act as deputy 1396
registrars. 1397

(2) Deputy registrars shall accept applications for the 1398
annual license tax for any vehicle not taxed under section 4503.63 1399
of the Revised Code and shall assign distinctive numbers in the 1400
same manner as the registrar. Such deputies shall be located in 1401
such locations in the county as the registrar sees fit. There 1402
shall be at least one deputy registrar in each county. 1403

Deputy registrar contracts are subject to the provisions of 1404
division (B) of section 125.081 of the Revised Code. 1405

(B) The registrar shall not contract with any person to act 1406
as a deputy registrar if the person or, where applicable, the 1407
person's spouse or a member of the person's immediate family has 1408
made, within the current calendar year or any one of the previous 1409
three calendar years, one or more contributions totaling in excess 1410
of one hundred dollars to any person or entity included in 1411
division (A)(2) of section 4503.033 of the Revised Code. As used 1412
in this division, "immediate family" has the same meaning as in 1413
division (D) of section 102.01 of the Revised Code, and "entity" 1414
includes any political party and any "continuing association" as 1415
defined in division (B)(4) of section 3517.01 of the Revised Code 1416
or "political action committee" as defined in division (B)(8) of 1417
that section that is primarily associated with that political 1418
party. For purposes of this division, contributions to any 1419
continuing association or any political action committee that is 1420
primarily associated with a political party shall be aggregated 1421
with contributions to that political party. 1422

The contribution limitations contained in this division do 1423
not apply to any county auditor or clerk of a court of common 1424

pleas. 1425

The registrar shall not contract with either of the following 1426
to act as a deputy registrar: 1427

(1) Any elected public official other than a county auditor 1428
or, as authorized by division (A)(1)(b) of this section, a clerk 1429
of a court of common pleas, acting in an ~~the county auditor's~~ 1430
official capacity; 1431

(2) Any person holding a current, valid contract to conduct 1432
motor vehicle inspections under section 3704.14 of the Revised 1433
Code. 1434

(C)(1) Except as provided in division (C)(2) of this section, 1435
deputy registrars are independent contractors and neither they nor 1436
their employees are employees of this state, except that nothing 1437
in this section shall affect the status of county auditors or 1438
clerks of courts of common pleas as public officials, nor the 1439
status of their employees as employees of any of the counties of 1440
this state, which are political subdivisions of this state. Each 1441
deputy registrar shall be responsible for the payment of all 1442
unemployment compensation premiums, all workers' compensation 1443
premiums, social security contributions, and any and all taxes for 1444
which the deputy registrar is legally responsible. Each deputy 1445
registrar shall comply with all applicable federal, state, and 1446
local laws requiring the withholding of income taxes or other 1447
taxes from the compensation of the deputy registrar's employees. 1448
Each deputy registrar shall maintain during the entire term of the 1449
deputy registrar's contract a policy of business liability 1450
insurance satisfactory to the registrar and shall hold the 1451
department of public safety, the director of public safety, the 1452
bureau of motor vehicles, and the registrar harmless upon any and 1453
all claims for damages arising out of the operation of the deputy 1454
registrar agency. 1455

(2) For purposes of Chapter 4141. of the Revised Code, 1456
determinations concerning the employment of deputy registrars and 1457
their employees shall be made under Chapter 4141. of the Revised 1458
Code. 1459

(D)(1) With the approval of the director, the registrar shall 1460
adopt rules governing the terms of the contract between the 1461
registrar and each deputy registrar and specifications for the 1462
services to be performed. The rules shall include specifications 1463
relating to the amount of bond to be given as provided in this 1464
section; the size and location of the deputy's office; and the 1465
leasing of equipment necessary to conduct the vision screenings 1466
required under section 4507.12 of the Revised Code and training in 1467
the use of the equipment. The specifications shall permit and 1468
encourage every deputy registrar to inform the public of the 1469
location of the deputy registrar's office and hours of operation 1470
by means of public service announcements and allow any deputy 1471
registrar to advertise in regard to the operation of the deputy 1472
registrar's office. The rules also shall include specifications 1473
for the hours the deputy's office is to be open to the public and 1474
shall require as a minimum that one deputy's office in each county 1475
be open to the public for at least four hours each weekend, 1476
provided that if only one deputy's office is located within the 1477
boundary of the county seat, that office is the office that shall 1478
be open for the four-hour period each weekend, and that every 1479
deputy's office in each county shall be open to the public until 1480
six-thirty p.m. on at least one weeknight each week. The rules 1481
also shall include specifications providing that every deputy in 1482
each county, upon request, provide any person with information 1483
about the location and office hours of all deputy registrars in 1484
the county and that every deputy prominently display within the 1485
deputy's ~~the deputy registrar's~~ office, the toll-free telephone 1486
number of the bureau. The rules shall not prohibit the award of a 1487

deputy registrar contract to a nonprofit corporation formed under 1488
the laws of this state. The rules shall prohibit any deputy 1489
registrar from operating more than one such office at any time, 1490
except that the rules may permit a nonprofit corporation formed 1491
for the purposes of providing automobile-related services to its 1492
members or the public and that provides such services from more 1493
than one location in this state to operate a deputy registrar 1494
office at any such location, provided that the nonprofit 1495
corporation operates no more than one deputy registrar office in 1496
any one county. The rules may include such other specifications as 1497
the registrar and director consider necessary to provide a high 1498
level of service. 1499

(2) With the prior approval of the registrar, each deputy 1500
registrar may conduct at the location of the deputy registrar's 1501
office any business that is consistent with the functions of a 1502
deputy registrar and that is not specifically mandated or 1503
authorized by this or another chapter of the Revised Code or by 1504
implementing rules of the registrar. 1505

(3) As used in this section and in section 4507.01 of the 1506
Revised Code, "nonprofit corporation" has the same meaning as in 1507
section 1702.01 of the Revised Code. 1508

(E) Unless otherwise terminated and except for interim 1509
contracts of less than one year, contracts with deputy registrars 1510
shall be for a term of at least two years, but no more than three 1511
years, and all contracts effective on or after July 1, 1996, shall 1512
be for a term of more than two years, but not more than three 1513
years. All contracts with deputy registrars shall expire on the 1514
~~thirtieth day~~ last Saturday of June in the year of their 1515
expiration. The auditor of state may examine the accounts, 1516
reports, systems, and other data of each deputy registrar at least 1517
every two years. The registrar, with the approval of the director, 1518
shall immediately remove a deputy who violates any provision of 1519

the Revised Code related to the duties as a deputy, any rule 1520
adopted by the registrar, or a term of the deputy's contract with 1521
the registrar. The registrar also may remove a deputy who, in the 1522
opinion of the registrar, has engaged in any conduct that is 1523
either unbecoming to one representing this state or is 1524
inconsistent with the efficient operation of the deputy's office. 1525
~~Upon removal of a deputy registrar for contract violation, the 1526~~
~~auditor of state shall examine the accounts, records, systems, and 1527~~
~~other data of the deputy registrar so removed. 1528~~

If the registrar, with the approval of the director, 1529
determines that there is good cause to believe that a deputy 1530
registrar or a person proposing for a deputy registrar contract 1531
has engaged in any conduct that would require the denial or 1532
termination of the deputy registrar contract, the registrar may 1533
require the production of books, records, and papers as the 1534
registrar determines are necessary, and may take the depositions 1535
of witnesses residing within or outside the state in the same 1536
manner as is prescribed by law for the taking of depositions in 1537
civil actions in the court of common pleas, and for that purpose 1538
the registrar may issue a subpoena for any witness or a subpoena 1539
duces tecum to compel the production of any books, records, or 1540
papers, directed to the sheriff of the county where the witness 1541
resides or is found. Such a subpoena shall be served and returned 1542
in the same manner as a subpoena in a criminal case is served and 1543
returned. The fees and mileage of the sheriff and witnesses shall 1544
be the same as that allowed in the court of common pleas in 1545
criminal cases and shall be paid from the fund in the state 1546
treasury for the use of the agency in the same manner as other 1547
expenses of the agency are paid. 1548

In any case of disobedience or neglect of any subpoena served 1549
on any person or the refusal of any witness to testify to any 1550
matter regarding which the witness lawfully may be interrogated, 1551

the court of common pleas of any county where the disobedience, 1552
neglect, or refusal occurs or any judge of that court, on 1553
application by the registrar, shall compel obedience by attachment 1554
proceedings for contempt, as in the case of disobedience of the 1555
requirements of a subpoena issued from that court, or a refusal to 1556
testify in that court. 1557

Nothing in this division shall be construed to require a 1558
hearing of any nature prior to the termination of any deputy 1559
registrar contract by the registrar, with the approval of the 1560
director, for cause. 1561

(F) Except as provided in section 2743.03 of the Revised 1562
Code, no court, other than the court of common pleas of Franklin 1563
county, has jurisdiction of any action against the department of 1564
public safety, the director, the bureau, or the registrar to 1565
restrain the exercise of any power or authority, or to entertain 1566
any action for declaratory judgment, in the selection and 1567
appointment of, or contracting with, deputy registrars. Neither 1568
the department, the director, the bureau, nor the registrar is 1569
liable in any action at law for damages sustained by any person 1570
because of any acts of the department, the director, the bureau, 1571
or the registrar, or of any employee of the department or bureau, 1572
in the performance of official duties in the selection and 1573
appointment of, and contracting with, deputy registrars. 1574

(G) The registrar shall assign to each deputy registrar a 1575
series of numbers sufficient to supply the demand at all times in 1576
the area the deputy registrar serves, and the registrar shall keep 1577
a record in the registrar's office of the numbers within the 1578
series assigned. Each deputy shall be required to give bond in the 1579
amount of at least twenty-five thousand dollars, or in such higher 1580
amount as the registrar determines necessary, based on a uniform 1581
schedule of bond amounts established by the registrar and 1582
determined by the volume of registrations handled by the deputy. 1583

The form of the bond shall be prescribed by the registrar. The 1584
bonds required of deputy registrars, in the discretion of the 1585
registrar, may be individual or schedule bonds or may be included 1586
in any blanket bond coverage carried by the department. 1587

(H) Each deputy registrar shall keep a file of each 1588
application received by the deputy and shall register that motor 1589
vehicle with the name and address of its owner. 1590

(I) Upon request, a deputy registrar shall make the physical 1591
inspection of a motor vehicle and issue the physical inspection 1592
certificate required in section 4505.061 of the Revised Code. 1593

(J) Each deputy registrar shall file a report semi-annually 1594
with the registrar of motor vehicles listing the number of 1595
applicants for licenses the deputy has served, the number of voter 1596
registration applications the deputy has completed and transmitted 1597
to the board of elections, and the number of voter registration 1598
applications declined. 1599

Sec. 4503.034. (A) Notwithstanding sections 4503.10, 1600
4503.102, 4503.12, 4503.182, 4503.24, 4505.061, 4506.08, 4507.24, 1601
4507.50, 4507.52, 4519.03, 4519.05, 4519.10, 4519.56, and 4519.69 1602
of the Revised Code: 1603

(1) Each deputy registrar shall be allowed the increased fee 1604
otherwise allowed in those sections and commencing on January 1, 1605
2003, for performing the services specified in those sections only 1606
if the deputy registrars achieve a statewide satisfaction rate of 1607
at least ninety per cent on the survey conducted by the registrar 1608
of motor vehicles under this section. If the deputy registrars 1609
fail to achieve a statewide satisfaction rate of at least ninety 1610
per cent on the survey, the fee for performing the services 1611
specified in those sections shall remain at the rate in effect for 1612
the immediately preceding year. 1613

(2) Each deputy registrar shall be allowed the increased fee 1614
otherwise allowed in those sections and commencing on January 1, 1615
2004, for performing the services specified in those sections only 1616
if the deputy registrars achieve a statewide satisfaction rate of 1617
at least ninety per cent on the survey conducted by the registrar 1618
under this section. If the deputy registrars fail to achieve a 1619
statewide satisfaction rate of at least ninety per cent on the 1620
survey, the fee for performing the services specified in those 1621
sections shall remain at the rate in effect for the immediately 1622
preceding year. 1623

(B) The registrar shall develop and conduct a survey 1624
evaluating public satisfaction with the conduct of services by 1625
deputy registrars under sections 4503.10, 4503.102, 4503.12, 1626
4503.182, ~~4503.24~~, 4505.061, 4506.08, 4507.24, 4507.50, 4507.52, 1627
4519.03, ~~4519.05~~, 4519.10, 4519.56, and 4519.69 of the Revised 1628
Code. In developing the survey, the registrar also shall establish 1629
standards that shall enable a deputy registrar to achieve a ninety 1630
per cent satisfaction rating. The ninety per cent satisfaction 1631
rate required under divisions (A)(1) and (2) of this section as a 1632
condition to increasing the service fees shall be determined on a 1633
statewide basis and not on an individual basis. The registrar 1634
shall conduct the survey in 2002 to determine the satisfaction 1635
rating for purposes of division (A)(1) of this section and shall 1636
conduct the survey again in 2003 to determine the satisfaction 1637
rating for purposes of division (A)(2) of this section. 1638

Sec. 4503.04. ~~Until the rates established under~~ Except as 1639
provided in section 4503.042 of the Revised Code for the 1640
registration of commercial cars, trailers, semitrailers, and 1641
certain buses ~~other than transit buses become operative~~, the rates 1642
of the taxes imposed by section 4503.02 of the Revised Code shall 1643
be as follows: 1644

(A) For motor vehicles having three wheels or less, the license tax is:	1645 1646
(1) For each motorized bicycle, ten dollars;	1647
(2) For each motorcycle, fourteen dollars.	1648
(B) For each passenger car, twenty dollars;	1649
(C) For each manufactured home, each mobile home, and each travel trailer, ten dollars;	1650 1651
(D) For each noncommercial motor vehicle designed by the manufacturer to carry a load of no more than three-quarters of one ton and for each motor home, thirty-five dollars; for each noncommercial motor vehicle designed by the manufacturer to carry a load of more than three-quarters of one ton, but not more than one ton, seventy dollars;	1652 1653 1654 1655 1656 1657
(E) For each commercial car and for each trailer or semitrailer, except a manufactured or mobile home or noncommercial trailer, which shall not be taxed by this division, the license tax is fifteen dollars plus:	1658 1659 1660 1661
(1) Eighty five cents for each one hundred pounds or part thereof for the first two thousand pounds or part thereof of weight of vehicle fully equipped;	1662 1663 1664
(2) One dollar and forty cents for each one hundred pounds or part thereof in excess of two thousand pounds up to and including three thousand pounds;	1665 1666 1667
(3) One dollar and ninety cents for each one hundred pounds or part thereof in excess of three thousand pounds up to and including four thousand pounds;	1668 1669 1670
(4) Two dollars and twenty cents for each one hundred pounds or part thereof in excess of four thousand pounds up to and including five thousand pounds;	1671 1672 1673

(5) Two dollars and forty cents for each one hundred pounds	1674
or part thereof in excess of five thousand pounds up to and	1675
including six thousand pounds;	1676
(6) Two dollars and eighty cents for each one hundred pounds	1677
or part thereof in excess of six thousand pounds up to and	1678
including ten thousand pounds;	1679
(7) Three dollars for each one hundred pounds or part thereof	1680
in excess of ten thousand pounds up to and including twelve	1681
thousand pounds;	1682
(8) Three dollars and twenty five cents for each one hundred	1683
pounds or part thereof in excess of twelve thousand pounds.	1684
(F) For each noncommercial trailer, the license tax is:	1685
(1) Eighty-five cents for each one hundred pounds or part	1686
thereof for the first two thousand pounds or part thereof of	1687
weight of vehicle fully equipped;	1688
(2) One dollar and forty cents for each one hundred pounds or	1689
part thereof in excess of two thousand pounds up to and including	1690
three thousand pounds.	1691
(G)(F) Notwithstanding its weight, twelve dollars for any:	1692
(1) Vehicle equipped, owned, and used by a charitable or	1693
nonprofit corporation exclusively for the purpose of administering	1694
chest x-rays or receiving blood donations;	1695
(2) Van used principally for the transportation of	1696
handicapped persons that has been modified by being equipped with	1697
adaptive equipment to facilitate the movement of such persons into	1698
and out of the van.	1699
(H) For each bus, except a transit bus, having motor power	1700
the license tax is:	1701
(1) Eighty five cents per one hundred pounds or part thereof	1702

for the first two thousand pounds or part thereof of weight of	1703
vehicle fully equipped;	1704
(2) One dollar and thirty cents for each one hundred pounds	1705
or part thereof in excess of two thousand pounds up to and	1706
including three thousand pounds;	1707
(3) One dollar and eighty cents for each one hundred pounds	1708
or part thereof in excess of three thousand pounds up to and	1709
including four thousand pounds;	1710
(4) Two dollars and ten cents for each one hundred pounds or	1711
part thereof in excess of four thousand pounds up to and including	1712
six thousand pounds;	1713
(5) Two dollars and forty cents for each one hundred pounds	1714
or part thereof in excess of six thousand pounds up to and	1715
including ten thousand pounds;	1716
(6) Two dollars and seventy cents for each one hundred pounds	1717
or part thereof in excess of ten thousand pounds;	1718
(7) Notwithstanding its weight, twelve dollars for any bus;	1719
<u>(3) Bus</u> used principally for the transportation of	1720
handicapped persons or persons sixty-five years of age or older;	1721
(8)(G) Notwithstanding its weight, twenty dollars for any bus	1722
used principally for the transportation of persons in a	1723
ridesharing arrangement.	1724
(I)(H) For each transit bus having motor power the license	1725
tax is twelve dollars.	1726
"Transit bus" means either a motor vehicle having a seating	1727
capacity of more than seven persons which is operated and used by	1728
any person in the rendition of a public mass transportation	1729
service primarily in a municipal corporation or municipal	1730
corporations and provided at least seventy-five per cent of the	1731
annual mileage of such service and use is within such municipal	1732

corporation or municipal corporations or a motor vehicle having a 1733
seating capacity of more than seven persons which is operated 1734
solely for the transportation of persons associated with a 1735
charitable or nonprofit corporation, but does not mean any motor 1736
vehicle having a seating capacity of more than seven persons when 1737
such vehicle is used in a ridesharing capacity or any bus 1738
described by division (F)(3) of this section. 1739

The application for registration of such transit bus shall be 1740
accompanied by an affidavit prescribed by the registrar of motor 1741
vehicles and signed by the person or an agent of the firm or 1742
corporation operating such bus stating that the bus has a seating 1743
capacity of more than seven persons, and that it is either to be 1744
operated and used in the rendition of a public mass transportation 1745
service and that at least seventy-five per cent of the annual 1746
mileage of such operation and use shall be within one or more 1747
municipal corporations or that it is to be operated solely for the 1748
transportation of persons associated with a charitable or 1749
nonprofit corporation. 1750

The form of the license plate, and the manner of its 1751
attachment to the vehicle, shall be prescribed by the registrar of 1752
motor vehicles. 1753

~~(J)~~(I) The minimum tax for any vehicle having motor power 1754
other than a farm truck, a motorized bicycle, or motorcycle is ten 1755
dollars and eighty cents, and for each noncommercial trailer, five 1756
dollars. 1757

~~(K)~~(J)(1) Except as otherwise provided in division ~~(K)~~(J) of 1758
this section, for each farm truck, except a noncommercial motor 1759
vehicle, that is owned, controlled, or operated by one or more 1760
farmers exclusively in farm use as defined in this section, and 1761
not for commercial purposes, and provided that at least 1762
seventy-five per cent of such farm use is by or for the one or 1763
more owners, controllers, or operators of the farm in the 1764

operation of which a farm truck is used, the license tax is five	1765
dollars plus:	1766
(a) Fifty cents per one hundred pounds or part thereof for	1767
the first three thousand pounds;	1768
(b) Seventy cents per one hundred pounds or part thereof in	1769
excess of three thousand pounds up to and including four thousand	1770
pounds;	1771
(c) Ninety cents per one hundred pounds or part thereof in	1772
excess of four thousand pounds up to and including six thousand	1773
pounds;	1774
(d) Two dollars for each one hundred pounds or part thereof	1775
in excess of six thousand pounds up to and including ten thousand	1776
pounds;	1777
(e) Two dollars and twenty-five cents for each one hundred	1778
pounds or part thereof in excess of ten thousand pounds;	1779
(f) The minimum license tax for any farm truck shall be	1780
twelve dollars.	1781
(2) The owner of a farm truck may register the truck for a	1782
period of one-half year by paying one-half the registration tax	1783
imposed on the truck under this chapter and one-half the amount of	1784
any tax imposed on the truck under Chapter 4504. of the Revised	1785
Code.	1786
(3) A farm bus may be registered for a period of ninety days	1787
from the date of issue of the license plates for the bus, for a	1788
fee of ten dollars, provided such license plates shall not be	1789
issued for more than any two ninety-day periods in any calendar	1790
year. Such use does not include the operation of trucks by	1791
commercial processors of agricultural products.	1792
(4) License plates for farm trucks and for farm buses shall	1793
have some distinguishing marks, letters, colors, or other	1794

characteristics to be determined by the director of public safety. 1795

(5) Every person registering a farm truck or bus under this 1796
section shall furnish an affidavit certifying that the truck or 1797
bus licensed to that person is to be so used as to meet the 1798
requirements necessary for the farm truck or farm bus 1799
classification. 1800

Any farmer may use a truck owned by the farmer for commercial 1801
purposes by paying the difference between the commercial truck 1802
registration fee and the farm truck registration fee for the 1803
remaining part of the registration period for which the truck is 1804
registered. Such remainder shall be calculated from the beginning 1805
of the semiannual period in which application for such commercial 1806
license is made. 1807

Taxes at the rates provided in this section are in lieu of 1808
all taxes on or with respect to the ownership of such motor 1809
vehicles, except as provided in section 4503.042 and section 1810
4503.06 of the Revised Code. 1811

~~(L)~~(K) Other than trucks registered under the international 1812
registration plan in another jurisdiction and for which this state 1813
has received an apportioned registration fee, the license tax for 1814
each truck which is owned, controlled, or operated by a 1815
nonresident, and licensed in another state, and which is used 1816
exclusively for the transportation of nonprocessed agricultural 1817
products intrastate, from the place of production to the place of 1818
processing, is twenty-four dollars. 1819

"Truck," as used in this division, means any pickup truck, 1820
straight truck, semitrailer, or trailer other than a travel 1821
trailer. Nonprocessed agricultural products, as used in this 1822
division, does not include livestock or grain. 1823

A license issued under this division shall be issued for a 1824
period of one hundred thirty days in the same manner in which all 1825

other licenses are issued under this section, provided that no 1826
truck shall be so licensed for more than one 1827
one_hundred_thirty-day period during any calendar year. 1828

The license issued pursuant to this division shall consist of 1829
a windshield decal to be designed by the director of public 1830
safety. 1831

Every person registering a truck under this division shall 1832
furnish an affidavit certifying that the truck licensed to the 1833
person is to be used exclusively for the purposes specified in 1834
this division. 1835

~~(M)~~(L) Every person registering a motor vehicle as a 1836
noncommercial motor vehicle as defined in section 4501.01 of the 1837
Revised Code, or registering a trailer as a noncommercial trailer 1838
as defined in that section, shall furnish an affidavit certifying 1839
that the motor vehicle or trailer so licensed to the person is to 1840
be so used as to meet the requirements necessary for the 1841
noncommercial vehicle classification. 1842

~~(N)~~(M) Every person registering a van or bus as provided in 1843
divisions ~~(G)~~(F)(2) and ~~(H)~~(7)(3) of this section shall furnish a 1844
notarized statement certifying that the van or bus licensed to the 1845
person is to be used for the purposes specified in those 1846
divisions. The form of the license plate issued for such motor 1847
vehicles shall be prescribed by the registrar. 1848

~~(O)~~(N) Every person registering as a passenger car a motor 1849
vehicle designed and used for carrying more than nine but not more 1850
than fifteen passengers, and every person registering a bus as 1851
provided in division ~~(H)~~(8)(G) of this section, shall furnish an 1852
affidavit certifying that the vehicle so licensed to the person is 1853
to be used in a ridesharing arrangement and that the person will 1854
have in effect whenever the vehicle is used in a ridesharing 1855
arrangement a policy of liability insurance with respect to the 1856

motor vehicle in amounts and coverages no less than those required 1857
by section 4509.79 of the Revised Code. The form of the license 1858
plate issued for such a motor vehicle shall be prescribed by the 1859
registrar. 1860

~~(P)~~(O) As used in this section: 1861

(1) "Van" means any motor vehicle having a single rear axle 1862
and an enclosed body without a second seat. 1863

(2) "Handicapped person" means any person who has lost the 1864
use of one or both legs, or one or both arms, or is blind, deaf, 1865
or so severely disabled as to be unable to move about without the 1866
aid of crutches or a wheelchair. 1867

(3) "Farm truck" means a truck used in the transportation 1868
from the farm of products of the farm, including livestock and its 1869
products, poultry and its products, floricultural and 1870
horticultural products, and in the transportation to the farm of 1871
supplies for the farm, including tile, fence, and every other 1872
thing or commodity used in agricultural, floricultural, 1873
horticultural, livestock, and poultry production and livestock, 1874
poultry, and other animals and things used for breeding, feeding, 1875
or other purposes connected with the operation of the farm. 1876

(4) "Farm bus" means a bus used only for the transportation 1877
of agricultural employees and used only in the transportation of 1878
such employees as are necessary in the operation of the farm. 1879

(5) "Farm supplies" includes fuel used exclusively in the 1880
operation of a farm, including one or more homes located on and 1881
used in the operation of one or more farms, and furniture and 1882
other things used in and around such homes. 1883

Sec. 4503.041. (A) The original owner of any trailer weighing 1884
four thousand pounds or less and used exclusively for 1885
noncommercial purposes ~~shall~~, upon application for initial 1886

registration, shall obtain and present such evidence of the 1887
trailer's weight as the registrar of motor vehicles may require. 1888
Whenever an application for registration other than an initial 1889
application by the original owner is made for a trailer to which 1890
this section applies, the application shall be accompanied by an 1891
affidavit, prescribed by the registrar and signed by the present 1892
owner, stating that the weight of the trailer is the same as that 1893
indicated by the evidence obtained and presented for initial 1894
registration by the original owner, and no other evidence of 1895
weight shall be required. This section does not apply to the owner 1896
of a boat trailer being registered in accordance with section 1897
4503.173 of the Revised Code. 1898

(B) The owner of a trailer described in division (A) of this 1899
section or the operator of a motor vehicle towing such a trailer 1900
may tow the trailer directly to and from a scale facility for the 1901
purpose of determining the trailer's weight prior to the 1902
registration of the trailer provided that at the time of such 1903
towing the owner or operator has in the owner's or operator's 1904
possession an official weight slip prescribed by the registrar and 1905
provided the trailer does not carry any load during such towing. 1906

Sec. 4503.042. The registrar of motor vehicles shall adopt 1907
rules establishing the date, subsequent to this state's entry into 1908
membership in the international registration plan, when the rates 1909
established by this section become operative. 1910

(A) The rates of the taxes imposed by section 4503.02 of the 1911
Revised Code are as follows for commercial cars having a gross 1912
vehicle weight or combined gross vehicle weight of: 1913

(1) Not more than two thousand pounds, forty-five dollars; 1914

(2) More than two thousand but not more than six thousand 1915
pounds, seventy dollars; 1916

(3) More than six thousand but not more than ten thousand pounds, eighty-five dollars;	1917 1918
(4) More than ten thousand but not more than fourteen thousand pounds, one hundred five dollars;	1919 1920
(5) More than fourteen thousand but not more than eighteen thousand pounds, one hundred twenty-five dollars;	1921 1922
(6) More than eighteen thousand but not more than twenty-two thousand pounds, one hundred fifty dollars;	1923 1924
(7) More than twenty-two thousand but not more than twenty-six thousand pounds, one hundred seventy-five dollars;	1925 1926
(8) More than twenty-six thousand but not more than thirty thousand pounds, three hundred fifty-five dollars;	1927 1928
(9) More than thirty thousand but not more than thirty-four thousand pounds, four hundred twenty dollars;	1929 1930
(10) More than thirty-four thousand but not more than thirty-eight thousand pounds, four hundred eighty dollars;	1931 1932
(11) More than thirty-eight thousand but not more than forty-two thousand pounds, five hundred forty dollars;	1933 1934
(12) More than forty-two thousand but not more than forty-six thousand pounds, six hundred dollars;	1935 1936
(13) More than forty-six thousand but not more than fifty thousand pounds, six hundred sixty dollars;	1937 1938
(14) More than fifty thousand but not more than fifty-four thousand pounds, seven hundred twenty-five dollars;	1939 1940
(15) More than fifty-four thousand but not more than fifty-eight thousand pounds, seven hundred eighty-five dollars;	1941 1942
(16) More than fifty-eight thousand but not more than sixty-two thousand pounds, eight hundred fifty-five dollars;	1943 1944

(17) More than sixty-two thousand but not more than sixty-six thousand pounds, nine hundred twenty-five dollars;	1945 1946
(18) More than sixty-six thousand but not more than seventy thousand pounds, nine hundred ninety-five dollars;	1947 1948
(19) More than seventy thousand but not more than seventy-four thousand pounds, one thousand eighty dollars;	1949 1950
(20) More than seventy-four thousand but not more than seventy-eight thousand pounds, one thousand two hundred dollars;	1951 1952
(21) More than seventy-eight thousand pounds, one thousand three hundred forty dollars.	1953 1954
(B) The rates of the taxes imposed by section 4503.02 of the Revised Code are as follows for buses having a gross vehicle weight or combined gross vehicle weight of:	1955 1956 1957
(1) Not more than two thousand pounds, ten dollars;	1958
(2) More than two thousand but not more than six thousand pounds, forty dollars;	1959 1960
(3) More than six thousand but not more than ten thousand pounds, one hundred dollars;	1961 1962
(4) More than ten thousand but not more than fourteen thousand pounds, one hundred eighty dollars;	1963 1964
(5) More than fourteen thousand but not more than eighteen thousand pounds, two hundred sixty dollars;	1965 1966
(6) More than eighteen thousand but not more than twenty-two thousand pounds, three hundred forty dollars;	1967 1968
(7) More than twenty-two thousand but not more than twenty-six thousand pounds, four hundred twenty dollars;	1969 1970
(8) More than twenty-six thousand but not more than thirty thousand pounds, five hundred dollars;	1971 1972

(9) More than thirty thousand but not more than thirty-four thousand pounds, five hundred eighty dollars;	1973 1974
(10) More than thirty-four thousand but not more than thirty-eight thousand pounds, six hundred sixty dollars;	1975 1976
(11) More than thirty-eight thousand but not more than forty-two thousand pounds, seven hundred forty dollars;	1977 1978
(12) More than forty-two thousand but not more than forty-six thousand pounds, eight hundred twenty dollars;	1979 1980
(13) More than forty-six thousand but not more than fifty thousand pounds, nine hundred forty dollars;	1981 1982
(14) More than fifty thousand but not more than fifty-four thousand pounds, one thousand dollars;	1983 1984
(15) More than fifty-four thousand but not more than fifty-eight thousand pounds, one thousand ninety dollars;	1985 1986
(16) More than fifty-eight thousand but not more than sixty-two thousand pounds, one thousand one hundred eighty dollars;	1987 1988 1989
(17) More than sixty-two thousand but not more than sixty-six thousand pounds, one thousand two hundred seventy dollars;	1990 1991
(18) More than sixty-six thousand but not more than seventy thousand pounds, one thousand three hundred sixty dollars;	1992 1993
(19) More than seventy thousand but not more than seventy-four thousand pounds, one thousand four hundred fifty dollars;	1994 1995 1996
(20) More than seventy-four thousand but not more than seventy-eight thousand pounds, one thousand five hundred forty dollars;	1997 1998 1999
(21) More than seventy-eight thousand pounds, one thousand six hundred thirty dollars.	2000 2001

(C) In addition to the license taxes imposed at the rates 2002
specified in divisions (A) and (B) of this section, an 2003
administrative fee of ~~two~~ three dollars and twenty-five cents, 2004
plus an appropriate amount to cover the cost of postage, shall be 2005
collected by the registrar for each international registration 2006
plan license processed by the registrar. If the deputy registrar 2007
fees are increased on January 1, 2004, in accordance with section 2008
4503.034 of the Revised Code, the administrative fee collected 2009
under this section is three dollars and fifty cents, commencing on 2010
that date, plus postage. 2011

(D) The rate of the tax for each trailer and semitrailer is 2012
twenty-five dollars. 2013

(E) The rates established by this section shall not apply to 2014
any of the following: 2015

(1) Vehicles equipped, owned, and used by a charitable or 2016
nonprofit corporation exclusively for the purpose of administering 2017
chest x-rays or receiving blood donations; 2018

(2) Vans used principally for the transportation of 2019
handicapped persons that have been modified by being equipped with 2020
adaptive equipment to facilitate the movement of such persons into 2021
and out of the vans; 2022

(3) Buses used principally for the transportation of 2023
handicapped persons or persons sixty-five years of age or older; 2024

(4) Buses used principally for the transportation of persons 2025
in a ridesharing arrangement; 2026

(5) Transit buses having motor power; 2027

(6) Noncommercial trailers, mobile homes, or manufactured 2028
homes. 2029

Sec. 4503.10. (A) The owner of every snowmobile, off-highway 2030

motorcycle, and all-purpose vehicle required to be registered 2031
under section 4519.02 of the Revised Code shall file an 2032
application for registration under section 4519.03 of the Revised 2033
Code. The owner of a motor vehicle, other than a snowmobile, 2034
off-highway motorcycle, or all-purpose vehicle, that is not 2035
designed and constructed by the manufacturer for operation on a 2036
street or highway may not register it under this chapter except 2037
upon certification of inspection pursuant to section 4513.02 of 2038
the Revised Code by the sheriff, or the chief of police of the 2039
municipal corporation or township, with jurisdiction over the 2040
political subdivision in which the owner of the motor vehicle 2041
resides. Except as provided in section 4503.103 of the Revised 2042
Code, every owner of every other motor vehicle not previously 2043
described in this section and every person mentioned as owner in 2044
the last certificate of title of a motor vehicle that is operated 2045
or driven upon the public roads or highways shall cause to be 2046
filed each year, by mail or otherwise, in the office of the 2047
registrar of motor vehicles or a deputy registrar, a written or 2048
electronic application or a preprinted registration renewal notice 2049
issued under section 4503.102 of the Revised Code, the form of 2050
which shall be prescribed by the registrar, for registration for 2051
the following registration year, which shall begin on the first 2052
day of January of every calendar year and end on the thirty-first 2053
day of December in the same year. Applications for registration 2054
and registration renewal notices shall be filed at the times 2055
established by the registrar pursuant to section 4503.101 of the 2056
Revised Code. A motor vehicle owner also may elect to apply for or 2057
renew a motor vehicle registration by electronic means using 2058
electronic signature in accordance with rules adopted by the 2059
registrar. Except as provided in division (J) of this section, 2060
applications for registration shall be made on blanks furnished by 2061
the registrar for that purpose, containing the following 2062
information: 2063

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

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

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

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

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

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

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

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

electronic means, the owner's manual signature is not required. 2094

(7) The owner's social security number, if assigned, or, 2095
where a motor vehicle to be registered is used for hire or 2096
principally in connection with any established business, the 2097
owner's federal taxpayer identification number. The bureau of 2098
motor vehicles shall retain in its records all social security 2099
numbers provided under this section, but the bureau shall not 2100
place social security numbers on motor vehicle certificates of 2101
registration. 2102

(B) Each time an applicant first registers a motor vehicle in 2103
the applicant's name, the applicant shall present for inspection a 2104
physical certificate of title or memorandum certificate showing 2105
title to the motor vehicle to be registered in the name of the 2106
applicant if a physical certificate of title or memorandum 2107
certificate has been issued by a clerk of a court of common pleas. 2108
If, under sections 4505.021, 4505.06, and 4505.08 of the Revised 2109
Code, a clerk instead has issued an electronic certificate of 2110
title for the applicant's motor vehicle, that certificate may be 2111
presented for inspection at the time of first registration in a 2112
manner prescribed by rules adopted by the registrar. When a motor 2113
vehicle inspection and maintenance program is in effect under 2114
section 3704.14 of the Revised Code and rules adopted under it, 2115
each application for registration for a vehicle required to be 2116
inspected under that section and those rules shall be accompanied 2117
by an inspection certificate for the motor vehicle issued in 2118
accordance with that section. The application shall be refused if 2119
any of the following applies: 2120

(1) The application is not in proper form. 2121

(2) The application is prohibited from being accepted by 2122
division (D) of section 2935.27, division (A) of section 2937.221, 2123
division (A) of section 4503.13, division (B) of section 4510.22, 2124
or division (B)(1) of section 4521.10 of the Revised Code. 2125

(3) A certificate of title or memorandum certificate of title 2126
does not accompany the application or, in the case of an 2127
electronic certificate of title, is not presented in a manner 2128
prescribed by the registrar's rules. 2129

(4) All registration and transfer fees for the motor vehicle, 2130
for the preceding year or the preceding period of the current 2131
registration year, have not been paid. 2132

(5) The owner or lessee does not have an inspection 2133
certificate for the motor vehicle as provided in section 3704.14 2134
of the Revised Code, and rules adopted under it, if that section 2135
is applicable. 2136

This section does not require the payment of license or 2137
registration taxes on a motor vehicle for any preceding year, or 2138
for any preceding period of a year, if the motor vehicle was not 2139
taxable for that preceding year or period under sections 4503.02, 2140
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 2141
Revised Code. When a certificate of registration is issued upon 2142
the first registration of a motor vehicle by or on behalf of the 2143
owner, the official issuing the certificate shall indicate the 2144
issuance with a stamp on the certificate of title or memorandum 2145
certificate or, in the case of an electronic certificate of title, 2146
an electronic stamp or other notation as specified in rules 2147
adopted by the registrar, and with a stamp on the inspection 2148
certificate for the motor vehicle, if any. The official also shall 2149
indicate, by a stamp or by other means the registrar prescribes, 2150
on the registration certificate issued upon the first registration 2151
of a motor vehicle by or on behalf of the owner the odometer 2152
reading of the motor vehicle as shown in the odometer statement 2153
included in or attached to the certificate of title. Upon each 2154
subsequent registration of the motor vehicle by or on behalf of 2155
the same owner, the official also shall so indicate the odometer 2156
reading of the motor vehicle as shown on the immediately preceding 2157

certificate of registration. 2158

The registrar shall include in the permanent registration 2159
record of any vehicle required to be inspected under section 2160
3704.14 of the Revised Code the inspection certificate number from 2161
the inspection certificate that is presented at the time of 2162
registration of the vehicle as required under this division. 2163

(C)(1) Commencing with each registration renewal with an 2164
expiration date on or after October 1, 2003, and for each initial 2165
application for registration received on and after that date, the 2166
registrar and each deputy registrar shall collect an additional 2167
fee of eleven dollars for each application for registration and 2168
registration renewal received. The additional fee is for the 2169
purpose of defraying the department of public safety's costs 2170
associated with the administration and enforcement of the motor 2171
vehicle and traffic laws of Ohio. Each deputy registrar shall 2172
transmit the fees collected under division (C)(1) of this section 2173
in the time and manner provided in this section. The registrar 2174
shall deposit all moneys received under division (C)(1) of this 2175
section into the state highway safety fund established in section 2176
4501.06 of the Revised Code. 2177

(2) In addition, a charge of twenty-five cents shall be made 2178
for each reflectorized safety license plate issued, and a single 2179
charge of twenty-five cents shall be made for each county 2180
identification sticker or each set of county identification 2181
stickers issued, as the case may be, to cover the cost of 2182
producing the license plates and stickers, including material, 2183
manufacturing, and administrative costs. Those fees shall be in 2184
addition to the license tax. If the total cost of producing the 2185
plates is less than twenty-five cents per plate, or if the total 2186
cost of producing the stickers is less than twenty-five cents per 2187
sticker or per set issued, any excess moneys accruing from the 2188
fees shall be distributed in the same manner as provided by 2189

section 4501.04 of the Revised Code for the distribution of 2190
license tax moneys. If the total cost of producing the plates 2191
exceeds twenty-five cents per plate, or if the total cost of 2192
producing the stickers exceeds twenty-five cents per sticker or 2193
per set issued, the difference shall be paid from the license tax 2194
moneys collected pursuant to section 4503.02 of the Revised Code. 2195

(D) Each deputy registrar shall be allowed a fee of two 2196
dollars and seventy-five cents commencing on July 1, 2001, three 2197
dollars and twenty-five cents commencing on January 1, 2003, and 2198
three dollars and fifty cents commencing on January 1, 2004, for 2199
each application for registration and registration renewal notice 2200
the deputy registrar receives, which shall be for the purpose of 2201
compensating the deputy registrar for the deputy registrar's 2202
services, and such office and rental expenses, as may be necessary 2203
for the proper discharge of the deputy registrar's duties in the 2204
receiving of applications and renewal notices and the issuing of 2205
registrations. 2206

(E) Upon the certification of the registrar, the county 2207
sheriff or local police officials shall recover license plates 2208
erroneously or fraudulently issued. 2209

(F) Each deputy registrar, upon receipt of any application 2210
for registration or registration renewal notice, together with the 2211
license fee and any local motor vehicle license tax levied 2212
pursuant to Chapter 4504. of the Revised Code, shall transmit that 2213
fee and tax, if any, in the manner provided in this section, 2214
together with the original and duplicate copy of the application, 2215
to the registrar. The registrar, subject to the approval of the 2216
director of public safety, may deposit the funds collected by 2217
those deputies in a local bank or depository to the credit of the 2218
"state of Ohio, bureau of motor vehicles." Where a local bank or 2219
depository has been designated by the registrar, each deputy 2220
registrar shall deposit all moneys collected by the deputy 2221

registrar into that bank or depository not more than one business 2222
day after their collection and shall make reports to the registrar 2223
of the amounts so deposited, together with any other information, 2224
some of which may be prescribed by the treasurer of state, as the 2225
registrar may require and as prescribed by the registrar by rule. 2226
The registrar, within three days after receipt of notification of 2227
the deposit of funds by a deputy registrar in a local bank or 2228
depository, shall draw on that account in favor of the treasurer 2229
of state. The registrar, subject to the approval of the director 2230
and the treasurer of state, may make reasonable rules necessary 2231
for the prompt transmittal of fees and for safeguarding the 2232
interests of the state and of counties, townships, municipal 2233
corporations, and transportation improvement districts levying 2234
local motor vehicle license taxes. The registrar may pay service 2235
charges usually collected by banks and depositories for such 2236
service. If deputy registrars are located in communities where 2237
banking facilities are not available, they shall transmit the fees 2238
forthwith, by money order or otherwise, as the registrar, by rule 2239
approved by the director and the treasurer of state, may 2240
prescribe. The registrar may pay the usual and customary fees for 2241
such service. 2242

(G) This section does not prevent any person from making an 2243
application for a motor vehicle license directly to the registrar 2244
by mail, by electronic means, or in person at any of the 2245
registrar's offices, upon payment of a service fee of two dollars 2246
and seventy-five cents commencing on July 1, 2001, three dollars 2247
and twenty-five cents commencing on January 1, 2003, and three 2248
dollars and fifty cents commencing on January 1, 2004, for each 2249
application. 2250

(H) No person shall make a false statement as to the district 2251
of registration in an application required by division (A) of this 2252
section. Violation of this division is falsification under section 2253

2921.13 of the Revised Code and punishable as specified in that section. 2254
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(I)(1) Where applicable, the requirements of division (B) of this section relating to the presentation of an inspection certificate issued under section 3704.14 of the Revised Code and rules adopted under it for a motor vehicle, the refusal of a license for failure to present an inspection certificate, and the stamping of the inspection certificate by the official issuing the certificate of registration apply to the registration of and issuance of license plates for a motor vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised Code. 2256
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(2)(a) The registrar shall adopt rules ensuring that each owner registering a motor vehicle in a county where a motor vehicle inspection and maintenance program is in effect under section 3704.14 of the Revised Code and rules adopted under it receives information about the requirements established in that section and those rules and about the need in those counties to present an inspection certificate with an application for registration or preregistration. 2267
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(b) Upon request, the registrar shall provide the director of environmental protection, or any person that has been awarded a contract under division (D) of section 3704.14 of the Revised Code, an on-line computer data link to registration information for all passenger cars, noncommercial motor vehicles, and commercial cars that are subject to that section. The registrar also shall provide to the director of environmental protection a magnetic data tape containing registration information regarding passenger cars, noncommercial motor vehicles, and commercial cars for which a multi-year registration is in effect under section 4503.103 of the Revised Code or rules adopted under it, including, 2275
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without limitation, the date of issuance of the multi-year 2286
registration, the registration deadline established under rules 2287
adopted under section 4503.101 of the Revised Code that was 2288
applicable in the year in which the multi-year registration was 2289
issued, and the registration deadline for renewal of the 2290
multi-year registration. 2291

(J) Application for registration under the international 2292
registration plan, as set forth in sections 4503.60 to 4503.66 of 2293
the Revised Code, shall be made to the registrar on forms 2294
furnished by the registrar. In accordance with international 2295
registration plan guidelines and pursuant to rules adopted by the 2296
registrar, the forms shall include the following: 2297

(1) A uniform mileage schedule; 2298

(2) The gross vehicle weight of the vehicle or combined gross 2299
vehicle weight of the combination vehicle as declared by the 2300
registrant; 2301

(3) Any other information the registrar requires by rule. 2302

Sec. 4503.12. (A) Upon the transfer of ownership of a motor 2303
vehicle, the registration of the motor vehicle expires, and the 2304
original owner immediately shall remove the license plates from 2305
the motor vehicle, except that: 2306

(1) If a statutory merger or consolidation results in the 2307
transfer of ownership of a motor vehicle from a constituent 2308
corporation to the surviving corporation, or if the incorporation 2309
of a proprietorship or partnership results in the transfer of 2310
ownership of a motor vehicle from the proprietorship or 2311
partnership to the corporation, the registration shall be 2312
continued upon the filing by the surviving or new corporation, 2313
within thirty days of such transfer, of an application for an 2314
amended certificate of registration, ~~unless such registration is~~ 2315

~~prohibited by division (D) of section 2935.27, division (A) of
section 2937.221, division (B) of section 4507.168, or division
(B)(1) of section 4521.10 of the Revised Code. The application
shall be accompanied by a service fee of two dollars and
seventy five cents commencing on July 1, 2001, three dollars and
twenty five cents commencing on January 1, 2003, and three dollars
and fifty cents commencing on January 1, 2004, a transfer fee of
one dollar, and the original certificate of registration. Upon a
proper filing, the registrar of motor vehicles shall issue an
amended certificate of registration in the name of the new owner.~~

(2) If the death of the owner of a motor vehicle results in
the transfer of ownership of the motor vehicle to the surviving
spouse of the owner or if a motor vehicle is owned by two persons
under joint ownership with right of survivorship established under
section 2131.12 of the Revised Code and one of those persons dies,
the registration shall be continued upon the filing by the
survivor of an application for an amended certificate of
registration, ~~unless such registration is prohibited by division
(D) of section 2935.27, division (A) of section 2937.221, division
(A) of section 4503.13, division (B) of section 4510.22, or
division (B)(1) of section 4521.10 of the Revised Code. The
application shall be accompanied by a service fee of two dollars
and seventy five cents commencing on July 1, 2001, three dollars
and twenty five cents commencing on January 1, 2003, and three
dollars and fifty cents commencing on January 1, 2004, a transfer
fee of one dollar, the original certificate of registration, and,
in.~~ In relation to a motor vehicle that is owned by two persons
under joint ownership with right of survivorship established under
section 2131.12 of the Revised Code, the application shall be
accompanied by a copy of the certificate of title that specifies
that the vehicle is owned under joint ownership with right of
survivorship. Upon a proper filing, the registrar shall issue an
amended certificate of registration in the name of the survivor.

(3) If the death of the owner of a motor vehicle results in 2349
the transfer of ownership of the motor vehicle to a 2350
transfer-on-death beneficiary or beneficiaries designated under 2351
section 2131.13 of the Revised Code, the registration shall be 2352
continued upon the filing by the transfer-on-death beneficiary or 2353
beneficiaries of an application for an amended certificate of 2354
registration, ~~unless that registration is prohibited by division~~ 2355
~~(D) of section 2935.27, division (A) of section 2937.221, division~~ 2356
~~(A) of section 4503.13, division (B) of section 4510.22, or~~ 2357
~~division (B)(1) of section 4521.10 of the Revised Code.~~ The 2358
application shall be accompanied by a ~~service fee of two dollars~~ 2359
~~and seventy five cents commencing on July 1, 2001, three dollars~~ 2360
~~and twenty five cents commencing on January 1, 2003, and three~~ 2361
~~dollars and fifty cents commencing on January 1, 2004, a transfer~~ 2362
~~fee of one dollar, the original certificate of registration, and a~~ 2363
copy of the certificate of title that specifies that the owner of 2364
the motor vehicle has designated the motor vehicle in beneficiary 2365
form under section 2131.13 of the Revised Code. Upon a proper 2366
filing, the registrar shall issue an amended certificate of 2367
registration in the name of the transfer-on-death beneficiary or 2368
beneficiaries. 2369

(4) If the original owner of a motor vehicle that has been 2370
transferred makes application for the registration of another 2371
motor vehicle at any time during the remainder of the registration 2372
period for which the transferred motor vehicle was registered, the 2373
owner, ~~unless such registration is prohibited by division (D) of~~ 2374
~~section 2935.27, division (A) of section 2937.221, division (A) of~~ 2375
~~section 4503.13, division (E) of section 4503.234, division (B) of~~ 2376
~~section 4510.22, or division (B)(1) of section 4521.10 of the~~ 2377
~~Revised Code,~~ may file an application for transfer of the 2378
registration and, where applicable, the license plates, 2379
~~accompanied by a service fee of two dollars and seventy five cents~~ 2380

~~commencing on July 1, 2001, three dollars and twenty five cents~~ 2381
~~commencing on January 1, 2003, and three dollars and fifty cents~~ 2382
~~commencing on January 1, 2004, a transfer fee of one dollar, and~~ 2383
~~the original certificate of registration.~~ The transfer of the 2384
registration and, where applicable, the license plates from the 2385
motor vehicle for which they originally were issued to a 2386
succeeding motor vehicle purchased by the same person in whose 2387
name the original registration and license plates were issued 2388
shall be done within a period not to exceed thirty days. During 2389
that thirty-day period, the license plates from the motor vehicle 2390
for which they originally were issued may be displayed on the 2391
succeeding motor vehicle, and the succeeding motor vehicle may be 2392
operated on the public roads and highways in this state. 2393

At the time of application for transfer, the registrar shall 2394
compute and collect the amount of tax due on the succeeding motor 2395
vehicle, based upon the amount that would be due on a new 2396
registration as of the date on which the transfer is made less a 2397
credit for the unused portion of the original registration 2398
beginning on that date. If the credit exceeds the amount of tax 2399
due on the new registration, no refund shall be made. In computing 2400
the amount of tax due and credits to be allowed under this 2401
division, the provisions of division (B)(1)(a) and (b) of section 2402
4503.11 of the Revised Code shall apply. As to passenger cars, 2403
noncommercial vehicles, motor homes, and motorcycles, transfers 2404
within or between these classes of motor vehicles only shall be 2405
allowed. If the succeeding motor vehicle is of a different class 2406
than the motor vehicle for which the registration originally was 2407
issued, new license plates also shall be issued upon the surrender 2408
of the license plates originally issued and payment of the fees 2409
provided in divisions (C) and (D) of section 4503.10 of the 2410
Revised Code. 2411

(5) The owner of a commercial car having a gross vehicle 2412

weight or combined gross vehicle weight of more than ten thousand 2413
pounds may transfer the registration of that commercial car to 2414
another commercial car the owner owns without transferring 2415
ownership of the first commercial car, ~~unless registration of the~~ 2416
~~second commercial car is prohibited by division (D) of section~~ 2417
~~2935.27, division (A) of section 2937.221, division (A) of section~~ 2418
~~4503.13, division (B) of section 4507.168, or division (B)(1) of~~ 2419
~~section 4521.10 of the Revised Code. At any time during the~~ 2420
remainder of the registration period for which the first 2421
commercial car was registered, the owner may file an application 2422
for the transfer of the registration and, where applicable, the 2423
license plates, accompanied by ~~a service fee of two dollars and~~ 2424
~~seventy five cents commencing on July 1, 2001, three dollars and~~ 2425
~~twenty five cents commencing on January 1, 2003, and three dollars~~ 2426
~~and fifty cents commencing on January 1, 2004, a transfer fee of~~ 2427
~~one dollar, and~~ the certificate of registration of the first 2428
commercial car. The amount of any tax due or credit to be allowed 2429
for a transfer of registration under this division shall be 2430
computed in accordance with division (A)(4) of this section. 2431

No commercial car to which a registration is transferred 2432
under this division shall be operated on a public road or highway 2433
in this state until after the transfer of registration is 2434
completed in accordance with this division. 2435

(6) Upon application to the registrar or a deputy registrar, 2436
a person who owns or leases a motor vehicle may transfer special 2437
license plates assigned to that vehicle to any other vehicle that 2438
the person owns or leases or that is owned or leased by the 2439
person's spouse. ~~The application shall be accompanied by a service~~ 2440
~~fee of two dollars and seventy five cents commencing on July 1,~~ 2441
~~2001, three dollars and twenty five cents commencing on January 1,~~ 2442
~~2003, and three dollars and fifty cents commencing on January 1,~~ 2443
~~2004, a transfer fee of one dollar, and the original certificate~~ 2444

~~of registration.~~ As appropriate, the application also shall be 2445
accompanied by a power of attorney for the registration of a 2446
leased vehicle and a written statement releasing the special 2447
plates to the applicant. Upon a proper filing, the registrar or 2448
deputy registrar shall assign the special license plates to the 2449
motor vehicle owned or leased by the applicant and issue a new 2450
certificate of registration for that motor vehicle. 2451

(7) If a corporation transfers the ownership of a motor 2452
vehicle to an affiliated corporation, the affiliated corporation 2453
may apply to the registrar for the transfer of the registration 2454
and any license plates. The registrar may require the applicant to 2455
submit documentation of the corporate relationship and shall 2456
determine whether the application for registration transfer is 2457
made in good faith and not for the purposes of circumventing the 2458
provisions of this chapter. Upon a proper filing, the registrar 2459
shall issue an amended certificate of registration in the name of 2460
the new owner. 2461

(B) An application under division (A) of this section shall 2462
be accompanied by a service fee of two dollars and seventy-five 2463
cents commencing on July 1, 2001, three dollars and twenty-five 2464
cents commencing on January 1, 2003, and three dollars and fifty 2465
cents commencing on January 1, 2004, a transfer fee of one dollar, 2466
and the original certificate of registration, if applicable. 2467

(C) Neither the registrar nor a deputy registrar shall 2468
transfer a registration under division (A) of this section if the 2469
registration is prohibited by division (D) of section 2935.27, 2470
division (A) of section 2937.221, division (A) of section 4503.13, 2471
division (D) of section 4503.234, division (B) of section 4510.22, 2472
or division (B)(1) of section 4521.10 of the Revised Code. 2473

(D) Whoever violates division (A) of this section is guilty 2474
of a misdemeanor of the fourth degree. 2475

~~(C)~~(E) As used in division (A)(6) of this section, "special license plates" means either of the following: 2476
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(1) Any license plates for which the person to whom the license plates are issued must pay an additional fee in excess of the fees prescribed in section 4503.04 of the Revised Code, Chapter 4504. of the Revised Code, and the service fee prescribed in division (D) or (G) of section 4503.10 of the Revised Code; 2478
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(2) License plates issued under section 4503.44 of the Revised Code. 2483
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Sec. 4503.13. (A) A municipal court or county court, at the court's discretion, may order the clerk of the court to send to the registrar of motor vehicles a report containing the name, address, and such other information as the registrar may require by rule, of any person for whom an arrest warrant has been issued by that court and is outstanding. 2485
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Upon receipt of such a report, the registrar shall enter the information contained in the report into the records of the bureau of motor vehicles. Neither the registrar nor any deputy registrar shall issue a certificate of registration for a motor vehicle owner or lessee, when a lessee is determinable under procedures established by the registrar under division (E) of this section, who is named in the report until the registrar receives notification from the municipal court or county court that there are no outstanding arrest warrants in the name of the person. The registrar also shall send a notice to the person who is named in the report, via regular first class mail sent to the person's last known address as shown in the records of the bureau, informing the person that neither the registrar nor any deputy registrar is permitted to issue a certificate of registration for a motor vehicle in the name of the person until the registrar receives notification that there are no outstanding arrest warrants in the 2491
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name of the person. 2507

(B) A clerk who reports an outstanding arrest warrant in 2508
accordance with division (A) of this section immediately shall 2509
notify the registrar when the warrant has been executed and 2510
returned to the issuing court or has been canceled. ~~The clerk~~ 2511

Upon receipt of such notification, the registrar shall charge 2512
and collect from the person named in the executed or canceled 2513
arrest warrant a processing fee of fifteen dollars to cover the 2514
costs of the bureau in administering this section. ~~The clerk~~ 2515
registrar shall ~~transmit monthly deposit~~ all such processing fees 2516
~~to the registrar for deposit~~ into the state bureau of motor 2517
vehicles fund created by section 4501.25 of the Revised Code. 2518

~~Upon receipt~~ payment of such notification the processing fee, 2519
the registrar shall cause the report of that outstanding arrest 2520
warrant to be removed from the records of the bureau and, if there 2521
are no other outstanding arrest warrants issued by a municipal 2522
court or county court in the name of the person and the person 2523
otherwise is eligible to be issued a certificate of registration 2524
for a motor vehicle, the registrar or a deputy registrar may issue 2525
a certificate of registration for a motor vehicle in the name of 2526
the person named in the executed or canceled arrest warrant. 2527

(C) Neither the registrar, any employee of the bureau, a 2528
deputy registrar, nor any employee of a deputy registrar is 2529
personally liable for damages or injuries resulting from any error 2530
made by a clerk in entering information contained in a report 2531
submitted to the registrar under this section. 2532

(D) Any information submitted to the registrar by a clerk 2533
under this section shall be transmitted by means of an electronic 2534
data transfer system. 2535

(E) The registrar shall determine the procedures and 2536
information necessary to implement this section in regard to motor 2537

vehicle lessees. Division (A) of this section shall not apply to 2538
cases involving a motor vehicle lessee until such procedures are 2539
established. 2540

Sec. 4503.231. (A) No motor vehicle registered in the name of 2541
a person whose certificate of registration and identification 2542
license plates have been impounded as provided by division (B)(1) 2543
of section 4507.02 of the Revised Code, shall be operated on any 2544
highway in this state unless it displays restricted license plates 2545
that are a different color from those regularly issued and carry a 2546
special serial number that may be readily identified by law 2547
enforcement officers. The registrar of motor vehicles shall 2548
designate the color and serial number to be used on restricted 2549
license plates, which shall remain the same from year to year and 2550
shall not be displayed on any other motor vehicles. 2551

The bureau of motor vehicles shall adopt rules providing for 2552
the decentralization of the issuance of restricted license plates 2553
under this section. The rules shall provide for the issuance of 2554
the restricted license plates by at least one agency in each 2555
county. 2556

No person operating a motor vehicle displaying restricted 2557
license plates as described in this division shall knowingly 2558
disguise or obscure the color of the restricted plate. 2559

(B) If a person has been granted limited driving privileges 2560
with a condition of the privileges being that the person must 2561
display on the vehicle that is driven under the privileges 2562
restricted license plates that are described in this section, ~~all~~ 2563
~~of the following apply:~~ 2564

~~(1) If the person may operate a motor vehicle to be driven~~ 2565
~~under the limited driving privileges that~~ is owned by the person's 2566
employer ~~and~~ only if the person is required to operate that motor 2567
vehicle in the course and scope of the person's employment, ~~the,~~ 2568

Such a person may operate that vehicle without displaying on that 2569
vehicle restricted license plates that are issued under this 2570
section if the employer has been notified that the person has 2571
limited driving privileges and of the nature of the restriction 2572
and if the person has proof of the employer's notification in the 2573
person's possession while operating the employer's vehicle for 2574
normal business duties. A motor vehicle owned by a business that 2575
is partly or entirely owned or controlled by the person with the 2576
limited driving privileges is not a motor vehicle owned by an 2577
employer, for purposes of this division. 2578

~~(2) If a motor vehicle to be driven under the limited driving 2579
privileges is registered in a state other than this state, instead 2580
of displaying on that vehicle restricted license plates that are 2581
issued under this section, the person with the limited driving 2582
privileges shall display on the vehicle a decal, as prescribed by 2583
the registrar of motor vehicles, that states that the vehicle is 2584
subject to limited driving privileges in this state and that 2585
describes the restriction. The decal shall be displayed on the 2586
bottom left corner of the back window of the vehicle or, if there 2587
is no back window, on the bottom left corner of the windshield of 2588
the vehicle. The bureau of motor vehicles shall adopt rules 2589
providing for the decentralization of the issuance of the decals 2590
described in this division, with the rules providing for the 2591
issuance of the decals by at least one agency in each county. 2592~~

(C) Whoever violates this section is guilty of a minor 2593
misdemeanor. 2594

Sec. 4503.24. (A) The owner of a chauffeured limousine, upon 2595
compliance with the motor vehicle laws relating to the 2596
registration and licensing of motor vehicles, upon payment of the 2597
regular license tax as prescribed under section 4503.04 of the 2598
Revised Code, any tax levied under Chapter 4504. of the Revised 2599

Code, ~~and~~ an additional fee of seven dollars and fifty cents, and 2600
the fee specified in division (C) of this section, if applicable, 2601
and upon compliance with section 4509.80 of the Revised Code, 2602
shall be issued appropriate vehicle registration and a set of 2603
license plates and a validation sticker, or a validation sticker 2604
alone when required by section 4503.191 of the Revised Code. The 2605
~~owner shall also be~~ license plates issued ~~an additional license~~ 2606
~~plate sticker that bears~~ under this section shall bear the word 2607
"livery." ~~The livery license~~ printed at the bottom of the plate 2608
~~sticker issued under this section shall be of a different color or~~ 2609
~~shade each year, the new.~~ The color or shade to of the word shall 2610
be selected by the director of public safety. The additional fee 2611
shall be for the purpose of compensating the bureau of motor 2612
vehicles for additional services required in the issuing of such 2613
licenses and shall be transmitted by the registrar of motor 2614
vehicles to the treasurer of state for deposit in the state bureau 2615
of motor vehicles fund created by section 4501.25 of the Revised 2616
Code. 2617

(B) Any application for registration or registration renewal 2618
of a chauffeured limousine made under this section ~~shall~~ may be 2619
submitted by mail directly to the registrar. ~~No or in person to a~~ 2620
deputy registrar ~~shall accept or process any application for~~ 2621
~~registration made under this section.~~ 2622

(C) Each deputy registrar shall be allowed a fee of three 2623
dollars and twenty-five cents commencing on January 1, 2003, and 2624
three dollars and fifty cents commencing on January 1, 2004, for 2625
each application for registration and registration renewal notice 2626
the deputy registrar receives. 2627

Sec. 4503.44. (A) As used in this section and in section 2628
4511.69 of the Revised Code: 2629

(1) "Person with a disability that limits or impairs the 2630

ability to walk" means any person who, as determined by a 2631
physician or chiropractor, meets any of the following criteria: 2632

(a) Cannot walk two hundred feet without stopping to rest; 2633

(b) Cannot walk without the use of, or assistance from, a 2634
brace, cane, crutch, another person, prosthetic device, 2635
wheelchair, or other assistive device; 2636

(c) Is restricted by a lung disease to such an extent that 2637
the person's forced (respiratory) expiratory volume for one 2638
second, when measured by spirometry, is less than one liter, or 2639
the arterial oxygen tension is less than sixty millimeters of 2640
mercury on room air at rest; 2641

(d) Uses portable oxygen; 2642

(e) Has a cardiac condition to the extent that the person's 2643
functional limitations are classified in severity as class III or 2644
class IV according to standards set by the American heart 2645
association; 2646

(f) Is severely limited in the ability to walk due to an 2647
arthritic, neurological, or orthopedic condition; 2648

(g) Is blind. 2649

(2) "Organization" means any private organization or 2650
corporation, or any governmental board, agency, department, 2651
division, or office, that, as part of its business or program, 2652
transports persons with disabilities that limit or impair the 2653
ability to walk on a regular basis in a motor vehicle that has not 2654
been altered for the purpose of providing it with special 2655
equipment for use by handicapped persons. This definition does not 2656
apply to division (J) of this section. 2657

(3) "Physician" means a person licensed to practice medicine 2658
or surgery or osteopathic medicine and surgery under Chapter 4731. 2659
of the Revised Code. 2660

(4) "Chiropractor" means a person licensed to practice 2661
chiropractic under Chapter 4734. of the Revised Code. 2662

(B) Any organization or person with a disability that limits 2663
or impairs the ability to walk may apply to the registrar of motor 2664
vehicles for a removable windshield placard or, if the person owns 2665
or leases a motor vehicle, the person may apply for the 2666
registration of any motor vehicle the person owns or leases. In 2667
addition to one or more sets of license plates or one placard, a 2668
person with a disability that limits or impairs the ability to 2669
walk is entitled to one additional placard, but only if the person 2670
applies separately for the additional placard, states the reasons 2671
why the additional placard is needed, and the registrar, in the 2672
registrar's discretion, determines that good and justifiable cause 2673
exists to approve the request for the additional placard. When a 2674
motor vehicle has been altered for the purpose of providing it 2675
with special equipment for a person with a disability that limits 2676
or impairs the ability to walk, but is owned or leased by someone 2677
other than such a person, the owner or lessee may apply to the 2678
registrar or a deputy registrar for registration under this 2679
section. The application for registration of a motor vehicle owned 2680
or leased by a person with a disability that limits or impairs the 2681
ability to walk shall be accompanied by a signed statement from 2682
the applicant's personal physician or chiropractor certifying that 2683
the applicant meets at least one of the criteria contained in 2684
division (A)(1) of this section and that the disability is 2685
expected to continue for more than six consecutive months. The 2686
application for a removable windshield placard made by a person 2687
with a disability that limits or impairs the ability to walk shall 2688
be accompanied by a prescription from the applicant's personal 2689
physician or chiropractor prescribing such a placard for the 2690
applicant, ~~and by a signed statement certifying~~ provided that the 2691
applicant meets at least one of the criteria contained in division 2692

(A)(1) of this section. The physician or chiropractor shall state 2693
on the prescription the length of time the physician or 2694
chiropractor expects the applicant to have the disability that 2695
limits or impairs the applicant's ability to walk. The application 2696
for a removable windshield placard made by an organization shall 2697
be accompanied by such documentary evidence of regular transport 2698
of persons with disabilities that limit or impair the ability to 2699
walk by the organization as the registrar may require by rule and 2700
shall be completed in accordance with procedures that the 2701
registrar may require by rule. The application for registration of 2702
a motor vehicle that has been altered for the purpose of providing 2703
it with special equipment for a person with a disability that 2704
limits or impairs the ability to walk but is owned by someone 2705
other than such a person shall be accompanied by such documentary 2706
evidence of vehicle alterations as the registrar may require by 2707
rule. 2708

(C) When an organization, a person with a disability that 2709
limits or impairs the ability to walk, or a person who does not 2710
have a disability that limits or impairs the ability to walk but 2711
owns a motor vehicle that has been altered for the purpose of 2712
providing it with special equipment for a person with a disability 2713
that limits or impairs the ability to walk first submits an 2714
application for registration of a motor vehicle under this section 2715
and every fifth year thereafter, the organization or person shall 2716
submit a signed statement from the applicant's personal physician 2717
or chiropractor, a completed application, and any required 2718
documentary evidence of vehicle alterations as provided in 2719
division (B) of this section, and also a power of attorney from 2720
the owner of the motor vehicle if the applicant leases the 2721
vehicle. Upon submission of these items, the registrar or deputy 2722
registrar shall issue to the applicant appropriate vehicle 2723
registration and a set of license plates and validation stickers, 2724
or validation stickers alone when required by section 4503.191 of 2725

the Revised Code. In addition to the letters and numbers 2726
ordinarily inscribed thereon, the license plates shall be 2727
imprinted with the international symbol of access. The license 2728
plates and validation stickers shall be issued upon payment of the 2729
regular license fee as prescribed under section 4503.04 of the 2730
Revised Code and any motor vehicle tax levied under Chapter 4504. 2731
of the Revised Code, and the payment of a service fee equal to the 2732
amount specified in division (D) or (G) of section 4503.10 of the 2733
Revised Code. 2734

(D)(1) Upon receipt of a completed and signed application for 2735
a removable windshield placard, a prescription as described in 2736
division (B) of this section, documentary evidence of regular 2737
transport of persons with disabilities that limit or impair the 2738
ability to walk, if required, and payment of a service fee equal 2739
to the amount specified in division (D) or (G) of section 4503.10 2740
of the Revised Code, the registrar or deputy registrar shall issue 2741
to the applicant a removable windshield placard, which shall bear 2742
the date of expiration on both sides of the placard and shall be 2743
valid until expired, revoked, or surrendered. Every removable 2744
windshield placard expires as described in division (D)(2) of this 2745
section, but in no case shall a removable windshield placard be 2746
valid for a period of less than sixty days. Removable windshield 2747
placards shall be renewable upon application as provided in 2748
division (B) of this section, and a service fee equal to the 2749
amount specified in division (D) or (G) of section 4503.10 of the 2750
Revised Code shall be charged for the renewal of a removable 2751
windshield placard. The registrar shall provide the application 2752
form and shall determine the information to be included thereon. 2753
The registrar also shall determine the form and size of the 2754
removable windshield placard, the material of which it is to be 2755
made, and any other information to be included thereon, and shall 2756
adopt rules relating to the issuance, expiration, revocation, 2757
surrender, and proper display of such placards. Any placard issued 2758

after October 14, 1999, shall be manufactured in a manner that 2759
allows the expiration date of the placard to be indicated on it 2760
through the punching, drilling, boring, or creation by any other 2761
means of holes in the placard. 2762

(2) At the time a removable windshield placard is issued to a 2763
person with a disability that limits or impairs the ability to 2764
walk, the registrar or deputy registrar shall enter into the 2765
records of the bureau of motor vehicles the last date on which the 2766
person will have that disability, as indicated on the accompanying 2767
prescription. Not less than thirty days prior to that date and all 2768
removable windshield placard renewal dates, the bureau shall send 2769
a renewal notice to that person at the person's last known address 2770
as shown in the records of the bureau, informing the person that 2771
the person's removable windshield placard will expire on the 2772
indicated date not to exceed five years from the date of issuance, 2773
and that the person is required to renew the placard by submitting 2774
to the registrar or a deputy registrar another prescription, as 2775
described in division (B) of this section, and by complying with 2776
the renewal provisions prescribed in division (D)(1) of this 2777
section. If such a prescription is not received by the registrar 2778
or a deputy registrar by that date, the placard issued to that 2779
person expires and no longer is valid, and this fact shall be 2780
recorded in the records of the bureau. 2781

(3) At least once every year, on a date determined by the 2782
registrar, the bureau shall examine the records of the office of 2783
vital statistics, located within the department of health, that 2784
pertain to deceased persons, and also the bureau's records of all 2785
persons who have been issued removable windshield placards and 2786
temporary removable windshield placards. If the records of the 2787
office of vital statistics indicate that a person to whom a 2788
removable windshield placard or temporary removable windshield 2789
placard has been issued is deceased, the bureau shall cancel that 2790

placard, and note the cancellation in its records. 2791

The office of vital statistics shall make available to the 2792
bureau all information necessary to enable the bureau to comply 2793
with division (D)(3) of this section. 2794

(4) Nothing in this section shall be construed to require a 2795
person or organization to apply for a removable windshield placard 2796
or special license plates if the parking card or special license 2797
plates issued to the person or organization under prior law have 2798
not expired or been surrendered or revoked. 2799

(E)(1)(a) Any person with a disability that limits or impairs 2800
the ability to walk may apply to the registrar or a deputy 2801
registrar for a temporary removable windshield placard. The 2802
application for a temporary removable windshield placard shall be 2803
accompanied by a prescription from the applicant's personal 2804
physician or chiropractor prescribing such a placard for the 2805
applicant, ~~and by a signed statement certifying~~ provided that the 2806
applicant meets at least one of the criteria contained in division 2807
(A)(1) of this section and that the disability is expected to 2808
continue for six consecutive months or less. The physician or 2809
chiropractor shall state on the prescription the length of time 2810
the physician or chiropractor expects the applicant to have the 2811
disability that limits or impairs the applicant's ability to walk, 2812
which cannot exceed six months from the date of the prescription. 2813
Upon receipt of an application for a temporary removable 2814
windshield placard, presentation of the prescription ~~and the~~ 2815
~~signed statement~~ from the applicant's personal physician or 2816
chiropractor, and payment of a service fee equal to the amount 2817
specified in division (D) or (G) of section 4503.10 of the Revised 2818
Code, the registrar or deputy registrar shall issue to the 2819
applicant a temporary removable windshield placard. ~~The~~ 2820

(b) Any active-duty member of the armed forces of the United 2821
States, including the reserve components of the armed forces and 2822

the national guard, who has an illness or injury that limits or 2823
impairs the ability to walk may apply to the registrar or a deputy 2824
registrar for a temporary removable windshield placard. With the 2825
application, the person shall present evidence of the person's 2826
active-duty status and the illness or injury. Evidence of the 2827
illness or injury may include a current department of defense 2828
convalescent leave statement, any department of defense document 2829
indicating that the person currently has an ill or injured 2830
casualty status or has limited duties, or a prescription from any 2831
physician or chiropractor prescribing the placard for the 2832
applicant. Upon receipt of the application and the necessary 2833
evidence, the registrar or deputy registrar shall issue the 2834
applicant the temporary removable windshield placard without the 2835
payment of any service fee. 2836

(2) The temporary removable windshield placard shall be of 2837
the same size and form as the removable windshield placard, shall 2838
be printed in white on a red-colored background, and shall bear 2839
the word "temporary" in letters of such size as the registrar 2840
shall prescribe. A temporary removable windshield placard also 2841
shall bear the date of expiration on the front and back of the 2842
placard, and shall be valid until expired, surrendered, or 2843
revoked, but in no case shall such a placard be valid for a period 2844
of less than sixty days. The registrar shall provide the 2845
application form and shall determine the information to be 2846
included on it, provided that the registrar shall not require a 2847
physician or chiropractor's prescription or certification for a 2848
person applying under division (E)(1)(b) of this section. The 2849
registrar also shall determine the material of which the temporary 2850
removable windshield placard is to be made and any other 2851
information to be included on the placard and shall adopt rules 2852
relating to the issuance, expiration, surrender, revocation, and 2853
proper display of those placards. Any temporary removable 2854
windshield placard issued after October 14, 1999, shall be 2855

manufactured in a manner that allows for the expiration date of 2856
the placard to be indicated on it through the punching, drilling, 2857
boring, or creation by any other means of holes in the placard. 2858

(F) If an applicant for a removable windshield placard is a 2859
veteran of the armed forces of the United States whose disability, 2860
as defined in division (A)(1) of this section, is 2861
service-connected, the registrar or deputy registrar, upon receipt 2862
of the application, presentation of a signed statement from the 2863
applicant's personal physician or chiropractor certifying the 2864
applicant's disability, and presentation of such documentary 2865
evidence from the department of veterans affairs that the 2866
disability of the applicant meets at least one of the criteria 2867
identified in division (A)(1) of this section and is 2868
service-connected as the registrar may require by rule, but 2869
without the payment of any service fee, shall issue the applicant 2870
a removable windshield placard that is valid until expired, 2871
surrendered, or revoked. 2872

(G) Upon a conviction of a violation of division ~~(H)~~, (I), ~~or~~ 2873
(J), or (K) of this section, the court shall report the 2874
conviction, and send the placard or parking card, if available, to 2875
the registrar, who thereupon shall revoke the privilege of using 2876
the placard or parking card and send notice in writing to the 2877
placardholder or cardholder at that holder's last known address as 2878
shown in the records of the bureau, and the placardholder or 2879
cardholder shall return the placard or card if not previously 2880
surrendered to the court, to the registrar within ten days 2881
following mailing of the notice. 2882

Whenever a person to whom a removable windshield placard or 2883
parking card has been issued moves to another state, the person 2884
shall surrender the placard or card to the registrar; and whenever 2885
an organization to which a placard or card has been issued changes 2886
its place of operation to another state, the organization shall 2887

surrender the placard or card to the registrar. 2888

~~(G)~~(H) Subject to division (F) of section 4511.69 of the 2889
Revised Code, the operator of a motor vehicle displaying a 2890
removable windshield placard, temporary removable windshield 2891
placard, parking card, or the special license plates authorized by 2892
this section is entitled to park the motor vehicle in any special 2893
parking location reserved for persons with disabilities that limit 2894
or impair the ability to walk, also known as handicapped parking 2895
spaces or disability parking spaces. 2896

~~(H)~~(I) No person or organization that is not eligible under 2897
division (B) or (E) of this section shall willfully and falsely 2898
represent that the person or organization is so eligible. 2899

No person or organization shall display license plates issued 2900
under this section unless the license plates have been issued for 2901
the vehicle on which they are displayed and are valid. 2902

~~(I)~~(J) No person or organization to which a removable 2903
windshield placard or temporary removable windshield placard is 2904
issued shall do either of the following: 2905

(1) Display or permit the display of the placard on any motor 2906
vehicle when having reasonable cause to believe the motor vehicle 2907
is being used in connection with an activity that does not include 2908
providing transportation for persons with disabilities that limit 2909
or impair the ability to walk; 2910

(2) Refuse to return or surrender the placard, when required. 2911

~~(J)~~(K)(1) No person or organization to which a parking card 2912
is issued shall do either of the following: 2913

(a) Display or permit the display of the parking card on any 2914
motor vehicle when having reasonable cause to believe the motor 2915
vehicle is being used in connection with an activity that does not 2916
include providing transportation for a handicapped person; 2917

(b) Refuse to return or surrender the parking card, when required.	2918 2919
(2) As used in division (J) <u>(K)</u> of this section:	2920
(a) "Handicapped person" means any person who has lost the use of one or both legs or one or both arms, who is blind, deaf, or so severely handicapped as to be unable to move about without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary, or other handicapping condition.	2921 2922 2923 2924 2925 2926
(b) "Organization" means any private organization or corporation, or any governmental board, agency, department, division, or office, that, as part of its business or program, transports handicapped persons on a regular basis in a motor vehicle that has not been altered for the purposes of providing it with special equipment for use by handicapped persons.	2927 2928 2929 2930 2931 2932
(K) <u>(L)</u> If a removable windshield placard, temporary removable windshield placard, or parking card is lost, destroyed, or mutilated, the placardholder or cardholder may obtain a duplicate by doing both of the following:	2933 2934 2935 2936
(1) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar;	2937 2938
(2) Paying a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code.	2939 2940
Any placardholder or cardholder who loses a placard or card and, after obtaining a duplicate, finds the original, immediately shall surrender the original placard or card to the registrar.	2941 2942 2943
(L) <u>(M)</u> The registrar shall pay all fees received under this section for the issuance of removable windshield placards or temporary removable windshield placards or duplicate removable windshield placards or cards into the state treasury to the credit	2944 2945 2946 2947

of the state bureau of motor vehicles fund created in section 2948
4501.25 of the Revised Code. 2949

~~(M)~~(N) For purposes of enforcing this section, every peace 2950
officer is deemed to be an agent of the registrar. Any peace 2951
officer or any authorized employee of the bureau of motor vehicles 2952
who, in the performance of duties authorized by law, becomes aware 2953
of a person whose placard or parking card has been revoked 2954
pursuant to this section, may confiscate that placard or parking 2955
card and return it to the registrar. The registrar shall prescribe 2956
any forms used by law enforcement agencies in administering this 2957
section. 2958

No peace officer, law enforcement agency employing a peace 2959
officer, or political subdivision or governmental agency employing 2960
a peace officer, and no employee of the bureau is liable in a 2961
civil action for damages or loss to persons arising out of the 2962
performance of any duty required or authorized by this section. As 2963
used in this division, "peace officer" has the same meaning as in 2964
division (B) of section 2935.01 of the Revised Code. 2965

~~(N)~~(O) All applications for registration of motor vehicles, 2966
removable windshield placards, and temporary removable windshield 2967
placards issued under this section, all renewal notices for such 2968
items, and all other publications issued by the bureau that relate 2969
to this section shall set forth the criminal penalties that may be 2970
imposed upon a person who violates any provision relating to 2971
special license plates issued under this section, the parking of 2972
vehicles displaying such license plates, and the issuance, 2973
procurement, use, and display of removable windshield placards and 2974
temporary removable windshield placards issued under this section. 2975

~~(O)~~(P) Whoever violates this section is guilty of a 2976
misdemeanor of the fourth degree. 2977

Sec. 4503.642. (A) There is hereby created in the bureau of 2978

motor vehicles a performance registration and information systems 2979
management program for coordinating motor carrier safety 2980
information with federal and state agencies. The registrar of 2981
motor vehicles shall collect and maintain necessary motor carrier, 2982
commercial motor vehicle, and driver data in a manner that 2983
complies with the information systems established by the United 2984
States secretary of transportation under 49 U.S.C. 31106. 2985

(B) The registrar shall refuse to issue a registration, 2986
license plate, permit, or certificate of title for any commercial 2987
motor vehicle that is assigned to a motor carrier that has been 2988
prohibited from operating by a federal agency. The registrar may 2989
allow a prohibited motor vehicle carrier to transfer title on a 2990
commercial motor vehicle if the prohibited carrier does not retain 2991
a direct or indirect interest in the vehicle. 2992

(C) The registrar shall suspend, revoke, deny, or remove the 2993
registration, license plates, or any permit issued to any 2994
commercial motor vehicle that is assigned to a motor carrier who 2995
has been prohibited from operating by a federal agency. The 2996
suspension, revocation, denial, or removal shall remain in effect 2997
until the carrier is no longer prohibited from operating by the 2998
federal agency. The suspension, revocation, denial, or removal 2999
shall apply to all commercial motor vehicles under the carrier's 3000
control. 3001

(D) A carrier or registrant whose privilege to operate a 3002
commercial motor vehicle has been suspended, revoked, denied, or 3003
removed under division (C) of this section may request a hearing 3004
in accordance with Chapter 119. of the Revised Code. The hearing 3005
shall be limited to whether the carrier or registrant has been 3006
correctly identified, whether the carrier or registrant has been 3007
prohibited from operating by the federal agency, and whether the 3008
federal agency subsequently has rescinded the prohibition. 3009

(E) The registrar shall restore a motor carrier's or 3010

registrant's privilege to register, transfer a title, or operate a 3011
commercial motor vehicle only upon acceptable notification from 3012
the federal agency that the prohibition has been removed and upon 3013
payment of all applicable taxes and fees. 3014

(F) The registrar shall take those steps necessary to 3015
implement this section, including the adoption of rules, 3016
procedures, and forms. 3017

Sec. 4504.01. As used in this chapter: 3018

(A) "Motor vehicle" means all vehicles included within the 3019
definition of motor vehicle in sections 4501.01 and 4505.01 of the 3020
Revised Code and also includes motorized bicycles. "Motor vehicle" 3021
does not include a concrete pump or a concrete conveyor. 3022

(B) "County motor vehicle license tax" means a tax imposed by 3023
a county pursuant to this chapter. 3024

(C) "Township motor vehicle license tax" means a tax imposed 3025
by a township pursuant to this chapter. 3026

(D) "Municipal motor vehicle license tax" means a tax imposed 3027
by a municipal corporation pursuant to this chapter. 3028

(E) "Registrar" means the registrar of motor vehicles as 3029
provided in section 4501.02 of the Revised Code. 3030

(F) "Deputy registrar" means any deputy appointed by the 3031
registrar of motor vehicles pursuant to sections 4501.02 and 3032
4503.03 of the Revised Code. 3033

Sec. 4505.07. (A) A physical certificate of title shall be 3034
printed upon a special paper with a secure printing process or 3035
other secure process, for the printing of motor vehicle titles, as 3036
required by section 2 of the "Truth in Mileage Act of 1986," 100 3037
Stat. 3309, 15 U.S.C.A. 1901 et seq. 3038

An electronic certificate of title is an electronic record 3039

stored in the automated title processing system that established 3040
ownership of a motor vehicle, as well as any security interests 3041
that exist in that motor vehicle. 3042

(B) Every certificate of title shall bear the distinguishing 3043
number assigned to the title, and shall contain, on the front of 3044
the certificate, the following information: 3045

(1) An indication that the certificate is issued in this 3046
state; 3047

(2) The county in which the certificate is issued; 3048

(3) An indication that the certificate is an original, 3049
memorandum, duplicate, or salvage certificate; 3050

(4) The date of issuance of the certificate; 3051

(5) The name and address of the owner, in full; 3052

(6) The name and address of the previous owner, in full; 3053

(7) The previous certificate of title number; 3054

(8) The state in which the vehicle previously was titled; 3055

(9) The make, body type, year, model, and vehicle 3056
identification number of the vehicle; 3057

(10) First and second lien notation information, including 3058
the name and address of the lienholder in full and the date of the 3059
lien notation; 3060

(11) For discharging and canceling the lien notation, a 3061
notice that states: "lien discharge," a space for the signature of 3062
the lienholder, the discharge date, a space for the signature of 3063
the clerk of the court of common pleas, the cancellation date, and 3064
a space for the notation of the deputy clerk; 3065

(12) The purchase price of the motor vehicle and the amount 3066
of Ohio sales or use tax paid; 3067

(13) The mileage registered on the odometer and the status of 3068

the odometer of the vehicle at the time the previous title was assigned;	3069 3070
(14) A space for the seal of the clerk;	3071
(15) The signature of the clerk;	3072
(16) A space for the notation of the deputy clerk;	3073
(17) A space for other pertinent information as may be required by the registrar of motor vehicles;	3074 3075
(18) A consecutive number for control purposes;	3076
(19) In the case of a vehicle last previously registered in another state, a space to be used for recording any notation applicable to the vehicle and the abbreviation of the state in which the vehicle was last registered, as required by divisions (B)(1) and (2) of section 4505.08 of the Revised Code;	3077 3078 3079 3080 3081
(20) In the case of a vehicle last previously registered in this state, a space to be used for recording any information applicable to the vehicle as required by division (C) of section 4505.08 of the Revised Code or by rule of the registrar of motor vehicles adopted under that division.	3082 3083 3084 3085 3086
(C) If the certificate of title is a duplicate certificate, that fact and the original title number must be stated on the front of the duplicate certificate.	3087 3088 3089
(D) If the certificate of title is a memorandum certificate, that fact and the original title number must be stated on the front of the memorandum certificate.	3090 3091 3092
(E) If the certificate of title is a salvage certificate, that fact and the original title number must be stated on the front of the salvage certificate.	3093 3094 3095
(F) The following information shall appear on the reverse side of each certificate of title:	3096 3097

(1) A notice in bold lettering that states: "ERASURES AND ALTERATIONS VOID THIS TITLE ASSIGNMENT. (Type or print in ink.);"	3098 3099
(2) The total consideration of the vehicle;	3100
(3) A disclosure that states: "I (we) certify the vehicle described in this title was transferred for the price of \$..... to:" and the printed name and address of the buyer in full;	3101 3102 3103 3104
(4) An odometer certification statement that states: "Federal and state laws require that you state the mileage in connection with transfer of ownership. Failure to complete or providing false information may result in fines and imprisonment." The odometer certification language as required by federal law and division (C) of section 4505.06 of the Revised Code.	3105 3106 3107 3108 3109 3110
(5) A disclosure that states: "I (we) warrant the title to be free of all liens."	3111 3112
(6) A space for the signature of the transferor and the transferor's printed name and address in full;	3113 3114
(7) A space for the seal of the clerk or a notary;	3115
(8) The acknowledgment statement of the clerk, the deputy clerk, or a notary;	3116 3117
(9) A space for the signature of the clerk, the deputy clerk, or a notary;	3118 3119
(10) The buyer's odometer acknowledgment statement, with a space for the buyer's printed name and address;	3120 3121
(11) A notice in bold lettering that states: "WARNING TO TRANSFEROR AND TRANSFEREE (SELLER AND BUYER): You are required by law to state the true selling price. A false statement is in violation of section 2921.13 of the Revised Code and is punishable by six months' imprisonment or a fine of up to one thousand	3122 3123 3124 3125 3126

dollars, or both. All transfers are audited by the department of 3127
taxation. 3128

The seller and buyer must provide any information requested 3129
by the department of taxation. The buyer may be assessed any 3130
additional tax found to be due." 3131

(12) An application for a certificate of title, memorandum 3132
certificate of title, or salvage certificate of title, as 3133
prescribed by the registrar, which shall include all of the 3134
following: 3135

(a) A disclosure that states: "Application for certificate of 3136
title (type or print in ink)"; 3137

(b) A disclosure that states: "Fee of \$5.00 for failure to 3138
apply for title within 30 days of assignment."; 3139

(c) A space for the applicant's printed name and address: 3140

(d) A space for the applicant's social security number or 3141
employer's identification number; 3142

(e) A space for the purchase price, tax paid, or tax 3143
exemption reason, or dealer's permit number, and vendor's number, 3144
and condition of the vehicle; 3145

(f) A disclosure statement that states: "Lien information: If 3146
no lien state "none." If more than one lien, attach statement of 3147
all additional liens."; 3148

(g) A space for the lienholder's name and address; 3149

(h) A disclosure statement that states: "I (we) state that 3150
all information contained in this application is true and 3151
correct."; 3152

(i) A space for the applicant's signature; 3153

(j) A space for the acknowledgment statement of the clerk, 3154
the deputy clerk, or a notary; 3155

- (k) A space for the seal of the clerk or a notary; 3156
- (l) A space for the signature of the clerk, the deputy clerk,
or a notary; 3157
3158
- (m) Any other pertinent information as may be required by the
registrar. 3159
3160

Sec. 4505.08. (A) When the clerk of a court of common pleas 3161
issues a physical certificate of title, the clerk shall issue the 3162
certificate of title ~~in duplicate. One copy shall be retained and~~ 3163
~~filed by the clerk in the clerk's office on a form and in a manner~~ 3164
prescribed by the registrar of motor vehicles. The clerk shall 3165
file a copy of the physical evidence for the creation of the 3166
certificate of title in a manner prescribed by the registrar. A 3167
clerk may retain digital images of documents used as evidence for 3168
issuance of a certificate of title. Certified printouts of 3169
documents retained as digital images shall have the same 3170
evidentiary value as the original physical documents. The record 3171
of the issuance of the certificate of title shall be maintained in 3172
the automated title processing system. The clerk shall sign and 3173
affix the clerk's seal to the original certificate of title and, 3174
if there are no liens on the motor vehicle, shall deliver the 3175
certificate to the applicant or the selling dealer. If there are 3176
one or more liens on the motor vehicle, the certificate of title 3177
shall be delivered to the holder of the first lien or the selling 3178
dealer, who shall deliver the certificate of title to the holder 3179
of the first lien. 3180

The registrar ~~of motor vehicles~~ shall prescribe a uniform 3181
method of numbering certificates of title, and such numbering 3182
shall be in such manner that the county of issuance is indicated. 3183
The clerk shall assign numbers to certificates of title in the 3184
manner prescribed by the registrar. The clerk shall file all 3185
certificates of title according to rules to be prescribed by the 3186

registrar, and the clerk shall maintain in the clerk's office 3187
indexes for the certificates of title. 3188

The clerk need not retain on file any current certificates of 3189
title, current duplicate certificates of title, current memorandum 3190
certificates of title, or current salvage certificates of title, 3191
or supporting evidence of them, ~~including the electronic record~~ 3192
~~described in division (A) of section 4505.06 of the Revised Code,~~ 3193
covering any motor vehicle or manufactured or mobile home for a 3194
period longer than seven years after the date of its filing; 3195
thereafter, the documents and supporting evidence may be 3196
destroyed. The clerk need not retain on file any inactive records, 3197
including certificates of title, duplicate certificates of title, 3198
or memorandum certificates of title, or supporting evidence of 3199
them, including the electronic record described in division (A) of 3200
section 4505.06 of the Revised Code, covering any motor vehicle or 3201
manufactured or mobile home for a period longer than five years 3202
after the date of its filing; thereafter, the documents and 3203
supporting evidence may be destroyed. 3204

The automated title processing system shall contain all 3205
active records and an index of the active records, a record and 3206
index of all inactive titles for ten years, and a record and index 3207
of all inactive titles for manufactured and mobile homes for 3208
thirty years. If the clerk provides a written copy of any 3209
information contained in the database, the copy shall be 3210
considered the original for purposes of the clerk certifying the 3211
record of the information for use in any legal proceeding. 3212

(B)(1) If the clerk issues a certificate of title for a motor 3213
vehicle that was last previously registered in another state, the 3214
clerk shall record verbatim, where practicable, in the space on 3215
the title described in division (B)(19) of section 4505.07 of the 3216
Revised Code, the words that appear as a notation to the vehicle 3217
on the title issued by the previous state. These notations may 3218

include, but are not limited to, words to the effect that the 3219
vehicle was considered or was categorized by the state in which it 3220
was last previously registered to be a law enforcement vehicle or 3221
a taxicab or was once in a flood. 3222

(2) If the clerk, while issuing a certificate of title for a 3223
motor vehicle that was last previously registered in another 3224
state, receives information from the automated title processing 3225
system indicating that a title to the vehicle previously was 3226
issued by this state and that the previous title contained 3227
notations that appeared in the space described in division (B)(19) 3228
or (20) of section 4505.07 of the Revised Code, the clerk shall 3229
enter the notations that appeared on the previous certificate of 3230
title issued by this state on the new certificate of title in the 3231
space described in division (B)(19) or (20) of section 4505.07 of 3232
the Revised Code, irrespective of whether the notations appear on 3233
the certificate of title issued by the state in which the vehicle 3234
was last previously registered. 3235

(3) If the clerk, while issuing a certificate of title for a 3236
motor vehicle that was last previously registered in another 3237
state, receives information from the automated title processing 3238
system indicating that the vehicle was previously issued a title 3239
by this state and that the previous title bore the notation 3240
"REBUILT SALVAGE" as required by division (E) of section 4505.11 3241
of the Revised Code, or the previous title to the vehicle issued 3242
by this state was a salvage certificate of title, the clerk shall 3243
cause the certificate of title the clerk issues to bear the 3244
notation "REBUILT SALVAGE" in the location prescribed by the 3245
registrar pursuant to that division. 3246

(C) When the clerk issues a certificate of title for a motor 3247
vehicle that was last previously registered in this state and was 3248
a law enforcement vehicle or a taxicab or was once in a flood, the 3249
clerk shall record that information in the space on the title 3250

described in division (B)(20) of section 4505.07 of the Revised Code. The registrar, by rule, may prescribe any additional uses of or happenings to a motor vehicle that the registrar has reason to believe should be noted on the certificate of title as provided in this division.

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

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

(F) The clerk shall issue a physical certificate of title to an applicant unless the applicant specifically requests the clerk not to issue a physical certificate of title and instead to issue an electronic certificate of title. The fact that a physical certificate of title is not issued for a motor vehicle does not affect ownership of the vehicle. In that case, when the clerk completes the process of entering certificate of title application information into the automated title processing system, the effect of the completion of the process is the same as if the clerk actually issued a physical certificate of title for the motor vehicle.

(G) An electronic motor vehicle dealer who applies for a certificate of title on behalf of a customer who purchases a motor vehicle from the dealer may print a non-negotiable evidence of ownership for the customer if the customer so requests. The authorization to print the non-negotiable evidence of ownership

shall come from the clerk with whom the dealer makes application 3283
for the certificate of title for the customer, but the printing by 3284
the dealer does not create an agency relationship of any kind 3285
between the dealer and the clerk. 3286

(H) ~~If an electronic certificate of title previously has been~~ 3287
~~issued for a motor vehicle, the~~ The owner of ~~the~~ a motor vehicle 3288
may apply at any time to a clerk of a court of common pleas for a 3289
non-negotiable evidence of ownership for the motor vehicle. 3290

Sec. 4505.09. (A) The clerk of a court of common pleas shall 3291
charge a fee of five dollars for each certificate of title that is 3292
not applied for within thirty days after the later of the 3293
assignment or delivery of the motor vehicle described in it. The 3294
fees shall be retained by the clerk. 3295

In addition to those fees, the clerk shall charge a fee of 3296
five dollars for each certificate of title, duplicate certificate 3297
of title, memorandum certificate of title, authorization to print 3298
a non-negotiable evidence of ownership described in division (G) 3299
of section 4505.08 of the Revised Code, non-negotiable evidence of 3300
ownership printed by the clerk under division (H) of that section, 3301
and notation of any lien on a certificate of title. The clerk 3302
shall retain two dollars and twenty-five cents of the fee charged 3303
for each certificate of title, four dollars and seventy-five cents 3304
of the fee charged for each duplicate certificate of title, all of 3305
the fees charged for each memorandum certificate, authorization to 3306
print a non-negotiable evidence of ownership, or non-negotiable 3307
evidence of ownership printed by the clerk, and four dollars and 3308
twenty-five cents of the fee charged for each notation of a lien. 3309

The remaining two dollars and seventy-five cents charged for 3310
the certificate of title, the remaining twenty-five cents charged 3311
for the duplicate certificate of title, and the remaining 3312
seventy-five cents charged for the notation of any lien on a 3313

certificate of title shall be paid to the registrar of motor 3314
vehicles by monthly returns, which shall be forwarded to the 3315
registrar not later than the fifth day of the month next 3316
succeeding that in which the certificate is issued or that in 3317
which the registrar is notified of a lien or cancellation of a 3318
lien. 3319

(B)(1) The registrar shall pay twenty-five cents of the 3320
amount received for each certificate of title and all of the 3321
amounts received for each notation of any lien and each duplicate 3322
certificate of title into the state bureau of motor vehicles fund 3323
established in section 4501.25 of the Revised Code. 3324

(2) Fifty cents of the amount received for each certificate 3325
of title shall be paid by the registrar as follows: 3326

(a) Four cents shall be paid into the state treasury to the 3327
credit of the motor vehicle dealers board fund, which is hereby 3328
created. All investment earnings of the fund shall be credited to 3329
the fund. The moneys in the motor vehicle dealers board fund shall 3330
be used by the motor vehicle dealers board created under section 3331
4517.30 of the Revised Code, together with other moneys 3332
appropriated to it, in the exercise of its powers and the 3333
performance of its duties under Chapter 4517. of the Revised Code, 3334
except that the director of budget and management may transfer 3335
excess money from the motor vehicle dealers board fund to the 3336
bureau of motor vehicles fund if the registrar determines that the 3337
amount of money in the motor vehicle dealers board fund, together 3338
with other moneys appropriated to the board, exceeds the amount 3339
required for the exercise of its powers and the performance of its 3340
duties under Chapter 4517. of the Revised Code and requests the 3341
director to make the transfer. 3342

(b) Twenty-one cents shall be paid into the general revenue 3343
fund. 3344

(c) Twenty-five cents shall be paid into the state treasury 3345
to the credit of the motor vehicle sales audit fund, which is 3346
hereby created. The moneys in the fund shall be used by the tax 3347
commissioner together with other funds available to the 3348
commissioner to conduct a continuing investigation of sales and 3349
use tax returns filed for motor vehicles in order to determine if 3350
sales and use tax liability has been satisfied. The commissioner 3351
shall refer cases of apparent violations of section 2921.13 of the 3352
Revised Code made in connection with the titling or sale of a 3353
motor vehicle and cases of any other apparent violations of the 3354
sales or use tax law to the appropriate county prosecutor whenever 3355
the commissioner considers it advisable. 3356

(3) Two dollars of the amount received by the registrar for 3357
each certificate of title shall be paid into the state treasury to 3358
the credit of the automated title processing fund, which is hereby 3359
created and which shall consist of moneys collected under division 3360
(B)(3) of this section and under sections 1548.10 and 4519.59 of 3361
the Revised Code. All investment earnings of the fund shall be 3362
credited to the fund. The moneys in the fund shall be used as 3363
follows: 3364

(a) Except for moneys collected under section 1548.10 of the 3365
Revised Code and as provided in division (B)(3)(c) of this 3366
section, moneys collected under division (B)(3) of this section 3367
shall be used to implement and maintain an automated title 3368
processing system for the issuance of motor vehicle, off-highway 3369
motorcycle, and all-purpose vehicle certificates of title in the 3370
offices of the clerks of the courts of common pleas. 3371

(b) Moneys collected under section 1548.10 of the Revised 3372
Code shall be used to issue marine certificates of title in the 3373
offices of the clerks of the courts of common pleas as provided in 3374
Chapter 1548. of the Revised Code. 3375

(c) Moneys collected under division (B)(3) of this section 3376
shall be used in accordance with section 4505.25 of the Revised 3377
Code to implement Sub. S.B. 59 of the 124th general assembly. 3378

(C)(1) The automated title processing board is hereby created 3379
consisting of the registrar or the registrar's representative, a 3380
person selected by the registrar, the president of the Ohio clerks 3381
of court association or the president's representative, and two 3382
clerks of courts of common pleas appointed by the governor. The 3383
director of budget and management or the director's designee, the 3384
chief of the division of watercraft in the department of natural 3385
resources or the chief's designee, and the tax commissioner or the 3386
commissioner's designee shall be nonvoting members of the board. 3387
The purpose of the board is to facilitate the operation and 3388
maintenance of an automated title processing system and approve 3389
the procurement of automated title processing system equipment. 3390
Voting members of the board, excluding the registrar or the 3391
registrar's representative, shall serve without compensation, but 3392
shall be reimbursed for travel and other necessary expenses 3393
incurred in the conduct of their official duties. The registrar or 3394
the registrar's representative shall receive neither compensation 3395
nor reimbursement as a board member. 3396

(2) The automated title processing board shall determine each 3397
of the following: 3398

(a) The automated title processing equipment and certificates 3399
of title requirements for each county; 3400

(b) The payment of expenses that may be incurred by the 3401
counties in implementing an automated title processing system; 3402

(c) The repayment to the counties for existing title 3403
processing equipment. 3404

(3) The registrar shall purchase, lease, or otherwise acquire 3405
any automated title processing equipment and certificates of title 3406

that the board determines are necessary from moneys in the 3407
automated title processing fund established by division (B)(3) of 3408
this section. ~~Each county issuing more than one hundred thousand 3409
certificates of title annually, with the approval of the registrar 3410
and in accordance with the registrar's requirements, may purchase 3411
and maintain an automated title processing system for the issuance 3412
of motor vehicle titles, certificates of title for off-highway 3413
motorcycles and all purpose vehicles, and certificates of title 3414
for watercraft and outboard motors with the cost of the system 3415
paid for from the automated processing title fund.~~ 3416

(D) All counties shall conform to the requirements of the 3417
registrar regarding the operation of their automated title 3418
processing system for motor vehicle titles, certificates of title 3419
for off-highway motorcycles and all-purpose vehicles, and 3420
certificates of title for watercraft and outboard motors. 3421

Sec. 4505.10. (A) In the event of the transfer of ownership 3422
of a motor vehicle by operation of law, as upon inheritance, 3423
devise, bequest, order in bankruptcy, insolvency, replevin, or 3424
execution sale, a motor vehicle is sold to satisfy storage or 3425
repair charges, or repossession is had upon default in performance 3426
of the terms of a security agreement as provided in Chapter 1309. 3427
of the Revised Code and the secured party has notified the debtor 3428
as required by division (B) of section 1309.611 of the Revised 3429
Code, a clerk of a court of common pleas, upon the surrender of 3430
the prior certificate of title or the manufacturer's or importer's 3431
certificate, or, when that is not possible, upon presentation of 3432
satisfactory proof to the clerk of ownership and rights of 3433
possession to the motor vehicle, and upon payment of the fee 3434
prescribed in section 4505.09 of the Revised Code and presentation 3435
of an application for certificate of title, may issue to the 3436
applicant a certificate of title to the motor vehicle. Only an 3437
affidavit by the person or agent of the person to whom possession 3438

of the motor vehicle has passed, setting forth the facts entitling 3439
the person to the possession and ownership, together with a copy 3440
of the journal entry, court order, or instrument upon which the 3441
claim of possession and ownership is founded, is satisfactory 3442
proof of ownership and right of possession. If the applicant 3443
cannot produce that proof of ownership, the applicant may apply 3444
directly to the registrar of motor vehicles and submit the 3445
evidence the applicant has, and the registrar, if the registrar 3446
finds the evidence sufficient, then may authorize a clerk to issue 3447
a certificate of title. If the registrar finds the evidence 3448
insufficient, the applicant may petition the court of common pleas 3449
for a court order ordering the clerk to issue a certificate of 3450
title. The court shall grant or deny the petition based on the 3451
sufficiency of the evidence presented to the court. If, from the 3452
records in the office of the clerk involved, there appears to be 3453
any lien on the motor vehicle, the certificate of title shall 3454
contain a statement of the lien unless the application is 3455
accompanied by proper evidence of its extinction. 3456

(B) A clerk shall transfer a decedent's interest in one or 3457
two automobiles to the surviving spouse of the decedent, as 3458
provided in section 2106.18 of the Revised Code, upon receipt of 3459
the title or titles. An affidavit executed by the surviving spouse 3460
shall be submitted to the clerk with the title or titles. The 3461
affidavit shall give the date of death of the decedent, shall 3462
state that each automobile for which the decedent's interest is to 3463
be so transferred is not disposed of by testamentary disposition, 3464
and shall provide an approximate value for each automobile 3465
selected to be transferred by the surviving spouse. The affidavit 3466
shall also contain a description for each automobile for which the 3467
decedent's interest is to be so transferred. The transfer does not 3468
affect any liens upon any automobile for which the decedent's 3469
interest is so transferred. 3470

(C) Upon the death of one of the persons who have established joint ownership with right of survivorship under section 2131.12 of the Revised Code in a motor vehicle, and upon presentation to a clerk of the title and the certificate of death of the decedent, the clerk shall transfer title to the motor vehicle to the survivor. The transfer does not affect any liens upon any motor vehicle so transferred.

(D) Upon the death of the owner of a motor vehicle designated in beneficiary form under section 2131.13 of the Revised Code, upon application for a certificate of title by the transfer-on-death beneficiary or beneficiaries designated pursuant to that section, and upon presentation to the clerk of the certificate of title and the certificate of death of the decedent, the clerk shall transfer the motor vehicle and issue a certificate of title to the transfer-on-death beneficiary or beneficiaries. The transfer does not affect any liens upon the motor vehicle so transferred.

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

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

memorandum certificates in that chain of title. 3502

(B) If an Ohio certificate of title or salvage certificate of 3503
title to a motor vehicle is assigned to a salvage dealer, the 3504
dealer is not required to obtain an Ohio certificate of title or a 3505
salvage certificate of title to the motor vehicle in the dealer's 3506
own name if the dealer dismantles or destroys the motor vehicle, 3507
indicates the number of the dealer's motor vehicle salvage 3508
dealer's license on it, marks "FOR DESTRUCTION" across the face of 3509
the certificate of title or salvage certificate of title, and 3510
surrenders the certificate of title or salvage certificate of 3511
title to a clerk of a court of common pleas as provided in 3512
division (A) of this section. If the salvage dealer retains the 3513
motor vehicle for resale, the dealer shall make application for a 3514
salvage certificate of title to the motor vehicle in the dealer's 3515
own name as provided in division (C)(1) of this section. 3516

(C)(1) When an insurance company declares it economically 3517
impractical to repair such a motor vehicle and has paid an agreed 3518
price for the purchase of the motor vehicle to any insured or 3519
claimant owner, the insurance company shall receive the 3520
certificate of title and the motor vehicle and proceed as follows. 3521
Within thirty days, the insurance company shall deliver the 3522
certificate of title to a clerk of a court of common pleas and 3523
shall make application for a salvage certificate of title. The 3524
clerk shall issue the salvage certificate of title on a form, 3525
prescribed by the registrar, that shall be easily distinguishable 3526
from the original certificate of title and shall bear the same 3527
~~number and~~ information as the original certificate of title except 3528
that it may bear a different number than that of the original 3529
certificate of title. Except as provided in division (C)(2) of 3530
this section, the salvage certificate of title shall be assigned 3531
by the insurance company to a salvage dealer or any other person 3532
for use as evidence of ownership upon the sale or other 3533

disposition of the motor vehicle, and the salvage certificate of 3534
title shall be transferrable to any other person. The clerk shall 3535
charge a fee of four dollars for the cost of processing each 3536
salvage certificate of title. 3537

(2) If an insurance company considers a motor vehicle as 3538
described in division (C)(1) of this section to be impossible to 3539
restore for highway operation, the insurance company may assign 3540
the certificate of title to the motor vehicle to a salvage dealer 3541
or scrap metal processing facility and send the assigned 3542
certificate of title to the clerk of the court of common pleas of 3543
~~the any county in which the salvage dealer or scrap metal~~ 3544
~~processing facility is located.~~ The insurance company shall mark 3545
the face of the certificate of title "FOR DESTRUCTION" and shall 3546
deliver a photocopy of the certificate of title to the salvage 3547
dealer or scrap metal processing facility for its records. 3548

(3) If an insurance company declares it economically 3549
impractical to repair a motor vehicle, agrees to pay to the 3550
insured or claimant owner an amount in settlement of a claim 3551
against a policy of motor vehicle insurance covering the motor 3552
vehicle, and agrees to permit the insured or claimant owner to 3553
retain possession of the motor vehicle, the insurance company 3554
shall not pay the insured or claimant owner any amount in 3555
settlement of the insurance claim until the owner obtains a 3556
salvage certificate of title to the vehicle and furnishes a copy 3557
of the salvage certificate of title to the insurance company. 3558

(D) When a self-insured organization, rental or leasing 3559
company, or secured creditor becomes the owner of a motor vehicle 3560
that is burned, damaged, or dismantled and is determined to be 3561
economically impractical to repair, the self-insured organization, 3562
rental or leasing company, or secured creditor shall do one of the 3563
following: 3564

(1) Mark the face of the certificate of title to the motor 3565

vehicle "FOR DESTRUCTION" and surrender the certificate of title 3566
to a clerk of a court of common pleas for cancellation as 3567
described in division (A) of this section. The self-insured 3568
organization, rental or leasing company, or secured creditor then 3569
shall deliver the motor vehicle, together with a photocopy of the 3570
certificate of title, to a salvage dealer or scrap metal 3571
processing facility and shall cause the motor vehicle to be 3572
dismantled, flattened, crushed, or destroyed. 3573

(2) Obtain a salvage certificate of title to the motor 3574
vehicle in the name of the self-insured organization, rental or 3575
leasing company, or secured creditor, as provided in division 3576
(C)(1) of this section, and then sell or otherwise dispose of the 3577
motor vehicle. If the motor vehicle is sold, the self-insured 3578
organization, rental or leasing company, or secured creditor shall 3579
obtain a salvage certificate of title to the motor vehicle in the 3580
name of the purchaser from a clerk of a court of common pleas. 3581

(E) If a motor vehicle titled with a salvage certificate of 3582
title is restored for operation upon the highways, application 3583
shall be made to a clerk of a court of common pleas for a 3584
certificate of title. Upon inspection by the state highway patrol, 3585
which shall include establishing proof of ownership and an 3586
inspection of the motor number and vehicle identification number 3587
of the motor vehicle and of documentation or receipts for the 3588
materials used in restoration by the owner of the motor vehicle 3589
being inspected, which documentation or receipts shall be 3590
presented at the time of inspection, the clerk, upon surrender of 3591
the salvage certificate of title, shall issue a certificate of 3592
title for a fee prescribed by the registrar. The certificate of 3593
title shall be in the same form as the original certificate of 3594
~~title, shall bear the same number as the salvage certificate of~~ 3595
~~title and the original certificate of title,~~ and shall bear the 3596
words "REBUILT SALVAGE" in black boldface letters on its face. 3597

Every subsequent certificate of title, memorandum certificate of title, or duplicate certificate of title issued for the motor vehicle also shall bear the words "REBUILT SALVAGE" in black boldface letters on its face. The exact location on the face of the certificate of title of the words "REBUILT SALVAGE" shall be determined by the registrar, who shall develop an automated procedure within the automated title processing system to comply with this division. The clerk shall use reasonable care in performing the duties imposed on the clerk by this division in issuing a certificate of title pursuant to this division, but the clerk is not liable for any of the clerk's errors or omissions or those of the clerk's deputies, or the automated title processing system in the performance of those duties. A fee of fifty dollars shall be assessed by the state highway patrol for each inspection made pursuant to this division and shall be deposited into the state highway safety fund established by section 4501.06 of the Revised Code.

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

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

(H)(1) Except as otherwise provided in this division, an owner of a manufactured or mobile home that will be taxed as real property pursuant to division (B) of section 4503.06 of the Revised Code shall surrender the certificate of title to the auditor of the county containing the taxing district in which the home is located. An owner whose home qualifies for real property taxation under divisions (B)(1)(a) and (b) of section 4503.06 of

the Revised Code shall surrender the certificate within fifteen 3630
days after the home meets the conditions specified in those 3631
divisions. The auditor shall deliver the certificate of title to 3632
the clerk of the court of common pleas who issued it. 3633

(2) If the certificate of title for a manufactured or mobile 3634
home that is to be taxed as real property is held by a lienholder, 3635
the lienholder shall surrender the certificate of title to the 3636
auditor of the county containing the taxing district in which the 3637
home is located, and the auditor shall deliver the certificate of 3638
title to the clerk of the court of common pleas who issued it. The 3639
lienholder shall surrender the certificate within thirty days 3640
after both of the following have occurred: 3641

(a) The homeowner has provided written notice to the 3642
lienholder requesting that the certificate of title be surrendered 3643
to the auditor of the county containing the taxing district in 3644
which the home is located. 3645

(b) The homeowner has either paid the lienholder the 3646
remaining balance owed to the lienholder, or, with the 3647
lienholder's consent, executed and delivered to the lienholder a 3648
mortgage on the home and land on which the home is sited in the 3649
amount of the remaining balance owed to the lienholder. 3650

(3) Upon the delivery of a certificate of title by the county 3651
auditor to the clerk, the clerk shall inactivate it and ~~retain~~ 3652
maintain it in the automated title processing system for a period 3653
of thirty years. 3654

(4) Upon application by the owner of a manufactured or mobile 3655
home that is taxed as real property pursuant to division (B) of 3656
section 4503.06 of the Revised Code and that no longer satisfies 3657
divisions (B)(1)(a) and (b) or divisions (B)(2)(a) and (b) of that 3658
section, the clerk shall reactivate the record of the certificate 3659
of title that was inactivated under division (H)(3) of this 3660

section and shall issue a new certificate of title, but only if 3661
the application contains or has attached to it all of the 3662
following: 3663

(a) An endorsement of the county treasurer that all real 3664
property taxes charged against the home under Title LVII of the 3665
Revised Code and division (B) of section 4503.06 of the Revised 3666
Code for all preceding tax years have been paid; 3667

(b) An endorsement of the county auditor that the home will 3668
be removed from the real property tax list; 3669

(c) Proof that there are no outstanding mortgages or other 3670
liens on the home or, if there are such mortgages or other liens, 3671
that the mortgagee or lienholder has consented to the reactivation 3672
of the certificate of title. 3673

(I)(1) Whoever violates division (F) of this section shall be 3674
fined not more than two thousand dollars, imprisoned not more than 3675
one year, or both. 3676

(2) Whoever violates division (G) of this section shall be 3677
fined not more than one thousand dollars, imprisoned not more than 3678
six months, or both. 3679

Sec. 4505.13. (A)(1) Chapter 1309. and section 1701.66 of the 3680
Revised Code do not permit or require the deposit, filing, or 3681
other record of a security interest covering a motor vehicle, 3682
except as provided in division (A)(2) of this section. 3683

(2) Chapter 1309. of the Revised Code applies to a security 3684
interest in a motor vehicle held as inventory ~~1309.102~~ for sale by 3685
a dealer. The security interest has priority over creditors of the 3686
dealer as provided in Chapter 1309. of the Revised Code without 3687
notation of the security interest on a certificate of title, 3688
without entry of a notation of the security interest into the 3689
automated title processing system if a physical certificate of 3690

title for the motor vehicle has not been issued, or without the 3691
retention of a manufacturer's or importer's certificate. 3692

(B) Subject to division (A) of this section, any security 3693
agreement covering a security interest in a motor vehicle, if a 3694
notation of the agreement has been made by a clerk of a court of 3695
common pleas on the face of the certificate of title or the clerk 3696
has entered a notation of the agreement into the automated title 3697
processing system and a physical certificate of title for the 3698
motor vehicle has not been issued, is valid as against the 3699
creditors of the debtor, whether armed with process or not, and 3700
against subsequent purchasers, secured parties, and other 3701
lienholders or claimants. All security interests, liens, 3702
mortgages, and encumbrances entered into the automated title 3703
processing system in relation to a particular certificate of 3704
title, regardless of whether a physical certificate of title is 3705
issued, take priority according to the order of time in which they 3706
are entered into the automated title processing system by the 3707
clerk. Exposure for sale of any motor vehicle by its owner, with 3708
the knowledge or with the knowledge and consent of the holder of 3709
any security interest, lien, mortgage, or encumbrance on it, does 3710
not render that security interest, lien, mortgage, or encumbrance 3711
ineffective as against the creditors of that owner, or against 3712
holders of subsequent security interests, liens, mortgages, or 3713
encumbrances upon that motor vehicle. 3714

The secured party, upon presentation of evidence of a 3715
security interest to a clerk of a court of common pleas, together 3716
with the certificate of title if a physical certificate of title 3717
for the motor vehicle exists, and the fee prescribed by section 3718
4505.09 of the Revised Code, may have a notation of the security 3719
interest made. Unless the secured party specifically requests the 3720
clerk not to issue a physical certificate of title and instead to 3721
issue an electronic certificate of title, the clerk shall issue, 3722

over the clerk's signature and seal of office, a new original 3723
certificate of title from the automated title processing records 3724
that indicates the security interest and the date of the security 3725
interest. 3726

If a security interest is fully discharged as a result of its 3727
holder's receipt of good funds in the correct amount and if the 3728
holder holds a physical certificate of title, the holder shall 3729
note the discharge of the security interest on the face of the 3730
certificate of title over the holder's signature, or over the 3731
holder's signature on a form prescribed by the registrar of motor 3732
vehicles when there is no space for the discharge on the face of 3733
the certificate of title. Except as otherwise provided in this 3734
section, prior to delivering the certificate of title to the 3735
owner, the holder or the holder's agent shall convey the 3736
certificate of title or a separate sworn statement of the 3737
discharge of the security interest to a clerk. The conveyance 3738
shall occur not more than seven business days after the date good 3739
funds in the correct amount to fully discharge the security 3740
interest have been credited to an account of the holder, provided 3741
the holder has been provided accurate information concerning the 3742
motor vehicle. Conveyance of the certificate of title or separate 3743
sworn statement of the discharge within the required seven 3744
business days may be indicated by postmark or receipt by a clerk 3745
within that period. If the discharge of the security interest 3746
appears to be genuine, the clerk shall note the cancellation of 3747
the security interest on the face of the certificate of title, if 3748
it was so conveyed, and note it in the automated title processing 3749
system ~~and upon the records of the clerk.~~ 3750

If a security interest is fully discharged as a result of its 3751
holder's receipt of good funds in the correct amount and the 3752
holder does not hold a physical certificate of title, when the 3753
holder notifies a clerk of the discharge of its security interest, 3754

the holder at that time also may request the clerk to issue a 3755
physical certificate of title to the vehicle. The request shall 3756
specify whether the clerk is to send the certificate of title 3757
directly to the owner or to the holder or the holder's agent for 3758
transmission to the owner. If such a request is made, the clerk 3759
shall issue a physical certificate of title and send it to the 3760
specified person. 3761

The clerk shall not honor such a request for a physical 3762
certificate of title if it is not made by the holder at the same 3763
time as the holder's notification to the clerk of the discharge of 3764
its security interest. 3765

(C)(1) In all cases, a secured party may choose to present a 3766
clerk with evidence of a security interest via electronic means, 3767
and the clerk shall enter the security interest into the automated 3768
title processing system. A secured party also may choose to notify 3769
a clerk of the discharge of its security interest via electronic 3770
means, and the clerk shall enter the cancellation into the 3771
automated title processing system. 3772

(2) In the case of a security interest that is being 3773
satisfied by a dealer to whom a certificate of title is being 3774
transferred, the cancellation of the security interest shall occur 3775
during the course of the transfer. The dealer shall submit a 3776
discharge request to the secured party. A discharge request shall 3777
include good funds in the correct amount to fully discharge the 3778
security interest and accurate information concerning the motor 3779
vehicle. 3780

(3)(a) Upon receiving a discharge request that complies with 3781
division (C)(2) of this section, except as otherwise provided in 3782
this division, a secured party shall convey the certificate of 3783
title, with the discharge of the security interest noted on its 3784
face, to the dealer within seven business days after the date good 3785
funds in the correct amount to fully discharge the security 3786

interest have been ~~credit~~ credited to an account of the secured party. 3787
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If a secured party is unable to convey to the dealer a certificate of title within the required seven business days, the secured party instead shall convey to the dealer an affidavit stating that the security interest has been discharged, together with payment for a duplicate certificate of title, within that period. 3789
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(b) Conveyance of a certificate of title, or affidavit and required payment, from a secured party to a dealer under the circumstances described in division (C)(3)(a) of this section within the required seven business days may be indicated by a postmark within that period. 3795
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(4) A secured party is liable to a dealer for a late fee of ten dollars per day for each certificate of title, or affidavit and required payment, conveyed to the dealer more than seven business days but less than twenty-one days after the date specified in division (C)(3)(a) of this section and, from then on, twenty-five dollars per day until the certificate of title, or affidavit and required payment, are conveyed to the dealer. 3800
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(D) Notwithstanding any provision of Chapter 1310. of the Revised Code or of any other law, the lease of a motor vehicle or trailer does not constitute a conditional sale or create a security interest merely because the lease agreement permits or requires the lessor, at the end of the lease term, to adjust the rental price to either a higher or a lower amount by reference to the amount the lessor realizes upon the sale or other disposition of the motor vehicle or trailer. 3807
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(E) If a physical certificate of title has not been issued for a motor vehicle and all the security interests relating to that motor vehicle have been discharged, the owner of the motor 3815
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vehicle may obtain a physical certificate of title from the clerk 3818
of any court of common pleas upon payment of the fee specified in 3819
section ~~4509.09~~ 4505.09 of the Revised Code. 3820

(F) If a clerk of a court of common pleas, other than the 3821
clerk of the court of common pleas of the county in which the 3822
owner of a motor vehicle resides, enters a notation of the 3823
existence of, or the cancellation of, a security interest relating 3824
to the motor vehicle, the clerk shall transmit the data relating 3825
to the notation to the automated title processing system. 3826

(G) The registrar of motor vehicles, in accordance with 3827
Chapter 119. of the Revised Code, shall adopt rules governing the 3828
electronic transmission of security interest and other information 3829
under this section. In adopting the rules, the registrar shall 3830
confer with the clerks of the courts of common pleas. 3831

(H) As used in this section: 3832

(1) "Accurate information" means the make and model of the 3833
motor vehicle, its vehicle identification number, and the name and 3834
address of its owner as they appear on the certificate of title 3835
that is to be conveyed. 3836

(2) "Dealer" has the same meaning as in section 4517.01 of 3837
the Revised Code. 3838

(3) "Good funds" includes cash, or a wire transfer, cashier's 3839
check, certified check, draft, money order, or teller's check 3840
issued by an insured financial institution, or a dealer's check 3841
for which the secured party has received funds that are available 3842
for withdrawal pursuant to "Availability of Funds and Collection 3843
of Checks (Regulation CC)," 12 C.F.R. 229. 3844

(4) "Inventory" has the same meaning as in section ~~1309.07~~ 3845
1309.102 of the Revised Code. 3846

Sec. 4505.141. The registrar of motor vehicles shall enable 3847

the public to access motor vehicle title information via 3848
electronic means. No fee shall be charged for this access. The 3849
title information that must be so accessible is only the title 3850
information that is in an electronic format at the time a person 3851
requests this access. 3852

The registrar ~~shall establish procedures governing this~~ 3853
access. The procedures may be established by rule in accordance 3854
with Chapter 119. of the Revised Code, ~~shall adopt rules governing~~ 3855
~~this access.~~ In adopting the rules procedures, the registrar shall 3856
confer with the clerks of the courts of common pleas. 3857

Access by the public to motor vehicle title information under 3858
this section shall comply with all restrictions contained in the 3859
Revised Code and federal law that govern the disclosure of that 3860
information. 3861

Sec. 4506.01. As used in this chapter: 3862

(A) "Alcohol concentration" means the concentration of 3863
alcohol in a person's blood, breath, or urine. When expressed as a 3864
percentage, it means grams of alcohol per the following: 3865

(1) One hundred milliliters of whole blood, blood serum, or 3866
blood plasma; 3867

(2) Two hundred ten liters of breath; 3868

(3) One hundred milliliters of urine. 3869

(B) "School bus" has the same meaning as in section 4511.01 3870
of the Revised Code. 3871

(C) "Commercial driver's license" means a license issued in 3872
accordance with this chapter that authorizes an individual to 3873
drive a commercial motor vehicle. 3874

(D) "Commercial driver license information system" means the 3875
information system established pursuant to the requirements of the 3876

"Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 3207-171, 3877
49 U.S.C.A. App. 2701. 3878

(E) Except when used in section 4506.25 of the Revised Code, 3879
"commercial motor vehicle" means any motor vehicle designed or 3880
used to transport persons or property that meets any of the 3881
following qualifications: 3882

(1) Any combination of vehicles with a combined gross vehicle 3883
weight rating of twenty-six thousand one pounds or more, provided 3884
the gross vehicle weight rating of the vehicle or vehicles being 3885
towed is in excess of ten thousand pounds; 3886

(2) Any single vehicle with a gross vehicle weight rating of 3887
twenty-six thousand one pounds or more, or any such vehicle towing 3888
a vehicle having a gross vehicle weight rating that is not in 3889
excess of ten thousand pounds; 3890

(3) Any single vehicle or combination of vehicles that is not 3891
a class A or class B vehicle, but that either is designed to 3892
transport sixteen or more passengers including the driver, or is 3893
placarded for hazardous materials; 3894

(4) Any school bus with a gross vehicle weight rating of less 3895
than twenty-six thousand one pounds that is designed to transport 3896
fewer than sixteen passengers including the driver; 3897

(5) Is transporting hazardous materials for which placarding 3898
is required by regulations adopted under the "Hazardous Materials 3899
Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as 3900
amended; 3901

(6) Any single vehicle or combination of vehicles that is 3902
designed to be operated and to travel on a public street or 3903
highway and is considered by the federal highway administration to 3904
be a commercial motor vehicle, including, but not limited to, a 3905
motorized crane, a vehicle whose function is to pump cement, a rig 3906
for drilling wells, and a portable crane. 3907

(F) "Controlled substance" means all of the following:	3908
(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;	3909 3910 3911
(2) Any substance included in schedules I through V of 21 C.F.R. part 1308, as amended;	3912 3913
(3) Any drug of abuse.	3914
(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.	3915 3916 3917 3918 3919 3920 3921 3922
(H) "Disqualification" means withdrawal of the privilege to drive a commercial motor vehicle.	3923 3924
(I) "Drive" means to drive, operate, or be in physical control of a motor vehicle.	3925 3926
(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.	3927 3928 3929
(K) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes an individual to drive.	3930 3931
(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.	3932 3933 3934 3935 3936
(M) "Employer" means any person, including the federal	3937

government, any state, and a political subdivision of any state, 3938
that owns or leases a commercial motor vehicle or assigns a person 3939
to drive such a motor vehicle. 3940

(N) "Endorsement" means an authorization on a person's 3941
commercial driver's license that is required to permit the person 3942
to operate a specified type of commercial motor vehicle. 3943

(O) "Felony" means any offense under federal or state law 3944
that is punishable by death or specifically classified as a felony 3945
under the law of this state, regardless of the penalty that may be 3946
imposed. 3947

(P) "Foreign jurisdiction" means any jurisdiction other than 3948
a state. 3949

(Q) "Gross vehicle weight rating" means the value specified 3950
by the manufacturer as the maximum loaded weight of a single or a 3951
combination vehicle. The gross vehicle weight rating of a 3952
combination vehicle is the gross vehicle weight rating of the 3953
power unit plus the gross vehicle weight rating of each towed 3954
unit. 3955

(R) "Hazardous materials" means materials identified as such 3956
under regulations adopted under the "Hazardous Materials 3957
Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as 3958
amended. 3959

(S) "Motor vehicle" has the same meaning as in section 3960
4511.01 of the Revised Code. 3961

(T) Except when used in sections 4506.25 and 4506.26 of the 3962
Revised Code, "out-of-service order" means a temporary prohibition 3963
against driving a commercial motor vehicle issued under this 3964
chapter or a similar law of another state or of a foreign 3965
jurisdiction. 3966

(U) "Residence" means any person's residence determined in 3967

accordance with standards prescribed in rules adopted by the registrar. 3968
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(V) "Temporary residence" means residence on a temporary basis as determined by the registrar in accordance with standards prescribed in rules adopted by the registrar. 3970
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(W) "Serious traffic violation" means a conviction arising from the operation of a commercial motor vehicle that involves any of the following: 3973
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(1) A single charge of any speed that is in excess of the posted speed limit by an amount specified by the United States secretary of transportation and that the director of public safety designates as such by rule; 3976
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(2) Violation of section 4511.20, 4511.201, or 4511.202 of the Revised Code or any similar ordinance or resolution, or of any similar law of another state or political subdivision of another state; 3980
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(3) Violation of a law of this state or an ordinance or resolution relating to traffic control, other than a parking violation, or of any similar law of another state or political subdivision of another state, that results in a fatal accident; 3984
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(4) Violation of any other law of this state or an ordinance or resolution relating to traffic control, other than a parking violation, that is determined to be a serious traffic violation by the United States secretary of transportation and the director designates as such by rule. 3988
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(X) "State" means a state of the United States and includes the District of Columbia. 3993
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(Y) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid and has a maximum capacity greater than one hundred nineteen gallons or is designed to 3995
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transport gaseous materials and has a water capacity greater than 3998
one thousand pounds within a tank that is either permanently or 3999
temporarily attached to the vehicle or its chassis. "Tank vehicle" 4000
does not include ~~either~~ any of the following: 4001

(1) Any portable tank having a rated capacity of less than 4002
one thousand gallons; 4003

(2) Tanks used exclusively as a fuel tank for the motor 4004
vehicle to which it is attached; 4005

(3) An empty storage container tank that is not designed for 4006
transportation and that is readily distinguishable from a 4007
transportation tank; 4008

(4) Ready-mix concrete mixers. 4009

(Z) "United States" means the fifty states and the District 4010
of Columbia. 4011

(AA) "Vehicle" has the same meaning as in section 4511.01 of 4012
the Revised Code. 4013

(BB) "Peace officer" has the same meaning as in section 4014
2935.01 of the Revised Code. 4015

(CC) "Portable tank" means a liquid or gaseous packaging 4016
designed primarily to be loaded on or temporarily attached to a 4017
vehicle and equipped with skids, mountings, or accessories to 4018
facilitate handling of the tank by mechanical means. 4019

Sec. 4506.08. (A) Each application for a commercial driver's 4020
license temporary instruction permit shall be accompanied by a fee 4021
of ten dollars; except as provided in division (B) of this 4022
section, each application for a commercial driver's license, 4023
restricted commercial driver's license, or renewal of such a 4024
license shall be accompanied by a fee of twenty-five dollars; and 4025
each application for a duplicate commercial driver's license shall 4026
be accompanied by a fee of ten dollars. In addition, the registrar 4027

of motor vehicles or deputy registrar may collect and retain an 4028
additional fee of no more than two dollars and seventy-five cents 4029
commencing on July 1, 2001, three dollars and twenty-five cents 4030
commencing on January 1, 2003, and three dollars and fifty cents 4031
commencing on January 1, 2004, for each application for a 4032
commercial driver's license temporary instruction permit, 4033
commercial driver's license, renewal of a commercial driver's 4034
license, or duplicate commercial driver's license received by the 4035
registrar or deputy. No fee shall be charged for the annual 4036
issuance of a waiver for farm-related service industries pursuant 4037
to section 4506.24 of the Revised Code. 4038

Each deputy registrar shall transmit the fees collected to 4039
the registrar at the time and in the manner prescribed by the 4040
registrar by rule. The registrar shall pay the fees into the state 4041
highway safety fund established in section 4501.06 of the Revised 4042
Code. 4043

(B) In addition to the fees imposed under division (A) of 4044
this section, the registrar of motor vehicles or deputy registrar 4045
shall collect a fee of twelve dollars commencing on October 1, 4046
2003, for each application for a commercial driver's license 4047
temporary instruction permit, commercial driver's license, or 4048
duplicate commercial driver's license and for each application for 4049
renewal of a commercial driver's license with an expiration date 4050
on or after that date received by the registrar or deputy 4051
registrar. The additional fee is for the purpose of defraying the 4052
department of public safety's costs associated with the 4053
administration and enforcement of the motor vehicle and traffic 4054
laws of Ohio. Each deputy registrar shall transmit the fees 4055
collected under division (B) of this section in the time and 4056
manner prescribed by the registrar. The registrar shall deposit 4057
all moneys received under division (B) of this section into the 4058
state highway safety fund established in section 4501.06 of the 4059

Revised Code. 4060

(C) Information regarding the driving record of any person 4061
holding a commercial driver's license issued by this state shall 4062
be furnished by the registrar, upon request and payment of a fee 4063
of ~~three~~ two dollars, to the employer or prospective employer of 4064
such a person and to any insurer. 4065

Sec. 4506.09. (A) The registrar of motor vehicles, subject to 4066
approval by the director of public safety, shall adopt rules 4067
conforming with applicable standards adopted by the federal 4068
~~highway motor carrier safety~~ administration as regulations under 4069
~~the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat.~~ 4070
~~3207-171, 49 U.S.C.A. App. 2701 Pub. L. No. 103-272, 108 Stat.~~ 4071
1014 to 1029 (1994), 49 U.S.C.A. 31301 to 31317. The rules shall 4072
establish requirements for the qualification and testing of 4073
persons applying for a commercial driver's license, which shall be 4074
in addition to other requirements established by this chapter. 4075
Except as provided in division (B) of this section, the highway 4076
patrol or any other employee of the department of public safety 4077
the registrar authorizes shall supervise and conduct the testing 4078
of persons applying for a commercial driver's license. 4079

(B) The director may adopt rules, in accordance with Chapter 4080
119. of the Revised Code and applicable requirements of the 4081
federal ~~highway motor carrier safety~~ administration, authorizing 4082
the skills test specified in this section to be administered by 4083
any person, by an agency of this or another state, or by an 4084
agency, department, or instrumentality of local government ~~and~~ 4085
~~establishing.~~ Each party authorized under this division to 4086
administer the skills test may charge a maximum divisible fee that 4087
may be charged by the other party, provided the in the same 4088
amounts specified in division (E)(1) of this section and may 4089
require an appointment fee in the same manner provided in division 4090

(E)(2) of this section. The skills test is administered by another 4091
party under this division shall be the same that as otherwise 4092
would be administered by this state ~~and that the~~. The other party 4093
~~has entered~~ shall enter into an agreement with the director that 4094
~~includes~~, without limitation, does all of the following: 4095

(1) Allows the director or the director's representative and 4096
the federal ~~highway~~ motor carrier safety administration or its 4097
representative to conduct random examinations, inspections, and 4098
audits of the other party without prior notice; 4099

(2) Requires the director or the director's representative to 4100
conduct on-site inspections of the other party at least annually; 4101

(3) Requires that all examiners of the other party meet the 4102
same qualification and training standards as examiners of the 4103
department of public safety, to the extent necessary to conduct 4104
skills tests in the manner required by 49 C.F.R. 383.110 through 4105
383.135; 4106

(4) Requires either that state employees take, at least 4107
annually and as though the employees were test applicants, the 4108
tests actually administered by the other party, that the director 4109
test a sample of drivers who were examined by the other party to 4110
compare the test results, or that state employees accompany a test 4111
applicant during an actual test; 4112

(5) Reserves to this state the right to take prompt and 4113
appropriate remedial action against testers of the other party if 4114
the other party fails to comply with standards of this state or 4115
federal standards for the testing program or with any other terms 4116
of the contract. 4117

(C) The director shall enter into an agreement with the 4118
department of education authorizing the skills test specified in 4119
this section to be administered by the department at any location 4120
operated by the department for purposes of training and testing 4121

school bus drivers, provided that the agreement between the 4122
director and the department complies with the requirements of 4123
division (B) of this section. Skills tests administered by the 4124
department shall be limited to persons applying for a commercial 4125
driver's license with a school bus endorsement. 4126

(D) The director shall adopt rules, in accordance with 4127
Chapter 119. of the Revised Code, authorizing waiver of the skills 4128
test specified in this section for any applicant for a commercial 4129
driver's license who meets all of the following requirements: 4130

(1) Certifies that, during the two-year period immediately 4131
preceding application for a commercial driver's license, all of 4132
the following apply: 4133

(a) The applicant has not had more than one license; 4134

(b) The applicant has not had any license suspended, revoked, 4135
or canceled; 4136

(c) The applicant has not had any convictions for any type of 4137
motor vehicle for the offenses for which disqualification is 4138
prescribed in section 4506.16 of the Revised Code; 4139

(d) The applicant has not had any violation of a state or 4140
local law relating to motor vehicle traffic control other than a 4141
parking violation arising in connection with any traffic accident 4142
and has no record of an accident in which the applicant was at 4143
fault. 4144

(2) Certifies and also provides evidence that the applicant 4145
is regularly employed in a job requiring operation of a commercial 4146
motor vehicle and that one of the following applies: 4147

(a) The applicant has previously taken and passed a skills 4148
~~Test~~ test given by a state with a classified licensing and testing 4149
system in which the test was behind-the-wheel in a representative 4150
vehicle for the applicant's commercial driver's license 4151

classification; 4152

(b) The applicant has regularly operated, for at least two 4153
years immediately preceding application for a commercial driver's 4154
license, a vehicle representative of the commercial motor vehicle 4155
the applicant operates or expects to operate. 4156

(E)(1) The department of public safety may charge and collect 4157
a divisible fee of fifty dollars for each skills test given as 4158
part of a commercial driver's license examination. The fee shall 4159
consist of ten dollars for the pre-trip inspection portion of the 4160
test, ten dollars for the off-road maneuvering portion of the 4161
test, and thirty dollars for the on-road portion of the test. 4162

(2) The director may require an applicant for a commercial 4163
driver's license who schedules an appointment with the highway 4164
patrol or other authorized employee of the department of public 4165
safety to take all portions of the skills test, to pay an 4166
appointment fee of fifty dollars at the time of scheduling the 4167
appointment. If the applicant appears at the time and location 4168
specified for the appointment and takes all portions of the skills 4169
test during that appointment, the appointment fee shall serve as 4170
the skills test fee. If the applicant schedules an appointment to 4171
take all portions of the skills test and fails to appear at the 4172
time and location specified for the appointment, no portion of the 4173
appointment fee shall be refunded. If the applicant schedules an 4174
appointment to take all portions of the skills test and appears at 4175
the time and location specified for the appointment, but declines 4176
or is unable to take all portions of the skills test, the 4177
appointment fee shall serve as the skills test fee. If the 4178
applicant cancels a scheduled appointment forty-eight hours or 4179
more prior to the time of the appointment time, the applicant 4180
shall not forfeit the appointment fee. 4181

An applicant for a commercial driver's license who schedules 4182
an appointment to take one or more, but not all, portions of the 4183

skills test shall not be required to pay any appointment fee when 4184
scheduling such an appointment. 4185

(3) ~~All~~ The department of public safety shall deposit all 4186
~~fees collected~~ it collects under division (E) of this section 4187
~~shall be deposited~~ in the state highway safety fund. 4188

(F) As used in this section, "skills test" means a test of an 4189
applicant's ability to drive the type of commercial motor vehicle 4190
for which the applicant seeks a commercial driver's license by 4191
having the applicant drive such a motor vehicle while under the 4192
supervision of an authorized state driver's license examiner or 4193
tester. 4194

Sec. 4506.11. (A) Every commercial driver's license shall be 4195
marked "commercial driver's license" or "CDL" and shall be of such 4196
material and so designed as to prevent its reproduction or 4197
alteration without ready detection, and, to this end, shall be 4198
laminated with a transparent plastic material. The commercial 4199
driver's license for licensees under twenty-one years of age shall 4200
have characteristics prescribed by the registrar of motor vehicles 4201
distinguishing it from that issued to a licensee who is twenty-one 4202
years of age or older. Every commercial driver's license shall 4203
display all of the following information: 4204

(1) The name and residence address of the licensee; 4205

(2) A color photograph of the licensee; 4206

(3) A physical description of the licensee, including sex, 4207
height, weight, and color of eyes and hair; 4208

(4) The licensee's date of birth; 4209

(5) The licensee's social security number if the person has 4210
requested that the number be displayed in accordance with section 4211
4501.31 of the Revised Code or if federal law requires the social 4212
security number to be displayed and any number or other identifier 4213

the director of public safety considers appropriate and 4214
establishes by rules adopted under Chapter 119. of the Revised 4215
Code and in compliance with federal law-; 4216

(6) The licensee's signature; 4217

(7) The classes of commercial motor vehicles the licensee is 4218
authorized to drive and any endorsements or restrictions relating 4219
to the licensee's driving of those vehicles; 4220

~~(8) A space marked "blood type" in which the licensee may 4221
specify the licensee's blood type;~~ 4222

~~(9)~~ The name of this state; 4223

~~(10)~~(9) The dates of issuance and of expiration of the 4224
license; 4225

~~(11)~~(10) If the licensee has certified willingness to make an 4226
anatomical donation under section 2108.04 of the Revised Code, any 4227
symbol chosen by the registrar of motor vehicles to indicate that 4228
the licensee has certified that willingness; 4229

~~(12)~~(11) If the licensee has executed a durable power of 4230
attorney for health care or a declaration governing the use or 4231
continuation, or the withholding or withdrawal, of life-sustaining 4232
treatment and has specified that the licensee wishes the license 4233
to indicate that the licensee has executed either type of 4234
instrument, any symbol chosen by the registrar to indicate that 4235
the licensee has executed either type of instrument; 4236

~~(13)~~(12) Any other information the registrar considers 4237
advisable and requires by rule. 4238

(B) The registrar may establish and maintain a file of 4239
negatives of photographs taken for the purposes of this section. 4240

(C) Neither the registrar nor any deputy registrar shall 4241
issue a commercial driver's license to anyone under twenty-one 4242
years of age that does not have the characteristics prescribed by 4243

the registrar distinguishing it from the commercial driver's 4244
license issued to persons who are twenty-one years of age or 4245
older. 4246

(D) Whoever violates division (C) of this section is guilty 4247
of a minor misdemeanor. 4248

Sec. 4506.12. (A) Commercial drivers' licenses shall be 4249
issued in the following classes and shall include any endorsements 4250
and restrictions that are applicable. Subject to any such 4251
endorsements and restrictions, the holder of a valid commercial 4252
driver's license may drive all commercial motor vehicles in the 4253
class for which that license is issued and all lesser classes of 4254
vehicles, except that the holder shall not operate a motorcycle 4255
unless the holder is licensed to do so under Chapter 4507. of the 4256
Revised Code. 4257

(B) The classes of commercial drivers' licenses and the 4258
commercial motor vehicles that they authorize the operation of are 4259
as follows: 4260

(1) Class A--any combination of vehicles with a combined 4261
gross vehicle weight rating of twenty-six thousand one pounds or 4262
more, if the gross vehicle weight rating of the vehicle or 4263
vehicles being towed is in excess of ten thousand pounds. 4264

(2) Class B--any single vehicle with a gross vehicle weight 4265
rating of twenty-six thousand one pounds or more or any such 4266
vehicle towing a vehicle having a gross vehicle weight rating that 4267
is not in excess of ten thousand pounds. 4268

(3) Class C--any single vehicle, or combination of vehicles, 4269
that is not a class A or class B vehicle, but that either is 4270
designed to transport sixteen or more passengers, including the 4271
driver, or is placarded for hazardous materials and any school bus 4272
with a gross vehicle weight rating of less than twenty-six 4273

thousand one pounds that is designed to transport fewer than	4274
sixteen passengers including the driver.	4275
(C) The following endorsements and restrictions apply to	4276
commercial drivers' licenses:	4277
(1) H--authorizes the driver to drive a vehicle transporting	4278
hazardous materials;	4279
(2) K--restricts the driver to only intrastate operation;	4280
(3) L--restricts the driver to vehicles not equipped with air	4281
brakes;	4282
(4) T--authorizes the driver to drive double and triple	4283
trailers;	4284
(5) P--authorizes the driver to drive vehicles carrying	4285
passengers;	4286
(6) P1--authorizes the driver to drive class A vehicles with	4287
fewer than fifteen passengers and all lesser classes of vehicles	4288
without restriction as to the number of passengers;	4289
(7) P2--authorizes the driver to drive class A or B vehicles	4290
with fewer than fifteen passengers and all lesser classes of	4291
vehicles without restriction as to the number of passengers;	4292
(8) P3--restricts the driver to driving class B school buses;	4293
(9) P4--Restricts the driver to driving class C school buses	4294
designed to transport fewer than sixteen passengers including the	4295
driver.	4296
(10) N--authorizes the driver to drive tank vehicles;	4297
(11) S--authorizes the driver to drive school buses;	4298
(12) X--authorizes the driver to drive tank vehicles	4299
transporting hazardous materials;	4300
(13) W--restricts the driver to the operation of commercial	4301
motor vehicles in accordance with a waiver for farm-related	4302

service industries issued under section 4506.24 of the Revised Code. 4303
4304

(D) In addition to any endorsement that otherwise may apply, 4305
a person who is engaged in the towing of a disabled or wrecked 4306
motor vehicle shall hold a commercial driver's license bearing any 4307
endorsement required to drive the towed vehicle except the driver 4308
is not required to have either of the following: 4309

(1) A passenger endorsement to tow an unoccupied passenger 4310
vehicle; 4311

(2) Any endorsement required for the wrecked or disabled 4312
vehicle when the driver initially removes a vehicle from the site 4313
of the emergency where the vehicle became wrecked or disabled to 4314
the nearest appropriate repair, disposal, or storage facility, as 4315
applicable. 4316

(E) No person shall drive any commercial motor vehicle for 4317
which an endorsement is required under this section unless the 4318
proper endorsement appears on the person's commercial driver's 4319
license. 4320

~~(E)~~(F) Whoever violates this section is guilty of a 4321
misdemeanor of the first degree. 4322

Sec. 4507.13. (A) The registrar of motor vehicles shall issue 4323
a driver's license to every person licensed as an operator of 4324
motor vehicles other than commercial motor vehicles. No person 4325
licensed as a commercial motor vehicle driver under Chapter 4506. 4326
of the Revised Code need procure a driver's license, but no person 4327
shall drive any commercial motor vehicle unless licensed as a 4328
commercial motor vehicle driver. 4329

Every driver's license shall display on it the distinguishing 4330
number assigned to the licensee and shall display the licensee's 4331
name and date of birth; the licensee's residence address and 4332

county of residence; a color photograph of the licensee; a brief 4333
description of the licensee for the purpose of identification; a 4334
facsimile of the signature of the licensee as it appears on the 4335
application for the license; ~~a space marked "blood type" in which~~ 4336
~~a licensee may specify the licensee's blood type;~~ a notation, in a 4337
manner prescribed by the registrar, indicating any condition 4338
described in division (D)(3) of section 4507.08 of the Revised 4339
Code to which the licensee is subject; if the licensee has 4340
executed a durable power of attorney for health care or a 4341
declaration governing the use or continuation, or the withholding 4342
or withdrawal, of life-sustaining treatment and has specified that 4343
the licensee wishes the license to indicate that the licensee has 4344
executed either type of instrument, any symbol chosen by the 4345
registrar to indicate that the licensee has executed either type 4346
of instrument; and any additional information that the registrar 4347
requires by rule. No license shall display the licensee's social 4348
security number unless the licensee specifically requests that the 4349
licensee's social security number be displayed on the license. If 4350
federal law requires the licensee's social security number to be 4351
displayed on the license, the social security number shall be 4352
displayed on the license notwithstanding this section. 4353

The driver's license for licensees under twenty-one years of 4354
age shall have characteristics prescribed by the registrar 4355
distinguishing it from that issued to a licensee who is twenty-one 4356
years of age or older, except that a driver's license issued to a 4357
person who applies no more than thirty days before the applicant's 4358
twenty-first birthday shall have the characteristics of a license 4359
issued to a person who is twenty-one years of age or older. 4360

The driver's license issued to a temporary resident shall 4361
contain the word "nonrenewable" and shall have any additional 4362
characteristics prescribed by the registrar distinguishing it from 4363
a license issued to a resident. 4364

Every driver's or commercial driver's license displaying a 4365
motorcycle operator's endorsement and every restricted license to 4366
operate a motor vehicle also shall display the designation 4367
"novice," if the endorsement or license is issued to a person who 4368
is eighteen years of age or older and previously has not been 4369
licensed to operate a motorcycle by this state or another 4370
jurisdiction recognized by this state. The "novice" designation 4371
shall be effective for one year after the date of issuance of the 4372
motorcycle operator's endorsement or license. 4373

Each license issued under this section shall be of such 4374
material and so designed as to prevent its reproduction or 4375
alteration without ready detection and, to this end, shall be 4376
laminated with a transparent plastic material. 4377

(B) Except in regard to a driver's license issued to a person 4378
who applies no more than thirty days before the applicant's 4379
twenty-first birthday, neither the registrar nor any deputy 4380
registrar shall issue a driver's license to anyone under 4381
twenty-one years of age that does not have the characteristics 4382
prescribed by the registrar distinguishing it from the driver's 4383
license issued to persons who are twenty-one years of age or 4384
older. 4385

(C) Whoever violates division (B) of this section is guilty 4386
of a minor misdemeanor. 4387

Sec. 4507.141. (A) Any hearing-impaired person may apply to 4388
the registrar of motor vehicles for an identification card 4389
identifying the person as hearing-impaired. The application for a 4390
hearing-impaired identification card shall be accompanied by a 4391
signed statement from the applicant's personal physician 4392
certifying that the applicant is hearing-impaired. Upon receipt of 4393
the application for the identification card and the signed 4394
statement from the applicant's personal physician, and upon 4395

presentation by the applicant of ~~his~~ the applicant's driver's or 4396
commercial driver's license or motorcycle operator's license ~~and~~ 4397
~~payment of a fee of five dollars~~, the registrar shall issue the 4398
applicant an identification card. A hearing-impaired person may 4399
also apply for a hearing-impaired identification card at the time 4400
~~he~~ the person applies for a driver's or commercial driver's 4401
license or motorcycle operator's license or endorsement. Every 4402
hearing-impaired identification card shall expire on the same date 4403
that the cardholder's driver's or commercial driver's license or 4404
motorcycle operator's license expires. 4405

(B) The hearing-impaired identification card shall be 4406
rectangular in shape, approximately the same size as an average 4407
motor vehicle sun visor, as determined by the registrar, to enable 4408
the identification card to be attached to a sun visor in a motor 4409
vehicle. The identification card shall contain the heading 4410
"Identification Card for the Hearing-impaired Driver" in boldface 4411
type, the name and signature of the hearing-impaired person to 4412
whom it is issued, an identifying number, and instructions on the 4413
actions the hearing-impaired person should take and the actions 4414
the person should refrain from taking in the event ~~he~~ the person 4415
is stopped by a law enforcement officer while operating the motor 4416
vehicle. The registrar shall determine the preferred manner in 4417
which a hearing-impaired motorcycle operator should carry or 4418
display the hearing-impaired identification card, and the color 4419
and composition of, and any other information to be included on, 4420
the identification card. 4421

(C) As used in this section, "hearing-impaired" means a 4422
hearing loss of forty decibels or more in one or both ears. 4423

Sec. 4507.1614. The registrar shall suspend the person's 4424
license or permit under division (A) of section 4507.162 of the 4425
Revised Code regardless of whether the disposition of the case in 4426

juvenile court occurred after the person's eighteenth birthday. 4427

Sec. 4507.19. The registrar of motor vehicles may cancel any 4428
driver's or commercial driver's license or identification card 4429
that was obtained fraudulently or unlawfully, was issued in error, 4430
or has been altered or willfully destroyed. 4431

Sec. 4507.20. The registrar of motor vehicles, when the 4432
registrar has good cause to believe that the holder of a driver's 4433
or commercial driver's license is incompetent or otherwise not 4434
qualified to be licensed, shall ~~upon~~ send a written notice ~~of at~~ 4435
~~least thirty days sent~~ to the licensee's last known address, 4436
~~require~~ requiring the licensee to submit to a driver's license 4437
examination, a physical examination, or both, or a commercial 4438
driver's license examination within the time indicated on the 4439
notice. The physical examination may be conducted by any 4440
individual authorized by the Revised Code to do so, including a 4441
physician assistant, a clinical nurse specialist, a certified 4442
nurse practitioner, or a certified nurse-midwife. Any written 4443
documentation of the physical examination shall be completed by 4444
the individual who conducted the examination. 4445

Upon the conclusion of the examination, the registrar may 4446
suspend the license of the person, may permit the licensee to 4447
retain the license, or may issue the licensee a restricted 4448
license. Refusal or neglect of the licensee to submit to the 4449
examination is ground for suspension of the licensee's license. 4450

A physician licensed under Chapter 4731. of the Revised Code 4451
may submit a report to the registrar stating that in the 4452
physician's professional opinion the holder of a driver's or 4453
commercial driver's license may be incompetent or otherwise not 4454
qualified to operate safely a motor vehicle due to medical 4455
reasons. Any such report submitted to the registrar is 4456

confidential, is not a public record, and is not subject to 4457
disclosure under section 149.43 of the Revised Code. 4458

Sec. 4507.50. (A) The registrar of motor vehicles or a deputy 4459
registrar, upon receipt of an application filed in compliance with 4460
section 4507.51 of the Revised Code by any person who is a 4461
resident or a temporary resident of this state and, except as 4462
otherwise provided in this section, is not licensed as an operator 4463
of a motor vehicle in this state or another licensing 4464
jurisdiction, and, except as provided in division (B) of this 4465
section, upon receipt of a fee of three dollars and fifty cents, 4466
shall issue an identification card to that person. 4467

Any person who is a resident or temporary resident of this 4468
state whose Ohio driver's or commercial driver's license has been 4469
suspended or canceled, upon application in compliance with section 4470
4507.51 of the Revised Code and, except as provided in division 4471
(B) of this section, payment of a fee of three dollars and fifty 4472
cents, may be issued a temporary identification card. The 4473
temporary identification card shall be identical to an 4474
identification card, except that it shall be printed on its face 4475
with a statement that the card is valid during the effective dates 4476
of the suspension or cancellation of the cardholder's license, or 4477
until the birthday of the cardholder in the fourth year after the 4478
date on which it is issued, whichever is shorter. The cardholder 4479
shall surrender the identification card to the registrar or any 4480
deputy registrar before the cardholder's driver's or commercial 4481
driver's license is restored or reissued. 4482

Except as provided in division (B) of this section, the 4483
deputy registrar shall be allowed a fee of two dollars and 4484
seventy-five cents commencing on July 1, 2001, three dollars and 4485
twenty-five cents commencing on January 1, 2003, and three dollars 4486
and fifty cents commencing on January 1, 2004, for each 4487

identification card issued under this section. The fee allowed to 4488
the deputy registrar shall be in addition to the fee for issuing 4489
an identification card. 4490

Neither the registrar nor any deputy registrar shall charge a 4491
fee in excess of one dollar and fifty cents for laminating an 4492
identification card or temporary identification card. A deputy 4493
registrar laminating such a card shall retain the entire amount of 4494
the fee charged for lamination, less the actual cost to the 4495
registrar of the laminating materials used for that lamination, as 4496
specified in the contract executed by the bureau for the 4497
laminating materials and laminating equipment. The deputy 4498
registrar shall forward the amount of the cost of the laminating 4499
materials to the registrar for deposit as provided in this 4500
section. 4501

The fee collected for issuing an identification card under 4502
this section, except the fee allowed to the deputy registrar, 4503
shall be paid into the state treasury to the credit of the state 4504
bureau of motor vehicles fund created in section 4501.25 of the 4505
Revised Code. 4506

(B) A disabled veteran who has a service-connected disability 4507
rated at one hundred per cent by the veterans' administration may 4508
apply to the registrar or a deputy registrar for the issuance to 4509
that veteran of an identification card or a temporary 4510
identification card under this section without payment of any fee 4511
prescribed in division (A) of this section, including any 4512
lamination fee. 4513

~~If the identification card or temporary identification card 4514
of a disabled veteran described in this division is laminated by a 4515
deputy registrar who is acting as a deputy registrar pursuant to a 4516
contract with the registrar that is in effect on the effective 4517
date of this amendment, the disabled veteran shall pay the deputy 4518
registrar the lamination fee prescribed in division (A) of this 4519~~

~~section. If the identification card or temporary identification
card is laminated by a deputy registrar who is acting as a deputy
registrar pursuant to a contract with the registrar that is
executed after July 29, 1998, the disabled veteran is not required
to pay the deputy registrar the lamination fee prescribed in
division (A) of this section.~~

~~A disabled veteran whose identification card or temporary
identification card is laminated by the registrar is not required
to pay the registrar any lamination fee.~~

An application made under division ~~(A)~~(B) of this section
shall be accompanied by such documentary evidence of disability as
the registrar may require by rule.

Sec. 4507.51. (A)(1) Every application for an identification
card or duplicate shall be made on a form furnished by the
registrar of motor vehicles, shall be signed by the applicant, and
by the applicant's parent or guardian if the applicant is under
eighteen years of age, and shall contain the following information
pertaining to the applicant: name, date of birth, sex, general
description including the applicant's height, weight, hair color,
and eye color, address, and social security number, ~~and at the
option of the applicant, the applicant's the applicant's the
applicant's the applicant's blood type. The application form shall
state that an applicant is not required to furnish the applicant's
the applicant's blood type. The application also shall state
whether an applicant wishes to certify willingness to make an
anatomical gift under section 2108.04 of the Revised Code and
shall include information about the requirements of that section
that apply to persons who are less than eighteen years of age. The
statement regarding willingness to make such a donation shall be
given no consideration in the decision of whether to issue an
identification card. Each applicant shall be photographed in color~~

at the time of making application. 4551

(2) The application also shall state whether the applicant 4552
has executed a valid durable power of attorney for health care 4553
pursuant to sections 1337.11 to 1337.17 of the Revised Code or has 4554
executed a declaration governing the use or continuation, or the 4555
withholding or withdrawal, of life-sustaining treatment pursuant 4556
to sections 2133.01 to 2133.15 of the Revised Code and, if the 4557
applicant has executed either type of instrument, whether the 4558
applicant wishes the identification card issued to indicate that 4559
the applicant has executed the instrument. 4560

(3) The registrar or deputy registrar, in accordance with 4561
section 3503.11 of the Revised Code, shall register as an elector 4562
any person who applies for an identification card or duplicate if 4563
the applicant is eligible and wishes to be registered as an 4564
elector. The decision of an applicant whether to register as an 4565
elector shall be given no consideration in the decision of whether 4566
to issue the applicant an identification card or duplicate. 4567

(B) The application for an identification card or duplicate 4568
shall be filed in the office of the registrar or deputy registrar. 4569
Each applicant shall present documentary evidence as required by 4570
the registrar of the applicant's age and identity ~~or her or her~~, 4571
and the applicant shall swear that all information given is true. 4572

All applications for an identification card or duplicate 4573
shall be filed in duplicate, and if submitted to a deputy 4574
registrar, a copy shall be forwarded to the registrar. The 4575
registrar shall prescribe rules for the manner in which a deputy 4576
registrar is to file and maintain applications and other records. 4577
The registrar shall maintain a suitable, indexed record of all 4578
applications denied and cards issued or canceled. 4579

Sec. 4507.53. Digitalized photographic records of the 4580
department of public safety may be released only to state, local, 4581

or federal ~~law enforcement~~ governmental agencies for criminal 4582
justice purposes and to any court. 4583

Sec. 4507.99. ~~(A)~~ Unless another penalty is provided by the 4584
section that contains the provision violated or otherwise is 4585
provided by the laws of this state, whoever violates any provision 4586
of sections 4507.01 to 4507.081 or 4507.10 to 4507.37 of the 4587
Revised Code is guilty of a misdemeanor of the first degree. 4588

~~(B) Whenever a person is found guilty of a violation of a 4589
traffic offense specified in Traffic Rule 13(B) that requires the 4590
person's appearance in court, the court shall require the person 4591
to verify the existence at the time of the offense of proof of 4592
financial responsibility covering the person's operation of the 4593
motor vehicle, or the motor vehicle if registered in the person's 4594
name, and notify the registrar pursuant to division (D) of section 4595
4509.101 of the Revised Code if the person fails to verify the 4596
existence of such proof of financial responsibility. 4597~~

Sec. 4509.05. (A) Upon request, the registrar of motor 4598
vehicles shall search and furnish a certified abstract of the 4599
following information with respect to any person: 4600

~~(A)(1)~~ An enumeration of the motor vehicle accidents in which 4601
such person has been involved except accidents certified as 4602
described in division (D) of section 3937.41 of the Revised Code; 4603

~~(B)(2)~~ Such person's record of convictions for violation of 4604
the motor vehicle laws. 4605

(B) The registrar shall collect for each abstract a fee of 4606
two dollars. 4607

(C) The registrar may permit deputy registrars to perform a 4608
search and furnish a certified abstract under this section. A 4609
deputy registrar performing this function shall comply with 4610
section 4501.27 of the Revised Code concerning the disclosure of 4611

personal information, shall collect and transmit to the registrar 4612
the two dollar fee established under division (B) of this section, 4613
and may collect and retain a service fee of three dollars and 4614
twenty-five cents commencing on the effective date of this 4615
amendment. If the deputy registrar fees are increased on January 4616
1, 2004, in accordance with section 4503.034 of the Revised Code, 4617
the deputy registrar may collect and retain a service fee of three 4618
dollars and fifty cents, commencing on that date. 4619

Sec. 4509.101. (A)(1) No person shall operate, or permit the 4620
operation of, a motor vehicle in this state, unless proof of 4621
financial responsibility is maintained continuously throughout the 4622
registration period with respect to that vehicle, or, in the case 4623
of a driver who is not the owner, with respect to that driver's 4624
operation of that vehicle. 4625

(2) Whoever violates division (A)(1) of this section shall be 4626
subject to the following civil penalties: 4627

(a) Subject to divisions (A)(2)(b) and (c) of this section, a 4628
class E suspension of the person's driver's license, commercial 4629
driver's license, temporary instruction permit, probationary 4630
license, or nonresident operating privilege for the period of time 4631
specified in division (B)(5) of section 4510.02 of the Revised 4632
Code and impoundment of the person's license. The court may grant 4633
limited driving privileges to the person only if the person 4634
presents proof of financial responsibility and has complied with 4635
division (A)(5) of this section. 4636

(b) If, within five years of the violation, the person's 4637
operating privileges are again suspended and the person's license 4638
again is impounded for a violation of division (A)(1) of this 4639
section, a class C suspension of the person's driver's license, 4640
commercial driver's license, temporary instruction permit, 4641
probationary license, or nonresident operating privilege for the 4642

period of time specified in division (B)(3) of section 4510.02 of 4643
the Revised Code. The court may grant limited driving privileges 4644
to the person only if the person presents proof of financial 4645
responsibility and has complied with division (A)(5) of this 4646
section, and no court may grant limited driving privileges for the 4647
first fifteen days of the suspension. 4648

(c) If, within five years of the violation, the person's 4649
operating privileges are suspended and the person's license is 4650
impounded two or more times for a violation of division (A)(1) of 4651
this section, a class B suspension of the person's driver's 4652
license, commercial driver's license, temporary instruction 4653
permit, probationary license, or nonresident operating privilege 4654
for the period of time specified in division (B)(2) of section 4655
4510.02 of the Revised Code. No court may grant limited driving 4656
privileges during the suspension. 4657

(d) In addition to the suspension of an owner's license under 4658
division (A)(2)(a), (b), or (c) of this section, the suspension of 4659
the rights of the owner to register the motor vehicle and the 4660
impoundment of the owner's certificate of registration and license 4661
plates until the owner complies with division (A)(5) of this 4662
section. 4663

(3) A person to whom this state has issued a certificate of 4664
registration for a motor vehicle or a license to operate a motor 4665
vehicle or who is determined to have operated any motor vehicle or 4666
permitted the operation in this state of a motor vehicle owned by 4667
the person shall be required to verify the existence of proof of 4668
financial responsibility covering the operation of the motor 4669
vehicle or the person's operation of the motor vehicle under any 4670
of the following circumstances: 4671

(a) The person or a motor vehicle owned by the person is 4672
involved in a traffic accident that requires the filing of an 4673
accident report under section 4509.06 of the Revised Code. 4674

(b) The person receives a traffic ticket indicating that 4675
proof of the maintenance of financial responsibility was not 4676
produced upon the request of a peace officer or state highway 4677
patrol trooper made in accordance with division (D)(2) of this 4678
section. 4679

(c) Whenever, in accordance with rules adopted by the 4680
registrar, the person is randomly selected by the registrar and 4681
requested to provide such verification. 4682

(4) An order of the registrar that suspends and impounds a 4683
license or registration, or both, shall state the date on or 4684
before which the person is required to surrender the person's 4685
license or certificate of registration and license plates. The 4686
person is deemed to have surrendered the license or certificate of 4687
registration and license plates, in compliance with the order, if 4688
the person does either of the following: 4689

(a) On or before the date specified in the order, personally 4690
delivers the license or certificate of registration and license 4691
plates, or causes the delivery of the items, to the registrar; 4692

(b) Mails the license or certificate of registration and 4693
license plates to the registrar in an envelope or container 4694
bearing a postmark showing a date no later than the date specified 4695
in the order. 4696

(5) Except as provided in division (A)(6) or (L) of this 4697
section, the registrar shall not restore any operating privileges 4698
or registration rights suspended under this section, return any 4699
license, certificate of registration, or license plates impounded 4700
under this section, or reissue license plates under section 4701
4503.232 of the Revised Code, if the registrar destroyed the 4702
impounded license plates under that section, or reissue a license 4703
under section 4510.52 of the Revised Code, if the registrar 4704
destroyed the suspended license under that section, unless the 4705

rights are not subject to suspension or revocation under any other 4706
law and unless the person, in addition to complying with all other 4707
conditions required by law for reinstatement of the operating 4708
privileges or registration rights, complies with all of the 4709
following: 4710

(a) Pays a financial responsibility reinstatement fee of 4711
seventy-five dollars for the first violation of division (A)(1) of 4712
this section, two hundred fifty dollars for a second violation of 4713
that division, and five hundred dollars for a third or subsequent 4714
violation of that division; 4715

(b) If the person has not voluntarily surrendered the 4716
license, certificate, or license plates in compliance with the 4717
order, pays a financial responsibility nonvoluntary compliance fee 4718
in an amount, not to exceed fifty dollars, determined by the 4719
registrar; 4720

(c) Files and continuously maintains proof of financial 4721
responsibility under sections 4509.44 to 4509.65 of the Revised 4722
Code. 4723

(6) If the registrar issues an order under division (A)(2) of 4724
this section resulting from the failure of a person to respond to 4725
a financial responsibility random verification request under 4726
division (A)(3)(c) of this section and the person successfully 4727
maintains an affirmative defense to a violation of section 4510.16 4728
of the Revised Code or is determined by the registrar or a deputy 4729
registrar to have been in compliance with division (A)(1) of this 4730
section at the time of the initial financial responsibility random 4731
verification request, the registrar shall do both of the 4732
following: 4733

(a) Terminate the order of suspension or impoundment; 4734

(b) Restore the operating privileges and registration rights 4735
of the person without payment of the fees established in divisions 4736

(A)(5)(a) and (b) of this section and without a requirement to 4737
file proof of financial responsibility. 4738

(B)(1) Every party required to file an accident report under 4739
section 4509.06 of the Revised Code also shall include with the 4740
report a document described in division (G)(1) of this section. 4741

If the registrar determines, within forty-five days after the 4742
report is filed, that an operator or owner has violated division 4743
(A)(1) of this section, the registrar shall do all of the 4744
following: 4745

(a) Order the impoundment, with respect to the motor vehicle 4746
involved, required under division (A)(2)(d) of this section, of 4747
the certificate of registration and license plates of any owner 4748
who has violated division (A)(1) of this section; 4749

(b) Order the suspension required under division (A)(2)(a), 4750
(b), or (c) of this section of the license of any operator or 4751
owner who has violated division (A)(1) of this section; 4752

(c) Record the name and address of the person whose 4753
certificate of registration and license plates have been impounded 4754
or are under an order of impoundment, or whose license has been 4755
suspended or is under an order of suspension; the serial number of 4756
the person's license; the serial numbers of the person's 4757
certificate of registration and license plates; and the person's 4758
social security account number, if assigned, or, where the motor 4759
vehicle is used for hire or principally in connection with any 4760
established business, the person's federal taxpayer identification 4761
number. The information shall be recorded in such a manner that it 4762
becomes a part of the person's permanent record, and assists the 4763
registrar in monitoring compliance with the orders of suspension 4764
or impoundment. 4765

(d) Send written notification to every person to whom the 4766
order pertains, at the person's last known address as shown on the 4767

records of the bureau. The person, within ten days after the date 4768
of the mailing of the notification, shall surrender to the 4769
registrar, in a manner set forth in division (A)(4) of this 4770
section, any certificate of registration and registration plates 4771
under an order of impoundment, or any license under an order of 4772
suspension. 4773

(2) The registrar shall issue any order under division (B)(1) 4774
of this section without a hearing. Any person adversely affected 4775
by the order, within ten days after the issuance of the order, may 4776
request an administrative hearing before the registrar, who shall 4777
provide the person with an opportunity for a hearing in accordance 4778
with this paragraph. A request for a hearing does not operate as a 4779
suspension of the order. The scope of the hearing shall be limited 4780
to whether the person in fact demonstrated to the registrar proof 4781
of financial responsibility in accordance with this section. The 4782
registrar shall determine the date, time, and place of any 4783
hearing, provided that the hearing shall be held, and an order 4784
issued or findings made, within thirty days after the registrar 4785
receives a request for a hearing. If requested by the person in 4786
writing, the registrar may designate as the place of hearing the 4787
county seat of the county in which the person resides or a place 4788
within fifty miles of the person's residence. The person shall pay 4789
the cost of the hearing before the registrar, if the registrar's 4790
order of suspension or impoundment is upheld. 4791

(C) Any order of suspension or impoundment issued under this 4792
section or division (B) of section 4509.37 of the Revised Code may 4793
be terminated at any time if the registrar determines upon a 4794
showing of proof of financial responsibility that the operator or 4795
owner of the motor vehicle was in compliance with division (A)(1) 4796
of this section at the time of the traffic offense, motor vehicle 4797
inspection, or accident that resulted in the order against the 4798
person. A determination may be made without a hearing. This 4799

division does not apply unless the person shows good cause for the 4800
person's failure to present satisfactory proof of financial 4801
responsibility to the registrar prior to the issuance of the 4802
order. 4803

(D)(1) For the purpose of enforcing this section, every peace 4804
officer is deemed an agent of the registrar. 4805

(a) Except as provided in division (D)(1)(b) of this section, 4806
any peace officer who, in the performance of the peace officer's 4807
duties as authorized by law, becomes aware of a person whose 4808
license is under an order of suspension, or whose certificate of 4809
registration and license plates are under an order of impoundment, 4810
pursuant to this section, may confiscate the license, certificate 4811
of registration, and license plates, and return them to the 4812
registrar. 4813

(b) Any peace officer who, in the performance of the peace 4814
officer's duties as authorized by law, becomes aware of a person 4815
whose license is under an order of suspension, or whose 4816
certificate of registration and license plates are under an order 4817
of impoundment resulting from failure to respond to a financial 4818
responsibility random verification, shall not, for that reason, 4819
arrest the owner or operator or seize the vehicle or license 4820
plates. Instead, the peace officer shall issue a citation for a 4821
violation of section 4510.16 of the Revised Code specifying the 4822
circumstances as failure to respond to a financial responsibility 4823
random verification. 4824

(2) A peace officer shall request the owner or operator of a 4825
motor vehicle to produce proof of financial responsibility in a 4826
manner described in division (G) of this section at the time the 4827
peace officer acts to enforce the traffic laws of this state and 4828
during motor vehicle inspections conducted pursuant to section 4829
4513.02 of the Revised Code. 4830

(3) A peace officer shall indicate on every traffic ticket 4831
whether the person receiving the traffic ticket produced proof of 4832
the maintenance of financial responsibility in response to the 4833
officer's request under division (D)(2) of this section. The peace 4834
officer shall inform every person who receives a traffic ticket 4835
and who has failed to produce proof of the maintenance of 4836
financial responsibility that the person must submit proof to the 4837
traffic violations bureau with any payment of a fine and costs for 4838
the ticketed violation or, if the person is to appear in court for 4839
the violation, the person must submit proof to the court. 4840

(4)(a) If a person who has failed to produce proof of the 4841
maintenance of financial responsibility appears in court for a 4842
ticketed violation, the court may permit the defendant to present 4843
evidence of proof of financial responsibility to the court at such 4844
time and in such manner as the court determines to be necessary or 4845
appropriate. ~~The~~ In a manner prescribed by the registrar, the 4846
clerk of courts shall provide the registrar with the identity of 4847
any person who fails to submit proof of the maintenance of 4848
financial responsibility pursuant to division (D)(3) of this 4849
section. 4850

(b) If a person who has failed to produce proof of the 4851
maintenance of financial responsibility also fails to submit that 4852
proof to the traffic violations bureau with payment of a fine and 4853
costs for the ticketed violation, the traffic violations bureau, 4854
in a manner prescribed by the registrar, shall notify the 4855
registrar of the identity of that person. 4856

(5)(a) Upon receiving notice from a clerk of courts or 4857
traffic violations bureau pursuant to division (D)(4) of this 4858
section, the registrar shall order the suspension of the license 4859
of the person required under division (A)(2)(a), (b), or (c) of 4860
this section and the impoundment of the person's certificate of 4861
registration and license plates required under division (A)(2)(d) 4862

of this section, effective thirty days after the date of the 4863
mailing of notification. The registrar also shall notify the 4864
person that the person must present the registrar with proof of 4865
financial responsibility in accordance with this section, 4866
surrender to the registrar the person's certificate of 4867
registration, license plates, and license, or submit a statement 4868
subject to section 2921.13 of the Revised Code that the person did 4869
not operate or permit the operation of the motor vehicle at the 4870
time of the offense. Notification shall be in writing and shall be 4871
sent to the person at the person's last known address as shown on 4872
the records of the bureau of motor vehicles. The person, within 4873
fifteen days after the date of the mailing of notification, shall 4874
present proof of financial responsibility, surrender the 4875
certificate of registration, license plates, and license to the 4876
registrar in a manner set forth in division (A)(4) of this 4877
section, or submit the statement required under this section 4878
together with other information the person considers appropriate. 4879

If the registrar does not receive proof or the person does 4880
not surrender the certificate of registration, license plates, and 4881
license, in accordance with this division, the registrar shall 4882
permit the order for the suspension of the license of the person 4883
and the impoundment of the person's certificate of registration 4884
and license plates to take effect. 4885

(b) In the case of a person who presents, within the 4886
fifteen-day period, documents to show proof of financial 4887
responsibility, the registrar shall terminate the order of 4888
suspension and the impoundment of the registration and license 4889
plates required under division (A)(2)(d) of this section and shall 4890
send written notification to the person, at the person's last 4891
known address as shown on the records of the bureau. 4892

(c) Any person adversely affected by the order of the 4893
registrar under division (D)(5)(a) or (b) of this section, within 4894

ten days after the issuance of the order, may request an 4895
administrative hearing before the registrar, who shall provide the 4896
person with an opportunity for a hearing in accordance with this 4897
paragraph. A request for a hearing does not operate as a 4898
suspension of the order. The scope of the hearing shall be limited 4899
to whether, at the time of the hearing, the person ~~in fact~~ 4900
~~demonstrated to the registrar~~ presents proof of financial 4901
responsibility covering the vehicle and whether the person is 4902
eligible for an exemption in accordance with this section or any 4903
rule adopted under it. The registrar shall determine the date, 4904
time, and place of any hearing; provided, that the hearing shall 4905
be held, and an order issued or findings made, within thirty days 4906
after the registrar receives a request for a hearing. If requested 4907
by the person in writing, the registrar may designate as the place 4908
of hearing the county seat of the county in which the person 4909
resides or a place within fifty miles of the person's residence. 4910
Such person shall pay the cost of the hearing before the 4911
registrar, if the registrar's order of suspension or impoundment 4912
under division (D)(5)(a) or (b) of this section is upheld. 4913

(6) A peace officer may charge an owner or operator of a 4914
motor vehicle with a violation of section 4510.16 of the Revised 4915
Code when the owner or operator fails to show proof of the 4916
maintenance of financial responsibility pursuant to a peace 4917
officer's request under division (D)(2) of this section, if a 4918
check of the owner or operator's driving record indicates that the 4919
owner or operator, at the time of the operation of the motor 4920
vehicle, is required to file and maintain proof of financial 4921
responsibility under section 4509.45 of the Revised Code for a 4922
previous violation of this chapter. 4923

(7) Any forms used by law enforcement agencies in 4924
administering this section shall be prescribed, supplied, and paid 4925
for by the registrar. 4926

(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 the state bureau of motor vehicles fund if the registrar determines that the amount of money in the financial responsibility compliance fund exceeds the amount required to cover such costs incurred by the bureau or a law enforcement agency and requests the director to make the transfer.

All investment earnings of the financial responsibility compliance fund shall be credited to the fund.

(F) Chapter 119. of the Revised Code applies to this section only to the extent that any provision in that chapter is not clearly inconsistent with this section.

(G)(1) The registrar, court, traffic violations bureau, or peace officer may require proof of financial responsibility to be

demonstrated by use of a standard form prescribed by the 4958
registrar. If the use of a standard form is not required, a person 4959
may demonstrate proof of financial responsibility under this 4960
section by presenting to the traffic violations bureau, court, 4961
registrar, or peace officer any of the following documents or a 4962
copy of the documents: 4963

(a) A financial responsibility identification card as 4964
provided in section 4509.103 of the Revised Code; 4965

(b) A certificate of proof of financial responsibility on a 4966
form provided and approved by the registrar for the filing of an 4967
accident report required to be filed under section 4509.06 of the 4968
Revised Code; 4969

(c) A policy of liability insurance, a declaration page of a 4970
policy of liability insurance, or liability bond, if the policy or 4971
bond complies with section 4509.20 or sections 4509.49 to 4509.61 4972
of the Revised Code; 4973

(d) A bond or certification of the issuance of a bond as 4974
provided in section 4509.59 of the Revised Code; 4975

(e) A certificate of deposit of money or securities as 4976
provided in section 4509.62 of the Revised Code; 4977

(f) A certificate of self-insurance as provided in section 4978
4509.72 of the Revised Code. 4979

(2) If a person fails to demonstrate proof of financial 4980
responsibility in a manner described in division (G)(1) of this 4981
section, the person may demonstrate proof of financial 4982
responsibility under this section by any other method that the 4983
court or the bureau, by reason of circumstances in a particular 4984
case, may consider appropriate. 4985

(3) A motor carrier certificated by the interstate commerce 4986
commission or by the public utilities commission may demonstrate 4987

proof of financial responsibility by providing a statement 4988
designating the motor carrier's operating authority and averring 4989
that the insurance coverage required by the certificating 4990
authority is in full force and effect. 4991

(4)(a) A finding by the registrar or court that a person is 4992
covered by proof of financial responsibility in the form of an 4993
insurance policy or surety bond is not binding upon the named 4994
insurer or surety or any of its officers, employees, agents, or 4995
representatives and has no legal effect except for the purpose of 4996
administering this section. 4997

(b) The preparation and delivery of a financial 4998
responsibility identification card or any other document 4999
authorized to be used as proof of financial responsibility under 5000
this division does not do any of the following: 5001

(i) Create any liability or estoppel against an insurer or 5002
surety, or any of its officers, employees, agents, or 5003
representatives; 5004

(ii) Constitute an admission of the existence of, or of any 5005
liability or coverage under, any policy or bond; 5006

(iii) Waive any defenses or counterclaims available to an 5007
insurer, surety, agent, employee, or representative in an action 5008
commenced by an insured or third-party claimant upon a cause of 5009
action alleged to have arisen under an insurance policy or surety 5010
bond or by reason of the preparation and delivery of a document 5011
for use as proof of financial responsibility. 5012

(c) Whenever it is determined by a final judgment in a 5013
judicial proceeding that an insurer or surety, which has been 5014
named on a document accepted by a court or the registrar as proof 5015
of financial responsibility covering the operation of a motor 5016
vehicle at the time of an accident or offense, is not liable to 5017
pay a judgment for injuries or damages resulting from such 5018

operation, the registrar, notwithstanding any previous contrary 5019
finding, shall forthwith suspend the operating privileges and 5020
registration rights of the person against whom the judgment was 5021
rendered as provided in division (A)(2) of this section. 5022

(H) In order for any document described in division (G)(1)(b) 5023
of this section to be used for the demonstration of proof of 5024
financial responsibility under this section, the document shall 5025
state the name of the insured or obligor, the name of the insurer 5026
or surety company, and the effective and expiration dates of the 5027
financial responsibility, and designate by explicit description or 5028
by appropriate reference all motor vehicles covered which may 5029
include a reference to fleet insurance coverage. 5030

(I) For purposes of this section, "owner" does not include a 5031
licensed motor vehicle leasing dealer as defined in section 5032
4517.01 of the Revised Code, but does include a motor vehicle 5033
renting dealer as defined in section 4549.65 of the Revised Code. 5034
Nothing in this section or in section 4509.51 of the Revised Code 5035
shall be construed to prohibit a motor vehicle renting dealer from 5036
entering into a contractual agreement with a person whereby the 5037
person renting the motor vehicle agrees to be solely responsible 5038
for maintaining proof of financial responsibility, in accordance 5039
with this section, with respect to the operation, maintenance, or 5040
use of the motor vehicle during the period of the motor vehicle's 5041
rental. 5042

(J) The purpose of this section is to require the maintenance 5043
of proof of financial responsibility with respect to the operation 5044
of motor vehicles on the highways of this state, so as to minimize 5045
those situations in which persons are not compensated for injuries 5046
and damages sustained in motor vehicle accidents. The general 5047
assembly finds that this section contains reasonable civil 5048
penalties and procedures for achieving this purpose. 5049

(K) Nothing in this section shall be construed to be subject 5050

to section 4509.78 of the Revised Code. 5051

(L) The registrar may terminate any suspension imposed under 5052
this section and not require the owner to comply with divisions 5053
(A)(5)(a), (b), and (c) of this section if the registrar with or 5054
without a hearing determines that the owner of the vehicle has 5055
established by clear and convincing evidence that all of the 5056
following apply: 5057

(1) The owner customarily maintains proof of financial 5058
responsibility. 5059

(2) Proof of financial responsibility was not in effect for 5060
the vehicle on the date in question for one of the following 5061
reasons: 5062

(a) The vehicle was inoperable. 5063

(b) The vehicle is operated only seasonally, and the date in 5064
question was outside the season of operation. 5065

(c) A person other than the vehicle owner or driver was at 5066
fault for the lapse of proof of financial responsibility through 5067
no fault of the owner or driver. 5068

(d) The lapse of proof of financial responsibility was caused 5069
by excusable neglect under circumstances that are not likely to 5070
recur and do not suggest a purpose to evade the requirements of 5071
this chapter. 5072

(3) The owner or driver has ~~not~~ previously been granted 5073
relief under division (L) of this section only for a reason 5074
described in division (L)(2)(a) or (b) of this section. 5075

(M) The registrar shall adopt rules in accordance with 5076
Chapter 119. of the Revised Code that are necessary to administer 5077
and enforce this section. The rules shall include procedures for 5078
the surrender of license plates upon failure to maintain proof of 5079
financial responsibility and provisions relating to reinstatement 5080

of registration rights, acceptable forms of proof of financial 5081
responsibility, and verification of the existence of financial 5082
responsibility during the period of registration. 5083

Sec. 4509.79. (A) As used in this section, "ridesharing 5084
arrangement" means the transportation of persons in a motor 5085
vehicle where such transportation is incidental to another purpose 5086
of a volunteer driver and includes ridesharing arrangements known 5087
as carpools, vanpools, and buspools. 5088

(B) Every owner registering as a passenger car a motor 5089
vehicle designed and used for carrying more than nine but not more 5090
than fifteen passengers or registering a bus under division 5091
~~(H)~~~~(8)~~(G) of section 4503.04 of the Revised Code shall have in 5092
effect, whenever the motor vehicle is used in a ridesharing 5093
arrangement, a policy of liability insurance with respect to the 5094
motor vehicle in amounts and coverage no less than: 5095

(1) One hundred thousand dollars because of bodily injury to 5096
or death of one person in any one accident; 5097

(2) Three hundred thousand dollars because of bodily injury 5098
to or death of two or more persons in any one accident; 5099

(3) Fifty thousand dollars because of injury to property of 5100
others in any one accident. 5101

(C) Whoever violates this section shall be fined not more 5102
than five thousand dollars. 5103

Sec. 4510.10. (A) As used in this section, "reinstatement 5104
fees" means the fees that are required under section 4507.1612, 5105
4507.45, 4509.101, 4509.81, 4511.191, 4511.951, or any other 5106
provision of the Revised Code, or under a schedule established by 5107
the bureau of motor vehicles, in order to reinstate a driver's or 5108
commercial driver's license or permit or nonresident operating 5109
privilege of an offender under a suspension. 5110

(B) Reinstatement fees are those fees that compensate the bureau of motor vehicles for suspensions, cancellations, or disqualifications of a person's driving privileges and to compensate the bureau and other agencies in their administration of programs intended to reduce and eliminate threats to public safety through education, treatment, and other activities. The registrar of motor vehicles shall not reinstate a driver's or commercial driver's license or permit or nonresident operating privilege of a person until the person has paid all reinstatement fees and has complied with all conditions for each suspension, cancellation, or disqualification incurred by that person.

(C) When a municipal court or county court determines in a pending case involving an offender that the offender cannot reasonably pay reinstatement fees due and owing by the offender relative to a suspension that has been or that will be imposed in the case, then the court, by order, may undertake either of the following, in order of preference:

(1) Establish a reasonable payment plan of not less than fifty dollars per month, to be paid by the offender to the bureau of motor vehicles in all succeeding months until all reinstatement fees required of the offender are paid in full;

(2) If the offender, but for the payment of the reinstatement fees, otherwise would be entitled to operate a vehicle in this state or to obtain reinstatement of the offender's operating privileges, permit the offender to operate a motor vehicle, as authorized by the court, until a future date upon which date all reinstatement fees must be paid in full. A payment extension granted under this division shall not exceed one hundred eighty days, and any operating privileges granted under this division shall be solely for the purpose of permitting the offender occupational or "family necessity" privileges in order to enable the offender to reasonably acquire the delinquent reinstatement

fees due and owing. 5143

~~(C)~~(D) If a municipal court or county court, by order, 5144
undertakes either activity described in division ~~(B)~~(C)(1) or (2) 5145
of this section, the court, at any time after the issuance of the 5146
order, may determine that a change of circumstances has occurred 5147
and may amend the order as justice requires, provided that the 5148
amended order also shall be an order that is permitted under 5149
division ~~(B)~~(C)(1) or (2) of this section. 5150

~~(D)~~(E) If a court enters an order of the type described in 5151
division ~~(B)~~(C)(1), ~~(B)~~(C)(2), or ~~(C)~~(D) of this section, during 5152
the pendency of the order, the offender in relation to whom it 5153
applies is not subject to prosecution for failing to pay the 5154
reinstatement fees covered by the order. 5155

(F) Reinstatement fees are debts that may be discharged in 5156
bankruptcy. 5157

Sec. 4510.22. (A) If a person who has a current valid Ohio 5158
driver's, commercial driver's license, or temporary instruction 5159
permit is charged with a violation of any provision in sections 5160
4511.01 to 4511.76, 4511.84, 4513.01 to 4513.65, or 4549.01 to 5161
4549.65 of the Revised Code that is classified as a misdemeanor of 5162
the first, second, third, or fourth degree or with a violation of 5163
any substantially equivalent municipal ordinance and if the person 5164
either fails to appear in court at the required time and place to 5165
answer the charge or pleads guilty to or is found guilty of the 5166
violation and fails within the time allowed by the court to pay 5167
the fine imposed by the court, the court shall declare the 5168
~~suspension~~ forfeiture of the person's license. Thirty days after 5169
the declaration of forfeiture, the court shall inform the 5170
registrar of motor vehicles of the ~~declaration~~ forfeiture by 5171
entering information relative to the ~~declaration~~ of forfeiture on 5172
a form approved and furnished by the registrar and sending the 5173

form to the registrar. The court also shall forward the person's 5174
license, if it is in the possession of the court, to the 5175
registrar. 5176

The registrar shall impose a class F suspension of the 5177
person's driver's or commercial driver's license, or temporary 5178
instruction permit for the period of time specified in division 5179
(B)(6) of section 4510.02 of the Revised Code on any person who is 5180
named in a declaration received by the registrar under this 5181
section. The registrar shall send written notification of the 5182
suspension to the person at the person's last known address and, 5183
if the person is in possession of the license, order the person to 5184
surrender the person's license or permit to the registrar within 5185
forty-eight hours. 5186

No valid driver's or commercial driver's license shall be 5187
granted to the person after the suspension, unless the court 5188
having jurisdiction of the offense that led to the suspension 5189
orders that the ~~suspension~~ forfeiture be terminated. The court 5190
shall order the termination of the ~~suspension~~ forfeiture if the 5191
person thereafter appears to answer the charge and pays any fine 5192
imposed by the court or pays the fine originally imposed by the 5193
court. The court shall inform the registrar of the termination of 5194
the ~~suspension~~ forfeiture by entering information relative to the 5195
termination on a form approved and furnished by the registrar and 5196
sending the form to the registrar. The person shall pay to the 5197
bureau of motor vehicles a fifteen-dollar ~~processing~~ reinstatement 5198
fee to cover the costs of the bureau in administering this 5199
section. The registrar shall deposit the fee into the state bureau 5200
of motor vehicles fund created by section 4501.25 of the Revised 5201
Code. 5202

(B) In addition to suspending the driver's or commercial 5203
driver's license or permit of the person named in a declaration of 5204
~~suspension~~ forfeiture, the registrar, upon receipt from the court 5205

of the copy of the declaration of ~~suspension~~ forfeiture, shall 5206
take any measures that may be necessary to ensure that neither the 5207
registrar nor any deputy registrar accepts any application for the 5208
registration or transfer of registration of any motor vehicle 5209
owned or leased by the person named in the declaration of of 5210
forfeiture. However, for a motor vehicle leased by a person named 5211
in a declaration of of forfeiture, the registrar shall not implement 5212
the preceding sentence until the registrar adopts procedures for 5213
that implementation under section 4503.39 of the Revised Code. The 5214
period of denial of registration or transfer shall continue until 5215
such time as the court having jurisdiction of the offense that led 5216
to the suspension orders the ~~suspension to~~ forfeiture be 5217
terminated. Upon receipt by the registrar of an order terminating 5218
the ~~suspension~~ forfeiture, the registrar also shall take any 5219
measures that may be necessary to permit the person to register a 5220
motor vehicle owned or leased by the person or to transfer the 5221
registration of such a motor vehicle, if the person later makes 5222
application to take such action and otherwise is eligible to 5223
register the motor vehicle or to transfer its registration. 5224

The registrar shall not be required to give effect to any 5225
declaration of ~~suspension~~ forfeiture or order terminating a 5226
~~suspension~~ forfeiture provided by a court under this section 5227
unless the information contained in the declaration or order is 5228
transmitted to the registrar by means of an electronic transfer 5229
system. The registrar shall not restore the person's driving or 5230
vehicle registration privileges until the person pays the 5231
reinstatement fee as provided in this section. 5232

The period of denial relating to the issuance or transfer of 5233
a certificate of registration for a motor vehicle imposed pursuant 5234
to this division remains in effect until the person pays any fine 5235
imposed by the court relative to the offense. 5236

Sec. 4510.31. (A)(1) Except as provided in division (C) of 5237
this section, the registrar of motor vehicles shall suspend the 5238
probationary driver's license, restricted license, or temporary 5239
instruction permit issued to any person when the person has been 5240
convicted of, pleaded guilty to, or been adjudicated in juvenile 5241
court of having committed, prior to the person's eighteenth 5242
birthday, any of the following: 5243

(a) Three separate violations of section 2903.06, 2903.08, 5244
2921.331, 4511.12, 4511.13, 4511.15, 4511.191, 4511.20, 4511.201, 5245
4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 5246
to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the Revised 5247
Code, section 4510.14 of the Revised Code involving a suspension 5248
imposed under section 4511.191 or 4511.196 of the Revised Code, 5249
section 2903.04 of the Revised Code in a case in which the person 5250
would have been subject to the sanctions described in division (D) 5251
of that section had the person been convicted of the violation of 5252
that section, former section 2903.07 of the Revised Code, or any 5253
municipal ordinances similarly relating to the offenses referred 5254
to in those sections; 5255

(b) One violation of section 4511.19 of the Revised Code or a 5256
substantially similar municipal ordinance; 5257

(c) Two separate violations of any of the Revised Code 5258
sections referred to in division (A)(1)(a) of this section, or any 5259
municipal ordinance that is substantially similar to any of those 5260
sections. 5261

(2) Any person whose license or permit is suspended under 5262
division (A)(1)(a), (b), or (c) of this section shall mail or 5263
deliver the person's probationary driver's license, restricted 5264
license, or temporary instruction permit to the registrar within 5265
fourteen days of notification of the suspension. The registrar 5266
shall retain the license or permit during the period of the 5267

suspension. A suspension pursuant to division (A)(1)(a) of this 5268
section shall be a class C suspension, a suspension pursuant to 5269
division (A)(1)(b) of this section shall be a class D suspension, 5270
and a suspension pursuant to division (A)(1)(c) of this section 5271
shall be a class E suspension, all for the periods of time 5272
specified in division (B) of section 4510.02 of the Revised Code. 5273
If the person's probationary driver's license, restricted license, 5274
or temporary instruction permit is under suspension on the date 5275
the court imposes sentence upon the person for a violation 5276
described in division (A)(1)(b) of this section, the suspension 5277
shall take effect on the next day immediately following the end of 5278
that period of suspension. If the person is sixteen years of age 5279
or older and pleads guilty to or is convicted of a violation 5280
described in division (A)(1)(b) of this section and the person 5281
does not have a current, valid probationary driver's license, 5282
restricted license, or temporary instruction permit, the registrar 5283
shall deny the issuance to the person of a probationary driver's 5284
license, restricted license, driver's license, commercial driver's 5285
license, or temporary instruction permit, as the case may be, for 5286
six months beginning on the date the court imposes sentence upon 5287
the person for the violation. If the person has not attained the 5288
age of sixteen years on the date the court imposes sentence upon 5289
the person for the violation, the period of denial shall commence 5290
on the date the person attains the age of sixteen years. 5291

(3) The registrar shall suspend the person's license or 5292
permit under division (A) of this section regardless of whether 5293
the disposition of the case in juvenile court occurred after the 5294
person's eighteenth birthday. 5295

(B) The registrar also shall impose a class D suspension for 5296
the period of time specified in division (B)(4) of section 4510.02 5297
of the Revised Code of the temporary instruction permit or 5298
probationary driver's license of any person under the age of 5299

eighteen who has been adjudicated an unruly child, delinquent 5300
child, or juvenile traffic offender for having committed any act 5301
that if committed by an adult would be a drug abuse offense or a 5302
violation of division (B) of section 2917.11 of the Revised Code. 5303
The registrar, in the registrar's discretion, may terminate the 5304
suspension if the child, at the discretion of the court, attends 5305
and satisfactorily completes a drug abuse or alcohol abuse 5306
education, intervention, or treatment program specified by the 5307
court. Any person whose temporary instruction permit or 5308
probationary driver's license is suspended under this division 5309
shall mail or deliver the person's permit or license to the 5310
registrar within fourteen days of notification of the suspension. 5311
The registrar shall retain the permit or license during the period 5312
of the suspension. 5313

(C)(1) Except as provided in division (C)(3) of this section, 5314
for any person who is convicted of, pleads guilty to, or is 5315
adjudicated in juvenile court of having committed a second or 5316
third violation of section 4511.12, 4511.13, 4511.15, 4511.20 to 5317
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 5318
4511.75 of the Revised Code or any similar municipal ordinances 5319
and whose license or permit is suspended under division (A)(1)(a) 5320
or (c) of this section, the court in which the second or third 5321
conviction, finding, plea, or adjudication resulting in the 5322
suspension was made, upon petition of the person, may grant the 5323
person limited driving privileges during the period during which 5324
the suspension otherwise would be imposed under division (A)(1)(a) 5325
or (c) of this section if the court finds reasonable cause to 5326
believe that the suspension will seriously affect the person's 5327
ability to continue in employment, educational training, 5328
vocational training, or treatment. In granting the limited driving 5329
privileges, the court shall specify the purposes, times, and 5330
places of the privileges and may impose any other conditions upon 5331
the person's driving a motor vehicle that the court considers 5332

reasonable and necessary. 5333

A court that grants limited driving privileges to a person 5334
under this division shall retain the person's probationary 5335
driver's license, restricted license, or temporary instruction 5336
permit during the period the license or permit is suspended and 5337
also during the period for which limited driving privileges are 5338
granted, and shall deliver to the person a permit card, in a form 5339
to be prescribed by the court, setting forth the date on which the 5340
limited driving privileges will become effective, the purposes for 5341
which the person may drive, the times and places at which the 5342
person may drive, and any other conditions imposed upon the 5343
person's use of a motor vehicle. 5344

The court immediately shall notify the registrar, in writing, 5345
of a grant of limited driving privileges under this division. The 5346
notification shall specify the date on which the limited driving 5347
privileges will become effective, the purposes for which the 5348
person may drive, the times and places at which the person may 5349
drive, and any other conditions imposed upon the person's use of a 5350
motor vehicle. The registrar shall not suspend the probationary 5351
driver's license, restricted license, or temporary instruction 5352
permit of any person pursuant to division (A) of this section 5353
during any period for which the person has been granted limited 5354
driving privileges as provided in this division, if the registrar 5355
has received the notification described in this division from the 5356
court. 5357

(2) Except as provided in division (C)(3) of this section, in 5358
any case in which the temporary instruction permit or probationary 5359
driver's license of a person under eighteen years of age has been 5360
suspended under division (A) or (B) of this section or any other 5361
provision of law, the court may grant the person limited driving 5362
privileges for the purpose of the person's practicing of driving 5363
with the person's parent, guardian, or other custodian during the 5364

period of the suspension. Any grant of limited driving privileges 5365
under this division shall comply with division (D) of section 5366
4510.021 of the Revised Code. 5367

(3) A court shall not grant limited driving privileges to a 5368
person identified in division (C)(1) or (2) of this section if the 5369
person, within the preceding six years, has been convicted of, 5370
pleaded guilty to, or adjudicated in juvenile court of having 5371
committed three or more violations of one or more of the divisions 5372
or sections set forth in divisions (G)(2)(b) to (g) of section 5373
2919.22 of the Revised Code. 5374

(D) If a person who has been granted limited driving 5375
privileges under division (C) of this section is convicted of, 5376
pleads guilty to, or is adjudicated in juvenile court of having 5377
committed, a violation of Chapter 4510. of the Revised Code, or a 5378
subsequent violation of any of the sections of the Revised Code 5379
listed in division (A)(1)(a) of this section or any similar 5380
municipal ordinance during the period for which the person was 5381
granted limited driving privileges, the court that granted the 5382
limited driving privileges shall suspend the person's permit card. 5383
The court or the clerk of the court immediately shall forward the 5384
person's probationary driver's license, restricted license, or 5385
temporary instruction permit together with written notification of 5386
the court's action to the registrar. Upon receipt of the license 5387
or permit and notification, the registrar shall impose a class C 5388
suspension of the person's probationary driver's license, 5389
restricted license, or temporary instruction permit for the period 5390
of time specified in division (B)(3) of section 4510.02 of the 5391
Revised Code. The registrar shall retain the license or permit 5392
during the period of suspension, and no further limited driving 5393
privileges shall be granted during that period. 5394

(E) No application for a driver's or commercial driver's 5395
license shall be received from any person whose probationary 5396

driver's license, restricted license, or temporary instruction 5397
permit has been suspended under this section until each of the 5398
following has occurred: 5399

(1) The suspension period has expired; 5400

(2) A temporary instruction permit or commercial driver's 5401
license temporary instruction permit has been issued; 5402

(3) The person successfully completes a juvenile driver 5403
improvement program approved by the registrar under section 5404
4510.311 of the Revised Code; 5405

(4) The applicant has submitted to the examination for a 5406
driver's license as provided for in section 4507.11 or a 5407
commercial driver's license as provided in Chapter 4506. of the 5408
Revised Code. 5409

Sec. 4510.43. (A)(1) The director of public safety, upon 5410
consultation with the director of health and in accordance with 5411
Chapter 119. of the Revised Code, shall certify immobilizing and 5412
disabling devices and shall publish and make available to the 5413
courts, without charge, a list of approved devices together with 5414
information about the manufacturers of the devices and where they 5415
may be obtained. The manufacturer of an immobilizing or disabling 5416
device shall pay the cost of obtaining the certification of the 5417
device to the director of public safety, and the director shall 5418
deposit the payment in the drivers' treatment and intervention 5419
fund established by sections 4511.19 and 4511.191 of the Revised 5420
Code. 5421

(2) The director of public safety, in accordance with Chapter 5422
119. of the Revised Code, shall adopt and publish rules setting 5423
forth the requirements for obtaining the certification of an 5424
immobilizing or disabling device. The director of public safety 5425
shall not certify an immobilizing or disabling device under this 5426

section unless it meets the requirements specified and published 5427
by the director in the rules adopted pursuant to this division. A 5428
certified device may consist of an ignition interlock device, an 5429
ignition blocking device initiated by time or magnetic or 5430
electronic encoding, an activity monitor, or any other device that 5431
reasonably assures compliance with an order granting limited 5432
driving privileges. 5433

The requirements for an immobilizing or disabling device that 5434
is an ignition interlock device shall include provisions for 5435
setting a minimum and maximum calibration range and shall include, 5436
but shall not be limited to, specifications that the device 5437
complies with all of the following: 5438

(a) It does not impede the safe operation of the vehicle. 5439

(b) It has features that make circumvention difficult and 5440
that do not interfere with the normal use of the vehicle. 5441

(c) It correlates well with established measures of alcohol 5442
impairment. 5443

(d) It works accurately and reliably in an unsupervised 5444
environment. 5445

(e) It is resistant to tampering and shows evidence of 5446
tampering if tampering is attempted. 5447

(f) It is difficult to circumvent and requires premeditation 5448
to do so. 5449

(g) It minimizes inconvenience to a sober user. 5450

(h) It requires a proper, deep-lung breath sample or other 5451
accurate measure of the concentration by weight of alcohol in the 5452
breath. 5453

(i) It operates reliably over the range of automobile 5454
environments. 5455

(j) It is made by a manufacturer who is covered by product 5456

liability insurance. 5457

(3) The director of public safety may adopt, in whole or in 5458
part, the guidelines, rules, regulations, studies, or independent 5459
laboratory tests performed and relied upon by other states, or 5460
their agencies or commissions, in the certification or approval of 5461
immobilizing or disabling devices. 5462

(4) The director of public safety shall adopt rules in 5463
accordance with Chapter 119. of the Revised Code for the design of 5464
a warning label that shall be affixed to each immobilizing or 5465
disabling device upon installation. The label shall contain a 5466
warning that any person tampering, circumventing, or otherwise 5467
misusing the device is subject to a fine, imprisonment, or both 5468
and may be subject to civil liability. 5469

(B) A court considering the use of a prototype device in a 5470
pilot program shall advise the director of public safety, thirty 5471
days before the use, of the prototype device and its protocol, 5472
methodology, manufacturer, and licensor, lessor, other agent, or 5473
owner, and the length of the court's pilot program. A prototype 5474
device shall not be used for a violation of section 4510.14 or 5475
4511.19 of the Revised Code, a violation of a municipal OVI 5476
ordinance, or in relation to a suspension imposed under section 5477
4511.191 of the Revised Code. A court that uses a prototype device 5478
in a pilot program, periodically during the existence of the 5479
program and within fourteen days after termination of the program, 5480
shall report in writing to the director of public safety regarding 5481
the effectiveness of the prototype device and the program. 5482

(C) If a person has been granted limited driving privileges 5483
with a condition of the privileges being that the motor vehicle 5484
that is operated under the privileges must be equipped with an 5485
immobilizing or disabling device, ~~all of the following apply:~~ 5486

~~(1) If the person may operate a motor vehicle ~~to be driven~~~~ 5487

~~under the limited driving privileges that~~ is owned by the person's 5488
employer ~~and~~ only if the person is required to operate that motor 5489
vehicle in the course and scope of the offender's employment, ~~the,~~ 5490
Such a person may operate that vehicle without the installation of 5491
an immobilizing or disabling device, provided that the employer 5492
has been notified that the person has limited driving privileges 5493
and of the nature of the restriction and further provided that the 5494
person has proof of the employer's notification in the person's 5495
possession while operating the employer's vehicle for normal 5496
business duties. A motor vehicle owned by a business that is 5497
partly or entirely owned or controlled by a person with limited 5498
driving privileges is not a motor vehicle owned by an employer, 5499
for purposes of this division. 5500

~~(2) If the motor vehicle to be driven under the limited 5501
driving privileges is registered in a state other than this state,
instead of installing on that vehicle an immobilizing or disabling 5502
device, the person with the limited driving privileges shall 5503
display on the vehicle a decal, as prescribed by the registrar of 5504
motor vehicles, that states that the vehicle is subject to limited 5505
driving privileges in this state and that describes the 5506
restriction. The decal shall be displayed on the bottom left 5507
corner of the back window of the vehicle or, if there is no back 5508
window, on the bottom left corner of the windshield of the 5509
vehicle. 5510
vehicle. 5511~~

Sec. 4511.01. As used in this chapter and in Chapter 4513. of 5512
the Revised Code: 5513

(A) "Vehicle" means every device, including a motorized 5514
bicycle, in, upon, or by which any person or property may be 5515
transported or drawn upon a highway, except that "vehicle" does 5516
not include any motorized wheelchair, any electric personal 5517
assistive mobility ~~devices~~ device, any device that is moved by 5518

power collected from overhead electric trolley wires or that is 5519
used exclusively upon stationary rails or tracks, or any device, 5520
other than a bicycle, that is moved by human power. 5521

(B) "Motor vehicle" means every vehicle propelled or drawn by 5522
power other than muscular power or power collected from overhead 5523
electric trolley wires, except motorized bicycles, road rollers, 5524
traction engines, power shovels, power cranes, and other equipment 5525
used in construction work and not designed for or employed in 5526
general highway transportation, hole-digging machinery, 5527
well-drilling machinery, ditch-digging machinery, farm machinery, 5528
trailers used to transport agricultural produce or agricultural 5529
production materials between a local place of storage or supply 5530
and the farm when drawn or towed on a street or highway at a speed 5531
of twenty-five miles per hour or less, threshing machinery, 5532
hay-baling machinery, agricultural tractors and machinery used in 5533
the production of horticultural, floricultural, agricultural, and 5534
vegetable products, and trailers designed and used exclusively to 5535
transport a boat between a place of storage and a marina, or in 5536
and around a marina, when drawn or towed on a street or highway 5537
for a distance of no more than ten miles and at a speed of 5538
twenty-five miles per hour or less. 5539

(C) "Motorcycle" means every motor vehicle, other than a 5540
tractor, having a saddle for the use of the operator and designed 5541
to travel on not more than three wheels in contact with the 5542
ground, including, but not limited to, motor vehicles known as 5543
"motor-driven cycle," "motor scooter," or "motorcycle" without 5544
regard to weight or brake horsepower. 5545

(D) "Emergency vehicle" means emergency vehicles of 5546
municipal, township, or county departments or public utility 5547
corporations when identified as such as required by law, the 5548
director of public safety, or local authorities, and motor 5549
vehicles when commandeered by a police officer. 5550

(E) "Public safety vehicle" means any of the following:	5551
(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;	5552 5553 5554 5555
(2) Motor vehicles used by public law enforcement officers or other persons sworn to enforce the criminal and traffic laws of the state;	5556 5557 5558
(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.	5559 5560 5561 5562 5563 5564 5565 5566 5567
(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 required by the director of public safety.	5568 5569 5570 5571
Any vehicle used to transport or provide emergency medical service to an ill or injured person, when certified as a public safety vehicle, shall be considered a public safety vehicle when transporting an ill or injured person to a hospital regardless of whether such vehicle has already passed a hospital.	5572 5573 5574 5575 5576
(5) Vehicles used by the commercial motor vehicle safety <u>carrier</u> enforcement unit for the enforcement of orders and rules of the public utilities commission as specified in section 5503.34 of the Revised Code.	5577 5578 5579 5580

(F) "School bus" means every bus designed for carrying more than nine passengers that is owned by a public, private, or governmental agency or institution of learning and operated for the transportation of children to or from a school session or a school function, or owned by a private person and operated for compensation for the transportation of children to or from a school session or a school function, provided "school bus" does not include a bus operated by a municipally owned transportation system, a mass transit company operating exclusively within the territorial limits of a municipal corporation, or within such limits and the territorial limits of municipal corporations immediately contiguous to such municipal corporation, nor a common passenger carrier certified by the public utilities commission unless such bus is devoted exclusively to the transportation of children to and from a school session or a school function, and "school bus" does not include a van or bus used by a licensed child day-care center or type A family day-care home to transport children from the child day-care center or type A family day-care home to a school if the van or bus does not have more than fifteen children in the van or bus at any time.

(G) "Bicycle" means every device, other than a tricycle designed solely for use as a play vehicle by a child, propelled solely by human power upon which any person may ride having either two tandem wheels, or one wheel in the front and two wheels in the rear, any of which is more than fourteen inches in diameter.

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

(I) "Commercial tractor" means every motor vehicle having 5613
motive power designed or used for drawing other vehicles and not 5614
so constructed as to carry any load thereon, or designed or used 5615
for drawing other vehicles while carrying a portion of such other 5616
vehicles, or load thereon, or both. 5617

(J) "Agricultural tractor" means every self-propelling 5618
vehicle designed or used for drawing other vehicles or wheeled 5619
machinery but having no provision for carrying loads independently 5620
of such other vehicles, and used principally for agricultural 5621
purposes. 5622

(K) "Truck" means every motor vehicle, except trailers and 5623
semitrailers, designed and used to carry property. 5624

(L) "Bus" means every motor vehicle designed for carrying 5625
more than nine passengers and used for the transportation of 5626
persons other than in a ridesharing arrangement, and every motor 5627
vehicle, automobile for hire, or funeral car, other than a taxicab 5628
or motor vehicle used in a ridesharing arrangement, designed and 5629
used for the transportation of persons for compensation. 5630

(M) "Trailer" means every vehicle designed or used for 5631
carrying persons or property wholly on its own structure and for 5632
being drawn by a motor vehicle, including any such vehicle when 5633
formed by or operated as a combination of a "semitrailer" and a 5634
vehicle of the dolly type, such as that commonly known as a 5635
"trailer dolly," a vehicle used to transport agricultural produce 5636
or agricultural production materials between a local place of 5637
storage or supply and the farm when drawn or towed on a street or 5638
highway at a speed greater than twenty-five miles per hour, and a 5639
vehicle designed and used exclusively to transport a boat between 5640
a place of storage and a marina, or in and around a marina, when 5641
drawn or towed on a street or highway for a distance of more than 5642
ten miles or at a speed of more than twenty-five miles per hour. 5643

(N) "Semitrailer" means every vehicle designed or used for carrying persons or property with another and separate motor vehicle so that in operation a part of its own weight or that of its load, or both, rests upon and is carried by another vehicle.

(O) "Pole trailer" means every trailer or semitrailer attached to the towing vehicle by means of a reach, pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

(P) "Railroad" means a carrier of persons or property operating upon rails placed principally on a private right-of-way.

(Q) "Railroad train" means a steam engine or an electric or other motor, with or without cars coupled thereto, operated by a railroad.

(R) "Streetcar" means a car, other than a railroad train, for transporting persons or property, operated upon rails principally within a street or highway.

(S) "Trackless trolley" means every car that collects its power from overhead electric trolley wires and that is not operated upon rails or tracks.

(T) "Explosives" means any chemical compound or mechanical mixture that is intended for the purpose of producing an explosion that contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by a detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects, or of destroying life or limb. Manufactured articles shall not be held to be explosives when the individual

units contain explosives in such limited quantities, of such 5675
nature, or in such packing, that it is impossible to procure a 5676
simultaneous or a destructive explosion of such units, to the 5677
injury of life, limb, or property by fire, by friction, by 5678
concussion, by percussion, or by a detonator, such as fixed 5679
ammunition for small arms, firecrackers, or safety fuse matches. 5680

(U) "Flammable liquid" means any liquid that has a flash 5681
point of seventy degrees Fahrenheit, or less, as determined by a 5682
tagliabue or equivalent closed cup test device. 5683

(V) "Gross weight" means the weight of a vehicle plus the 5684
weight of any load thereon. 5685

(W) "Person" means every natural person, firm, 5686
co-partnership, association, or corporation. 5687

(X) "Pedestrian" means any natural person afoot. 5688

(Y) "Driver or operator" means every person who drives or is 5689
in actual physical control of a vehicle, trackless trolley, or 5690
streetcar. 5691

(Z) "Police officer" means every officer authorized to direct 5692
or regulate traffic, or to make arrests for violations of traffic 5693
regulations. 5694

(AA) "Local authorities" means every county, municipal, and 5695
other local board or body having authority to adopt police 5696
regulations under the constitution and laws of this state. 5697

(BB) "Street" or "highway" means the entire width between the 5698
boundary lines of every way open to the use of the public as a 5699
thoroughfare for purposes of vehicular travel. 5700

(CC) "Controlled-access highway" means every street or 5701
highway in respect to which owners or occupants of abutting lands 5702
and other persons have no legal right of access to or from the 5703
same except at such points only and in such manner as may be 5704

determined by the public authority having jurisdiction over such street or highway. 5705
5706

(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. 5707
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(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. 5711
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(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. 5716
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(GG) "Laned highway" means a highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic. 5719
5720
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(HH) "Through highway" means every street or highway as provided in section 4511.65 of the Revised Code. 5722
5723

(II) "State highway" means a highway under the jurisdiction of the department of transportation, outside the limits of municipal corporations, provided that the authority conferred upon the director of transportation in section 5511.01 of the Revised Code to erect state highway route markers and signs directing traffic shall not be modified by sections 4511.01 to 4511.79 and 4511.99 of the Revised Code. 5724
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(JJ) "State route" means every highway that is designated with an official state route number and so marked. 5731
5732

(KK) "Intersection" means: 5733

(1) The area embraced within the prolongation or connection 5734

of the lateral curb lines, or, if none, then the lateral boundary 5735
lines of the roadways of two highways which join one another at, 5736
or approximately at, right angles, or the area within which 5737
vehicles traveling upon different highways joining at any other 5738
angle may come in conflict. 5739

(2) Where a highway includes two roadways thirty feet or more 5740
apart, then every crossing of each roadway of such divided highway 5741
by an intersecting highway shall be regarded as a separate 5742
intersection. If an intersecting highway also includes two 5743
roadways thirty feet or more apart, then every crossing of two 5744
roadways of such highways shall be regarded as a separate 5745
intersection. 5746

(3) The junction of an alley with a street or highway, or 5747
with another alley, shall not constitute an intersection. 5748

(LL) "Crosswalk" means: 5749

(1) That part of a roadway at intersections ordinarily 5750
included within the real or projected prolongation of property 5751
lines and curb lines or, in the absence of curbs, the edges of the 5752
traversable roadway; 5753

(2) Any portion of a roadway at an intersection or elsewhere, 5754
distinctly indicated for pedestrian crossing by lines or other 5755
markings on the surface; 5756

(3) Notwithstanding divisions (LL)(1) and (2) of this 5757
section, there shall not be a crosswalk where local authorities 5758
have placed signs indicating no crossing. 5759

(MM) "Safety zone" means the area or space officially set 5760
apart within a roadway for the exclusive use of pedestrians and 5761
protected or marked or indicated by adequate signs as to be 5762
plainly visible at all times. 5763

(NN) "Business district" means the territory fronting upon a 5764

street or highway, including the street or highway, between 5765
successive intersections within municipal corporations where fifty 5766
per cent or more of the frontage between such successive 5767
intersections is occupied by buildings in use for business, or 5768
within or outside municipal corporations where fifty per cent or 5769
more of the frontage for a distance of three hundred feet or more 5770
is occupied by buildings in use for business, and the character of 5771
such territory is indicated by official traffic control devices. 5772

(OO) "Residence district" means the territory, not comprising 5773
a business district, fronting on a street or highway, including 5774
the street or highway, where, for a distance of three hundred feet 5775
or more, the frontage is improved with residences or residences 5776
and buildings in use for business. 5777

(PP) "Urban district" means the territory contiguous to and 5778
including any street or highway which is built up with structures 5779
devoted to business, industry, or dwelling houses situated at 5780
intervals of less than one hundred feet for a distance of a 5781
quarter of a mile or more, and the character of such territory is 5782
indicated by official traffic control devices. 5783

(QQ) "Traffic control devices" means all flaggers, signs, 5784
signals, markings, and devices placed or erected by authority of a 5785
public body or official having jurisdiction, for the purpose of 5786
regulating, warning, or guiding traffic, including signs denoting 5787
names of streets and highways. 5788

(RR) "Traffic control signal" means any device, whether 5789
manually, electrically, or mechanically operated, by which traffic 5790
is alternately directed to stop, to proceed, to change direction, 5791
or not to change direction. 5792

(SS) "Railroad sign or signal" means any sign, signal, or 5793
device erected by authority of a public body or official or by a 5794
railroad and intended to give notice of the presence of railroad 5795

tracks or the approach of a railroad train. 5796

(TT) "Traffic" means pedestrians, ridden or herded animals, 5797
vehicles, streetcars, trackless trolleys, and other devices, 5798
either singly or together, while using any highway for purposes of 5799
travel. 5800

(UU) "Right-of-way" means either of the following, as the 5801
context requires: 5802

(1) The right of a vehicle, streetcar, trackless trolley, or 5803
pedestrian to proceed uninterruptedly in a lawful manner in the 5804
direction in which it or the individual is moving in preference to 5805
another vehicle, streetcar, trackless trolley, or pedestrian 5806
approaching from a different direction into its or the 5807
individual's path; 5808

(2) A general term denoting land, property, or the interest 5809
therein, usually in the configuration of a strip, acquired for or 5810
devoted to transportation purposes. When used in this context, 5811
right-of-way includes the roadway, shoulders or berm, ditch, and 5812
slopes extending to the right-of-way limits under the control of 5813
the state or local authority. 5814

(VV) "Rural mail delivery vehicle" means every vehicle used 5815
to deliver United States mail on a rural mail delivery route. 5816

(WW) "Funeral escort vehicle" means any motor vehicle, 5817
including a funeral hearse, while used to facilitate the movement 5818
of a funeral procession. 5819

(XX) "Alley" means a street or highway intended to provide 5820
access to the rear or side of lots or buildings in urban districts 5821
and not intended for the purpose of through vehicular traffic, and 5822
includes any street or highway that has been declared an "alley" 5823
by the legislative authority of the municipal corporation in which 5824
such street or highway is located. 5825

(YY) "Freeway" means a divided multi-lane highway for through traffic with all crossroads separated in grade and with full control of access.	5826 5827 5828
(ZZ) "Expressway" means a divided arterial highway for through traffic with full or partial control of access with an excess of fifty per cent of all crossroads separated in grade.	5829 5830 5831
(AAA) "Thruway" means a through highway whose entire roadway is reserved for through traffic and on which roadway parking is prohibited.	5832 5833 5834
(BBB) "Stop intersection" means any intersection at one or more entrances of which stop signs are erected.	5835 5836
(CCC) "Arterial street" means any United States or state numbered route, controlled access highway, or other major radial or circumferential street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system of streets or highways.	5837 5838 5839 5840 5841
(DDD) "Ridesharing arrangement" means the transportation of persons in a motor vehicle where such transportation is incidental to another purpose of a volunteer driver and includes ridesharing arrangements known as carpools, vanpools, and buspools.	5842 5843 5844 5845
(EEE) "Motorized wheelchair" means any self-propelled vehicle designed for, and used by, a handicapped person and that is incapable of a speed in excess of eight miles per hour.	5846 5847 5848
(FFF) "Child day-care center" and "type A family day-care home" have the same meanings as in section 5104.01 of the Revised Code.	5849 5850 5851
(GGG) "Multi-wheel agricultural tractor" means a type of agricultural tractor that has two or more wheels or tires on each side of one axle at the rear of the tractor, is designed or used for drawing other vehicles or wheeled machinery, has no provision	5852 5853 5854 5855

for carrying loads independently of the drawn vehicles or 5856
machinery, and is used principally for agricultural purposes. 5857

(HHH) "Operate" means to cause or have caused movement of a 5858
vehicle, streetcar, or trackless trolley on any public or private 5859
property used by the public for purposes of vehicular travel or 5860
parking. 5861

(III) "Predicate motor vehicle or traffic offense" means any 5862
of the following: 5863

(1) A violation of section 4511.03, 4511.051, 4511.12, 5864
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 5865
4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 5866
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 5867
4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 5868
4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 5869
4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 5870
4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 5871
4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 5872
4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 5873
4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code; 5874

(2) A violation of division (A)(2) of section 4511.17, 5875
divisions (A) to (D) of section 4511.51, or division (A) of 5876
section 4511.74 of the Revised Code; 5877

(3) A violation of any provision of sections 4511.01 to 5878
4511.76 of the Revised Code for which no penalty otherwise is 5879
provided in the section that contains the provision violated; 5880

(4) A violation of a municipal ordinance that is 5881
substantially similar to any section or provision set forth or 5882
described in division (III)(1), (2), or (3) of this section. 5883

Sec. 4511.121. (A)(1) Except as provided in division (B) of 5884
this section, any operator of a commercial motor vehicle, upon 5885

approaching a scale location established for the purpose of 5886
determining the weight of the vehicle and its load, shall comply 5887
with any traffic control device or the order of a peace officer 5888
directing the vehicle to proceed to be weighed or otherwise 5889
inspected. 5890

(2) Any operator of a commercial motor vehicle, upon 5891
bypassing a scale location in accordance with division (B) of this 5892
section, shall comply with an order of a peace officer to stop the 5893
vehicle to verify the use and operation of an electronic clearance 5894
device. 5895

(B) Any operator of a commercial motor vehicle that is 5896
equipped with an electronic clearance device authorized by the 5897
superintendent of the state highway patrol under section 4549.081 5898
of the Revised Code may bypass a scale location, regardless of the 5899
instruction of a traffic control device to enter the scale 5900
facility, if either of the following apply: 5901

(1) The in-cab transponder displays a green light or other 5902
affirmative visual signal and also sounds an affirmative audible 5903
signal; 5904

(2) Any other criterion established by the superintendent by 5905
rule is met. 5906

(C) Any peace officer may order the operator of a commercial 5907
motor vehicle that bypasses a scale location to stop the vehicle 5908
to verify the use and operation of an electronic clearance device. 5909

(D) Whoever violates division (A) of this section is guilty 5910
of a minor misdemeanor. If, within one year of the offense, the 5911
offender previously has been convicted of or pleaded guilty to a 5912
violation of division (A) of this section, whoever violates that 5913
division is guilty of a misdemeanor of the fourth degree. If, 5914
within one year of the offense, the offender previously has been 5915
convicted of or pleaded guilty to two or more violations of 5916

division (A) of this section, whoever violates division (A) is 5917
guilty of a misdemeanor of the third degree. 5918

(E) As used in this section and in section 4549.081 of the 5919
Revised Code, "commercial motor vehicle" means any combination of 5920
vehicles with a gross vehicle weight rating or an actual gross 5921
vehicle weight of more than ten thousand pounds if the vehicle is 5922
used in interstate or intrastate commerce to transport property 5923
and also means any vehicle that is transporting hazardous 5924
materials for which placarding is required pursuant to 49 C.F.R. 5925
Parts 100 to 180. 5926

Sec. 4513.61. The sheriff of a county or chief of police of a 5927
municipal corporation, township, or township police district, 5928
within the sheriff's or chief's respective territorial 5929
jurisdiction, or a state highway patrol trooper, upon notification 5930
to the sheriff or chief of police of such action and of the 5931
location of the place of storage, may order into storage any motor 5932
vehicle, including an abandoned junk motor vehicle as defined in 5933
section 4513.63 of the Revised Code, that has come into the 5934
possession of the sheriff, chief of police, or state highway 5935
patrol trooper as a result of the performance of the sheriff's, 5936
chief's, or trooper's duties or that has been left on a public 5937
street or other property open to the public for purposes of 5938
vehicular travel, or upon or within the right-of-way of any road 5939
or highway, for forty-eight hours or longer without notification 5940
to the sheriff or chief of police of the reasons for leaving the 5941
motor vehicle in such place, except that when such a motor vehicle 5942
constitutes an obstruction to traffic it may be ordered into 5943
storage immediately. The sheriff or chief of police shall 5944
designate the place of storage of any motor vehicle so ordered 5945
removed. 5946

The sheriff or chief of police immediately shall cause a 5947

search to be made of the records of the bureau of motor vehicles 5948
to ascertain the owner and any lienholder of a motor vehicle 5949
ordered into storage by the sheriff or chief of police, or by a 5950
state highway patrol trooper, and, if known, shall send or cause 5951
to be sent notice to the owner or lienholder at the owner's or 5952
lienholder's last known address by certified mail with return 5953
receipt requested, that the motor vehicle will be declared a 5954
nuisance and disposed of if not claimed within ten days of the 5955
date of mailing of the notice. The owner or lienholder of the 5956
motor vehicle may reclaim it upon payment of any expenses or 5957
charges incurred in its removal and storage, and presentation of 5958
proof of ownership, which may be evidenced by a certificate of 5959
title or memorandum certificate of title to the motor vehicle. If 5960
the owner or lienholder of the motor vehicle reclaims it after a 5961
search of the records of the bureau has been conducted and after 5962
notice has been sent to the owner or lienholder as described in 5963
this section, and the search was conducted by the owner of the 5964
place of storage or the owner's employee, and the notice was sent 5965
to the motor vehicle owner by the owner of the place of storage or 5966
the owner's employee, the owner or lienholder shall pay to the 5967
place of storage a processing fee of twenty-five dollars, in 5968
addition to any expenses or charges incurred in the removal and 5969
storage of the vehicle. 5970

If the owner or lienholder makes no claim to the motor 5971
vehicle within ten days of the date of mailing of the notice, and 5972
if the vehicle is to be disposed of at public auction as provided 5973
in section 4513.62 of the Revised Code, the sheriff or chief of 5974
police shall file with the clerk of courts of the county in which 5975
the place of storage is located an affidavit showing compliance 5976
with the requirements of this section. Upon presentation of the 5977
affidavit, the clerk, without charge, shall issue a salvage 5978
certificate of title, free and clear of all liens and 5979
encumbrances, to the sheriff or chief of police. If the vehicle is 5980

to be disposed of to a motor vehicle salvage dealer or other 5981
facility as provided in section 4513.62 of the Revised Code, the 5982
sheriff or chief of police shall execute in triplicate an 5983
affidavit, as prescribed by the registrar of motor vehicles, 5984
describing the motor vehicle and the manner in which it was 5985
disposed of, and that all requirements of this section have been 5986
complied with. The sheriff or chief of police shall retain the 5987
original of the affidavit for the sheriff's or chief's records, 5988
and shall furnish two copies to the motor vehicle salvage dealer 5989
or other facility. Upon presentation of a copy of the affidavit by 5990
the motor vehicle salvage dealer, the clerk of courts, within 5991
thirty days of the presentation, shall issue to such owner a 5992
salvage certificate of title, free and clear of all liens and 5993
encumbrances. 5994

Whenever a motor vehicle salvage dealer or other facility 5995
receives an affidavit for the disposal of a motor vehicle as 5996
provided in this section, the dealer or facility shall not be 5997
required to obtain an Ohio certificate of title to the motor 5998
vehicle in the dealer's or facility's own name if the vehicle is 5999
dismantled or destroyed and both copies of the affidavit are 6000
delivered to the clerk of courts. 6001

Sec. 4513.63. "Abandoned junk motor vehicle" means any motor 6002
vehicle meeting all of the following requirements: 6003

(A) Left on private property for forty-eight hours or longer 6004
without the permission of the person having the right to the 6005
possession of the property, on a public street or other property 6006
open to the public for purposes of vehicular travel or parking, or 6007
upon or within the right-of-way of any road or highway, for 6008
forty-eight hours or longer; 6009

(B) Three years old, or older; 6010

(C) Extensively damaged, such damage including but not 6011

limited to any of the following: missing wheels, tires, motor, or transmission;

(D) Apparently inoperable;

(E) Having a fair market value of one thousand five hundred dollars or less.

The sheriff of a county or chief of police of a municipal corporation, township, or township police district, within the sheriff's or chief's respective territorial jurisdiction, or a state highway patrol trooper, upon notification to the sheriff or chief of police of such action, shall order any abandoned junk motor vehicle to be photographed by a law enforcement officer. The officer shall record the make of motor vehicle, the serial number when available, and shall also detail the damage or missing equipment to substantiate the value of one thousand five hundred dollars or less. The sheriff or chief of police shall thereupon immediately dispose of the abandoned junk motor vehicle to a motor vehicle salvage dealer as defined in section 4738.01 of the Revised Code or a scrap metal processing facility as defined in section 4737.05 of the Revised Code which is under contract to the county, township, or municipal corporation, or to any other facility owned by or under contract with the county, township, or municipal corporation for the destruction of such motor vehicles. The records and photograph relating to the abandoned junk motor vehicle shall be retained by the law enforcement agency ordering the disposition of such vehicle for a period of at least two years. The law enforcement agency shall execute in quadruplicate an affidavit, as prescribed by the registrar of motor vehicles, describing the motor vehicle and the manner in which it was disposed of, and that all requirements of this section have been complied with, and, within thirty days of disposing of the vehicle, shall sign and file the ~~same~~ affidavit with the clerk of courts of the county in which the motor vehicle was abandoned. The

clerk of courts shall retain the original of the affidavit for the 6044
clerk's files, shall furnish one copy thereof to the registrar, 6045
one copy to the motor vehicle salvage dealer or other facility 6046
handling the disposal of the vehicle, and one copy to the law 6047
enforcement agency ordering the disposal, who shall file such copy 6048
with the records and photograph relating to the disposal. Any 6049
moneys arising from the disposal of an abandoned junk motor 6050
vehicle shall be deposited in the general fund of the county, 6051
township, or the municipal corporation, as the case may be. 6052

Notwithstanding section 4513.61 of the Revised Code, any 6053
motor vehicle meeting the requirements of divisions (C), (D), and 6054
(E) of this section which has remained unclaimed by the owner or 6055
lienholder for a period of ten days or longer following 6056
notification as provided in section 4513.61 of the Revised Code 6057
may be disposed of as provided in this section. 6058

Sec. 4517.01. As used in sections 4517.01 to 4517.65 of the 6059
Revised Code: 6060

(A) "Persons" includes individuals, firms, partnerships, 6061
associations, joint stock companies, corporations, and any 6062
combinations of individuals. 6063

(B) "Motor vehicle" means motor vehicle as defined in section 6064
4501.01 of the Revised Code and also includes "all-purpose 6065
vehicle" and "off-highway motorcycle" as those terms are defined 6066
in section 4519.01 of the Revised Code and manufactured and mobile 6067
homes. 6068

(C) "New motor vehicle" means a motor vehicle, the legal 6069
title to which has never been transferred by a manufacturer, 6070
remanufacturer, distributor, or dealer to an ultimate purchaser. 6071

(D) "Ultimate purchaser" means, with respect to any new motor 6072
vehicle, the first person, other than a dealer purchasing in the 6073

capacity of a dealer, who in good faith purchases such new motor 6074
vehicle for purposes other than resale. 6075

(E) "Business" includes any activities engaged in by any 6076
person for the object of gain, benefit, or advantage either direct 6077
or indirect. 6078

(F) "Engaging in business" means commencing, conducting, or 6079
continuing in business, or liquidating a business when the 6080
liquidator thereof holds self out to be conducting such business; 6081
making a casual sale or otherwise making transfers in the ordinary 6082
course of business when the transfers are made in connection with 6083
the disposition of all or substantially all of the transferor's 6084
assets is not engaging in business. 6085

(G) "Retail sale" or "sale at retail" means the act or 6086
attempted act of selling, bartering, exchanging, or otherwise 6087
disposing of a motor vehicle to an ultimate purchaser for use as a 6088
consumer. 6089

(H) "Retail installment contract" includes any contract in 6090
the form of a note, chattel mortgage, conditional sales contract, 6091
lease, agreement, or other instrument payable in one or more 6092
installments over a period of time and arising out of the retail 6093
sale of a motor vehicle. 6094

(I) "Farm machinery" means all machines and tools used in the 6095
production, harvesting, and care of farm products. 6096

(J) "Dealer" or "motor vehicle dealer" means any new motor 6097
vehicle dealer, any motor vehicle leasing dealer, and any used 6098
motor vehicle dealer. 6099

(K) "New motor vehicle dealer" means any person engaged in 6100
the business of selling at retail, displaying, offering for sale, 6101
or dealing in new motor vehicles pursuant to a contract or 6102
agreement entered into with the manufacturer, remanufacturer, or 6103
distributor of the motor vehicles. 6104

(L) "Used motor vehicle dealer" means any person engaged in 6105
the business of selling, displaying, offering for sale, or dealing 6106
in used motor vehicles, at retail or wholesale, but does not mean 6107
any new motor vehicle dealer selling, displaying, offering for 6108
sale, or dealing in used motor vehicles incidentally to engaging 6109
in the business of selling, displaying, offering for sale, or 6110
dealing in new motor vehicles, any person engaged in the business 6111
of dismantling, salvaging, or rebuilding motor vehicles by means 6112
of using used parts, or any public officer performing official 6113
duties. 6114

(M) "Motor vehicle leasing dealer" means any person engaged 6115
in the business of regularly making available, offering to make 6116
available, or arranging for another person to use a motor vehicle 6117
pursuant to a bailment, lease, sublease, or other contractual 6118
arrangement under which a charge is made for its use at a periodic 6119
rate for a term of thirty days or more, and title to the motor 6120
vehicle is in and remains in the motor vehicle leasing dealer who 6121
originally leases it, irrespective of whether or not the motor 6122
vehicle is the subject of a later sublease, and not in the user, 6123
but does not mean a manufacturer or its affiliate leasing to its 6124
employees or to dealers. 6125

(N) "Salesperson" means any person employed by a dealer or 6126
manufactured home broker to sell, display, and offer for sale, or 6127
deal in motor vehicles for a commission, compensation, or other 6128
valuable consideration, but does not mean any public officer 6129
performing official duties. 6130

(O) "Casual sale" means any transfer of a motor vehicle by a 6131
person other than a new motor vehicle dealer, used motor vehicle 6132
dealer, motor vehicle salvage dealer, as defined in division (A) 6133
of section 4738.01 of the Revised Code, salesperson, motor vehicle 6134
auction owner, manufacturer, or distributor acting in the capacity 6135
of a dealer, salesperson, auction owner, manufacturer, or 6136

distributor, to a person who purchases the motor vehicle for use 6137
as a consumer. 6138

(P) "Motor vehicle show" means a display of current models of 6139
motor vehicles whereby the primary purpose is the exhibition of 6140
competitive makes and models in order to provide the general 6141
public the opportunity to review and inspect various makes and 6142
models of motor vehicles at a single location. 6143

(Q) "Motor vehicle auction owner" means any person who is 6144
engaged wholly or in part in the business of auctioning motor 6145
vehicles. 6146

(R) "Manufacturer" means a person who manufactures, 6147
assembles, or imports motor vehicles, including motor homes, but 6148
does not mean a person who only assembles or installs a body, 6149
special equipment unit, finishing trim, or accessories on a motor 6150
vehicle chassis supplied by a manufacturer or distributor. 6151

(S) "Tent-type fold-out camping trailer" means any vehicle 6152
intended to be used, when stationary, as a temporary shelter with 6153
living and sleeping facilities, and ~~which~~ that is subject to the 6154
following properties and limitations: 6155

(1) A minimum of twenty-five per cent of the fold-out portion 6156
of the top and sidewalls combined must be constructed of canvas, 6157
vinyl, or other fabric, and form an integral part of the shelter. 6158

(2) When folded, the unit must not exceed: 6159

(a) Fifteen feet in length, exclusive of bumper and tongue; 6160

(b) Sixty inches in height from the point of contact with the 6161
ground; 6162

(c) Eight feet in width; 6163

(d) One ton gross weight at time of sale. 6164

(T) "Distributor" means any person authorized by a motor 6165
vehicle manufacturer to distribute new motor vehicles to licensed 6166

new motor vehicle dealers, but does not mean a person who only 6167
assembles or installs a body, special equipment unit, finishing 6168
trim, or accessories on a motor vehicle chassis supplied by a 6169
manufacturer or distributor. 6170

(U) "Flea market" means a market place, other than a dealer's 6171
location licensed under this chapter, where a space or location is 6172
provided for a fee or compensation to a seller to exhibit and 6173
offer for sale or trade, motor vehicles to the general public. 6174

(V) "Franchise" means any written agreement, contract, or 6175
understanding between any motor vehicle manufacturer or 6176
remanufacturer engaged in commerce and any motor vehicle dealer, 6177
~~which~~ that purports to fix the legal rights and liabilities of the 6178
parties to such agreement, contract, or understanding. 6179

(W) "Franchisee" means a person who receives new motor 6180
vehicles from the franchisor under a franchise agreement and who 6181
offers, sells, and provides service for such new motor vehicles to 6182
the general public. 6183

(X) "Franchisor" means a new motor vehicle manufacturer, 6184
remanufacturer, or distributor who supplies new motor vehicles 6185
under a franchise agreement to a franchisee. 6186

(Y) "Dealer organization" means a state or local trade 6187
association the membership of which is comprised predominantly of 6188
new motor vehicle dealers. 6189

(Z) "Factory representative" means a representative employed 6190
by a manufacturer, remanufacturer, or by a factory branch 6191
primarily for the purpose of promoting the sale of its motor 6192
vehicles, parts, or accessories to dealers or for supervising or 6193
contacting its dealers or prospective dealers. 6194

(AA) "Administrative or executive management" means those 6195
individuals who are not subject to federal wage and hour laws. 6196

(BB) "Good faith" means honesty in the conduct or transaction
concerned and the observance of reasonable commercial standards of
fair dealing in the trade as is defined in division (S) of section
1301.01 of the Revised Code, including, but not limited to, the
duty to act in a fair and equitable manner so as to guarantee
freedom from coercion, intimidation, or threats of coercion or
intimidation; provided however, that recommendation, endorsement,
exposition, persuasion, urging, or argument shall not be
considered to constitute a lack of good faith.

(CC) "Coerce" means to compel or attempt to compel by failing
to act in good faith or by threat of economic harm, breach of
contract, or other adverse consequences. Coerce does not mean to
argue, urge, recommend, or persuade.

(DD) "Relevant market area" means any area within a radius of
ten miles from the site of a potential new dealership, except that
for manufactured home or recreational vehicle dealerships the
radius shall be twenty-five miles. The ten-mile radius shall be
measured from the dealer's established place of business that is
used exclusively for the purpose of selling, displaying, offering
for sale, or dealing in motor vehicles.

(EE) "Wholesale" or "at wholesale" means the act or attempted
act of selling, bartering, exchanging, or otherwise disposing of a
motor vehicle to a transferee for the purpose of resale and not
for ultimate consumption by that transferee.

(FF) "Motor vehicle wholesaler" means any person licensed as
a dealer under the laws of another state and engaged in the
business of selling, displaying, or offering for sale used motor
vehicles, at wholesale, but does not mean any motor vehicle dealer
as defined in this section.

(GG)(1) "Remanufacturer" means a person who assembles or
installs passenger seating, walls, a roof elevation, or a body

extension on a conversion van with the motor vehicle chassis 6228
supplied by a manufacturer or distributor, a person who modifies a 6229
truck chassis supplied by a manufacturer or distributor for use as 6230
a public safety or public service vehicle, a person who modifies a 6231
motor vehicle chassis supplied by a manufacturer or distributor 6232
for use as a limousine or hearse, or a person who modifies an 6233
incomplete motor vehicle cab and chassis supplied by a new motor 6234
vehicle dealer or distributor for use as a tow truck, but does not 6235
mean either of the following: 6236

(a) A person who assembles or installs passenger seating, 6237
walls, a roof elevation, or a body extension on a manufactured 6238
home as defined in division (C)(4) of section 3781.06 of the 6239
Revised Code, a mobile home as defined in division (O) and 6240
referred to in division (B) of section 4501.01 of the Revised 6241
Code, or a recreational vehicle as defined in division (Q) and 6242
referred to in division (B) of section 4501.01 of the Revised 6243
Code; 6244

(b) A person who assembles or installs special equipment or 6245
accessories for handicapped persons, as defined in section 4503.44 6246
of the Revised Code, upon a motor vehicle chassis supplied by a 6247
manufacturer or distributor. 6248

(2) For the purposes of division (GG)(1) of this section, 6249
"public safety vehicle or public service vehicle" means a fire 6250
truck, ambulance, school bus, street sweeper, garbage packing 6251
truck, or cement mixer, or a mobile self-contained facility 6252
vehicle. 6253

(3) For the purposes of division (GG)(1) of this section, 6254
"limousine" means a motor vehicle, designed only for the purpose 6255
of carrying nine or fewer passengers, that a person modifies by 6256
cutting the original chassis, lengthening the wheelbase by forty 6257
inches or more, and reinforcing the chassis in such a way that all 6258
modifications comply with all applicable federal motor vehicle 6259

safety standards. No person shall qualify as or be deemed to be a remanufacturer who produces limousines unless the person has a written agreement with the manufacturer of the chassis the person utilizes to produce the limousines to complete properly the remanufacture of the chassis into limousines.

(4) For the purposes of division (GG)(1) of this section, "hearse" means a motor vehicle, designed only for the purpose of transporting a single casket, that is equipped with a compartment designed specifically to carry a single casket that a person modifies by cutting the original chassis, lengthening the wheelbase by ten inches or more, and reinforcing the chassis in such a way that all modifications comply with all applicable federal motor vehicle safety standards. No person shall qualify as or be deemed to be a remanufacturer who produces hearses unless the person has a written agreement with the manufacturer of the chassis the person utilizes to produce the hearses to complete properly the remanufacture of the chassis into hearses.

(5) For the purposes of division (GG)(1) of this section, "mobile self-contained facility vehicle" means a mobile classroom vehicle, mobile laboratory vehicle, bookmobile, bloodmobile, testing laboratory, and mobile display vehicle, each of which is designed for purposes other than for passenger transportation and other than the transportation or displacement of cargo, freight, materials, or merchandise. A vehicle is remanufactured into a mobile self-contained facility vehicle in part by the addition of insulation to the body shell, and installation of all of the following: a generator, electrical wiring, plumbing, holding tanks, doors, windows, cabinets, shelving, and heating, ventilating, and air conditioning systems.

(6) For the purposes of division (GG)(1) of this section, "tow truck" means both of the following:

(a) An incomplete cab and chassis that are purchased by a

remanufacturer from a new motor vehicle dealer or distributor of 6292
the cab and chassis and on which the remanufacturer then installs 6293
in a permanent manner a wrecker body it purchases from a 6294
manufacturer or distributor of wrecker bodies, installs an 6295
emergency flashing light pylon and emergency lights upon the mast 6296
of the wrecker body or rooftop, and installs such other related 6297
accessories and equipment, including push bumpers, front grille 6298
guards with pads and other custom-ordered items such as painting, 6299
special lettering, and safety striping so as to create a complete 6300
motor vehicle capable of lifting and towing another motor vehicle. 6301

(b) An incomplete cab and chassis that are purchased by a 6302
remanufacturer from a new motor vehicle dealer or distributor of 6303
the cab and chassis and on which the remanufacturer then installs 6304
in a permanent manner a car carrier body it purchases from a 6305
manufacturer or distributor of car carrier bodies, installs an 6306
emergency flashing light pylon and emergency lights upon the 6307
rooftop, and installs such other related accessories and 6308
equipment, including push bumpers, front grille guards with pads 6309
and other custom-ordered items such as painting, special 6310
lettering, and safety striping. 6311

As used in division ~~(G)~~(GG)(6)(b) of this section, "car 6312
carrier body" means a mechanical or hydraulic apparatus capable of 6313
lifting and holding a motor vehicle on a flat level surface so 6314
that one or more motor vehicles can be transported, once the car 6315
carrier is permanently installed upon an incomplete cab and 6316
chassis. 6317

(HH) "Operating as a new motor vehicle dealership" means 6318
engaging in activities such as displaying, offering for sale, and 6319
selling new motor vehicles at retail, operating a service facility 6320
to perform repairs and maintenance on motor vehicles, offering for 6321
sale and selling motor vehicle parts at retail, and conducting all 6322
other acts that are usual and customary to the operation of a new 6323

motor vehicle dealership. For the purposes of this chapter only, 6324
possession of either a valid new motor vehicle dealer franchise 6325
agreement or a new motor vehicle dealers license, or both of these 6326
items, is not evidence that a person is operating as a new motor 6327
vehicle dealership. 6328

(II) "Manufactured home broker" means any person acting as a 6329
selling agent on behalf of an owner of a manufactured or mobile 6330
home that is subject to taxation under section 4503.06 of the 6331
Revised Code. 6332

(JJ) "Outdoor power equipment" means garden and small utility 6333
tractors, walk-behind and riding mowers, chainsaws, and tillers. 6334

(KK) "Remote service facility" means premises that are 6335
separate from a licensed new motor vehicle dealer's sales facility 6336
by not more than one mile and that are used by the dealer to 6337
perform repairs, warranty work, recall work, and maintenance on 6338
motor vehicles pursuant to a franchise agreement entered into with 6339
a manufacturer of motor vehicles. A remote service facility shall 6340
be deemed to be part of the franchise agreement and is subject to 6341
all the rights, duties, obligations, and requirements of Chapter 6342
4517. of the Revised Code that relate to the performance of motor 6343
vehicle repairs, warranty work, recall work, and maintenance work 6344
by new motor vehicle dealers. 6345

Sec. 4517.03. (A) A place of business that is used for 6346
selling, displaying, offering for sale, or dealing in motor 6347
vehicles shall be considered as used exclusively for those 6348
purposes even though snowmobiles, farm machinery, outdoor power 6349
equipment, watercraft and related products, or products 6350
manufactured or distributed by a motor vehicle manufacturer with 6351
which the motor vehicle dealer has a franchise agreement are sold 6352
or displayed there, or if repair, accessory, gasoline and oil, 6353
storage, parts, service, or paint departments are maintained 6354

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)(1) No new motor vehicle dealer shall sell, display, offer for sale, or deal in motor vehicles at any place except an established place of business that is used exclusively for the purpose of selling, displaying, offering for sale, or dealing in motor vehicles. The place of business shall have space, under roof, for the display of at least one new motor vehicle ~~and. The established place of business or, if the dealer operates a remote service facility, the dealer's remote service facility shall have facilities and space therewith~~ for the inspection, servicing, and repair of at least one motor vehicle; ~~except that. However~~ a new motor vehicle dealer selling manufactured or mobile homes is exempt from the requirement that a place of business have space, under roof, for the display of at least one new motor vehicle and facilities and space for the inspection, servicing, and repair of at least one motor vehicle.

(2) A licensed new motor vehicle dealer may operate a remote service facility with the consent of the manufacturer and only to perform repairs, warranty work, recall work, and maintenance on motor vehicles as part of the dealer's franchised and licensed new

motor vehicle dealership. The remote service facility shall be 6387
included on the new motor vehicle dealer's license and be deemed 6388
to be part of the dealer's licensed location. 6389

(3) No person shall use a remote service facility for 6390
selling, displaying, or offering for sale motor vehicles. 6391

(4) Nothing in Chapter 4517. of the Revised Code shall be 6392
construed as prohibiting the sale of a new or used manufactured or 6393
mobile home located in a manufactured home park by a licensed new 6394
or used motor vehicle dealer. 6395

(C) No used motor vehicle dealer shall sell, display, offer 6396
for sale, or deal in motor vehicles at any place except an 6397
established place of business that is used exclusively for the 6398
purpose of selling, displaying, offering for sale, or dealing in 6399
motor vehicles. 6400

(D) No motor vehicle leasing dealer shall make a motor 6401
vehicle available for use by another, in the manner described in 6402
division (M) of section 4517.01 of the Revised Code, at any place 6403
except an established place of business that is used for leasing 6404
motor vehicles; except that a motor vehicle leasing dealer who is 6405
also a new motor vehicle dealer or used motor vehicle dealer may 6406
lease motor vehicles at the same place of business at which the 6407
dealer sells, offers for sale, or deals in new or used motor 6408
vehicles. 6409

(E) No motor vehicle leasing dealer or motor vehicle renting 6410
dealer shall sell a motor vehicle within ninety days after a 6411
certificate of title to the motor vehicle is issued to the dealer, 6412
except when a salvage certificate of title is issued to replace 6413
the original certificate of title and except when a motor vehicle 6414
leasing dealer sells a motor vehicle to another motor vehicle 6415
leasing dealer at the end of a sublease pursuant to that sublease. 6416

(F) No distributor shall distribute new motor vehicles to new 6417

motor vehicle dealers at any place except an established place of 6418
business that is used exclusively for the purpose of distributing 6419
new motor vehicles to new motor vehicle dealers; except that a 6420
distributor who is also a new motor vehicle dealer may distribute 6421
new motor vehicles at the same place of business at which the 6422
distributor sells, displays, offers for sale, or deals in new 6423
motor vehicles. 6424

(G) No person, firm, or corporation that sells, displays, or 6425
offers for sale tent-type fold-out camping trailers is subject to 6426
the requirement that the person's, firm's, or corporation's place 6427
of business be used exclusively for the purpose of selling, 6428
displaying, offering for sale, or dealing in motor vehicles. No 6429
person, firm, or corporation that sells, displays, or offers for 6430
sale tent-type fold-out camping trailers, trailers, semitrailers, 6431
or park trailers is subject to the requirement that the place of 6432
business have space, under roof, for the display of at least one 6433
new motor vehicle and facilities and space for the inspection, 6434
servicing, and repair of at least one motor vehicle. 6435

(H) No manufactured or mobile home broker shall engage in the 6436
business of brokering manufactured or mobile homes at any place 6437
except an established place of business that is used exclusively 6438
for the purpose of brokering manufactured or mobile homes. 6439

(I) Nothing in this section shall be construed to prohibit 6440
persons licensed under this chapter from making sales calls. 6441

(J) Whoever violates this section is guilty of a misdemeanor 6442
of the fourth degree. 6443

(K) As used in this section: 6444

(1) "Motor vehicle leasing dealer" has the same meaning as in 6445
section 4517.01 of the Revised Code. 6446

(2) "Motor vehicle renting dealer" has the same meaning as in 6447
section 4549.65 of the Revised Code. 6448

(3) "Watercraft" has the same meaning as in section 1547.01 6449
of the Revised Code. 6450

Sec. 4517.05. (A) Each person applying for a used motor 6451
vehicle dealer's license shall annually, before the first day of 6452
April, make out and deliver to the registrar of motor vehicles, 6453
upon a blank to be furnished by the registrar for that purpose, a 6454
separate application for license for each county in which such 6455
business is to be conducted. The application shall be in the form 6456
prescribed by the registrar, shall be signed and sworn to by the 6457
applicant, and, in addition to such other information as ~~is~~ 6458
~~required by the registrar~~ requires, shall include the information 6459
specified in divisions (A) to (H) of section 4517.04 of the 6460
Revised Code. The application shall be accompanied by a 6461
photograph, as prescribed by the registrar, of each place of 6462
business operated, or to be operated, by the applicant. 6463

(B)(1) Except as provided in division (B)(2) of this section, 6464
after the effective date of this amendment, an initial application 6465
for a used motor vehicle dealer's license must be accompanied by a 6466
certificate showing that, within the preceding six months, the 6467
owner or a partner, director, or other officer of the entity that 6468
will be granted the used motor vehicle dealer's license has 6469
completed successfully a training course conducted by an eligible 6470
used motor vehicle dealer training school. Successful completion 6471
of the course shall be evidenced by a certificate issued by the 6472
training school to the applicant. The certificate shall be in a 6473
form prescribed by the registrar. 6474

(2) Division (B)(1) of this section does not apply to a 6475
person or entity including the owner or partner, director, or 6476
other officer of the entity applying for a used motor vehicle 6477
dealer's license that previously held such a license or a new 6478
motor vehicle dealer's license at any time during the two-year 6479

period immediately preceding the date of application. 6480

(3) The bureau, in accordance with Chapter 119. of the 6481
Revised Code, shall adopt rules governing used motor vehicle 6482
dealer training schools and their courses, including the course 6483
curriculum, course length, which shall be not less than six but 6484
not more than twenty-four hours, and all other criteria for used 6485
motor vehicle dealer training schools and their courses. 6486

(4) Only learning institutions approved by the bureau and a 6487
trade association whose members are used or new motor vehicle 6488
dealers licensed in this state and that has been in existence for 6489
more than five years are eligible to be used motor vehicle dealer 6490
training schools if they comply with the rules adopted under 6491
division (B)(3) of this section. 6492

Sec. 4517.10. At the time the registrar of motor vehicles 6493
grants the application of any person for a license as motor 6494
vehicle dealer, motor vehicle leasing dealer, manufactured home 6495
broker, distributor, motor vehicle auction owner, or motor vehicle 6496
salesperson, the registrar shall issue to the person a license. 6497
The registrar shall prescribe different forms for the licenses of 6498
motor vehicle dealers, motor vehicle leasing dealers, manufactured 6499
home brokers, distributors, motor vehicle auction owners, and 6500
motor vehicle salespersons, and all licenses shall include the 6501
name and post-office address of the person licensed. 6502

The fee for a dealer's license, a motor vehicle leasing 6503
dealer's license, and a manufactured home broker's license shall 6504
be ~~twenty five~~ fifty dollars, and the fee for a salesperson's 6505
license shall be ~~five~~ ten dollars. The fee for a motor vehicle 6506
auction owner's license shall be ~~fifty~~ one hundred dollars for 6507
each location. The fee for a distributor's license shall be ~~fifty~~ 6508
one hundred dollars for each distributorship. In all cases, the 6509
fee shall accompany the application for license. 6510

The registrar may require each applicant for a license issued 6511
under this chapter to pay an additional fee, which shall be used 6512
by the registrar to pay the costs of obtaining a record of any 6513
arrests and convictions of the applicant from the Ohio bureau of 6514
identification and investigation. The amount of the fee shall be 6515
equal to that paid by the registrar to obtain such record. 6516

If a dealer, a motor vehicle leasing dealer, or a 6517
manufactured home broker, has more than one place of business in 6518
the county, the dealer or the broker shall make application, in 6519
such form as the registrar prescribes, for a certified copy of the 6520
license issued to the dealer or manufactured home broker for each 6521
place of business operated. In the event of the loss, mutilation, 6522
or destruction of a license issued under sections 4517.01 to 6523
4517.65 of the Revised Code, any licensee may make application to 6524
the registrar, in such form as the registrar prescribes, for a 6525
duplicate copy thereof. The fee for a certified or duplicate copy 6526
of a dealer's, motor vehicle leasing dealer's, manufactured home 6527
broker's, distributor's, or auction owner's license, is two 6528
dollars, and the fee for a duplicate copy of a salesperson's 6529
license is one dollar. All fees for such copies shall accompany 6530
the applications. 6531

~~All Beginning on the effective date of this amendment, all~~ 6532
dealers' licenses, motor vehicle leasing dealers' licenses, 6533
manufactured home broker's licenses, distributors' licenses, and 6534
auction owners' licenses issued or renewed ~~each year~~ shall expire 6535
biennially on the last day of March of each two-year cycle and all 6536
salespersons' licenses issued or renewed ~~each year~~ shall expire 6537
biennially on the last day of June ~~next following the date of~~ 6538
~~their issuance of each two-year cycle~~, unless sooner suspended or 6539
revoked. Each licensed dealer, motor vehicle leasing dealer, 6540
manufactured home broker, distributor, and auction owner licensed 6541
~~during any year~~ shall, before the first day of April each in the 6542

year ~~thereafter~~ in which the license will expire and each licensed 6543
salesperson ~~licensed during any year~~ shall, before the first day 6544
of July ~~each~~ in the year thereafter in which the license will 6545
expire, file an application, in such form as the registrar 6546
prescribes, for the renewal of such license. The fee provided in 6547
this section for the original license shall accompany the 6548
application. 6549

Any salesperson's license shall be suspended upon the 6550
termination, suspension, or revocation of the license of the motor 6551
vehicle dealer or manufactured home broker for whom the 6552
salesperson is acting, or upon the salesperson leaving the service 6553
of the motor vehicle dealer or manufactured home broker; provided 6554
that upon the termination, suspension, or revocation of the 6555
license of the motor vehicle dealer or manufactured home broker 6556
for whom the salesperson is acting, or upon the salesperson 6557
leaving the service of a licensed motor vehicle dealer or 6558
manufactured home broker, the licensed salesperson, upon entering 6559
the service of any other licensed motor vehicle dealer or 6560
manufactured home broker, shall make application to the registrar, 6561
in such form as the registrar prescribes, to have the 6562
salesperson's license reinstated, transferred, and registered as a 6563
salesperson for the other dealer or broker. If the information 6564
contained in the application is satisfactory to the registrar, the 6565
registrar shall have the salesperson's license reinstated, 6566
transferred, and registered as a salesperson for the other dealer 6567
or broker. The fee for the reinstatement and transfer of license 6568
shall be two dollars. No license issued to a dealer, motor vehicle 6569
leasing dealer, auction owner, manufactured home broker, or 6570
salesperson, under sections 4517.01 to 4517.65 of the Revised Code 6571
shall be transferable to any other person. 6572

Each dealer, motor vehicle leasing dealer, manufactured home 6573
broker, distributor, and auction owner shall keep the license or a 6574

certified copy thereof and, in the case of a dealer or broker, a 6575
current list of the dealer's or the broker's licensed 6576
salespersons, showing the names, addresses, and serial numbers of 6577
their licenses, posted in a conspicuous place in each place of 6578
business. Each salesperson shall carry the salesperson's license 6579
or a certified copy thereof and shall exhibit such license or copy 6580
upon demand to any inspector of the bureau of motor vehicles, 6581
state highway patrol trooper, police officer, or person with whom 6582
the salesperson seeks to transact business as a motor vehicle 6583
salesperson. 6584

~~If a dealer's, motor vehicle leasing dealer's, manufactured 6585
home broker's, distributor's, auction owner's, or salesperson's 6586
license, is not granted, the fee shall be returned to the 6587
applicant at the time of notification that the application has 6588
been refused.~~ The notice of refusal to grant a license shall 6589
disclose the reason for refusal. 6590

Sec. 4517.14. The registrar of motor vehicles shall deny the 6591
application of any person for a license as a salesperson and 6592
refuse to issue the license if the registrar finds that the 6593
applicant: 6594

(A) Has made any false statement of a material fact in the 6595
application; 6596

(B) Has not complied with sections 4517.01 to 4517.45 of the 6597
Revised Code; 6598

(C) Is of bad business repute or has habitually defaulted on 6599
financial obligations; 6600

(D) Has been guilty of a fraudulent act in connection with 6601
selling or otherwise dealing in motor vehicles; 6602

(E) Has not been designated to act as salesperson for a motor 6603
vehicle dealer or manufactured home broker licensed to do business 6604

in this state under section 4517.10 of the Revised Code, or 6605
intends to act as salesperson for more than one licensed motor 6606
vehicle dealer or manufactured home broker at the same time, 6607
except that a licensed salesperson may act as a salesperson at any 6608
licensed dealership owned or operated by the same corporation, 6609
regardless of the county in which the dealership's facility is 6610
located; 6611

(F) Holds a current motor vehicle dealer's or manufactured 6612
home broker's license issued under section 4517.10 of the Revised 6613
Code, and intends to act as salesperson for another licensed motor 6614
vehicle dealer or manufactured home broker; 6615

(G) Has, less than twelve months prior to making application, 6616
been denied a salesperson's license or had a salesperson's license 6617
revoked. 6618

The registrar may refuse to issue a salesperson's license to 6619
an applicant who was salesperson for, or in the employ of, a motor 6620
vehicle dealer or manufactured home broker at the time the 6621
dealer's or broker's license was revoked. The registrar's finding 6622
may be based upon any statement contained in the application or 6623
upon any facts within the registrar's knowledge, and, immediately 6624
upon refusing to issue a salesperson's license, the registrar 6625
shall enter a final order and shall certify the final order 6626
together with his findings to the motor vehicle dealers board. 6627

Sec. 4519.03. (A) The owner of every snowmobile, off-highway 6628
motorcycle, and all-purpose vehicle required to be registered 6629
under section 4519.02 of the Revised Code shall file an 6630
application for registration with the registrar of motor vehicles 6631
or a deputy registrar, on blanks furnished by the registrar for 6632
that purpose and containing all of the following information: 6633

(1) A brief description of the snowmobile, off-highway 6634
motorcycle, or all-purpose vehicle, including the ~~name of the~~ 6635

~~manufacturer, the factory or year, make, model number,~~ and the 6636
vehicle identification number; 6637

(2) The name, residence, and business address of the owner; 6638

(3) A statement that the snowmobile, off-highway motorcycle, 6639
or all-purpose vehicle is equipped as required by section 4519.20 6640
of the Revised Code and any rule adopted under that section. The 6641
statement shall include a check list of the required equipment 6642
items in the form the registrar shall prescribe. 6643

The application shall be signed by the owner of the 6644
snowmobile, off-highway motorcycle, or all-purpose vehicle and 6645
shall be accompanied by a fee as provided in division (C) of 6646
section 4519.04 of the Revised Code. 6647

If the application is not in proper form, or if the vehicle 6648
for which registration is sought does not appear to be equipped as 6649
required by section 4519.20 of the Revised Code or any rule 6650
adopted under that section, the registration shall be refused, and 6651
no registration sticker shall be issued. 6652

(B) On and after July 1, 1999, no certificate of registration 6653
or renewal of a certificate of registration shall be issued for an 6654
off-highway motorcycle or all-purpose vehicle required to be 6655
registered under section 4519.02 of the Revised Code, and no 6656
certificate of registration issued under this chapter for an 6657
off-highway motorcycle or all-purpose vehicle that is sold or 6658
otherwise transferred shall be transferred to the new owner of the 6659
off-highway motorcycle or all-purpose vehicle as permitted by 6660
division (B) of section 4519.05 of the Revised Code, unless a 6661
certificate of title has been issued under this chapter for the 6662
motorcycle or vehicle, and the owner or new owner, as the case may 6663
be, presents a physical certificate of title or memorandum 6664
certificate of title for inspection at the time the owner or new 6665
owner first submits a registration application, registration 6666

renewal application, or registration transfer application for the 6667
motorcycle or vehicle on or after July 1, 1999, if a physical 6668
certificate of title or memorandum certificate has been issued by 6669
a clerk of a court of common pleas. If, under sections 4519.512 6670
and 4519.58 of the Revised Code, a clerk instead has issued an 6671
electronic certificate of title for the applicant's off-highway 6672
motorcycle or all-purpose vehicle, that certificate may be 6673
presented for inspection at the time of first registration in a 6674
manner prescribed by rules adopted by the registrar. 6675

(C) When the owner of an off-highway motorcycle or 6676
all-purpose vehicle first registers it in the owner's name, and a 6677
certificate of title has been issued for the motorcycle or 6678
vehicle, the owner shall present for inspection a physical 6679
certificate of title or memorandum certificate of title showing 6680
title to the off-highway motorcycle or all-purpose vehicle in the 6681
name of the owner if a physical certificate of title or memorandum 6682
certificate has been issued by a clerk of a court of common pleas. 6683
If, under sections 4519.512 and 4519.58 of the Revised Code, a 6684
clerk instead has issued an electronic certificate of title for 6685
the applicant's off-highway motorcycle or all-purpose vehicle, 6686
that certificate may be presented for inspection at the time of 6687
first registration in a manner prescribed by rules adopted by the 6688
registrar. If, when the owner of such an off-highway motorcycle or 6689
all-purpose vehicle first makes application to register it in the 6690
owner's name, the application is not in proper form or the 6691
certificate of title or memorandum certificate of title does not 6692
accompany the registration or, in the case of an electronic 6693
certificate of title, is not presented in a manner prescribed by 6694
the registrar, the registration shall be refused, and neither a 6695
certificate of registration nor a registration sticker shall be 6696
issued. When a certificate of registration and registration 6697
sticker are issued upon the first registration of an off-highway 6698
motorcycle or all-purpose vehicle by or on behalf of the owner, 6699

the official issuing them shall indicate the issuance with a stamp 6700
on the certificate of title or memorandum certificate of title or, 6701
in the case of an electronic certificate of title, an electronic 6702
stamp or other notation as specified in rules adopted by the 6703
registrar. 6704

(D) Each deputy registrar shall be allowed a fee of two 6705
dollars and seventy-five cents commencing on July 1, 2001, three 6706
dollars and twenty-five cents commencing on January 1, 2003, and 6707
three dollars and fifty cents commencing on January 1, 2004, for 6708
each application or renewal application received by the deputy 6709
registrar, which shall be for the purpose of compensating the 6710
deputy registrar for services, and office and rental expense, as 6711
may be necessary for the proper discharge of the deputy 6712
registrar's duties in the receiving of applications and the 6713
issuing of certificates of registration. 6714

Each deputy registrar, upon receipt of any application for 6715
registration, together with the registration fee, shall transmit 6716
the fee, together with the original and duplicate copy of the 6717
application, to the registrar in the manner and at the times the 6718
registrar, subject to the approval of the director of public 6719
safety and the treasurer of state, shall prescribe by rule. 6720

Sec. 4519.05. (A) Whenever a registered snowmobile, 6721
off-highway motorcycle, or all-purpose vehicle is destroyed or 6722
similarly disposed of, the owner shall surrender the certificate 6723
of registration to the registrar of motor vehicles or a deputy 6724
registrar within fifteen days following the destruction or 6725
disposal. The registrar thereupon shall cancel the certificate and 6726
enter that fact in the registrar's records. 6727

In the case of an off-highway motorcycle or all-purpose 6728
vehicle for which a certificate of title has been issued, the 6729
owner also shall surrender the certificate of title to the clerk 6730

of the court of common pleas who issued it and the clerk, with the 6731
consent of any lienholders noted thereon, shall enter a 6732
cancellation upon the clerk's records and shall notify the 6733
registrar of the cancellation. Upon the cancellation of a 6734
certificate of title in the manner prescribed by this division, 6735
the clerk and the registrar may cancel and destroy all 6736
certificates of title and memorandum certificates of title in that 6737
chain of title. 6738

(B) Subject to division (B) of section 4519.03 of the Revised 6739
Code, whenever the ownership of a registered snowmobile, 6740
off-highway motorcycle, or all-purpose vehicle is transferred by 6741
sale or otherwise, the new owner, within fifteen days following 6742
the transfer, shall make application to the registrar or a deputy 6743
registrar for the transfer of the certificate of registration. 6744
Upon receipt of the application and a fee of one dollar, the 6745
registrar shall transfer the certificate to the new owner and 6746
shall enter the new owner's name and address in the registrar's 6747
records. 6748

(C) Whenever the owner of a registered snowmobile, 6749
off-highway motorcycle, or all-purpose vehicle changes address, 6750
the owner shall surrender the certificate of registration to the 6751
registrar or a deputy registrar within fifteen days following the 6752
address change. Upon receipt of the certificate, the registrar 6753
shall enter the new address thereon and shall make the appropriate 6754
change in the registrar's records. In a case where the owner's 6755
change of address involves a move outside of the state, the 6756
registrar shall cancel the certificate of registration for that 6757
snowmobile, off-highway motorcycle, or all-purpose vehicle. 6758

(D) Whenever a certificate of registration for a snowmobile, 6759
off-highway motorcycle, or all-purpose vehicle is lost, mutilated, 6760
or destroyed, the owner may obtain a duplicate certificate, which 6761
shall be identified as such, upon application and the payment of a 6762

fee of one dollar. 6763

(E) The registrar and each deputy registrar may collect and 6764
retain an additional fee of two dollars and seventy-five cents 6765
commencing on July 1, 2001, three dollars and twenty-five cents 6766
commencing on January 1, 2003, and three dollars and fifty cents 6767
commencing on January 1, 2004, for each application for the 6768
transfer of a certificate of registration or duplicate certificate 6769
of registration received by the registrar or deputy registrar. 6770

(F) Whoever violates division (A), (B), or (C) of this 6771
section shall be fined not more than twenty-five dollars for a 6772
first offense; for each subsequent offense, the offender shall be 6773
fined not less than twenty-five nor more than fifty dollars. 6774

Sec. 4519.56. (A) An application for a certificate of title 6775
shall be sworn to before a notary public or other officer 6776
empowered to administer oaths by the lawful owner or purchaser of 6777
the off-highway motorcycle or all-purpose vehicle and shall 6778
contain at least the following information in a form and together 6779
with any other information the registrar of motor vehicles may 6780
require: 6781

(1) Name, address, and social security number or employer's 6782
tax identification number of the applicant; 6783

(2) Statement of how the off-highway motorcycle or 6784
all-purpose vehicle was acquired; 6785

(3) Name and address of the previous owner; 6786

(4) A statement of all liens, mortgages, or other 6787
encumbrances on the off-highway motorcycle or all-purpose vehicle, 6788
and the name and address of each holder thereof; 6789

(5) If there are no outstanding liens, mortgages, or other 6790
encumbrances, a statement of that fact; 6791

(6) A description of the off-highway motorcycle or 6792

all-purpose vehicle, including the make, year, series or model, if 6793
any, body type, and manufacturer's vehicle identification number. 6794

If the off-highway motorcycle or all-purpose vehicle contains 6795
a permanent identification number placed thereon by the 6796
manufacturer, this number shall be used as the vehicle 6797
identification number. Except as provided in division (B) of this 6798
section, if the application for a certificate of title refers to 6799
an off-highway motorcycle or all-purpose vehicle that contains 6800
such a permanent identification number, but for which no 6801
certificate of title has been issued previously by this state, the 6802
application shall be accompanied by a physical inspection 6803
certificate as described in that division. 6804

If there is no manufacturer's vehicle identification number 6805
or if the manufacturer's vehicle identification number has been 6806
removed or obliterated, the registrar, upon receipt of a 6807
prescribed application and proof of ownership, but prior to 6808
issuance of a certificate of title, shall assign a vehicle 6809
identification number for the off-highway motorcycle or 6810
all-purpose vehicle. This assigned vehicle identification number 6811
shall be permanently affixed to or imprinted upon the off-highway 6812
motorcycle or all-purpose vehicle by the state highway patrol. The 6813
state highway patrol shall assess a fee of fifty dollars for 6814
affixing the number to the off-highway motorcycle or all-purpose 6815
vehicle and shall deposit each such fee in the state highway 6816
safety fund established by section 4501.06 of the Revised Code. 6817

(B) Except in the case of a new off-highway motorcycle or 6818
all-purpose vehicle sold by a dealer ~~licensed under Chapter 4517.~~ 6819
~~of the Revised Code~~ title to which is evidenced by a 6820
manufacturer's or importer's certificate, if the application for a 6821
certificate of title refers to an off-highway motorcycle or 6822
all-purpose vehicle that contains a permanent identification 6823
number placed thereon by the manufacturer, but for which no 6824

certificate of title previously has been issued by this state, the 6825
application shall be accompanied by a physical inspection 6826
certificate issued by the department of public safety verifying 6827
the make, year, series or model, if any, body type, and 6828
manufacturer's vehicle identification number of the off-highway 6829
motorcycle or all-purpose vehicle for which the certificate of 6830
title is desired. The physical inspection certificate shall be in 6831
such form as is designated by the registrar. The physical 6832
inspection shall be made at a deputy registrar's office or at an 6833
established place of business operated by a licensed motor vehicle 6834
dealer. The deputy registrar or motor vehicle dealer may charge a 6835
maximum fee of two dollars and seventy-five cents commencing on 6836
July 1, 2001, three dollars and twenty-five cents commencing on 6837
January 1, 2003, and three dollars and fifty cents commencing on 6838
January 1, 2004, for conducting the physical inspection. 6839

The clerk of the court of common pleas shall charge a fee of 6840
one dollar and fifty cents for the processing of each physical 6841
inspection certificate. The clerk shall retain fifty cents of the 6842
one dollar and fifty cents so charged and shall pay the remaining 6843
one dollar to the registrar by monthly returns, which shall be 6844
forwarded to the registrar not later than the fifth day of the 6845
month next succeeding that in which the certificate is received by 6846
the clerk. The registrar shall pay such remaining sums into the 6847
state bureau of motor vehicles fund established by section 4501.25 6848
of the Revised Code. 6849

Sec. 4519.57. (A) When the clerk of a court of common pleas 6850
issues a physical certificate of title for an off-highway 6851
motorcycle or all-purpose vehicle, the clerk shall issue it over 6852
the clerk's official seal. The front side of each physical 6853
certificate of title shall contain the information required in the 6854
application for it as prescribed by section 4519.56 of the Revised 6855
Code, spaces for the dates of notation and cancellation of two 6856

liens, mortgages, or encumbrances, and any other pertinent 6857
information as may be required by the registrar of motor vehicles, 6858
but shall contain neither the social security number nor taxpayer 6859
identification number of the applicant. The reverse side of each 6860
physical certificate of title shall contain all of the information 6861
specified in division (F) of section 4505.07 of the Revised Code. 6862
An assignment of certificate of title before a notary public or 6863
other officer empowered to administer oaths shall appear on the 6864
reverse side of each physical certificate of title in the form to 6865
be prescribed by the registrar. The assignment form shall include 6866
a warranty that the signer is the owner of the off-highway 6867
motorcycle or all-purpose vehicle and that there are no mortgages, 6868
liens, or encumbrances on the off-highway motorcycle or 6869
all-purpose vehicle except as are noted on the face of the 6870
certificate of title. 6871

Physical certificates of title also shall bear a statement 6872
that liens applicable to the off-highway motorcycle or all-purpose 6873
vehicle other than the two for which there are spaces on the 6874
certificates may exist and, if so, are entered into the automated 6875
title processing system. 6876

(B) An electronic certificate of title is an electronic 6877
record stored in the automated title processing system that 6878
establishes ownership of an off-highway motorcycle or all-purpose 6879
vehicle, as well as any security interests that exist in that 6880
off-highway motorcycle or all-purpose vehicle. 6881

Sec. 4519.58. (A) When the clerk of a court of common pleas 6882
issues a physical certificate of title, the clerk shall issue the 6883
certificate of title on a form and in duplicate. One copy shall be 6884
retained and filed a manner prescribed by the registrar of motor 6885
vehicles. The clerk shall file a copy of the physical evidence for 6886
the creation of the certificate of title in the clerk's office, 6887

~~and a manner prescribed by the information contained in it~~ 6888
~~registrar. A clerk may retain digital images of documents used as~~ 6889
~~evidence for issuance of a certificate of title. Certified~~ 6890
~~printouts of documents retained as digital images shall have the~~ 6891
~~same evidentiary value as the original physical documents. The~~ 6892
~~record of the issuance of the certificate of title shall be~~ 6893
~~transmitted to the registrar of motor vehicles on~~ maintained in 6894
~~the day it is issued~~ automated title processing system. The clerk 6895
shall sign and affix the clerk's seal to the original certificate 6896
of title and, if there are no liens on the off-highway motorcycle 6897
or all-purpose vehicle, shall deliver the certificate to the 6898
applicant or the selling dealer. Except as otherwise provided in 6899
this section, if there are one or more liens on the off-highway 6900
motorcycle or all-purpose vehicle, the certificate of title shall 6901
be delivered to the holder of the first lien. If the certificate 6902
of title is obtained by a dealer on behalf of the applicant and 6903
there are one or more liens on the off-highway motorcycle or 6904
all-purpose vehicle, the clerk shall issue a certificate of title 6905
and may issue a memorandum certificate of title. The certificate 6906
of title and memorandum certificate of title, if issued, shall be 6907
delivered to the holder of the first lien or the selling dealer, 6908
who shall deliver the certificate of title to the holder of the 6909
first lien and the memorandum certificate of title to the 6910
applicant. The selling dealer also may make arrangements with the 6911
clerk to have the clerk deliver the memorandum certificate of 6912
title to the applicant. 6913

(B) The registrar shall prescribe a uniform method of 6914
numbering certificates of title. The numbering shall be in such 6915
manner that the county of issuance is indicated. Numbers shall be 6916
assigned to certificates of title in the manner prescribed by the 6917
registrar. The clerk shall file all certificates of title 6918
according to the rules to be prescribed by the registrar, and the 6919
clerk shall maintain in the clerk's office indexes for the 6920

certificates of title. 6921

The clerk need not retain on file any current certificates of 6922
title, current duplicate certificates of title, current memorandum 6923
certificates of title, or current salvage certificates of title, 6924
or supporting evidence of them, ~~including the electronic record~~ 6925
~~described in section 4519.55 of the Revised Code,~~ covering any 6926
off-highway motorcycle or all-purpose vehicle for a period longer 6927
than seven years after the date of their filing; thereafter, the 6928
documents and supporting evidence may be destroyed. The clerk need 6929
not retain on file any inactive records, including certificates of 6930
title, duplicate certificates of title, or memorandum certificates 6931
of title, or supporting evidence of them, including the electronic 6932
record described in section 4519.55 of the Revised Code, covering 6933
any off-highway motorcycle or all-purpose vehicle for a period 6934
longer than five years after the date of their filing; thereafter, 6935
the documents and supporting evidence may be destroyed. 6936

The automated title processing system shall contain all 6937
active records and an index of the active records, and shall 6938
contain a record and index of all inactive titles for ten years, 6939
and a record and index of all inactive titles for manufactured and 6940
mobile homes for thirty years. If the clerk provides a written 6941
copy of any information contained in the database, the copy shall 6942
be considered the original for purposes of the clerk certifying 6943
the record of such information for use in any legal proceedings. 6944

(C) The clerk shall issue a physical certificate of title to 6945
an applicant unless the applicant specifically requests the clerk 6946
not to issue a physical certificate of title and instead to issue 6947
an electronic certificate of title. The fact that a physical 6948
certificate of title is not issued for an off-highway motorcycle 6949
or all-purpose vehicle does not affect ownership of the motorcycle 6950
or vehicle. In that case, when the clerk completes the process of 6951
entering certificate of title application information into the 6952

automated title processing system, the effect of the completion of 6953
the process is the same as if the clerk actually issued a physical 6954
certificate of title for the motorcycle or vehicle. 6955

(D) An electronic dealer who applies for a certificate of 6956
title on behalf of a customer who purchases an off-highway 6957
motorcycle or all-purpose vehicle from the dealer may print a 6958
non-negotiable evidence of ownership for the customer if the 6959
customer so requests. The authorization to print the 6960
non-negotiable evidence of ownership shall come from the clerk 6961
with whom the dealer makes application for the certificate of 6962
title for the customer, but the printing by the dealer does not 6963
create an agency relationship of any kind between the dealer and 6964
the clerk. 6965

~~(E) If an electronic certificate of title previously has been~~ 6966
~~issued for an off-highway motorcycle or all-purpose vehicle, the~~ 6967
The owner of the off-highway motorcycle or all-purpose vehicle may 6968
apply at any time to a clerk of a court of common pleas for a 6969
non-negotiable evidence of ownership for the off-highway 6970
motorcycle or all-purpose vehicle. 6971

Sec. 4519.61. (A) Each owner of an off-highway motorcycle or 6972
all-purpose vehicle and each person mentioned as owner in the last 6973
certificate of title, when the off-highway motorcycle or 6974
all-purpose vehicle is dismantled, destroyed, or changed in such 6975
manner that it loses its character as an off-highway motorcycle or 6976
all-purpose vehicle, or changed in such manner that it is not the 6977
off-highway motorcycle or all-purpose vehicle described in the 6978
certificate of title, shall surrender the certificate of title to 6979
a clerk of a court of common pleas, and the clerk, with the 6980
consent of the holders of any liens noted on the certificate of 6981
title, then shall enter a cancellation upon the clerk's records 6982
and shall notify the registrar of motor vehicles of the 6983

cancellation. 6984

Upon the cancellation of a certificate of title in the manner 6985
prescribed by this section, any clerk and the registrar may cancel 6986
and destroy all certificates and all memorandum certificates in 6987
that chain of title. 6988

(B) If an Ohio certificate of title or salvage certificate of 6989
title to an off-highway motorcycle or all-purpose vehicle is 6990
assigned to a salvage dealer, the dealer shall not be required to 6991
obtain an Ohio certificate of title or a salvage certificate of 6992
title to the off-highway motorcycle or all-purpose vehicle in the 6993
dealer's own name if the dealer dismantles or destroys the 6994
off-highway motorcycle or all-purpose vehicle, completes the 6995
assignment on the certificate of title or salvage certificate of 6996
title, indicates the number of the dealer's motor vehicle salvage 6997
dealer's license on it, marks "FOR DESTRUCTION" across the face of 6998
the certificate of title or salvage certificate of title, and 6999
surrenders the certificate of title or salvage certificate of 7000
title to a clerk of a court of common pleas as provided in 7001
division (A) of this section. If the salvage dealer retains the 7002
off-highway motorcycle or all-purpose vehicle for resale, the 7003
salvage dealer shall make application for a salvage certificate of 7004
title to the off-highway motorcycle or all-purpose vehicle in the 7005
salvage dealer's own name as provided in division (C)(1) of this 7006
section. 7007

(C)(1) When an insurance company declares it economically 7008
impractical to repair the off-highway motorcycle or all-purpose 7009
vehicle and has paid an agreed price for the purchase of the 7010
off-highway motorcycle or all-purpose vehicle to any insured or 7011
claimant owner, the insurance company shall receive the 7012
certificate of title and off-highway motorcycle or all-purpose 7013
vehicle and proceed as follows. Within thirty days, the insurance 7014
company shall deliver the certificate of title to a clerk of a 7015

court of common pleas and shall make application for a salvage 7016
certificate of title. The clerk shall issue the salvage 7017
certificate of title on a form, prescribed by the registrar, that 7018
shall be easily distinguishable from the original certificate of 7019
title and shall bear the same ~~number and~~ information as the 7020
original certificate of title except that it may bear a different 7021
number from that of the original certificate of title. Except as 7022
provided in division (C)(2) of this section, the salvage 7023
certificate of title shall be assigned by the insurance company to 7024
a salvage dealer or any other person for use as evidence of 7025
ownership upon the sale or other disposition of the off-highway 7026
motorcycle or all-purpose vehicle, and the salvage certificate of 7027
title shall be transferable to any other person. The clerk of the 7028
court of common pleas shall charge a fee of four dollars for the 7029
cost of processing each salvage certificate of title. 7030

(2) If an insurance company considers an off-highway 7031
motorcycle or all-purpose vehicle as described in division (C)(1) 7032
of this section to be impossible to restore to normal operation, 7033
the insurance company may assign the certificate of title to the 7034
off-highway motorcycle or all-purpose vehicle to a salvage dealer 7035
or scrap metal processing facility and send the assigned 7036
certificate of title to the clerk of the court of common pleas of 7037
the ~~any~~ county ~~in which the salvage dealer or scrap metal~~ 7038
~~processing facility is located.~~ The insurance company shall mark 7039
the face of the certificate of title "FOR DESTRUCTION" and shall 7040
deliver a photocopy of the certificate of title to the salvage 7041
dealer or scrap metal processing facility for its records. 7042

(3) If an insurance company declares it economically 7043
impractical to repair an off-highway motorcycle or all-purpose 7044
vehicle, agrees to pay to the insured or claimant owner an amount 7045
in settlement of a claim against a policy of motor vehicle 7046
insurance covering the off-highway motorcycle or all-purpose 7047

vehicle, and agrees to permit the insured or claimant owner to 7048
retain possession of the off-highway motorcycle or all-purpose 7049
vehicle, the insurance company shall not pay the insured or 7050
claimant owner any amount in settlement of the insurance claim 7051
until the owner obtains a salvage certificate of title to the 7052
vehicle and furnishes a copy of the salvage certificate of title 7053
to the insurance company. 7054

(D) When a self-insured organization, rental or leasing 7055
company, or secured creditor becomes the owner of an off-highway 7056
motorcycle or all-purpose vehicle that is burned, damaged, or 7057
dismantled and is determined to be economically impractical to 7058
repair, the self-insured organization, rental or leasing company, 7059
or secured creditor shall do one of the following: 7060

(1) Mark the face of the certificate of title to the 7061
off-highway motorcycle or all-purpose vehicle "FOR DESTRUCTION" 7062
and surrender the certificate of title to a clerk of a court of 7063
common pleas for cancellation as described in division (A) of this 7064
section. The self-insured organization, rental or leasing company, 7065
or secured creditor then shall deliver the off-highway motorcycle 7066
or all-purpose vehicle, together with a photocopy of the 7067
certificate of title, to a salvage dealer or scrap metal 7068
processing facility and shall cause the off-highway motorcycle or 7069
all-purpose vehicle to be dismantled, flattened, crushed, or 7070
destroyed. 7071

(2) Obtain a salvage certificate of title to the off-highway 7072
motorcycle or all-purpose vehicle in the name of the self-insured 7073
organization, rental or leasing company, or secured creditor, as 7074
provided in division (C)(1) of this section, and then sell or 7075
otherwise dispose of the off-highway motorcycle or all-purpose 7076
vehicle. If the off-highway motorcycle or all-purpose vehicle is 7077
sold, the self-insured organization, rental or leasing company, or 7078
secured creditor shall obtain a salvage certificate of title to 7079

the off-highway motorcycle or all-purpose vehicle in the name of 7080
the purchaser from a clerk of a court of common pleas. 7081

(E) If an off-highway motorcycle or all-purpose vehicle 7082
titled with a salvage certificate of title is restored for 7083
operation, application shall be made to a clerk of a court of 7084
common pleas for a certificate of title after inspection by the 7085
state highway patrol. The inspection shall include establishing 7086
proof of ownership and an inspection of the motor number and 7087
vehicle identification number of the off-highway motorcycle or 7088
all-purpose vehicle and of documentation or receipts for the 7089
materials used in restoration by the owner of the off-highway 7090
motorcycle or all-purpose vehicle being inspected, which 7091
documentation or receipts shall be presented at the time of 7092
inspection. Upon successful completion of the inspection, the 7093
state highway patrol shall issue to the owner a completed 7094
inspection form. The clerk, upon submission of the completed 7095
inspection form and surrender of the salvage certificate of title, 7096
shall issue a certificate of title for a fee prescribed by the 7097
registrar. The certificate of title shall be in the same form as 7098
the original certificate of title, ~~shall bear the same number as~~ 7099
~~the salvage certificate of title and the original certificate of~~ 7100
~~title,~~ and shall bear the words "REBUILT SALVAGE" in black 7101
boldface letters on its face. Every subsequent certificate of 7102
title, memorandum certificate of title, or certified copy of a 7103
certificate of title or memorandum certificate of title issued for 7104
the off-highway motorcycle or all-purpose vehicle also shall bear 7105
the words "REBUILT SALVAGE" in black boldface letters on its face. 7106
The exact location on the face of the certificate of title of the 7107
words "REBUILT SALVAGE" shall be determined by the registrar, who 7108
shall develop an automated procedure within the automated title 7109
processing system to comply with this division. The clerk shall 7110
use reasonable care in performing the duties imposed on the clerk 7111
by this division in issuing a certificate of title pursuant to 7112

this division, but the clerk is not liable for errors or omissions 7113
of the clerk of courts, the clerk's deputies, or the automated 7114
title processing system in the performance of such duties. A fee 7115
of fifty dollars shall be assessed by the state highway patrol for 7116
each inspection made pursuant to this division. 7117

(F) No off-highway motorcycle or all-purpose vehicle the 7118
certificate of title to which has been marked "FOR DESTRUCTION" 7119
and surrendered to a clerk of a court of common pleas shall be 7120
used for anything except parts and scrap metal. 7121

Sec. 4519.631. The registrar of motor vehicles shall enable 7122
the public to access off-highway motorcycle and all-purpose 7123
vehicle title information via electronic means. No fee shall be 7124
charged for this access. The title information that must be so 7125
accessible is only the title information that is in an electronic 7126
format at the time a person requests this access. 7127

The registrar, shall establish procedures governing this 7128
access. The procedures may be established by rule in accordance 7129
with Chapter 119. of the Revised Code, ~~shall adopt rules governing~~ 7130
~~this access.~~ In adopting the rules, the registrar shall confer 7131
with the clerks of the courts of common pleas. 7132

Access by the public to off-highway motorcycle and 7133
all-purpose vehicle title information under this section shall 7134
comply with all restrictions contained in the Revised Code and 7135
federal law that govern the disclosure of that information. 7136

Sec. 4519.68. (A)(1) Chapter 1309. of the Revised Code does 7137
not permit or require the deposit, filing, or other record of a 7138
security interest covering an off-highway motorcycle or 7139
all-purpose vehicle, except as provided in division (A)(2) of this 7140
section. 7141

(2) Chapter 1309. of the Revised Code applies to a security 7142

interest in an off-highway motorcycle or all-purpose vehicle held 7143
as inventory, as defined in section 1309.102 of the Revised Code, 7144
for sale by a dealer. The security interest has priority over 7145
creditors of the dealer as provided in Chapter 1309. of the 7146
Revised Code without notation of the security interest on a 7147
certificate of title, without entry of a notation of the security 7148
interest into the automated title processing system if a physical 7149
certificate of title has not been issued, or without the retention 7150
of a manufacturer's or importer's certificate. 7151

(B) Subject to division (A) of this section, any security 7152
agreement covering a security interest in an off-highway 7153
motorcycle or all-purpose vehicle, if a notation of the agreement 7154
has been made by a clerk of a court of common pleas on the face of 7155
the certificate of title or if the clerk has entered a notation of 7156
the agreement into the automated title processing system if a 7157
physical certificate of title has not been issued, is valid as 7158
against the creditors of the debtor, whether armed with process or 7159
not, and against subsequent purchasers, secured parties, and other 7160
lienholders or claimants. All security interests, liens, 7161
mortgages, and encumbrances entered into the automated title 7162
processing system in relation to a particular certificate of 7163
title, regardless of whether a physical certificate of title is 7164
issued, take priority according to the order of time in which they 7165
are entered into the automated title processing system by the 7166
clerk. Exposure for sale of any off-highway motorcycle or 7167
all-purpose vehicle by its owner, with the knowledge or with the 7168
knowledge and consent of the holder of any security interest, 7169
lien, mortgage, or encumbrance on it, does not render the security 7170
interest, lien, mortgage, or encumbrance ineffective as against 7171
the creditors of the owner, or against holders of subsequent 7172
security interests, liens, mortgages, or encumbrances upon the 7173
off-highway motorcycle or all-purpose vehicle. 7174

The secured party, upon presentation of evidence of a security interest to a clerk of a court of common pleas, together with the certificate of title if a physical certificate of title for the off-highway motorcycle or all-purpose vehicle exists, and the fee prescribed by section 4519.59 of the Revised Code, may have a notation of the security interest made ~~on the face of the certificate of title, and, if such a notation is made, another notation of the security interest shall be entered into the automated title processing system.~~ Unless the secured party specifically requests the clerk not to issue a physical certificate of title and instead to issue an electronic certificate of title, the clerk, over the clerk's signature and seal of office, shall issue a new original certificate of title from the automated title processing system that indicates the security interest and the date of the security interest.

If a security interest is fully discharged as a result of its holder's receipt of good funds in the correct amount and if the holder of the security interest holds a physical certificate of title, the holder of the security interest shall note its the discharge of the security interest over the holder's signature on the face of the certificate of title, or over the holder's signature on a form prescribed by the registrar of motor vehicles when there is no space for the discharge on the face of the certificate of title. ~~Prior~~ Except as otherwise provided in this section, prior to delivering the certificate of title to the owner, the holder or the holder's agent shall ~~present it and any additional information a clerk requires to a clerk to have the clerk note the cancellation of the security interest on the face of~~ convey the certificate of title ~~and upon the records of the or~~ a separate sworn statement of the discharge of the security interest to a clerk. The conveyance shall occur not more than seven business days after the date good funds in the correct

amount to discharge fully the security interest have been credited 7207
to an account of the holder, provided the holder has been provided 7208
accurate information concerning the off-highway motorcycle or 7209
all-purpose vehicle. Conveyance of the certificate of title or 7210
separate sworn statement of the discharge within the required 7211
seven business days may be indicated by postmark or receipt by a 7212
clerk within that period. If the discharge of the security 7213
interest appears to be genuine, the clerk shall note the 7214
cancellation of the security interest on the face of the 7215
certificate of title, if it was so conveyed, and also shall note 7216
~~the cancellation on the clerk's records and notify the registrar,~~ 7217
~~who shall note the cancellation. If a security interest that is~~ 7218
~~discharged does not appear on the face of the certificate of~~ 7219
~~title, but instead was entered into the automated title processing~~ 7220
~~system, the clerk shall enter the cancellation into it in the~~ 7221
automated title processing system ~~and also shall note the~~ 7222
~~cancellation on a form prescribed by the registrar.~~ 7223

If a security interest is fully discharged as a result of its 7224
holder's receipt of good funds in the correct amount and the 7225
holder does not hold a physical certificate of title, when the 7226
holder notifies a clerk of the discharge of its security interest, 7227
the holder at that time also may request the clerk to issue a 7228
physical certificate of title to the off-highway motorcycle or 7229
all-purpose vehicle. The request shall specify whether the clerk 7230
is to send the certificate of title directly to the owner or to 7231
the holder or the holder's agent for transmission to the owner. If 7232
such a request is made, the clerk shall issue a physical 7233
certificate of title and send it to the specified person. 7234

The clerk shall not honor such a request for a physical 7235
certificate of title if it is not made by the holder at the same 7236
time as the holder's notification to the clerk of the discharge of 7237
its security interest. 7238

(C) In all cases, a secured party may choose to present a clerk with evidence of a security interest via electronic means, and the clerk shall enter the security interest into the automated title processing system. A secured party also may choose to notify a clerk of the discharge of its security interest via electronic means, and the clerk shall enter the cancellation into the automated title processing system.

(D) If a physical certificate of title has not been issued for an off-highway motorcycle or all-purpose vehicle and all the security interests relating to that motorcycle or vehicle have been discharged, the owner of the motorcycle or vehicle may obtain a physical certificate of title from the clerk of any court of common pleas upon payment of the fee specified in section 4519.59 of the Revised Code.

~~(D)~~(E) If a clerk of a court of common pleas, other than the clerk of the court of common pleas of the county in which the owner of an off-highway motorcycle or all-purpose vehicle resides, enters a notation of the existence of, or the cancellation of, a security interest relating to the off-highway motorcycle or all-purpose vehicle, the clerk shall transmit the data relating to the notation to the automated title processing system.

Sec. 4549.081. (A) The superintendent of the state highway patrol shall adopt rules governing the use of an electronic clearance device that enables an operator of a commercial motor vehicle, in accordance with division (B) of section 4511.121 of the Revised Code, to bypass a scale location established for the purpose of determining the weight of the vehicle and its load. The superintendent shall establish the acceptable types and features of such devices. The rules of the superintendent also shall establish a method for a peace officer to determine that the device and its use are in compliance with this section and the

rules of the superintendent. 7270

(B) No person shall use an electronic clearance device if the 7271
device or its use is not in compliance with rules of the 7272
superintendent. 7273

(C) Whoever violates division (B) of this section is guilty 7274
of a misdemeanor of the fourth degree on a first offense and a 7275
misdemeanor of the third degree on each subsequent offense. 7276

Sec. 4738.05. At the time the registrar of motor vehicles 7277
grants the application of any person for a license under this 7278
chapter, ~~he~~ the registrar shall issue to the person a license that 7279
shall have provisional status for a period of one hundred eighty 7280
days from the date of issuance. At the end of that period and 7281
subject to the results of the inspection described in section 7282
4738.071 of the Revised Code of the place of business of the 7283
license holder, the license either shall be revoked or shall 7284
remain valid and no longer have provisional status. The registrar 7285
shall prescribe forms for licenses, and all licenses shall include 7286
the name and post office address of the person licensed. 7287

The fee for a motor vehicle salvage dealer's license, a 7288
salvage motor vehicle auction license, or a salvage motor vehicle 7289
pool license shall be ~~fifty~~ one hundred dollars. In all cases the 7290
fee shall accompany the application for license. 7291

If a licensee has more than one place of business in the 7292
county, ~~he~~ the licensee shall make application, in a form as the 7293
registrar prescribes, for a certified copy of the license issued 7294
to the person for each place of business operated. In the event of 7295
the loss, mutilation, or destruction of a license issued under 7296
sections 4738.01 to 4738.16 of the Revised Code, any licensee may 7297
make application to the registrar, in a form as the registrar 7298
prescribes, for a duplicate copy thereof. The fee for a certified 7299
or duplicate copy of a license is one dollar. All fees for copies 7300

shall accompany the applications. 7301

All Beginning on the effective date of this amendment, all 7302
licenses issued or renewed ~~each year~~ shall expire biennially on 7303
the last day of July of each two-year license cycle unless sooner 7304
suspended or revoked, and each motor vehicle salvage dealer, 7305
salvage motor vehicle auction, or salvage motor vehicle pool 7306
licensed ~~during any year~~ shall, before the first day of August 7307
~~each~~ in the year in which the license will expire, file an 7308
application, in a form as the registrar prescribes, for the 7309
renewal of the license. The fee provided in this section for the 7310
original license shall accompany the application. 7311

Sec. 4738.18. (A) Any person licensed under division (A) of 7312
section 4738.03 of the Revised Code who wishes to purchase salvage 7313
motor vehicles at salvage motor vehicle auctions or salvage motor 7314
vehicle pools shall make application to the registrar of motor 7315
vehicles for a buyer's identification card. The application shall 7316
be on a form prescribed by the registrar and shall contain the 7317
applicant's name, principal business address, the license number 7318
under which the applicant will be making purchases, and such other 7319
information as the registrar requires. In lieu of directly 7320
obtaining a buyer's identification card or in addition thereto, 7321
any person licensed under division (A) of section 4738.03 of the 7322
Revised Code may designate up to two employees to act as buyers 7323
for the licensee. The licensee shall make application for a 7324
buyer's identification card for each employee in the same manner 7325
as for a card for the licensee. 7326

(B) The fee for each buyer's identification card shall be ~~ten~~ 7327
thirty-five dollars. 7328

(C) Beginning on the effective date of this amendment, each 7329
buyer's identification card shall expire biennially on a day 7330
within the two-year cycle that is prescribed by the registrar, 7331

unless sooner suspended or revoked. Before the first day after the 7332
day prescribed by the registrar in the year that the card expires, 7333
each cardholder shall file an application for renewal of the card, 7334
in a form that the registrar prescribes. A buyer's identification 7335
card is nontransferable. If the holder of a card no longer 7336
possesses a valid salvage motor vehicle dealer's license, or if an 7337
employee of the licensee leaves the employment of the licensee, 7338
the buyer's identification card of that person is invalid and the 7339
holder shall return the card to the registrar. 7340

(D) Any person who holds a valid salvage motor vehicle 7341
dealer's license from another state that imposes qualifications 7342
and requirements with respect to the license that are equivalent 7343
to those required by Chapter 4738. of the Revised Code may make 7344
application and receive a buyer's identification card. The person 7345
shall make application to the registrar who shall, based upon ~~his~~ 7346
the registrar's investigation, issue a buyer's identification card 7347
to those applicants who the registrar determines are qualified. 7348

(E) All applicants for a buyer's identification card must be 7349
of good financial repute and not have been convicted of a felony 7350
as verified by a report from a law enforcement agency and credit 7351
report furnished to the registrar by the applicant. 7352

(F) The registrar may revoke or suspend the license of any 7353
salvage motor vehicle dealer who allows ~~his~~ the dealer's card or 7354
the card of any employee to be used by any unauthorized person. 7355

Sec. 4738.19. The state, through the registrar of motor 7356
vehicles, in accordance with this chapter, is the sole regulator 7357
for the registration, licensing, and regulation of motor vehicle 7358
salvage dealers. 7359

This section does not preempt the enforcement by local 7360
authorities of local zoning, health, or safety codes or laws. 7361

Sec. 4749.02. The ~~department~~ director of ~~commerce~~ public 7362
safety shall administer this chapter ~~through the division of real~~ 7363
~~estate and professional licensing~~, and for that purpose, ~~the~~ 7364
~~superintendent of real estate and professional licensing~~ may 7365
appoint ~~such~~ employees and adopt ~~such~~ rules ~~as~~ that the 7366
~~superintendent~~ director considers necessary. 7367

Sec. 4749.03. (A)(1) Any individual, including a partner in a 7368
partnership, may be licensed as a private investigator under a 7369
class B license, or as a security guard provider under a class C 7370
license, or as a private investigator and a security guard 7371
provider under a class A license, if the individual meets all of 7372
the following requirements: 7373

(a) Has a good reputation for integrity, has not been 7374
convicted of a felony within the last twenty years or any offense 7375
involving moral turpitude, and has not been adjudicated 7376
incompetent for the purpose of holding the license, as provided in 7377
section 5122.301 of the Revised Code, without having been restored 7378
to legal capacity for that purpose. 7379

(b) Depending upon the class of license for which application 7380
is made, for a continuous period of at least two years immediately 7381
preceding application for a license, has been engaged in 7382
investigatory or security services work for a law enforcement or 7383
other public agency engaged in investigatory activities, or for a 7384
private investigator or security guard provider, or engaged in the 7385
practice of law, or has acquired equivalent experience as 7386
determined by rule of the director of ~~commerce~~ public safety. 7387

(c) Demonstrates competency as a private investigator or 7388
security guard provider by passing an examination devised for this 7389
purpose by the director, except that any individually licensed 7390
person who qualifies a corporation for licensure shall not be 7391

required to be reexamined if the person qualifies the corporation 7392
in the same capacity that the person was individually licensed. 7393

(d) Submits evidence of comprehensive general liability 7394
insurance coverage, or other equivalent guarantee approved by the 7395
director in such form and in principal amounts satisfactory to the 7396
director, but not less than one hundred thousand dollars for each 7397
person and three hundred thousand dollars for each occurrence for 7398
bodily injury liability, and one hundred thousand dollars for 7399
property damage liability. 7400

(e) Pays the requisite examination and license fees. 7401

(2) A corporation may be licensed as a private investigator 7402
under a class B license, or as a security guard provider under a 7403
class C license, or as a private investigator and a security guard 7404
provider under a class A license, if an application for licensure 7405
is filed by an officer of the corporation and the officer, another 7406
officer, or the qualifying agent of the corporation satisfies the 7407
requirements of divisions (A)(1) and (F)(1) of this section. 7408
Officers and the statutory agent of a corporation shall be 7409
determined in accordance with Chapter 1701. of the Revised Code. 7410

(3) At least one partner in a partnership shall be licensed 7411
as a private investigator, or as a security guard provider, or as 7412
a private investigator and a security guard provider. Partners in 7413
a partnership shall be determined as provided for in Chapter 1775. 7414
of the Revised Code. 7415

(B) Application for a class A, B, or C license shall be in 7416
writing, under oath, to the director. In the case of an 7417
individual, the application shall state the applicant's name, 7418
birth date, citizenship, physical description, current residence, 7419
residences for the preceding ten years, current employment, 7420
employment for the preceding seven years, experience 7421
qualifications, the location of each of the applicant's offices in 7422

this state, and any other information that is necessary in order 7423
for the director to comply with the requirements of this chapter. 7424
In the case of a corporation, the application shall state the name 7425
of the officer or qualifying agent filing the application; the 7426
state in which the corporation is incorporated and the date of 7427
incorporation; the states in which the corporation is authorized 7428
to transact business; the name of its qualifying agent; the name 7429
of the officer or qualifying agent of the corporation who 7430
satisfies the requirements of divisions (A)(1) and (F)(1) of this 7431
section and the birth date, citizenship, physical description, 7432
current residence, residences for the preceding ten years, current 7433
employment, employment for the preceding seven years, and 7434
experience qualifications of that officer or qualifying agent; and 7435
other information that the director requires. A corporation may 7436
specify in its application information relative to one or more 7437
individuals who satisfy the requirements of divisions (A)(1) and 7438
(F)(1) of this section. 7439

The application described in this division shall be 7440
accompanied by all of the following: 7441

(1) One recent full-face photograph of the applicant or, in 7442
the case of a corporation, of each officer or qualifying agent 7443
specified in the application as satisfying the requirements of 7444
divisions (A)(1) and (F)(1) of this section; 7445

(2) One complete set of the applicant's fingerprints or, in 7446
the case of a corporation, of the fingerprints of each officer or 7447
qualifying agent specified in the application as satisfying the 7448
requirements of divisions (A)(1) and (F)(1) of this section; 7449

(3) Character references from at least five reputable 7450
citizens for the applicant or, in the case of a corporation, for 7451
each officer or qualifying agent specified in the application as 7452
satisfying the requirements of divisions (A)(1) and (F)(1) of this 7453
section, each of whom has known the applicant, officer, or 7454

qualifying agent for at least five years preceding the 7455
application, and none of whom are connected with the applicant, 7456
officer, or qualifying agent by blood or marriage; 7457

(4) An examination fee of twenty-five dollars for the 7458
applicant or, in the case of a corporation, for each officer or 7459
qualifying agent specified in the application as satisfying the 7460
requirements of divisions (A)(1) and (F)(1) of this section, and a 7461
license fee of two hundred fifty dollars. The license fee shall be 7462
refunded if a license is not issued. 7463

(C) Upon receipt of the application and accompanying matter 7464
described in division (B) of this section, the director shall 7465
forward to the bureau of criminal identification and investigation 7466
a request that it make an investigation of the applicant or, in 7467
the case of a corporation, each officer or qualifying agent 7468
specified in the application as satisfying the requirements of 7469
divisions (A)(1) and (F)(1) of this section, to determine whether 7470
the applicant, officer, or qualifying agent meets the requirements 7471
of division (A)(1)(a) of this section. If the director determines 7472
that the applicant, officer, or qualifying agent meets the 7473
requirements of divisions (A)(1)(a), (b), and (d) of this section 7474
and that an officer or qualifying agent meets the requirement of 7475
division (F)(1) of this section, the director shall notify the 7476
applicant, officer, or agent of the time and place for the 7477
examination. If the director determines that an applicant does not 7478
meet the requirements of divisions (A)(1)(a), (b), and (d) of this 7479
section, the director shall notify the applicant that the 7480
applicant's application is refused and refund the license fee. If 7481
the director determines that none of the individuals specified in 7482
the application of a corporation as satisfying the requirements of 7483
divisions (A)(1) and (F)(1) of this section meet the requirements 7484
of divisions (A)(1)(a), (b), and (d) and (F)(1) of this section, 7485
the director shall notify the corporation that its application is 7486

refused and refund the license fee. If the director requests an 7487
investigation of any applicant, officer, or qualifying agent and 7488
if the bureau assesses the director a fee for the investigation, 7489
the director, in addition to any other fee assessed pursuant to 7490
this chapter, may assess the applicant, officer, or qualifying 7491
agent, as appropriate, a fee that is equal to the fee assessed by 7492
the bureau. 7493

(D) If upon application, investigation, and examination, the 7494
director finds that the applicant or, in the case of a 7495
corporation, any officer or qualifying agent specified in the 7496
application as satisfying the requirements of divisions (A)(1) and 7497
(F)(1) of this section, meets the applicable requirements, the 7498
director shall issue the applicant or the corporation a class A, 7499
B, or C license. The director also shall issue an identification 7500
card to an applicant, but not an officer or qualifying agent of a 7501
corporation, who meets the applicable requirements ~~an~~ 7502
~~identification card~~. The license and identification card shall 7503
state the licensee's name, the classification of the license, the 7504
location of the licensee's principal place of business in this 7505
state, and the expiration date of the license, and, in the case of 7506
a corporation, it also shall state the name of each officer or 7507
qualifying agent who satisfied the requirements of divisions 7508
(A)(1) and (F)(1) of this section. 7509

Licenses expire on the first day of March following the date 7510
of initial issue, and on the first day of March of each year 7511
thereafter. Renewals shall be according to the standard renewal 7512
procedures contained in Chapter 4745. of the Revised Code, upon 7513
payment of a renewal fee of two hundred fifty dollars. No license 7514
shall be renewed if the licensee or, in the case of a corporation, 7515
each officer or qualifying agent who qualified the corporation for 7516
licensure no longer meets the applicable requirements of this 7517
section. No license shall be renewed unless the licensee provides 7518

evidence of workers' compensation risk coverage and unemployment 7519
compensation insurance coverage, other than for clerical employees 7520
and excepting sole proprietors who are exempted therefrom, as 7521
provided for in Chapters 4123. and 4141. of the Revised Code, 7522
respectively, as well as the licensee's state tax identification 7523
number. No reexamination shall be required for renewal of a 7524
current license. 7525

For purposes of this chapter, a class A, B, or C license 7526
issued to a corporation shall be considered as also having 7527
licensed the individuals who qualified the corporation for 7528
licensure, for as long as they are associated with the 7529
corporation. 7530

For purposes of this division, "sole proprietor" means an 7531
individual licensed under this chapter who does not employ any 7532
other individual. 7533

(E) The director may issue a duplicate copy of a license 7534
issued under this section for the purpose of replacement of a 7535
lost, spoliated, or destroyed license, upon payment of a fee fixed 7536
by the director, not exceeding twenty-five dollars. Any change in 7537
license classification requires new application and application 7538
fees. 7539

(F)(1) In order to qualify a corporation for a class A, B, or 7540
C license, an officer or qualifying agent may qualify another 7541
corporation for similar licensure, provided that the officer or 7542
qualifying agent is actively engaged in the business of both 7543
corporations. 7544

(2) Each officer or qualifying agent who qualifies a 7545
corporation for class A, B, or C licensure shall surrender any 7546
personal license of a similar nature that the officer or 7547
qualifying agent possesses. 7548

(3) Upon written notification to the director, completion of 7549

an application similar to that for original licensure, surrender 7550
of the corporation's current license, and payment of a twenty-five 7551
dollar fee, a corporation's class A, B, or C license may be 7552
transferred to another corporation. 7553

(4) Upon written notification to the director, completion of 7554
an application similar to that for an individual seeking class A, 7555
B, or C licensure, payment of a twenty-five dollar fee, and, if 7556
the individual was the only individual that qualified a 7557
corporation for licensure, surrender of the corporation's license, 7558
any officer or qualifying agent who qualified a corporation for 7559
licensure under this chapter may obtain a similar license in the 7560
individual's own name without reexamination. A request by an 7561
officer or qualifying agent for an individual license shall not 7562
affect a corporation's license unless the individual is the only 7563
individual that qualified the corporation for licensure or all the 7564
other individuals who qualified the corporation for licensure 7565
submit such requests. 7566

(G) If a corporation is for any reason no longer associated 7567
with an individual who qualified it for licensure under this 7568
chapter, an officer of the corporation shall notify the director 7569
of that fact by certified mail, return receipt requested, within 7570
ten days after the association terminates. If the notification is 7571
so given, the individual was the only individual that qualified 7572
the corporation for licensure, and the corporation submits the 7573
name of another officer or qualifying agent to qualify the 7574
corporation for the license within thirty days after the 7575
association terminates, the corporation may continue to operate in 7576
the business of private investigation, the business of security 7577
services, or both businesses in this state under that license for 7578
ninety days after the association terminates. If the officer or 7579
qualifying agent whose name is ~~so~~ submitted satisfies the 7580
requirements of divisions (A)(1) and (F)(1) of this section, the 7581

director shall issue a new license to the corporation within that 7582
ninety-day period. The names of more than one individual may be ~~se~~ 7583
submitted. 7584

Sec. 4749.04. (A) The director of ~~commerce~~ public safety may 7585
revoke, suspend, or refuse to renew, when a renewal form has been 7586
submitted, the license of any private investigator or security 7587
guard provider, or the registration of any employee of a private 7588
investigator or security guard provider, for any of the following: 7589

(1) Violation of any of the provisions of division (B) or (C) 7590
of section 4749.13 of the Revised Code; 7591

(2) Conviction of a felony or a crime involving moral 7592
turpitude; 7593

(3) Violation of any rule of the director governing private 7594
investigators, the business of private investigation, security 7595
guard providers, or the business of security services; 7596

(4) Testifying falsely under oath, or suborning perjury, in 7597
any judicial proceeding; 7598

(5) Failure to satisfy the requirements specified in division 7599
(D) of section 4749.03 of the Revised Code. 7600

Any person whose license or registration is revoked, 7601
suspended, or not renewed when a renewal form is submitted may 7602
appeal in accordance with Chapter 119. of the Revised Code. 7603

(B) In lieu of suspending, revoking, or refusing to renew the 7604
class A, B, or C license, or of suspending, revoking, or refusing 7605
to renew the registration of an employee of a class A, B, or C 7606
licensee, the director ~~of commerce~~ may impose a civil penalty of 7607
not more than one hundred dollars for each calendar day of a 7608
violation of any of the provisions of this section or of division 7609
(B) or (C) of section 4749.13 of the Revised Code or of a 7610
violation of any rule of the director governing private 7611

investigators, the business of private investigation, security 7612
guard providers, or the business of security services. 7613

Sec. 4749.05. (A) Each class A, B, or C licensee shall report 7614
the location of branch offices to the department of ~~commerce~~ 7615
public safety, and to the sheriff of the county and the police 7616
chief of any municipal corporation in which the office is located, 7617
and shall post a branch office license conspicuously in that 7618
office. Application for a branch office license shall be made on a 7619
form prescribed by the director of ~~commerce~~ public safety, and a 7620
license shall be issued upon receipt of the form and payment of a 7621
fee fixed by the director, not exceeding one hundred dollars. If a 7622
licensee moves an office, ~~he~~ the licensee shall notify, in 7623
writing, the department of ~~commerce~~ public safety and any affected 7624
sheriff and chief of police within forty-eight hours of the 7625
change. 7626

This division does not apply to a licensed private 7627
investigator who is engaging in the business of private 7628
investigation as a registered employee of a licensed private 7629
investigator. 7630

(B) No class A, B, or C licensee, or any of ~~his~~ such a 7631
licensee's employees, shall engage in the business of private 7632
investigation or the business of security services unless, within 7633
twelve hours ~~of his arrival~~ after arriving, ~~he~~ the licensee or 7634
employee reports ~~his~~ the licensee's or employee's presence and 7635
length of stay to the sheriff and police chief of any county or 7636
municipal corporation in which ~~he~~ the licensee or employee 7637
operates. 7638

Sec. 4749.06. (A) Each class A, B, or C licensee shall 7639
register the licensee's investigator or security guard employees, 7640
with the department of ~~commerce~~ public safety, which shall 7641

maintain a record of each licensee and registered employee and 7642
make it available, upon request, to any law enforcement agency. 7643
The class A, B, or C licensee shall file an application to 7644
register a new employee no sooner than three days nor later than 7645
seven calendar days after the date on which the employee is hired. 7646

(B)(1) Each employee's registration application shall be 7647
accompanied by one complete set of the employee's fingerprints, 7648
one recent photograph of the employee, the employee's physical 7649
description, and an eighteen-dollar registration fee. 7650

(2) If the director of public safety requests the bureau of 7651
criminal identification and investigation to conduct an 7652
investigation of a licensee's employee and if the bureau assesses 7653
the director a fee for the investigation, the director, in 7654
addition to any other fee assessed pursuant to this chapter, may 7655
assess the licensee a fee that is equal to the fee assessed by the 7656
bureau. If, after investigation, the bureau finds that the 7657
employee has not been convicted of a felony within the last twenty 7658
years, the director shall issue to the employee an identification 7659
card bearing the license number and signature of the licensee, 7660
which in the case of a corporation shall be the signature of its 7661
president or its qualifying agent, and containing the employee's 7662
name, address, age, physical description, and right thumb print or 7663
other identifying mark as the director prescribes, a recent 7664
photograph of the employee, and the employee's signature. The 7665
director may issue a duplicate of a lost, spoliated, or destroyed 7666
identification card issued under this section, upon payment of a 7667
fee fixed by the director, not exceeding five dollars. 7668

(C) Except as provided in division (E) of this section, no 7669
class A, B, or C licensee shall permit an employee, other than an 7670
individual who qualified a corporation for licensure, to engage in 7671
the business of private investigation, the business of security 7672
services, or both businesses until the employee receives an 7673

identification card from the department, except that pending the 7674
issuance of an identification card, a class A, B, or C licensee 7675
may offer for hire security guard or investigator employees 7676
provided the licensee obtains a waiver from the person who 7677
receives, for hire, security guard or investigative services, 7678
acknowledging that the person is aware the employees have not 7679
completed their registration and agreeing to their employment. 7680

(D) If a class A, B, or C licensee, or a registered employee 7681
of a class A, B, or C licensee, intends to carry a firearm, as 7682
defined in section 2923.11 of the Revised Code, in the course of 7683
engaging in the business or employment, the licensee or registered 7684
employee shall satisfactorily complete a firearms basic training 7685
program that includes twenty hours of handgun training and five 7686
hours of training in the use of other firearms, if any other 7687
firearm is to be used, or equivalency training, if authorized, or 7688
shall be a former peace officer who previously had successfully 7689
completed a firearms training course, shall receive a certificate 7690
of satisfactory completion of that program or written evidence of 7691
approval of the equivalency training, shall file an application 7692
for registration, shall receive a firearm-bearer notation on the 7693
licensee's or registered employee's identification card, and shall 7694
annually requalify on a firearms range, all as described in 7695
division (A) of section 4749.10 of the Revised Code. A private 7696
investigator, security guard provider, or employee is authorized 7697
to carry a firearm only in accordance with that division. 7698

(E) This section does not apply to commissioned peace 7699
officers, as defined in division (B) of section 2935.01 of the 7700
Revised Code, working for, either as an employee or independent 7701
contractor, a class A, B, or C licensee. For purposes of this 7702
chapter, a commissioned peace officer is an employee exempt from 7703
registration. 7704

Sec. 4749.07. (A) After refund of any license fees as 7705
required by section 4749.03 of the Revised Code, the department of 7706
~~commerce~~ public safety shall pay all fees received pursuant to 7707
this chapter to the treasurer of state, to be credited to the 7708
private investigator and security guard provider fund, which is 7709
hereby created. 7710

(B) Moneys received in payment of fines levied pursuant to 7711
section 4749.99 of the Revised Code shall be distributed as 7712
follows: 7713

(1) One-third to the general fund of the municipal 7714
corporation or township in which the prosecution occurs; 7715

(2) One-third to the general fund of the county in which the 7716
prosecution occurs; 7717

(3) One-third to the private investigator and security guard 7718
provider fund. 7719

Sec. 4749.08. (A) No class A, B, or C licensee, or registered 7720
employee of a class A, B, or C licensee shall be considered, 7721
because of licensure or registration under this chapter, a law 7722
enforcement officer for any purpose. Nothing in this chapter shall 7723
be construed as granting the right to carry a concealed weapon. 7724

(B) The rules of the department of ~~commerce~~ public safety 7726
adopted for the administration of this chapter shall include 7727
provisions to assure that any uniform or identification card shall 7728
be so designed as to avoid confusion of a private investigator, 7729
security guard provider, or registered employee with any law 7730
enforcement officer in this state. 7731

Sec. 4749.10. (A) No class A, B, or C licensee and no 7732
registered employee of a class A, B, or C licensee shall carry a 7733

firearm, as defined in section 2923.11 of the Revised Code, in the 7734
course of engaging in the business of private investigation, the 7735
business of security services, or both businesses, unless all of 7736
the following apply: 7737

(1) The licensee or employee either has successfully 7738
completed a basic firearm training program at a training school 7739
approved by the Ohio peace officer training commission, which 7740
program includes twenty hours of training in handgun use and, if 7741
any firearm other than a handgun is to be used, five hours of 7742
training in the use of other firearms, and has received a 7743
certificate of satisfactory completion of that program from the 7744
executive director of the commission; the licensee or employee 7745
has, within three years prior to the effective date of this 7746
section, satisfactorily completed firearms training that has been 7747
approved by the commission as being equivalent to such a program 7748
and has received written evidence of approval of that training 7749
from the executive director of the commission; or the licensee or 7750
employee is a former peace officer, as defined in section 109.71 7751
of the Revised Code, who previously had successfully completed a 7752
firearms training course at a training school approved by the Ohio 7753
peace officer training commission and has received a certificate 7754
or other evidence of satisfactory completion of that course from 7755
the executive director of the commission. 7756

(2) The licensee or employee submits an application to the 7757
director of ~~commerce~~ public safety, on a form prescribed by the 7758
director, in which the licensee or employee requests registration 7759
as a class A, B, or C licensee or employee who may carry a 7760
firearm. The application shall be accompanied by a copy of the 7761
certificate or the written evidence or other evidence described in 7762
division (A)(1) of this section, the identification card issued 7763
pursuant to section 4749.03 or 4749.06 of the Revised Code if one 7764
has previously been issued, a statement of the duties that will be 7765

performed while the licensee or employee is armed, and a fee of 7766
ten dollars. In the case of a registered employee, the statement 7767
shall be prepared by the employing class A, B, or C licensee. 7768

(3) The licensee or employee receives a notation on the 7769
licensee's or employee's identification card that the licensee or 7770
employee is a firearm-bearer and carries the identification card 7771
whenever the licensee or employee carries a firearm in the course 7772
of engaging in the business of private investigation, the business 7773
of security services, or both businesses. 7774

(4) At any time within the immediately preceding twelve-month 7775
period, the licensee or employee has requalified in firearms use 7776
on a firearms training range at a firearms requalification program 7777
certified by the Ohio peace officer training commission or on a 7778
firearms training range under the supervision of an instructor 7779
certified by the commission and has received a certificate of 7780
satisfactory requalification from the certified program or 7781
certified instructor, provided that this division does not apply 7782
to any licensee or employee prior to the expiration of eighteen 7783
months after the licensee's or employee's completion of the 7784
program described in division (A)(1) of this section. A 7785
certificate of satisfactory requalification is valid and remains 7786
in effect for twelve months from the date of the requalification. 7787

(5) If division (A)(4) of this section applies to the 7788
licensee or employee, the licensee or employee carries the 7789
certificate of satisfactory requalification that then is in effect 7790
or any other evidence of requalification issued or provided by the 7791
director. 7792

(B)(1) The director ~~of commerce~~ shall register an applicant 7793
under division (A) of this section who satisfies divisions (A)(1) 7794
and (2) of this section, and place a notation on the applicant's 7795
identification card indicating that the applicant is a 7796
firearm-bearer and the date on which the applicant completed the 7797

program described in division (A)(1) of this section. 7798

(2) A firearms requalification training program or instructor 7799
certified by the commission for the annual requalification of 7800
class A, B, or C licensees or employees who are authorized to 7801
carry a firearm under section 4749.10 of the Revised Code shall 7802
award a certificate of satisfactory requalification to each class 7803
A, B, or C licensee or registered employee of a class A, B, or C 7804
licensee who satisfactorily requalifies in firearms training. The 7805
certificate shall identify the licensee or employee and indicate 7806
the date of the requalification. A licensee or employee who 7807
receives such a certificate shall submit a copy of it to the 7808
director ~~of commerce~~. A licensee shall submit the copy of the 7809
requalification certificate at the same time that the licensee 7810
makes application for renewal of the licensee's class A, B, or C 7811
license. The director shall keep a record of all copies of 7812
requalification certificates the director receives under this 7813
division and shall establish a procedure for the updating of 7814
identification cards to provide evidence of compliance with the 7815
annual requalification requirement. The procedure for the updating 7816
of identification cards may provide for the issuance of a new card 7817
containing the evidence, the entry of a new notation containing 7818
the evidence on the existing card, the issuance of a separate card 7819
or paper containing the evidence, or any other procedure 7820
determined by the director to be reasonable. Each person who is 7821
issued a requalification certificate under this division promptly 7822
shall pay to the Ohio peace officer training commission 7823
established by section 109.71 of the Revised Code a fee of five 7824
dollars, which fee shall be transmitted to the treasurer of state 7825
for deposit in the peace officer private security fund established 7826
by section 109.78 of the Revised Code. 7827

Sec. 4749.11. (A) The director of ~~commerce~~ public safety may 7828
investigate any applicant for a class A, B, or C license, any 7829

principal officer or qualifying agent of a corporation who is 7830
specified in an application for licensure as satisfying the 7831
requirements of divisions (A)(1) and (F)(1) of section 4749.03 of 7832
the Revised Code, and any employee of a class A, B, or C licensee 7833
who seeks to be registered under section 4749.06 of the Revised 7834
Code to determine whether the individual satisfies the applicable 7835
requirements for licensure or registration. 7836

(B) The director ~~of commerce~~ may investigate, on ~~his~~ the 7837
director's own initiative, the actions or proposed actions of a 7838
class A, B, or C licensee, or registered employee of a class A, B, 7839
or C licensee to determine whether the person is, has been, or 7840
will be in violation of section 4749.13 of the Revised Code. The 7841
director shall investigate any of these persons if a verified 7842
written complaint is filed indicating that a person has violated, 7843
or is or will be violating, section 4749.13 of the Revised Code_{7i} 7844
the complaint is supported by evidence submitted with it_{7i} and the 7845
director determines that a prima-facie case exists that a 7846
violation of that section is being, has been, or will be committed 7847
by the person. 7848

(C) The director ~~of commerce~~ may investigate, on ~~his~~ the 7849
director's own initiative, the actions or proposed actions of a 7850
person who is not licensed or registered under this chapter and 7851
who appears to be acting as a class A, B, or C licensee, or 7852
employee of a class A, B, or C licensee. The director shall 7853
investigate such a person if a verified written complaint is filed 7854
indicating that a person was, is, or will be acting as a class A, 7855
B, or C licensee or employee of a class A, B, or C licensee but is 7856
not licensed or registered as such under this chapter_{7i} the 7857
complaint is supported by evidence that is submitted with it_{7i} and 7858
the director determines that a prima-facie case exists that the 7859
person was, is, or will be acting in the alleged manner. 7860

(D) In connection with investigations under divisions (B) and 7861

(C) of this section, the director ~~of commerce~~ may file an action 7862
with the court of common pleas of Franklin county or the court of 7863
common pleas of the county in which the person who is the subject 7864
of the investigation resides, is engaging in actions, or proposing 7865
to engage in actions, to obtain an injunction, restraining order, 7866
or other appropriate relief. 7867

(E) The director ~~of commerce~~ may compel by subpoena witnesses 7868
to appear and testify in relation to investigations under this 7869
chapter and may require by subpoena duces tecum the production of 7870
any book, paper, or document pertaining to an investigation. If a 7871
person does not comply with a subpoena or subpoena duces tecum, 7872
the director ~~of commerce~~ may apply to the court of common pleas of 7873
Franklin county for an order compelling the person to comply with 7874
the subpoena or subpoena duces tecum or, for failure to do so, to 7875
be held in contempt of court. 7876

(F) If, in an investigation under division (C) of this 7877
section, the director determines that a person is not a class A, 7878
B, or C licensee, or a registered employee of a class A, B, or C 7879
licensee, and that the person was, is, or will be acting in the 7880
alleged manner, the director may issue an order to the person to 7881
show cause why ~~he~~ the person should not be subject to licensing or 7882
registration under this chapter. The director shall hold a hearing 7883
on the order, and if following the hearing ~~he~~ the director 7884
determines that the person has engaged, or is or will be engaging, 7885
in activities requiring licensure or registration under this 7886
chapter, ~~he~~ the director may issue a cease and desist order that 7887
shall describe the person and the activities that are the subject 7888
of it. The cease and desist order is enforceable in and may be 7889
appealed to a court of common pleas pursuant to Chapter 119. of 7890
the Revised Code. 7891

(G) In any proceeding or action brought under this chapter, 7892
the burden of proving an exemption from the licensure requirements 7893

of this chapter is on the person claiming the benefit of the 7894
exemption. 7895

Sec. 4749.12. (A) A person who is a resident of another 7896
state⁷ⁱ is licensed as a private investigator, security guard 7897
provider, or as a private investigator and a security guard 7898
provider in another state⁷ⁱ and wishes to engage in the business 7899
of private investigation, the business of security services, or 7900
both businesses in this state, shall be licensed pursuant to 7901
section 4749.03 of the Revised Code, but the director of ~~commerce~~ 7902
public safety may waive the examination requirement of that 7903
section and issue a license to a nonresident under the 7904
circumstances described in division (B) of this section. 7905

(B) If a nonresident private investigator, security guard 7906
provider, or private investigator and security guard provider 7907
seeking licensure under this chapter submits with the application 7908
and accompanying matter specified in section 4749.03 of the 7909
Revised Code proof of licensure in another state, and if the 7910
requirements of divisions (A)(1)(a), (b), and (d) and, if 7911
applicable, (F)(1) of section 4749.03 of the Revised Code are 7912
satisfied and the nonresident meets all current requirements of 7913
the laws of the other state regulating the business of private 7914
investigation, the business of security services, or both 7915
businesses, the director of ~~commerce~~ may waive the examination 7916
requirement and fee of that section. This waiver authority may be 7917
exercised only if the director determines that the other state has 7918
a law similar to this division and extends to residents of this 7919
state a similar waiver of examination privilege. 7920

Sec. 4749.13. (A) No person shall engage in the business of 7921
private investigation, the business of security services, or both 7922
businesses in this state unless ~~he~~ the person is licensed pursuant 7923
to this chapter. Each day of continuing violation constitutes a 7924

separate offense. Nothing in this chapter shall be construed to 7925
require any employee of a class A, B, or C licensee to obtain a 7926
class A, B, or C license, provided that an employee shall be 7927
registered by a licensee when required by section 4749.06 of the 7928
Revised Code. Nothing in this chapter shall be construed to 7929
require a partner to be a class A, B, or C licensee except as 7930
provided in division (A)(3) of section 4749.03 of the Revised 7931
Code. Nothing in this chapter shall be construed to require a 7932
director, officer, or qualifying agent of a corporation to 7933
individually be a class A, B, or C licensee if the corporation is 7934
licensed pursuant to this chapter. 7935

(B) No class A, B, or C licensee, or registered employee of a 7936
class A, B, or C licensee shall: 7937

(1) Knowingly violate any provision of this chapter or any 7938
rule of the director of ~~commerce~~ public safety adopted for the 7939
administration of this chapter; 7940

(2) Knowingly make a false report with respect to any matter 7941
with which ~~he~~ the licensee or registered employee is employed; 7942

(3) Divulge any information acquired from or for a client to 7943
persons other than the client or ~~his~~ the client's authorized agent 7944
without express authorization to do so or unless required by law; 7945

(4) Knowingly accept employment which includes obtaining 7946
information intended for illegal purposes. 7947

(C) No person shall knowingly authorize or permit another 7948
person to violate any provision of this chapter or any rule of the 7949
director of ~~commerce~~ adopted for the administration of this 7950
chapter. 7951

(D) No person who is not licensed as a class A, B, or C 7952
licensee shall advertise that ~~he~~ the person is or otherwise hold 7953
~~himself~~ self out as a class A, B, or C licensee. This division 7954
does not prohibit registered employees from indicating in the 7955

course of authorized employment for a class A, B, or C licensee 7956
that they are authorized to engage in investigatory, security 7957
services activities, or both activities. 7958

Sec. 4749.14. On receipt of a notice pursuant to section 7959
3123.43 of the Revised Code, the director of ~~commerce~~ public 7960
safety shall comply with sections 3123.41 to 3123.50 of the 7961
Revised Code and any applicable rules adopted under section 7962
3123.63 of the Revised Code with respect to a license issued 7963
pursuant to this chapter. 7964

Sec. 4905.06. The public utilities commission has general 7965
supervision over all public utilities within its jurisdiction as 7966
defined in section 4905.05 of the Revised Code, and may examine 7967
such public utilities and keep informed as to their general 7968
condition, capitalization, and franchises, and as to the manner in 7969
which their properties are leased, operated, managed, and 7970
conducted with respect to the adequacy or accommodation afforded 7971
by their service, the safety and security of the public and their 7972
employees, and their compliance with all laws, orders of the 7973
commission, franchises, and charter requirements. The commission 7974
has general supervision over all other companies referred to in 7975
section 4905.05 of the Revised Code to the extent of its 7976
jurisdiction as defined in that section, and may examine such 7977
companies and keep informed as to their general condition and 7978
capitalization, and as to the manner in which their properties are 7979
leased, operated, managed, and conducted with respect to the 7980
adequacy or accommodation afforded by their service, and their 7981
compliance with all laws and orders of the commission, insofar as 7982
any of such matters may relate to the costs associated with the 7983
provision of electric utility service by public utilities in this 7984
state which are affiliated or associated with such companies. The 7985
commission, through the public utilities commissioners or 7986

inspectors or employees of the commission authorized by it, may 7987
enter in or upon, for purposes of inspection, any property, 7988
equipment, building, plant, factory, office, apparatus, machinery, 7989
device, and lines of any public utility. The power to inspect 7990
includes the power to prescribe any rule or order that the 7991
commission finds necessary for protection of the public safety. In 7992
order to assist the commission in the performance of its duties 7993
under this chapter, authorized employees of the ~~commercial~~ motor 7994
~~vehicle safety~~ carrier enforcement unit, created under section 7995
5503.04 of the Revised Code in the division of state highway 7996
patrol, of the department of public safety may enter in or upon, 7997
for inspection purposes, any motor vehicle of any motor 7998
transportation company or private motor carrier as defined in 7999
section 4923.02 of the Revised Code. 8000

In order to inspect motor vehicles owned or operated by a 8001
motor transportation company engaged in the transportation of 8002
persons, authorized employees of the ~~commercial~~ motor ~~vehicle~~ 8003
~~safety~~ carrier enforcement unit, division of state highway patrol, 8004
of the department of public safety may enter in or upon any 8005
property of any motor transportation company, as defined in 8006
section ~~4913.02~~ 4921.02 of the Revised Code, engaged in the 8007
intrastate transportation of persons. 8008

Sec. 4919.79. (A) The public utilities commission may adopt 8009
safety rules applicable to the highway transportation and offering 8010
for transportation of hazardous materials in interstate commerce, 8011
which highway transportation takes place into or through this 8012
state. 8013

(B) The commission may adopt safety rules applicable to the 8014
highway transportation of persons or property in interstate 8015
commerce, which transportation takes place into or through this 8016
state. 8017

(C) Rules adopted under divisions (A) and (B) of this section shall be consistent with, and equivalent in scope, coverage, and content to, the "Hazardous Materials Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as amended, and regulations adopted under it, and the "Motor Carrier Safety Act of 1984," 98 Stat. 2832, 49 U.S.C.A. 2501, and regulations adopted under it, respectively. No person shall violate a rule adopted under division (A) or (B) of this section or any order of the commission issued to secure compliance with any such rule.

(D) The commission shall cooperate with, and permit the use of, the services, records, and facilities of the commission as fully as practicable by appropriate officers of the interstate commerce commission, the United States department of transportation, and other federal agencies or commissions and appropriate commissions of other states in the enforcement and administration of state and federal laws relating to highway transportation by motor vehicles. The commission may enter into cooperative agreements with the interstate commerce commission, the United States department of transportation, and any other federal agency or commission to enforce the economic and safety laws and rules of this state and of the United States concerning highway transportation by motor vehicles. All grants-in-aid, cash, and reimbursements received by the commission pursuant to those cooperative agreements shall be deposited to the credit of the motor carrier safety fund, which is hereby created in the state treasury, to be used by the commission for the purpose of carrying out this section.

(E) To achieve the purposes of this section, the commission ~~may~~, through its inspectors or other authorized employees, may inspect any vehicles of carriers of persons or property in interstate commerce subject to the safety rules prescribed by this section and may enter upon the premises and vehicles of such

carriers to examine any of the carriers' records or documents that 8050
relate to the safety of operation of such carriers. In order to 8051
assist the commission in the performance of its duties under this 8052
section, authorized employees of the ~~commercial motor vehicle~~ 8053
~~safety carrier~~ enforcement unit, created under section 5503.34 of 8054
the Revised Code in the division of state highway patrol, of the 8055
department of public safety may enter in or upon, for purposes of 8056
inspection, any vehicle of any such carrier. 8057

In order to inspect motor vehicles owned or operated by 8058
private motor carriers of persons, authorized employees of the 8059
~~commercial motor vehicle safety carrier~~ enforcement unit, division 8060
of state highway patrol, of the department of public safety may 8061
enter in or upon the premises of any private carrier of persons in 8062
interstate commerce, subject to the safety rules prescribed by 8063
this section. 8064

Sec. 4923.20. (A) As used in this section: 8065

(1) "Private motor carrier" has the same meaning as in 8066
section 4923.02 of the Revised Code, except that it includes only 8067
private motor carriers operating on a not-for-hire basis and 8068
excludes all private motor carriers operating on a for-hire basis. 8069

(2) "Commercial motor vehicle" has the same meaning as in the 8070
"Commercial Motor Vehicle Safety Act of 1986," 49 U.S.C.A. 2701, 8071
as amended, except that "commerce" means trade, traffic, and 8072
transportation solely within this state. 8073

(B) The public utilities commission may adopt and enforce 8074
rules concerning the safety of operation of commercial motor 8075
vehicles by private motor carriers, except that the rules shall 8076
not affect any rights or duties granted to or imposed upon the 8077
operator of such a motor vehicle by Chapter 4511. of the Revised 8078
Code. 8079

(C) The commission may adopt safety rules applicable to the transportation of hazardous materials by private motor carriers by means of commercial motor vehicles and applicable to the offering of hazardous materials for such transportation. The rules shall be consistent with, and equivalent in scope, coverage, and content to, the "Hazardous Materials Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as amended, and regulations adopted under it.

(D) To achieve the purposes of this section, the commission may, through inspectors or other authorized employees, inspect any motor vehicles of such carriers and may enter upon the premises and vehicles of the carriers to examine any of the carriers' records or documents that relate to the safety of operation of private motor carriers. In order to assist the commission in performing its duties under this section, authorized employees of the ~~commercial motor vehicle safety~~ carrier enforcement unit, created under section 5503.34 of the Revised Code in the division of state highway patrol, of the department of public safety may enter in or upon, for purposes of inspection, any motor vehicle of any such carrier.

In order to inspect motor vehicles owned or operated by private motor carriers engaged in the transportation of persons, authorized employees of the ~~commercial motor vehicle safety~~ carrier enforcement unit, division of state highway patrol, of the department of public safety may enter in or upon the premises of any private motor carrier engaged in the intrastate transportation of persons.

(E) No private motor carrier or person offering hazardous materials for transportation by private motor carrier shall fail to comply with any order, decision, or rule adopted under this section or any order of the commission issued to secure compliance with any such rule.

Sec. 5502.01. (A) The department of public safety shall 8112
administer and enforce the laws relating to the registration, 8113
licensing, sale, and operation of motor vehicles and the laws 8114
pertaining to the licensing of drivers of motor vehicles. 8115

The department shall compile, analyze, and publish statistics 8116
relative to motor vehicle accidents and the causes of them, 8117
prepare and conduct educational programs for the purpose of 8118
promoting safety in the operation of motor vehicles on the 8119
highways, and conduct research and studies for the purpose of 8120
promoting safety on the highways of this state. 8121

(B) The department shall administer the laws and rules 8122
relative to trauma and emergency medical services specified in 8123
Chapter 4765. of the Revised Code. 8124

(C) The department shall administer and enforce the laws 8125
contained in Chapters 4301. and 4303. of the Revised Code and 8126
enforce the rules and orders of the liquor control commission 8127
pertaining to retail liquor permit holders. 8128

(D) The department shall administer the laws governing the 8129
state emergency management agency and shall enforce all additional 8130
duties and responsibilities as prescribed in the Revised Code 8131
related to emergency management services. 8132

(E) The department shall conduct investigations pursuant to 8133
Chapter 5101. of the Revised Code in support of the duty of the 8134
department of job and family services to administer food stamp 8135
programs throughout this state. The department of public safety 8136
shall conduct investigations necessary to protect the state's 8137
property rights and interests in the food stamp program. 8138

(F) The department of public safety shall enforce compliance 8139
with orders and rules of the public utilities commission and 8140
applicable laws in accordance with Chapters 4919., 4921., and 8141

4923. of the Revised Code regarding commercial motor vehicle 8142
transportation safety, economic, and hazardous materials 8143
requirements. 8144

(G) Notwithstanding Chapter 4117. of the Revised Code, the 8145
department of public safety may establish requirements for its 8146
enforcement personnel, including its enforcement agents described 8147
in section 5502.14 of the Revised Code, that include standards of 8148
conduct, work rules and procedures, and criteria for eligibility 8149
as law enforcement personnel. 8150

(H) The department shall administer, maintain, and operate 8151
the Ohio criminal justice network. The Ohio criminal justice 8152
network shall be a computer network that supports state and local 8153
criminal justice activities. The network shall be an electronic 8154
repository for various data, which may include arrest warrants, 8155
notices of persons wanted by law enforcement agencies, criminal 8156
records, prison inmate records, stolen vehicle records, vehicle 8157
operator's licenses, and vehicle registrations and titles. 8158

(I) The department shall coordinate all homeland security 8159
activities of all state agencies and shall be a liaison between 8160
state agencies and local entities for those activities and related 8161
purposes. 8162

(J) Beginning July 1, 2004, the department shall administer 8163
and enforce the laws relative to private investigators and 8164
security service providers specified in Chapter 4749. of the 8165
Revised Code. 8166

Sec. 5502.011. (A) As used in this section, "department of 8167
public safety" and "department" include all divisions within the 8168
department of public safety. 8169

(B) The director of the department of public safety is the 8170
chief executive and administrative officer of the department. The 8171

director may establish policies governing the department, the 8172
performance of its employees and officers, the conduct of its 8173
business, and the custody, use, and preservation of departmental 8174
records, papers, books, documents, and property. The director also 8175
may authorize and approve investigations to be conducted by any of 8176
the department's divisions. Whenever the Revised Code imposes a 8177
duty upon or requires an action of the department, the director 8178
may perform the action or duty in the name of the department or 8179
direct such performance to be performed by the director's 8180
designee. 8181

(C) In addition to any other duties enumerated in the Revised 8182
Code, the director or the director's designee shall do all of the 8183
following: 8184

(1) Administer and direct the performance of the duties of 8185
the department; 8186

(2) Pursuant to Chapter 119. of the Revised Code, approve, 8187
adopt, and prescribe such forms and rules as are necessary to 8188
carry out the duties of the department; 8189

(3) On behalf of the department and in addition to any 8190
authority the Revised Code otherwise grants to the department, 8191
have the authority and responsibility for approving and entering 8192
into contracts, agreements, and other business arrangements; 8193

(4) Make appointments for the department as needed to comply 8194
with requirements of the Revised Code; 8195

(5) Approve employment actions of the department, including 8196
appointments, promotions, discipline, investigations, and 8197
terminations; 8198

(6) Accept, hold, and use, for the benefit of the department, 8199
any gift, donation, bequest, or devise, and may agree to and 8200
perform all conditions of the gift, donation, bequest, or devise, 8201
that are not contrary to law; 8202

(7) Do all other acts necessary or desirable to carry out 8203
this chapter. 8204

(D)(1) The director of public safety may assess a reasonable 8205
fee, plus the amount of any charge or fee passed on from a 8206
financial institution, on a drawer or indorser for each of the 8207
following: 8208

(a) A check, draft, or money order that is returned or 8209
dishonored; 8210

(b) An automatic bank transfer that is declined, due to 8211
insufficient funds or for any other reason; 8212

(c) Any financial transaction device that is returned or 8213
dishonored for any reason. 8214

(2) The director shall deposit any fee collected under this 8215
division in an appropriate fund as determined by the director 8216
based on the tax, fee, or fine being paid. 8217

(3) As used in this division, "financial transaction device" 8218
has the same meaning as in section 113.40 of the Revised Code. 8219

Sec. 5502.11. Every law enforcement agency representing a 8220
township, county, municipal corporation, or other political 8221
subdivision investigating a motor vehicle accident involving a 8222
fatality, personal injury, or property damage in an amount ~~not~~ 8223
~~less~~ greater than ~~one hundred fifty~~ four hundred dollars shall, 8224
within five days, forward a written report of such accident to the 8225
director of public safety on a form which the director shall adopt 8226
subject to sections 119.01 to 119.13 of the Revised Code. 8227

Sec. 5503.34. There is hereby created in the department of 8228
public safety, division of state highway patrol, a ~~commercial~~ 8229
motor ~~vehicle safety~~ carrier enforcement unit, to be administered 8230
by the superintendent of the state highway patrol. This unit shall 8231

be responsible for enforcement of commercial motor vehicle 8232
transportation safety, economic, and hazardous materials 8233
requirements. 8234

The superintendent, with the approval of the director of 8235
public safety, may appoint and maintain necessary staff to carry 8236
out the duties assigned under this section. 8237

Employees of the ~~commercial motor vehicle safety~~ carrier 8238
enforcement unit shall cooperate with the public utilities 8239
commission to enforce compliance with orders and rules of the 8240
commission, applicable laws under Chapters 4919., 4921., and 4923. 8241
of the Revised Code, and any other applicable laws or rules. 8242

Uniformed employees of the ~~commercial motor vehicle safety~~ 8243
carrier enforcement unit may stop commercial motor vehicles for 8244
the exclusive purpose of inspecting such vehicles to enforce 8245
compliance with orders and rules of the public utilities 8246
commission as required by division (F) of section 5502.01 of the 8247
Revised Code. 8248

Sec. 5516.01. As used in sections 5516.01 to 5516.14 of the 8249
Revised Code: 8250

(A) "Advertising device" includes any outdoor sign, display, 8251
device, figure, painting, drawing, message, placard, poster, 8252
billboard, or any other contrivance designed, intended, or used to 8253
advertise or to give information in the nature of advertising, or 8254
any part thereof, the advertising or informative contents of which 8255
are visible from the main traveled way of any highway on the 8256
interstate system or primary system in this state. 8257

(B) "Visible" means capable of being seen and comprehended 8258
without visual aid by a person traveling the posted speed limit on 8259
the main traveled way of the highway. 8260

(C) "Interstate system" means that portion of the interstate 8261

system, or the national highway system, located within this state, 8262
as designated by the director of transportation and approved by 8263
the secretary of transportation of the United States, pursuant to 8264
23 U.S.C.A. 103(b) and (e). 8265

(D) "Erect" means to construct or allow to be constructed, 8266
but it shall not include any activity when performed as an 8267
incident to the change of advertising message or normal 8268
maintenance of a sign or sign structure. 8269

(E) "Maintain" means to preserve, keep in repair, continue, 8270
allow to exist, or restore. 8271

(F) "National policy" means the provisions of 23 U.S.C.A. 131 8272
and the national standards, criteria, and rules promulgated 8273
pursuant to such provisions. 8274

(G) "Primary system" means that portion of the state highway 8275
system or national highway system located within this state as 8276
designated by the director and approved by the secretary of 8277
transportation of the United States, pursuant to 23 U.S.C.A. 8278
103(b). 8279

(H) "Zoned commercial or industrial areas" means those 8280
nonagricultural areas which are reserved for business, commerce, 8281
or trade, pursuant to local zoning laws, regulations, or state 8282
laws. 8283

(I) "Unzoned commercial or industrial area" means an area not 8284
zoned by state or local law, regulation, or ordinance, in which 8285
there is located one or more commercial or industrial activities. 8286
Such area may also include the lands along the highway for a 8287
distance of eight hundred fifty feet immediately adjacent to such 8288
activities. This distance shall be measured from the buildings, 8289
parking lots, storage or processing areas of the activities, and 8290
along or parallel to the near edge of the main traveled way of the 8291
highway. This distance shall not include land on the opposite side 8292

of the highway from such activities, nor land predominantly used 8293
for residential purposes. An area shall be considered 8294
predominately residential if fifty per cent or more of the eight 8295
hundred feet immediately adjacent to the activities contains land 8296
used as residential property. Each side of the highway will be 8297
considered separately in applying this definition. 8298

(J) "Commercial or industrial activities" means those 8299
activities generally recognized as commercial or industrial by 8300
zoning authorities of this state. The following activities shall 8301
not be considered commercial or industrial: 8302

(1) Activities relating to advertising structures; 8303

(2) Agricultural, forestry, ranching, grazing, farming, and 8304
related activities, including, but not limited to, activities 8305
relating to wayside fresh produce stands; 8306

(3) Transient or temporary activities; 8307

(4) Activities not visible from the main traveled way; 8308

(5) Activities located more than six hundred sixty feet from 8309
the nearest edge of the right-of-way; 8310

(6) Activities conducted in a building principally used as a 8311
residence; 8312

(7) Activities relating to railroad tracks and minor sidings; 8313

(8) Activities relating to highways, roads, and streets. 8314

(K) "Directional and official signs and notices" means those 8315
signs and notices that are required or authorized by law and 8316
conform to the rules for such signs and notices as adopted by the 8317
director in accordance with 23 C.F.R. 750.151 to 750.155. 8318

(L) "Nonconforming advertising device" means an advertising 8319
device that was: 8320

(1) Lawfully in existence prior to December 7, 1971; 8321

(2) Lawfully on any highway made a part of the interstate system or primary highway system on or after December 7, 1971;	8322
(3) Lawfully erected prior to any revision in the law effective December 7, 1971; or	8323
(4) Lawfully erected but:	8324
(a) No longer in compliance with the provisions of state law enacted or rules adopted at a later date; or	8325
(b) No longer in compliance with state laws or rules due to changed conditions, including, but not limited to, zoning changes, highway relocation, highway reclassification, or changes in restrictions on sizing, lighting, spacing, or distance of advertising devices.	8326
Illegally erected or maintained advertising devices are not nonconforming signs.	8327
(M) "Scenic byway" means any linear transportation corridor as designated or as may hereafter be so designated by the director under the Ohio scenic byways program as having outstanding scenic qualities.	8328
(N) "Director" means the director of the Ohio department of transportation.	8329
(O) "Commercial or industrial zone" means those areas established by any state, county, municipal, or other local zoning authority as being most appropriate for business, commerce, industry, or trade. Any action taken by a state, county, municipal, or other local zoning authority that is not part of comprehensive zoning and is created primarily to permit outdoor advertising devices shall not be considered a commercial or industrial zone for purposes of this chapter.	8330
<u>(P) "Last permit holder" includes any of the following:</u>	8331
<u>(1) The most recent holder of the advertising device permit;</u>	8332
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(2) A business, cooperative, corporation, enterprise, joint venture, limited liability company, partnership, sole proprietorship or subsidiary, the viability of which is dependant on its relationship with the most recent holder of the advertising device permit; 8352
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(3) Any person or entity that is closely related to or closely connected with the most recent holder of the advertising device permit. 8357
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Sec. 5516.04. (A) Any advertising device that violates 8360
section 5516.02, 5516.06, ~~or~~ 5516.061, or 5516.062 of the Revised 8361
Code or the rules adopted thereunder, or that is being maintained 8362
without a validly issued permit, is a public and private nuisance, 8363
and shall be removed. Immediately upon discovering the existence 8364
of such a nuisance, the director of transportation shall issue an 8365
order to the owner or lessee of the land on which such advertising 8366
device is located, and to the owner of such advertising device, if 8367
known, to remove the device or to initiate any remedial action 8368
specified in the order, within thirty days of the issuance of the 8369
order. The order shall be in writing and shall be sent by 8370
certified mail. If the owner of the advertising device is unknown, 8371
the director shall make a reasonable attempt to ascertain the 8372
identity of such owner. 8373

If such owner cannot be determined or the certified mail is 8374
not claimed, the director may post a copy of the order in a 8375
conspicuous place on the advertising device. 8376

If removal or remediation is not completed within thirty days 8377
of the date of the order, the director immediately may remove the 8378
sign without further notice or may file for an injunction or other 8379
appropriate relief in a civil action for abatement in the court of 8380
common pleas of the county in which the advertising device is 8381
located. A copy of the complaint shall be served upon the owner or 8382

lessee of the land and the owner of the device, if known, in 8383
accordance with the Rules of Civil Procedure. If certified mail 8384
service, personal service, or residence service of the complaint 8385
is refused, or certified mail service is not claimed and the 8386
director has made a request for ordinary mail service of the 8387
complaint, or has used publication service in accordance with the 8388
Rules of Civil Procedure, then a copy of the complaint shall be 8389
posted in a conspicuous place on the advertising device. 8390

The court in a civil action for abatement shall conduct a 8391
hearing at least twenty-eight days after service of the complaint 8392
on the owner of the advertising device and the owner or lessee of 8393
the land. If the court finds at the hearing that a violation of 8394
sections 5516.02 to 5516.04 of the Revised Code exists as alleged 8395
in the complaint and also finds that the owner of the advertising 8396
device or the owner or lessee of the land has been afforded an 8397
opportunity to abate the nuisance but has refused or failed to do 8398
so, the court may issue an injunction requiring the owner of the 8399
advertising device or the owner or lessee of the land to abate the 8400
nuisance or may issue any other order that it considers necessary 8401
or appropriate to cause the abatement of the public nuisance. If 8402
an injunction is issued pursuant to this section, the owner of the 8403
advertising device or the owner or lessee of the land shall be 8404
given no more than thirty days from the date of the entry of the 8405
court's order to comply with the injunction, unless the court, for 8406
good cause shown, extends the time for compliance. The judge in 8407
any civil action described in this section, or the judge's 8408
successor in office, has continuing jurisdiction to review the 8409
condition of any advertising device that was determined to be a 8410
public nuisance pursuant to this section. 8411

(B) If the department removes an advertising device pursuant 8412
to an order of the director, the cost or expense of such removal 8413
shall be paid by the director out of any appropriation of the 8414

department of transportation available for the establishment, use, 8415
maintenance, or repair of highways, and the amount thereof shall 8416
be certified to the attorney general for collection by civil 8417
action against the device owner or the owner or lessee of the land 8418
on which such advertising device is located. Such owners and 8419
lessees shall be jointly liable for such costs or expenses. 8420

(C) Employees, agents, or independent contractors of the 8421
department of transportation may enter upon private property for 8422
the purpose of removing advertising devices in accordance with 8423
this section, without incurring any liability for so entering. 8424

Sec. 5516.061. No advertising device shall be erected outside 8425
of urban areas ~~between~~ further than six hundred sixty feet ~~and~~ 8426
~~three thousand feet of~~ from the right-of-way of the main traveled 8427
way of a highway on the interstate or primary system if such 8428
device would be visible from such main traveled way, except the 8429
following: 8430

(A) Directional and official signs and notices that conform 8431
to rules adopted by the director of transportation; 8432

(B) Signs advertising the sale or lease of the property upon 8433
which they are located; 8434

(C) Advertising devices indicating the name of the business, 8435
activities, or profession conducted on such property or that 8436
identify the goods produced, sold, or services rendered on such 8437
property and that conform to rules adopted by the director; 8438

(D) Signs lawfully in existence on October 22, 1965, that the 8439
director, subject to the approval of the secretary of the United 8440
States department of transportation, has determined to be landmark 8441
signs, including signs on farm structures or natural surfaces, 8442
which are of historic or artistic significance. 8443

Any advertising device lawfully in existence prior to 8444

November 28, 1975, or lawfully on any highway made a part of the 8445
interstate or primary system on or after that date, the erection 8446
of which would be illegal under this section, is nonconforming, 8447
and may be maintained subject to the permit provisions of section 8448
5516.10 of the Revised Code. An advertising device existing prior 8449
to the effective date of this section which would be illegal under 8450
this section shall be considered a nonconforming advertising 8451
device and may be maintained subject to the permit provisions of 8452
section 5516.10 of the Revised Code. 8453

As used in this section, "urban area" means an urbanized area 8454
or an urban place as designated by the bureau of the census having 8455
a population of five thousand or more, and within boundaries 8456
approved by the United States secretary of transportation. 8457

Sec. 5516.062. (A) No person shall erect, use, maintain, 8458
operate, construct, or cause or permit to be erected, used, 8459
maintained, operated, or constructed any advertising device that 8460
is located both inside an urban area, as defined by section 8461
5516.061 of the Revised Code, and outside the boundaries of a 8462
municipal corporation as such boundaries existed on September 21, 8463
1959, without first obtaining a permit and permit plates from the 8464
director of transportation pursuant to section 5516.10 of the 8465
Revised Code. 8466

(B) In issuing permits under this section, the director shall 8467
not issue a permit for the following advertising devices: 8468

(1) An advertising device that is composed of stacked sign 8469
faces that are one on top of another, on the same structure, and 8470
each sign face has an area more than three hundred square feet; 8471

(2) A single face advertising device that exceeds an area 8472
larger than one thousand two hundred square feet. 8473

(C) An advertising device existing prior to the effective 8474

date of this section which would be illegal under this section 8475
shall be considered a nonconforming advertising device and may be 8476
maintained subject to the permit provisions of section 5516.10 of 8477
the Revised Code. 8478

Sec. 5516.10. (A) No person shall do either of the following 8479
without first obtaining a permit and permit plates from the 8480
director of transportation: 8481

(1) Erect, use, maintain, operate, construct, or cause or 8482
permit to be erected, used, maintained, operated, or constructed, 8483
any advertising device located in either of the following: 8484

(a) Commercial or industrial zones traversed by segments of 8485
the interstate system within the boundaries of a municipal 8486
corporation as such boundaries existed on September 21, 1959; 8487

(b) Zoned or unzoned industrial or commercial areas adjacent 8488
to highways on the primary system. 8489

(2) Maintain any nonconforming advertising device. 8490

(B) Applications for such a permit shall be made on forms 8491
prescribed by the director, and a separate application shall be 8492
submitted for each sign face. The director shall adopt rules 8493
setting forth the requirements for completion of the application 8494
process and the issuance of permits consistent with this section. 8495

(1) As part of the application process, the director may 8496
require an acknowledgment to be signed by the owner or person in 8497
lawful possession or control of the proposed location of the 8498
advertising device. Such acknowledgment may include, but shall not 8499
be limited to, a statement that the applicant has the right to 8500
occupy the land at the subject location, that if at any time 8501
removal is required, the owner or person in lawful possession or 8502
control of the location may be jointly liable, and that the 8503
applicant may only occupy the land for a specified time period. If 8504

legal use of the location is terminated at any time during the 8505
permit period, the permit is subject to cancellation pursuant to 8506
section 5516.12 of the Revised Code. 8507

(2) As part of the application process, the director may 8508
require an applicant or the applicant's authorized representative 8509
to certify in a notarized signed statement that the applicant has 8510
not knowingly provided materially false, misleading, or inaccurate 8511
information. 8512

(3) Each application shall be accompanied by the appropriate 8513
application fee as set forth in the fee schedule established by 8514
the director. Such fee schedule shall be based on the reasonable 8515
cost of administering and processing such permits. Application 8516
fees shall be nonrefundable. 8517

(4) Applications for permits shall be disapproved and permits 8518
shall not be issued under any of the following conditions: 8519

(a) The proposed location for an advertising device is not 8520
visible from the main traveled portion of the highway due to 8521
existing landscaping on the right-of-way of any highway. 8522

(b) The advertising device can be erected or maintained only 8523
from the right-of-way of an interstate or primary highway system. 8524

(c) The proposed location for the advertising device is on 8525
land that is used principally as a residence. 8526

(d) The advertising device is erected or maintained on trees, 8527
or painted or drawn upon rocks or other natural features. 8528

(e) The advertising device would be a traffic hazard or a 8529
danger to the safety of the traveling public. 8530

(f) The advertising device would prevent the driver of a 8531
motor vehicle from having a clear and unobstructed view of 8532
official signs and approaching or merging traffic. 8533

(g) The advertising device is illuminated so as to interfere 8534

with the effectiveness of an official sign, signal, or other 8535
traffic control device. 8536

(h) The advertising device attempts, or appears to attempt, 8537
to direct the movement of traffic, or interferes with, imitates, 8538
or resembles an official sign, signal, or other traffic control 8539
device. 8540

(C) The issuance of a permit under this section shall not be 8541
construed to invalidate municipal ordinances requiring a permit or 8542
license or providing for an inspection fee for advertising 8543
devices, or regulating such advertising devices. The cost of the 8544
application fee for such permits or licenses issued, or the cost 8545
of initial inspection fees charged under municipal ordinances 8546
shall be credited against and shall reduce the cost of the permit 8547
issued by the director under this section. If a permit is issued 8548
by a zoning authority pursuant to its ordinances, rules, or 8549
regulations controlling outdoor advertising devices, a copy 8550
thereof shall be furnished to the director with any application 8551
for a new permit required by this section or within thirty days of 8552
its issuance by a zoning authority. 8553

(D) Where an application is submitted for the erection, use, 8554
maintenance, operation, or construction of an advertising device, 8555
the director may conditionally approve such application as to 8556
location only, and final approval shall remain pending until the 8557
advertising device is erected, used, maintained, or constructed or 8558
becomes operational. Upon notification by the permit applicant 8559
that the erection, use, maintenance, construction, or operation of 8560
the advertising device is completed, the director shall verify 8561
that the advertising device complies with the terms and conditions 8562
of the conditional permit. Upon verification of compliance with 8563
the terms and conditions of the conditional permit, the director 8564
may approve and issue a permit and permit plates, which shall be 8565
securely and permanently attached in the corner of the face of the 8566

advertising device nearest to the highway in such a manner as to 8567
be visible from the main traveled way of the interstate or primary 8568
highway system. Replacement plates may be issued upon request and 8569
upon the payment of a replacement fee to be determined by the 8570
director. 8571

(E) All permits issued pursuant to this section shall be in 8572
effect for a period of two years. Permits may be renewed upon 8573
application made on forms designated by the director and upon the 8574
payment of a nonrefundable renewal fee in an amount to be 8575
determined by the director based on the reasonable cost of 8576
administering and processing such renewal permits. Any permits 8577
that are not renewed, and any permit plates issued in connection 8578
with such permits, shall be returned to the director for 8579
cancellation by the expiration date. The director may adopt rules 8580
for the reinstatement of permits canceled as a result of 8581
nonpayment of renewal fees, and shall develop a fee schedule for 8582
late renewals. 8583

(F)(1) Where the director conditionally approves the issuance 8584
of a permit as to location only and the permit applicant fails to 8585
~~exercise the privilege of constructing, erecting, using,~~ 8586
~~operating, or maintaining~~ construct, erect, use, operate, or 8587
maintain an advertising device within the period for which the 8588
permit was issued, such permit shall not be renewed unless a 8589
renewal fee is paid to extend the privilege for one additional 8590
permit period. No conditional permit shall be renewed and no 8591
extensions shall be granted after the second renewal period. 8592

(2) A last permit holder's application for a permit shall not 8593
be accepted until a permit issued pursuant to division (F)(1) of 8594
this section has expired for a period of six months, commencing 8595
from the expiration date, for any of the following locations: 8596

(a) The expired location; 8597

(b) A location within five hundred feet of the expired 8598
location on an interstate highway, a primary highway outside a 8599
municipal corporation, or a freeway inside a municipal 8600
corporation; 8601

(c) A location within two hundred fifty feet of the expired 8602
location on any other primary highway inside a municipal 8603
corporation. 8604

The director shall process written applications in the order 8605
in which they are received. 8606

(G) Permits for advertising devices erected and maintained 8607
with a valid permit issued before July 1, 1997, may be renewed 8608
unless the director finds that the permit application contains 8609
materially false, misleading, or inaccurate information or the 8610
sign has been erected or maintained contrary to this chapter or 8611
the rules adopted thereunder, and in such event the director may 8612
take appropriate action pursuant to section 5516.12 of the Revised 8613
Code. An applicant who has a conditional permit issued by the 8614
director before June 30, 1997, and who has not yet exercised the 8615
privilege of constructing, using, operating, erecting, or 8616
maintaining an advertising device at the proposed location as of 8617
that date, shall have until December 31, 1997, to comply with the 8618
terms and conditions of the conditional permit or such permit 8619
shall be canceled. However, the applicant may request that the 8620
conditional permit be renewed by submitting a renewal application 8621
and paying a nonrefundable renewal fee to extend the privilege for 8622
one additional permit period. 8623

(H) Permits may be transferred from one sign owner to another 8624
upon written acknowledgment from the current permittee and the 8625
payment of a transfer fee in an amount to be determined by the 8626
director for each permit to be transferred. The new permit holder 8627
is subject to all the terms and conditions of the prior permit 8628

holder and shall be subject to this chapter and the rules adopted 8629
thereunder. 8630

(I) No person shall submit an application for an advertising 8631
device permit where the proposed location is adjacent to a 8632
proposed project on the interstate or primary system and the 8633
proposed location for the device would be illegal under this 8634
chapter upon completion of the project. 8635

Sec. 5577.042. (A) As used in this section: 8636

(1) "Farm machinery" has the same meaning as in section 8637
4501.01 of the Revised Code. 8638

(2) "Farm commodities" includes livestock, bulk milk, corn, 8639
soybeans, tobacco, and wheat. 8640

(3) "Farm truck" means a truck used in the transportation 8641
from a farm of farm commodities when the truck is operated in 8642
accordance with this section. 8643

(4) "Log truck" means a truck used in the transportation of 8644
timber from the site of its cutting when the truck is operated in 8645
accordance with this section. 8646

(5) "Coal truck" means a truck transporting coal from the 8647
site where it is mined when the truck is operated in accordance 8648
with this section. 8649

(6) "Solid waste" has the same meaning as in section 3734.01 8650
of the Revised Code. 8651

(7) "Solid waste haul vehicle" means a vehicle hauling solid 8652
waste for which a bill of lading has not been issued. 8653

(B) Notwithstanding sections 5577.02 and 5577.04 of the 8654
Revised Code, a coal truck transporting coal, a farm truck or farm 8655
machinery transporting farm commodities, ~~or~~ a log truck 8656
transporting timber, or a solid waste haul vehicle hauling solid 8657

waste, from the place of production to the first point of delivery 8658
where the commodities are weighed and title to the commodities, 8659
coal, or timber is transferred, or, in the case of solid waste, 8660
from the place of production to the first point of delivery where 8661
the solid waste is disposed of or title to the solid waste is 8662
transferred, may exceed by no more than seven and one-half per 8663
cent the weight provisions of sections 5577.01 to 5577.09 of the 8664
Revised Code and no penalty prescribed in section 5577.99 of the 8665
Revised Code shall be imposed. If a coal truck so transporting 8666
coal, a farm truck or farm machinery so transporting farm 8667
commodities, ~~or~~ a timber truck so transporting timber, or a solid 8668
waste haul vehicle hauling solid waste, exceeds by more than seven 8669
and one-half per cent the weight provisions of those sections, 8670
both of the following apply without regard to the seven and 8671
one-half per cent allowance provided by this division: 8672

(1) The applicable penalty prescribed in section 5577.99 of 8673
the Revised Code; 8674

(2) The civil liability imposed by section 5577.12 of the 8675
Revised Code. 8676

(C)(1) Division (B) of this section does not apply to the 8677
operation of a farm truck, log truck, or farm machinery 8678
transporting farm commodities during the months of February and 8679
March. 8680

(2) Regardless of when the operation occurs, division (B) of 8681
this section does not apply to the operation of a coal truck, a 8682
farm truck, a log truck, a solid waste haul vehicle, or farm 8683
machinery transporting farm commodities on either of the 8684
following: 8685

(a) A highway that is part of the interstate system; 8686

(b) A highway, road, or bridge that is subject to reduced 8687
maximum weights under section 4513.33, 5577.07, 5577.071, 5577.08, 8688

5577.09, or 5591.42 of the Revised Code. 8689

Sec. 5577.05. (A) No vehicle shall be operated upon the 8690
public highways, streets, bridges, and culverts within the state, 8691
whose dimensions exceed those specified in this section. 8692

~~(A)~~(B) No such vehicle shall have a width in excess of: 8693

(1) One hundred four inches for passenger bus type vehicles 8694
operated exclusively within municipal corporations; 8695

(2) One hundred two inches, excluding such safety devices as 8696
are required by law, for passenger bus type vehicles operated over 8697
freeways, and such other state roads with minimum pavement widths 8698
of twenty-two feet, except those roads or portions thereof over 8699
which operation of one hundred two-inch buses is prohibited by 8700
order of the director of transportation; 8701

(3) One hundred thirty-two inches for traction engines; 8702

(4) One hundred two inches for recreational vehicles, 8703
excluding safety devices and retracted awnings and other 8704
appurtenances of six inches or less in width and except that the 8705
director may prohibit the operation of one hundred two inch 8706
recreational vehicles on designated state highways or portions of 8707
highways; 8708

(5) One hundred two inches, including load, for all other 8709
vehicles, except that the director may prohibit the operation of 8710
one hundred two-inch vehicles on such state highways or portions 8711
thereof as the director designates. 8712

~~(B)~~(C) No such vehicle shall have a length in excess of: 8713

(1) Sixty feet for passenger bus type vehicles operated by a 8714
regional transit authority pursuant to sections 306.30 to 306.54 8715
of the Revised Code; 8716

(2) ~~Forty~~ Forty-five feet for all other passenger bus type 8717

vehicles; 8718

(3) Fifty-three feet for any semitrailer when operated in a 8719
commercial tractor-semitrailer combination, with or without load, 8720
except that the director may prohibit the operation of any such 8721
commercial tractor-semitrailer combination on such state highways 8722
or portions thereof as the director designates. 8723

(4) Twenty-eight and one-half feet for any semitrailer or 8724
trailer when operated in a commercial tractor-semitrailer-trailer 8725
or commercial tractor-semitrailer-semitrailer combination, except 8726
that the director may prohibit the operation of any such 8727
commercial tractor-semitrailer-trailer or commercial 8728
tractor-semitrailer-semitrailer combination on such state highways 8729
or portions thereof as the director designates; 8730

(5) Seventy-five feet for drive-away saddlemount vehicle 8731
transporter combinations and drive-away saddlemount with fullmount 8732
vehicle transporter combinations, not to exceed three 8733
saddlemounted vehicles, but which may include one fullmount. 8734

(6) Sixty-five feet for any other combination of vehicles 8735
coupled together, with or without load, except as provided in 8736
divisions ~~(B)~~(C)(3) and (4), and in division ~~(D)~~(E) of this 8737
section; 8738

(7) Forty-five feet for recreational vehicles; 8739

(8) Forty feet for all other vehicles except trailers and 8740
semitrailers, with or without load. 8741

~~(C)~~(D) No such vehicle shall have a height in excess of 8742
thirteen feet six inches, with or without load. 8743

~~(D)~~(E) An automobile transporter or boat transporter shall be 8744
allowed a length of sixty-five feet and a stinger-steered 8745
automobile transporter or stinger-steered boat transporter shall 8746
be allowed a length of seventy-five feet, except that the load 8747

thereon may extend no more than four feet beyond the rear of such 8748
vehicles and may extend no more than three feet beyond the front 8749
of such vehicles, and except further that the director may 8750
prohibit the operation of a stinger-steered automobile 8751
transporter, stinger-steered boat transporter, or a B-train 8752
assembly on any state highway or portion thereof that the director 8753
designates. 8754

(F) The widths prescribed in division (B) of this section 8755
shall not include side mirrors, turn signal lamps, marker lamps, 8756
handholds for cab entry and egress, flexible fender extensions, 8757
mud flaps, splash and spray suppressant devices, and load-induced 8758
tire bulge. 8759

The width prescribed in division ~~(A)~~(B)(5) of this section 8760
shall not include automatic covering devices ~~used by a vehicle 8761~~
~~hauling solid waste, tarp and tarp hardware, and tiedown 8762~~
assemblies, provided these safety devices do not extend more than 8763
three inches from each side of the vehicle. 8764

The lengths prescribed in divisions ~~(B)~~(C)(2) to (7) of this 8765
section shall not include safety devices, bumpers attached to the 8766
front or rear of such bus or combination, B-train assembly used 8767
between the first and second semitrailer of a commercial 8768
tractor-semitrailer-semitrailer combination, energy conservation 8769
devices as provided in any regulations adopted by the secretary of 8770
the United States department of transportation, or any 8771
noncargo-carrying refrigeration equipment attached to the front of 8772
trailers and semitrailers. In special cases, vehicles whose 8773
dimensions exceed those prescribed by this section may operate in 8774
accordance with rules adopted by the director. 8775

~~(E)~~(G) This section does not apply to fire engines, fire 8776
trucks, or other vehicles or apparatus belonging to any municipal 8777
corporation or to the volunteer fire department of any municipal 8778
corporation or used by such department in the discharge of its 8779

functions. This section does not apply to vehicles and pole 8780
trailers used in the transportation of wooden and metal poles, nor 8781
to the transportation of pipes or well-drilling equipment, nor to 8782
farm machinery and equipment. The owner or operator of any 8783
vehicle, machinery, or equipment not specifically enumerated in 8784
this section but the dimensions of which exceed the dimensions 8785
provided by this section, when operating the same on the highways 8786
and streets of this state, shall comply with the rules of the 8787
director governing such movement, which the director may adopt. 8788
Sections 119.01 to 119.13 of the Revised Code apply to any rules 8789
the director adopts under this section, or the amendment or 8790
rescission thereof, and any person adversely affected shall have 8791
the same right of appeal as provided in those sections. 8792

This section does not require the state, a municipal 8793
corporation, county, township, or any railroad or other private 8794
corporation to provide sufficient vertical clearance to permit the 8795
operation of such vehicle, or to make any changes in or about 8796
existing structures now crossing streets, roads, and other public 8797
thoroughfares in this state. 8798

~~(F)~~(H) As used in this section, "recreational vehicle" has 8799
the same meaning as in section 4501.01 of the Revised Code. 8800

Sec. 5577.99. (A) Whoever violates the weight provisions of 8801
sections 5577.01 to 5577.07 or the weight provisions in regard to 8802
highways under section 5577.04 of the Revised Code shall be fined 8803
eighty dollars for the first two thousand pounds, or fraction 8804
thereof, of overload; for overloads in excess of two thousand 8805
pounds, but not in excess of five thousand pounds, such person 8806
shall be fined one hundred dollars, and in addition thereto one 8807
dollar per one hundred pounds of overload; for overloads in excess 8808
of five thousand pounds, but not in excess of ten thousand pounds, 8809
such person shall be fined one hundred thirty dollars and in 8810

addition thereto two dollars per one hundred pounds of overload, 8811
or imprisoned not more than thirty days, or both. For all 8812
overloads in excess of ten thousand pounds such person shall be 8813
fined one hundred sixty dollars, and in addition thereto three 8814
dollars per one hundred pounds of overload, or imprisoned not more 8815
than thirty days, or both. Whoever violates the weight provisions 8816
of vehicle and load relating to gross load limits shall be fined 8817
not less than one hundred dollars. No penalty prescribed in this 8818
division shall be imposed on any vehicle combination if the 8819
overload on any axle does not exceed one thousand pounds, and if 8820
the immediately preceding or following axle, excepting the front 8821
axle of the vehicle combination, is underloaded by the same or a 8822
greater amount. For purposes of this division, two axles on one 8823
vehicle less than eight feet apart, shall be considered as one 8824
axle. 8825

(B) Whoever violates the weight provisions of section 8826
5571.071 or 5577.08 or the weight provisions in regard to bridges 8827
under section 5577.09, and whoever exceeds the carrying capacity 8828
specified under section 5591.42 of the Revised Code, shall be 8829
fined eighty dollars for the first two thousand pounds, or 8830
fraction thereof, of overload; for overloads in excess of two 8831
thousand pounds, but not in excess of five thousand pounds, the 8832
person shall be fined one hundred dollars, and in addition thereto 8833
one dollar per one hundred pounds of overload; for overloads in 8834
excess of five thousand pounds, but not in excess of ten thousand 8835
pounds, the person shall be fined one hundred thirty dollars, and 8836
in addition thereto two dollars per one hundred pounds of 8837
overload, or imprisoned not more than thirty days, or both. For 8838
all overloads in excess of ten thousand pounds, the person shall 8839
be fined one hundred sixty dollars, and in addition thereto three 8840
dollars per one hundred pounds of overload, or imprisoned not more 8841
than thirty days, or both. 8842

Notwithstanding any other provision of the Revised Code that 8843
specifies a procedure for the distribution of fines, all fines 8844
collected pursuant to this section shall be paid into the treasury 8845
of the county and credited to any fund for the maintenance and 8846
repair of roads, highways, bridges, or culverts. 8847

(C) Whoever violates any other provision of sections 5577.01 8848
to 5577.09 of the Revised Code ~~shall be fined not more than~~ 8849
~~twenty five dollars for~~ is guilty of a minor misdemeanor on a 8850
~~first offense; for a second offense within one year thereafter,~~ 8851
~~such person shall be fined not less than ten nor more than one~~ 8852
~~hundred dollars, or imprisoned not more than ten days, or both;~~ 8853
~~for~~ on a second or subsequent offense within one year after the 8854
~~first offense, such person shall be fined not less than~~ 8855
~~twenty five nor more than two hundred dollars, or imprisoned not~~ 8856
~~more than thirty days, or both~~ is guilty of a misdemeanor of the 8857
fourth degree. 8858

(D) Whoever violates section 5577.10 of the Revised Code 8859
shall be fined not more than five thousand dollars or imprisoned 8860
for not less than thirty days nor more than six months, or both. 8861

(E) Whoever violates section 5577.11 of the Revised Code 8862
shall be fined not more than twenty-five dollars. 8863

Section 2. That existing sections 109.801, 121.08, 1548.08, 8864
1548.09, 1548.13, 1548.20, 2935.27, 2937.221, 3937.41, 3937.43, 8865
3937.45, 4501.01, 4501.02, 4501.021, 4501.11, 4503.01, 4503.03, 8866
4503.034, 4503.04, 4503.041, 4503.042, 4503.10, 4503.12, 4503.13, 8867
4503.231, 4503.24, 4503.44, 4504.01, 4505.07, 4505.08, 4505.09, 8868
4505.10, 4505.11, 4505.13, 4505.141, 4506.01, 4506.08, 4506.09, 8869
4506.11, 4506.12, 4507.13, 4507.141, 4507.19, 4507.20, 4507.50, 8870
4507.51, 4507.53, 4507.99, 4509.05, 4509.101, 4509.79, 4510.10, 8871
4510.22, 4510.31, 4510.43, 4511.01, 4513.61, 4513.63, 4517.01, 8872
4517.03, 4517.05, 4517.10, 4517.14, 4519.03, 4519.05, 4519.56, 8873

4519.57, 4519.58, 4519.61, 4519.631, 4519.68, 4738.05, 4738.18, 8874
4749.02, 4749.03, 4749.04, 4749.05, 4749.06, 4749.07, 4749.08, 8875
4749.10, 4749.11, 4749.12, 4749.13, 4749.14, 4905.06, 4919.79, 8876
4923.20, 5502.01, 5502.11, 5503.34, 5516.01, 5516.04, 5516.061, 8877
5516.10, 5577.042, 5577.05, and 5577.99 of the Revised Code are 8878
hereby repealed. 8879

Section 3. Sections 121.08, 4749.02, 4749.03, 4749.04, 8880
4749.05, 4749.06, 4749.07, 4749.08, 4749.10, 4749.11, 4749.12, 8881
4749.13, 4749.14, and 5502.01 of the Revised Code, as amended in 8882
Section 1 of this act, shall take effect July 1, 2004. 8883

Section 4. Notwithstanding the amendments to sections 4517.10 8884
and 4738.05 of the Revised Code contained in Section 1 of this 8885
act, when the Registrar of Motor Vehicles first renews the 8886
licenses for motor vehicle dealers, motor vehicle leasing dealers, 8887
manufactured home brokers, distributors, motor vehicle auction 8888
owners, motor vehicle salespersons, motor vehicle salvage dealers, 8889
salvage motor vehicle auctions, and salvage motor vehicle pools, 8890
following the effective date of this act, the Registrar may renew 8891
some of those licenses for one year and others for two years. In 8892
the case of those licenses that the Registrar specifies be renewed 8893
for one year, the fee that was applicable to that particular 8894
license prior to the effective date of this act shall apply. In 8895
the case of those licenses that the Registrar specifies be renewed 8896
for two years, the fee that is specified in section 4517.10 of the 8897
Revised Code as amended by this act shall apply. Thereafter, all 8898
such licenses shall be issued and renewed in accordance with 8899
applicable law. 8900

Section 5. That Sections 29 and 85 of Am. Sub. H.B. 95 of the 8901
125th General Assembly be amended to read as follows: 8902

	Sec. 29. COM DEPARTMENT OF COMMERCE			8903
General Revenue Fund				8904
GRF 800-402	Grants-Volunteer Fire	\$	647,953 \$	647,953 8905
	Departments			
GRF 800-410	Labor and Worker	\$	3,700,040 \$	3,725,040 8906
	Safety			
Total GRF	General Revenue Fund	\$	4,347,993 \$	4,372,993 8907
General Services Fund Group				8908
163 800-620	Division of	\$	3,385,803 \$	3,490,056 8909
	Administration			
163 800-637	Information Technology	\$	2,753,299 \$	2,772,924 8910
5F1 800-635	Small Government Fire	\$	250,000 \$	250,000 8911
	Departments			
TOTAL GSF	General Services Fund			8912
Group		\$	6,389,102 \$	6,512,980 8913
Federal Special Revenue Fund Group				8914
348 800-622	Underground Storage	\$	195,008 \$	195,008 8915
	Tanks			
348 800-624	Leaking Underground	\$	1,850,000 \$	1,850,000 8916
	Storage Tanks			
349 800-626	OSHA Enforcement	\$	1,527,750 \$	1,604,140 8917
TOTAL FED	Federal Special Revenue			8918
Fund Group		\$	3,572,758 \$	3,649,148 8919
State Special Revenue Fund Group				8920
4B2 800-631	Real Estate Appraisal	\$	60,000 \$	60,000 8921
	Recovery			
4H9 800-608	Cemeteries	\$	273,465 \$	273,465 8922
4L5 800-609	Fireworks Training and	\$	10,976 \$	10,976 8923
	Education			
4X2 800-619	Financial Institutions	\$	2,020,798 \$	2,200,843 8924
5B9 800-632	PI & Security Guard	\$	1,188,716 \$	1,188,716 8925

	Provider			<u>0</u>	8926
5K7 800-621	Penalty Enforcement	\$	50,000	\$ 50,000	8927
543 800-602	Unclaimed	\$	7,051,051	\$ 7,051,051	8928
	Funds-Operating				
543 800-625	Unclaimed Funds-Claims	\$	25,512,867	\$ 25,512,867	8929
544 800-612	Banks	\$	6,657,997	\$ 6,657,997	8930
545 800-613	Savings Institutions	\$	2,765,618	\$ 2,894,330	8931
546 800-610	Fire Marshal	\$	7,855,076	\$ 11,787,994	8932
547 800-603	Real Estate	\$	250,000	\$ 250,000	8933
	Education/Research				
548 800-611	Real Estate Recovery	\$	100,000	\$ 100,000	8934
549 800-614	Real Estate	\$	3,586,754	\$ 3,705,892	8935
550 800-617	Securities	\$	4,600,000	\$ 4,800,000	8936
552 800-604	Credit Union	\$	2,613,356	\$ 2,751,852	8937
553 800-607	Consumer Finance	\$	3,764,279	\$ 3,735,445	8938
556 800-615	Industrial Compliance	\$	24,627,687	\$ 25,037,257	8939
6A4 800-630	Real Estate	\$	658,506	\$ 664,006	8940
	Appraiser-Operating				
653 800-629	UST Registration/Permit	\$	1,353,632	\$ 1,249,632	8941
	Fee				
	TOTAL SSR State Special Revenue				8942
	Fund Group	\$	95,000,778	\$ 99,982,323	8943
				<u>98,793,607</u>	8944
	Liquor Control Fund Group				8945
043 800-601	Merchandising	\$	341,079,554	\$ 353,892,432	8946
043 800-627	Liquor Control	\$	17,248,488	\$ 15,981,346	8947
	Operating				
043 800-633	Economic Development	\$	23,277,500	\$ 29,029,500	8948
	Debt Service				
043 800-636	Revitalization Debt	\$	4,747,800	\$ 9,736,300	8949
	Service				
	TOTAL LCF Liquor Control				8950
	Fund Group	\$	386,353,342	\$ 408,639,578	8951

UNCLAIMED FUNDS PAYMENTS	8982
The foregoing appropriation item 800-625, Unclaimed	8983
Funds-Claims, shall be used to pay claims pursuant to section	8984
169.08 of the Revised Code. If it is determined that additional	8985
amounts are necessary, the amounts are hereby appropriated.	8986
BANKS FUND (FUND 544) TRANSFER TO THE GRF	8987
On July 31, 2003, or as soon as possible thereafter, the	8988
Director of Budget and Management may transfer up to \$2,000,000	8989
cash from the Banks Fund (Fund 544) to the General Revenue Fund.	8990
FIRE MARSHAL FUND (FUND 546) TRANSFER TO THE GRF	8991
On July 31, 2003, or as soon as possible thereafter, the	8992
Director of Budget and Management may transfer up to \$10,000,000	8993
cash from the Fire Marshal Fund (Fund 546) to the General Revenue	8994
Fund.	8995
REAL ESTATE FUND (FUND 549) TRANSFER TO THE GRF	8996
On July 31, 2003, or as soon as possible thereafter, the	8997
Director of Budget and Management may transfer up to \$1,000,000	8998
cash from the Real Estate Fund (Fund 549) to the General Revenue	8999
Fund.	9000
INDUSTRIAL COMPLIANCE FUND (FUND 556) TRANSFER TO THE GRF	9001
On July 31, 2003, or as soon as possible thereafter, the	9002
Director of Budget and Management may transfer up to \$1,000,000	9003
cash from the Industrial Compliance Fund (Fund 556), to the	9004
General Revenue Fund.	9005
INCREASED APPROPRIATION AUTHORITY - MERCHANDISING	9006
The foregoing appropriation item 800-601, Merchandising,	9007
shall be used pursuant to section 4301.12 of the Revised Code. If	9008
it is determined that additional amounts are necessary, the	9009
amounts are hereby appropriated.	9010

ECONOMIC DEVELOPMENT DEBT SERVICE 9011

The foregoing appropriation item 800-633, Economic 9012
Development Debt Service, shall be used to meet all payments at 9013
the times they are required to be made during the period from July 9014
1, 2003, to June 30, 2005, for bond service charges on obligations 9015
issued under Chapter 166. of the Revised Code. If it is determined 9016
that additional appropriations are necessary for this purpose, 9017
such amounts are hereby appropriated, subject to the limitations 9018
set forth in section 166.11 of the Revised Code. The General 9019
Assembly acknowledges that an appropriation for this purpose is 9020
not required, but is made in this form and in this act for record 9021
purposes only. 9022

REVITALIZATION DEBT SERVICE 9023

The foregoing appropriation item 800-636, Revitalization Debt 9024
Service, shall be used to pay debt service and related financing 9025
costs under sections 151.01 and 151.40 of the Revised Code during 9026
the period from July 1, 2003, to June 30, 2005. If it is 9027
determined that additional appropriations are necessary for this 9028
purpose, such amounts are hereby appropriated. The General 9029
Assembly acknowledges the priority of the pledge of a portion of 9030
receipts from that source to obligations issued and to be issued 9031
under Chapter 166. of the Revised Code. 9032

ADMINISTRATIVE ASSESSMENTS 9033

Notwithstanding any other provision of law to the contrary, 9034
Fund 163, Division of Administration, shall receive assessments 9035
from all operating funds of the department in accordance with 9036
procedures prescribed by the Director of Commerce and approved by 9037
the Director of Budget and Management. 9038

Sec. 85. DHS DEPARTMENT OF PUBLIC SAFETY 9039

General Revenue Fund 9040

GRF 763-403	Operating Expenses - EMA	\$	4,058,188	\$	4,058,188	9041
GRF 763-507	Individual and Households Grants	\$	48,750	\$	48,750	9042
GRF 769-321	Food Stamp Trafficking Enforcement Operations	\$	800,000	\$	800,000	9043
TOTAL GRF General Revenue Fund		\$	4,906,938	\$	4,906,938	9044
<u>State Special Revenue Fund Group</u>						9045
5B9 766-632	<u>PI & Security Guard Provider</u>	\$	0	\$	<u>1,188,716</u>	9046
TOTAL SSR State Special Revenue Fund Group		\$	0	\$	<u>1,188,716</u>	9047
TOTAL ALL BUDGET FUND GROUPS		\$	4,906,938	\$	4,906,938 <u>6,095,654</u>	9048 9049
OHIO TASK FORCE ONE - URBAN SEARCH AND RESCUE UNIT						9050
Of the foregoing appropriation item 763-403, Operating						9051
Expenses - EMA, \$200,000 in each fiscal year shall be used to fund						9052
the Ohio Task Force One - Urban Search and Rescue Unit and other						9053
urban search and rescue programs around the state to create a						9054
stronger search and rescue capability statewide.						9055
INDIVIDUAL AND HOUSEHOLDS GRANTS STATE MATCH						9056
The foregoing appropriation item 763-507, Individual and						9057
Households Grants, shall be used to fund the state share of costs						9058
to provide grants to individuals and households in cases of						9059
disaster.						9060
<u>PI & SECURITY GUARD PROVIDER FUND</u>						9061
<u>On July 1, 2004, the PI & Security Guard Provider Fund (Fund</u>						9062
<u>5B9) shall be transferred from the Department of Commerce to the</u>						9063
<u>Department of Public Safety. At the request of the Director of</u>						9064
<u>Commerce, the Director of Budget and Management may cancel</u>						9065
<u>encumbrances in these funds from the Department of Commerce's</u>						9066

appropriation item 800-632, PI & Security Guard Provider, and 9067
reestablish such encumbrances or parts of encumbrances in fiscal 9068
year 2005 for the same purpose and to the same vendor in the 9069
Department of Public Safety's appropriation item 766-632, PI & 9070
Security Guard Provider. 9071

PI & SECURITY GUARD TRANSFER FROM COMMERCE TO PUBLIC SAFETY 9072

Notwithstanding any provision of law to the contrary, the 9073
Director of Budget and Management is authorized to take the 9074
actions described in this section. This section applies to budget 9075
changes made necessary by administrative reorganization, program 9076
transfers, the creation of new funds, and the consolidation of 9077
funds as authorized by this act. The Director of Budget and 9078
Management may make any transfers of cash balances between funds. 9079
At the request of the Office of Budget and Management, the 9080
administering agency head shall certify to the Director the amount 9081
or an estimate of the amount of the cash balance to be transferred 9082
to the receiving fund. The Director may transfer the amount or the 9083
estimate of the amount when needed to make payments. Not more than 9084
thirty days after certifying the estimated amount the 9085
administering agency head shall certify the final amount to the 9086
Director. The Director shall transfer the difference between any 9087
estimated amount previously transferred and the certified final 9088
amount. 9089

Any fiscal year 2004 unencumbered or unallotted appropriation 9090
balances may be transferred to the appropriate appropriation item 9091
to be used for the same purposes, as determined by the Director of 9092
Budget and Management. 9093

On July 1, 2004, the licensing and enforcement functions of 9094
the Department of Commerce, Division of Real Estate and 9095
Professional Licensing conducted pursuant to Chapter 4749. of the 9096
Revised Code and the assets, liabilities, any capital spending 9097
authority related thereto, equipment, and records, regardless of 9098

form or medium, relating to those functions are transferred to the 9099
Department of Public Safety. The Department of Public Safety 9100
thereupon assumes these functions. 9101

Any business commenced but not completed by the Director or 9102
Department of Commerce, Division of Real Estate and Professional 9103
Licensing pursuant to Chapter 4749. of the Revised Code on the 9104
effective date of this section relating to the functions 9105
transferred under this section shall be completed by the Director 9106
or Department of Public Safety in the same manner, and with the 9107
same effect, as if completed by the Director or Department of 9108
Commerce, Division of Real Estate and Professional Licensing. No 9109
validation, cure, right, privilege, remedy, obligation, or 9110
liability is lost or impaired by reason of the transfer of 9111
functions required by this section and shall be administered by 9112
the Department of Public Safety. All of the rules, orders, and 9113
determinations enacted or adopted by the Department of Commerce, 9114
Division of Real Estate and Professional Licensing relating to the 9115
transfer of these functions continue in effect as rules, orders, 9116
and determinations of the Department of Public Safety until 9117
modified or rescinded by the Department of Public Safety. If 9118
necessary to ensure the integrity of the numbering of the 9119
Administrative Code, the Director of the Legislative Service 9120
Commission shall renumber the rules of the Department of Commerce, 9121
Division of Real Estate and Professional Licensing enacted or 9122
adopted pursuant to Chapter 4749. of the Revised Code to reflect 9123
their transfer to the Department of Public Safety. 9124

Subject to the layoff provisions of sections 124.321 to 9125
124.328 of the Revised Code, all employees of the Department of 9126
Commerce, Division of Real Estate and Professional Licensing who 9127
perform functions pursuant to Chapter 4749. of the Revised Code 9128
that are transferred under this section are transferred to the 9129
Department of Public Safety. The vehicles and equipment assigned 9130

to such employees are also transferred to the Department of Public Safety. 9131
9132

Whenever the Director or the Department of Commerce, or the Superintendent or the Division of Real Estate and Professional Licensing is referred to in any law, contract, or other document relating to the functions transferred under this section, the reference shall be deemed to refer to the Director or Department of Public Safety, whichever is appropriate. 9133
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No action or proceeding pending and no license or registration issued as of the effective date of this section is affected by the transfer, and shall be recognized, prosecuted, or defended in the name of the Director of the Department of Public Safety. In all such actions, the Director or Department of Public Safety, upon application to the court, shall be substituted as a party. 9139
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Section 6. That existing Sections 29 and 85 of Am. Sub. H.B. 95 of the 125th General Assembly are hereby repealed. 9146
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Section 7. The amendment by this act of Sections 29 and 85 of Am. Sub. H.B. 95 of the 125th General Assembly is not subject to the referendum and, under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, goes into immediate effect when this act becomes law. 9148
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Section 8. Section 4501.01 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. S.B. 123 and Am. Sub. S.B. 231 of the 124th General Assembly. Section 4503.03 of the Revised Code is presented in this act as a composite of the section as amended by both Sub. S.B. 59 and S.B. 99 of the 124th General Assembly. Sections 4505.13 and 4519.68 of the Revised Code are presented in this act as composites of the sections as amended by both Sub. S.B. 59 and Am. Sub. S.B. 74 of 9153
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the 124th General Assembly. Section 4507.51 of the Revised Code is 9161
presented in this act as a composite of the section as amended by 9162
both Sub. H.B. 354 and Am. Sub. S.B. 213 of the 122nd General 9163
Assembly. Section 4511.01 of the Revised Code is presented in this 9164
act as a composite of the section as amended by both Am. Sub. S.B. 9165
123 and Am. Sub. S.B. 231 of the 124th General Assembly. The 9166
General Assembly, applying the principle stated in division (B) of 9167
section 1.52 of the Revised Code that amendments are to be 9168
harmonized if reasonably capable of simultaneous operation, finds 9169
that each composite is the resulting version of the section in 9170
effect prior to the effective date of the section as presented in 9171
this act. 9172