

As Passed by the Senate

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

Senators Armbruster, Amstutz, Robert Gardner, Harris, Padgett, Spada

A B I L L

To amend sections 109.801, 121.08, 306.351, 307.05, 1
307.055, 307.86, 1548.08, 1548.09, 1548.11, 2
1548.13, 1548.141, 1548.20, 2935.27, 2937.221, 3
3937.41, 3937.43, 3937.45, 4501.01, 4501.02, 4
4501.021, 4501.11, 4503.01, 4503.03, 4503.034, 5
4503.04, 4503.041, 4503.042, 4503.10, 4503.12, 6
4503.13, 4503.182, 4503.231, 4503.24, 4503.44, 7
4504.01, 4505.032, 4505.06, 4505.07, 4505.08, 8
4505.09, 4505.10, 4505.11, 4505.13, 4505.141, 9
4506.01, 4506.08, 4506.09, 4506.11, 4506.12, 10
4507.13, 4507.141, 4507.19, 4507.20, 4507.50, 11
4507.51, 4507.53, 4507.99, 4509.05, 4509.101, 12
4509.79, 4510.10, 4510.22, 4510.31, 4510.43, 13
4511.01, 4513.61, 4513.63, 4517.01, 4517.03, 14
4517.10, 4517.14, 4519.03, 4519.05, 4519.56, 15
4519.57, 4519.58, 4519.61, 4519.631, 4519.68, 16
4738.05, 4738.18, 4749.02, 4749.03, 4749.04, 17
4749.05, 4749.06, 4749.07, 4749.08, 4749.10, 18
4749.11, 4749.12, 4749.13, 4749.14, 4905.06, 19
4919.79, 4923.20, 5502.01, 5502.11, 5503.34, 20
5505.16, 5516.01, 5516.04, 5516.061, 5516.10, 21

5577.042, 5577.05, and 5577.99, to enact sections 22
4503.036, 4503.642, 4505.022, 4507.1614, 4511.121, 23
4549.081, 4738.19, 4749.021, 5502.011, 5516.062, 24
and 5577.15 of the Revised Code, to amend Sections 25
29 and 85 of Am. Sub. H.B. 95 of the 125th General 26
Assembly, and to amend Section 6 of Sub. S.B. 59 27
of the 124th General Assembly to revise and 28
clarify the laws governing the Department of 29
Public Safety, including the Bureau of Motor 30
Vehicles and the State Highway Patrol, to make 31
changes and corrections to the motor vehicle 32
certificate of title law and registration law, to 33
set age 60 as the mandatory retirement age for 34
members of the state highway patrol, to clarify 35
that the state is the sole regulator for the 36
registration, licensing, and regulation of motor 37
vehicle salvage dealers, to expand the authority 38
of the Department of Transportation concerning the 39
regulation of advertising devices, to transfer 40
regulatory authority for private investigators and 41
security guard providers from the Division of Real 42
Estate and Professional Licensing in the 43
Department of Commerce to the Department of Public 44
Safety, to exempt from competitive bidding 45
requirements contracts between a board of county 46
commissioners and a joint emergency medical 47
service district for the services of emergency 48
medical service organizations, and to make an 49
appropriation. 50

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

Section 1. That sections 109.801, 121.08, 306.351, 307.05, 51

307.055, 307.86, 1548.08, 1548.09, 1548.11, 1548.13, 1548.141, 52
1548.20, 2935.27, 2937.221, 3937.41, 3937.43, 3937.45, 4501.01, 53
4501.02, 4501.021, 4501.11, 4503.01, 4503.03, 4503.034, 4503.04, 54
4503.041, 4503.042, 4503.10, 4503.12, 4503.13, 4503.182, 4503.231, 55
4503.24, 4503.44, 4504.01, 4505.032, 4505.06, 4505.07, 4505.08, 56
4505.09, 4505.10, 4505.11, 4505.13, 4505.141, 4506.01, 4506.08, 57
4506.09, 4506.11, 4506.12, 4507.13, 4507.141, 4507.19, 4507.20, 58
4507.50, 4507.51, 4507.53, 4507.99, 4509.05, 4509.101, 4509.79, 59
4510.10, 4510.22, 4510.31, 4510.43, 4511.01, 4513.61, 4513.63, 60
4517.01, 4517.03, 4517.10, 4517.14, 4519.03, 4519.05, 4519.56, 61
4519.57, 4519.58, 4519.61, 4519.631, 4519.68, 4738.05, 4738.18, 62
4749.02, 4749.03, 4749.04, 4749.05, 4749.06, 4749.07, 4749.08, 63
4749.10, 4749.11, 4749.12, 4749.13, 4749.14, 4905.06, 4919.79, 64
4923.20, 5502.01, 5502.11, 5503.34, 5505.16, 5516.01, 5516.04, 65
5516.061, 5516.10, 5577.042, 5577.05, and 5577.99 be amended and 66
sections 4503.036, 4503.642, 4505.022, 4507.1614, 4511.121, 67
4549.081, 4738.19, 4749.021, 5502.011, 5516.062, and 5577.15 of 68
the Revised Code be enacted to read as follows: 69

Sec. 109.801. (A)(1) Each year the following persons shall 70
complete successfully a firearms requalification program approved 71
by the executive director of the Ohio peace officer training 72
commission in accordance with rules adopted by the attorney 73
general pursuant to section 109.743 of the Revised Code: any 74
sheriff, deputy sheriff, marshal, deputy marshal, township 75
constable, chief of police or member of an organized police 76
department of a municipal corporation or township, chief of police 77
or member of a township police district police force, 78
superintendent of the state highway patrol, state highway patrol 79
trooper, special police officer of the state highway patrol 80
designated under section 5503.09 of the Revised Code, enforcement 81
agent employed under section 5502.14 of the Revised Code, or chief 82

of police of a university or college police department or state 83
university law enforcement officer appointed under section 3345.04 84
of the Revised Code; any parole or probation officer who carries a 85
firearm in the course of official duties; any employee of the 86
department of natural resources who is a natural resources law 87
enforcement staff officer, park officer, forest officer, preserve 88
officer, wildlife officer, or state watercraft officer who carries 89
a firearm in the course of official duties; the house of 90
representatives sergeant at arms if the house of representatives 91
sergeant at arms has arrest authority pursuant to division (E)(1) 92
of section 101.311 of the Revised Code; any assistant house of 93
representatives sergeant at arms; any employee of the department 94
of youth services who is designated pursuant to division (A)(2) of 95
section 5139.53 of the Revised Code as being authorized to carry a 96
firearm while on duty as described in that division; or a special 97
police officer employed by a municipal corporation at a municipal 98
airport or other municipal air navigation facility described in 99
division (A)(19) of section 109.71 of the Revised Code. 100

(2) No person listed in division (A)(1) of this section shall 101
carry a firearm during the course of official duties if the person 102
does not comply with division (A)(1) of this section. 103

(B) The hours that a sheriff spends attending a firearms 104
requalification program required by division (A) of this section 105
are in addition to the sixteen hours of continuing education that 106
are required by division (E) of section 311.01 of the Revised 107
Code. 108

(C) As used in this section, "firearm" has the same meaning 109
as in section 2923.11 of the Revised Code. 110

Sec. 121.08. (A) There is hereby created in the department of 111
commerce the position of deputy director of administration. This 112
officer shall be appointed by the director of commerce, serve 113

under the director's direction, supervision, and control, perform 114
the duties the director prescribes, and hold office during the 115
director's pleasure. The director of commerce may designate an 116
assistant director of commerce to serve as the deputy director of 117
administration. The deputy director of administration shall 118
perform the duties prescribed by the director of commerce in 119
supervising the activities of the division of administration of 120
the department of commerce. 121

(B) Except as provided in section 121.07 of the Revised Code, 122
the department of commerce shall have all powers and perform all 123
duties vested in the deputy director of administration, the state 124
fire marshal, the superintendent of financial institutions, the 125
superintendent of real estate and professional licensing, the 126
superintendent of liquor control, the superintendent of the 127
division of industrial compliance, the superintendent of labor and 128
worker safety, and the commissioner of securities, and shall have 129
all powers and perform all duties vested by law in all officers, 130
deputies, and employees of those offices. Except as provided in 131
section 121.07 of the Revised Code, wherever powers are conferred 132
or duties imposed upon any of those officers, the powers and 133
duties shall be construed as vested in the department of commerce. 134

(C)(1) There is hereby created in the department of commerce 135
a division of financial institutions, which shall have all powers 136
and perform all duties vested by law in the superintendent of 137
financial institutions. Wherever powers are conferred or duties 138
imposed upon the superintendent of financial institutions, those 139
powers and duties shall be construed as vested in the division of 140
financial institutions. The division of financial institutions 141
shall be administered by a superintendent of financial 142
institutions. 143

(2) All provisions of law governing the superintendent of 144
financial institutions shall apply to and govern the 145

superintendent of financial institutions provided for in this 146
section; all authority vested by law in the superintendent of 147
financial institutions with respect to the management of the 148
division of financial institutions shall be construed as vested in 149
the superintendent of financial institutions created by this 150
section with respect to the division of financial institutions 151
provided for in this section; and all rights, privileges, and 152
emoluments conferred by law upon the superintendent of financial 153
institutions shall be construed as conferred upon the 154
superintendent of financial institutions as head of the division 155
of financial institutions. The director of commerce shall not 156
transfer from the division of financial institutions any of the 157
functions specified in division (C)(2) of this section. 158

(D) There is hereby created in the department of commerce a 159
division of liquor control, which shall have all powers and 160
perform all duties vested by law in the superintendent of liquor 161
control. Wherever powers are conferred or duties are imposed upon 162
the superintendent of liquor control, those powers and duties 163
shall be construed as vested in the division of liquor control. 164
The division of liquor control shall be administered by a 165
superintendent of liquor control. 166

(E) The director of commerce shall not be interested, 167
directly or indirectly, in any firm or corporation which is a 168
dealer in securities as defined in sections 1707.01 and 1707.14 of 169
the Revised Code, or in any firm or corporation licensed under 170
sections 1321.01 to 1321.19 of the Revised Code. 171

(F) The director of commerce shall not have any official 172
connection with a savings and loan association, a savings bank, a 173
bank, a bank holding company, a savings and loan association 174
holding company, a consumer finance company, or a credit union 175
that is under the supervision of the division of financial 176
institutions, or a subsidiary of any of the preceding entities, or 177

be interested in the business thereof. 178

(G) There is hereby created in the state treasury the 179
division of administration fund. The fund shall receive 180
assessments on the operating funds of the department of commerce 181
in accordance with procedures prescribed by the director of 182
commerce and approved by the director of budget and management. 183
All operating expenses of the division of administration shall be 184
paid from the division of administration fund. 185

(H) There is hereby created in the department of commerce a 186
division of real estate and professional licensing, which shall be 187
under the control and supervision of the director of commerce. The 188
division of real estate and professional licensing shall be 189
administered by a superintendent of real estate and professional 190
licensing. The superintendent of real estate and professional 191
licensing shall exercise the powers and perform the functions and 192
duties delegated to the superintendent under Chapters 4735., 193
~~4749.~~, 4763., and 4767. of the Revised Code. 194

(I) There is hereby created in the department of commerce a 195
division of labor and worker safety, which shall have all powers 196
and perform all duties vested by law in the superintendent of 197
labor and worker safety. Wherever powers are conferred or duties 198
imposed upon the superintendent of labor and worker safety, those 199
powers and duties shall be construed as vested in the division of 200
labor and worker safety. The division of labor and worker safety 201
shall be under the control and supervision of the director of 202
commerce and be administered by a superintendent of labor and 203
worker safety. The superintendent of labor and worker safety shall 204
exercise the powers and perform the duties delegated to the 205
superintendent by the director under Chapters 4109., 4111., 4115., 206
and 4167. of the Revised Code. 207

(J) The department of commerce or a division of the 208
department created by the Revised Code that is acting with 209

authorization on the ~~departments's~~ department's behalf may request 210
from the bureau of criminal identification and investigation 211
pursuant to section 109.572 of the Revised Code, or coordinate 212
with appropriate federal, state, and local government agencies to 213
accomplish, criminal records checks for the persons whose 214
identities are required to be disclosed by an applicant for the 215
issuance or transfer of a permit, license, or certification issued 216
or transferred by the department or division. At or before the 217
time of making a request for a criminal records check, the 218
department or division may require any person whose identity is 219
required to be disclosed by an applicant for the issuance or 220
transfer of such a license, permit, or certification to submit to 221
the department or division valid fingerprint impressions in a 222
format and by any media or means acceptable to the bureau of 223
criminal identification and investigation and, when applicable, 224
the federal bureau of investigation. The department or division 225
may cause the bureau of criminal identification and investigation 226
to conduct a criminal records check through the federal bureau of 227
investigation only if the person for whom the criminal records 228
check would be conducted resides or works outside of this state or 229
has resided or worked outside of this state during the preceding 230
five years, or if a criminal records check conducted by the bureau 231
of criminal identification and investigation within this state 232
indicates that the person may have a criminal record outside of 233
this state. 234

In the case of a criminal records check under section 109.572 235
of the Revised Code, the department or division shall forward to 236
the bureau of criminal identification and investigation the 237
requisite form, fingerprint impressions, and fee described in 238
division (C) of that section. When requested by the department or 239
division in accordance with this section, the bureau of criminal 240
identification and investigation shall request from the federal 241
bureau of investigation any information it has with respect to the 242

person who is the subject of the requested criminal records check 243
and shall forward the requisite fingerprint impressions and 244
information to the federal bureau of investigation for that 245
criminal records check. After conducting a criminal records check 246
or receiving the results of a criminal records check from the 247
federal bureau of investigation, the bureau of criminal 248
identification and investigation shall provide the results to the 249
department or division. 250

The department or division may require any person about whom 251
a criminal records check is requested to pay to the department or 252
division the amount necessary to cover the fee charged to the 253
department or division by the bureau of criminal identification 254
and investigation under division (C)(3) of section 109.572 of the 255
Revised Code, including, when applicable, any fee for a criminal 256
records check conducted by the federal bureau of investigation. 257

Sec. 306.351. ~~No~~ A regional transit authority shall may 258
~~purchase or operate any motor bus that is not a straight,~~ 259
~~continuous vehicle, but instead has a flexible joint built within~~ 260
~~the body or chassis of the motor bus, unless the motor bus is~~ 261
~~manufactured or assembled within, or, if no such motor~~ an 262
articulated bus only if the regional transit authority establishes 263
and follows a preference system for buses that are manufactured or 264
assembled within this state, ~~this state, or, if none,~~ within the 265
United States. 266

Sec. 307.05. As used in this section, "emergency medical 267
service organization" has the same meaning as in section 4765.01 268
of the Revised Code. 269

A board of county commissioners may operate an ambulance 270
service organization or emergency medical service organization, 271
or, in counties with a population of forty thousand or less, may 272

operate a nonemergency patient transport service organization, or 273
may enter into a contract with one or more counties, townships, 274
municipal corporations, nonprofit corporations, joint emergency 275
medical services districts, fire and ambulance districts, or 276
private ambulance owners, regardless of whether such counties, 277
townships, municipal corporations, nonprofit corporations, joint 278
emergency medical services districts, fire and ambulance 279
districts, or private ambulance owners are located within or 280
without the state, in order to furnish or obtain the services of 281
ambulance service organizations, to furnish or obtain additional 282
services from ambulance service organizations in times of 283
emergency, to furnish or obtain the services of emergency medical 284
service organizations, or, in counties with a population of forty 285
thousand or less, to furnish or obtain services of nonemergency 286
patient transport service organizations, or may enter into a 287
contract with any such entity to furnish or obtain the interchange 288
of services from ambulance or emergency medical service 289
organizations, or, within counties with a population of forty 290
thousand or less, to furnish or obtain the interchange of services 291
from nonemergency patient transport service organizations, within 292
the territories of the contracting subdivisions. ~~Such~~ Except in 293
the case of a contract with a joint emergency medical services 294
district to obtain the services of emergency medical service 295
organizations, such contracts shall not be entered into with a 296
public agency or nonprofit corporation that receives more than 297
half of its operating funds from governmental entities with the 298
intention of directly competing with the operation of other 299
ambulance service organizations, nonemergency patient transport 300
service organizations, or emergency medical service organizations 301
in the county unless the public agency or nonprofit corporation is 302
awarded the contract after submitting the lowest and best bid to 303
the board of county commissioners. Any county wishing to commence 304
operation of a nonemergency patient transport service organization 305

or wishing to enter into a contract for the first time to furnish 306
or obtain services from a nonemergency patient transport service 307
organization on or after March 1, 1993, including a county in 308
which a private provider has been providing the service, shall 309
demonstrate the need for public funding for the service to, and 310
obtain approval from, the state board of emergency medical 311
services or its immediate successor board prior to operating or 312
funding the organization. 313

When such an organization is operated by the board, the 314
organization may be administered by the board, by the county 315
sheriff, or by another county officer or employee designated by 316
the board. All rules, including the determining of reasonable 317
rates, necessary for the establishment, operation, and maintenance 318
of such an organization shall be adopted by the board. 319

A contract for services of an ambulance service, nonemergency 320
patient transport service, or emergency medical service 321
organization shall include the terms, conditions, and stipulations 322
as agreed to by the parties to the contract. It may provide for a 323
fixed annual charge to be paid at the times agreed upon and 324
stipulated in the contract, or for compensation based upon a 325
stipulated price for each run, call, or emergency or the number of 326
persons or pieces of apparatus employed, or the elapsed time of 327
service required in such run, call, or emergency, or any 328
combination thereof. 329

Sec. 307.055. (A) Subject to the terms and conditions of the 330
joint resolution creating it, each joint emergency medical 331
services district may furnish ambulance services and emergency 332
medical services by one of the following methods: 333

(1) By operating an emergency medical service organization as 334
defined in section 4765.01 of the Revised Code; 335

(2) By contracting for the operation of one or more 336

facilities pursuant to division (C) or (D) of this section; 337

(3) By providing necessary services and equipment to the 338
district either directly or under a contract entered into pursuant 339
to division (B) of this section; 340

(4) By providing service through any combination of methods 341
described in divisions (A)(1) to (3) of this section. 342

(B) In order to obtain ambulance service, to obtain 343
additional ambulance service in times of emergency, or to obtain 344
emergency medical services, a joint emergency medical services 345
district may enter into a contract, for a period not to exceed 346
three years, with one or more counties, townships, municipal 347
corporations, joint fire districts, other governmental units that 348
provide ambulance service or emergency medical services, nonprofit 349
corporations, or private ambulance owners, regardless of whether 350
the entities contracted with are located within or outside this 351
state, upon such terms as are agreed to, to furnish or receive 352
ambulance services or the interchange of ambulance services or 353
emergency medical services within the several territories of the 354
contracting subdivisions, if the contract is first authorized by 355
all boards of trustees and legislative authorities in the 356
territories to be served. 357

Such a contract may provide for a fixed annual charge to be 358
paid at the times agreed upon and stipulated in the contract; or 359
for compensation based on a stipulated price for each run, call, 360
or emergency or based on the elapsed time of service required for 361
each run, call, or emergency, or based on any combination of 362
these. 363

Expenditures of a district for ambulance service or emergency 364
medical service, whether pursuant to contract or otherwise, are 365
lawful expenditures, regardless of whether the district or the 366
party with which it contracts charges an additional fee to users 367

of the service. 368

(C) The board of trustees may enter into a contract with any 369
person, municipal corporation, township, or other political 370
subdivision, and any political subdivision may contract with the 371
board, for the operation and maintenance of emergency medical 372
services facilities regardless of whether the facilities used are 373
owned or leased by the district, by another political subdivision, 374
or by the contractor. 375

(D) The district may purchase, lease, and maintain all 376
materials, buildings, land, and equipment, including vehicles, the 377
board considers necessary for the district. 378

When the board finds, by resolution, that the district has 379
personal property that is not needed for public use, or is 380
obsolete or unfit for the use for which it was acquired, the board 381
may dispose of the property in the same manner as provided in 382
section 307.12 of the Revised Code. 383

(E) ~~Any~~ Except in the case of a contract with a board of 384
county commissioners for the provision of services of an emergency 385
medical service organization, any contract entered into by a joint 386
emergency medical services district shall conform to the same 387
bidding requirements that apply to county contracts under sections 388
307.86 to 307.92 of the Revised Code. 389

(F) A county participating in a joint district may contribute 390
any of its rights or interests in real or personal property, 391
including money, and may contribute services to the district. Any 392
such contributions shall be made by a written agreement between 393
the contributing county and the district, specifying the 394
contribution as well as the rights of the participating counties 395
in the contributed property. Written agreements shall also be 396
prepared specifying the rights of participating counties in 397
property acquired by the district other than by contribution of a 398

participating county. Written agreements required by this division 399
may be amended only by written agreement of all parties to the 400
original agreement. 401

(G) A district's board of trustees, by adoption of an 402
appropriate resolution, may choose to have the Ohio medical 403
transportation board license any emergency medical service 404
organization the district operates. If a board adopts such a 405
resolution, Chapter 4766. of the Revised Code, except for sections 406
4766.06 and 4766.99 of the Revised Code, applies to the district 407
emergency medical service organization. All rules adopted under 408
the applicable sections of that chapter also apply to the 409
organization. A board, by adoption of an appropriate resolution, 410
may remove the district emergency medical service organization 411
from the jurisdiction of the Ohio medical transportation board. 412

Sec. 307.86. Anything to be purchased, leased, leased with an 413
option or agreement to purchase, or constructed, including, but 414
not limited to, any product, structure, construction, 415
reconstruction, improvement, maintenance, repair, or service, 416
except the services of an accountant, architect, attorney at law, 417
physician, professional engineer, construction project manager, 418
consultant, surveyor, or appraiser, by or on behalf of the county 419
or contracting authority, as defined in section 307.92 of the 420
Revised Code, at a cost in excess of twenty-five thousand dollars, 421
except as otherwise provided in division (D) of section 713.23 and 422
in sections 125.04, 307.022, 307.041, 307.861, 339.05, 340.03, 423
340.033, 4115.31 to 4115.35, 5119.16, 5513.01, 5543.19, 5713.01, 424
and 6137.05 of the Revised Code, shall be obtained through 425
competitive bidding. However, competitive bidding is not required 426
when any of the following applies: 427

(A) The board of county commissioners, by a unanimous vote of 428
its members, makes a determination that a real and present 429

emergency exists, and that determination and the reasons for it 430
are entered in the minutes of the proceedings of the board, when 431
either of the following applies: 432

(1) The estimated cost is less than fifty thousand dollars. 433

(2) There is actual physical disaster to structures, radio 434
communications equipment, or computers. 435

For purposes of this division, "unanimous vote" means all 436
three members of a board of county commissioners when all three 437
members are present, or two members of the board if only two 438
members, constituting a quorum, are present. 439

Whenever a contract of purchase, lease, or construction is 440
exempted from competitive bidding under division (A)(1) of this 441
section because the estimated cost is less than fifty thousand 442
dollars, but the estimated cost is twenty-five thousand dollars or 443
more, the county or contracting authority shall solicit informal 444
estimates from no fewer than three persons who could perform the 445
contract, before awarding the contract. With regard to each such 446
contract, the county or contracting authority shall maintain a 447
record of such estimates, including the name of each person from 448
whom an estimate is solicited. The county or contracting authority 449
shall maintain the record for the longer of at least one year 450
after the contract is awarded or the amount of time the federal 451
government requires. 452

(B)(1) The purchase consists of supplies or a replacement or 453
supplemental part or parts for a product or equipment owned or 454
leased by the county, and the only source of supply for the 455
supplies, part, or parts is limited to a single supplier. 456

(2) The purchase consists of services related to information 457
technology, such as programming services, that are proprietary or 458
limited to a single source. 459

(C) The purchase is from the federal government, the state, 460

another county or contracting authority of another county, or a 461
board of education, township, or municipal corporation. 462

(D) The purchase is made by a county department of job and 463
family services under section 329.04 of the Revised Code and 464
consists of family services duties or workforce development 465
activities or is made by a county board of mental retardation and 466
developmental disabilities under section 5126.05 of the Revised 467
Code and consists of program services, such as direct and 468
ancillary client services, child day-care, case management 469
services, residential services, and family resource services. 470

(E) The purchase consists of criminal justice services, 471
social services programs, family services, or workforce 472
development activities by the board of county commissioners from 473
nonprofit corporations or associations under programs funded by 474
the federal government or by state grants. 475

(F) The purchase consists of any form of an insurance policy 476
or contract authorized to be issued under Title XXXIX of the 477
Revised Code or any form of health care plan authorized to be 478
issued under Chapter 1751. of the Revised Code, or any combination 479
of such policies, contracts, or plans that the contracting 480
authority is authorized to purchase, and the contracting authority 481
does all of the following: 482

(1) Determines that compliance with the requirements of this 483
section would increase, rather than decrease, the cost of the 484
purchase; 485

(2) Employs a competent consultant to assist the contracting 486
authority in procuring appropriate coverages at the best and 487
lowest prices; 488

(3) Requests issuers of the policies, contracts, or plans to 489
submit proposals to the contracting authority, in a form 490
prescribed by the contracting authority, setting forth the 491

coverage and cost of the policies, contracts, or plans as the 492
contracting authority desires to purchase; 493

(4) Negotiates with the issuers for the purpose of purchasing 494
the policies, contracts, or plans at the best and lowest price 495
reasonably possible. 496

(G) The purchase consists of computer hardware, software, or 497
consulting services that are necessary to implement a computerized 498
case management automation project administered by the Ohio 499
prosecuting attorneys association and funded by a grant from the 500
federal government. 501

(H) Child day-care services are purchased for provision to 502
county employees. 503

(I)(1) Property, including land, buildings, and other real 504
property, is leased for offices, storage, parking, or other 505
purposes, and all of the following apply: 506

(a) The contracting authority is authorized by the Revised 507
Code to lease the property. 508

(b) The contracting authority develops requests for proposals 509
for leasing the property, specifying the criteria that will be 510
considered prior to leasing the property, including the desired 511
size and geographic location of the property. 512

(c) The contracting authority receives responses from 513
prospective lessors with property meeting the criteria specified 514
in the requests for proposals by giving notice in a manner 515
substantially similar to the procedures established for giving 516
notice under section 307.87 of the Revised Code. 517

(d) The contracting authority negotiates with the prospective 518
lessors to obtain a lease at the best and lowest price reasonably 519
possible considering the fair market value of the property and any 520
relocation and operational costs that may be incurred during the 521

period the lease is in effect. 522

(2) The contracting authority may use the services of a real 523
estate appraiser to obtain advice, consultations, or other 524
recommendations regarding the lease of property under this 525
division. 526

(J) The purchase is made pursuant to section 5139.34 or 527
sections 5139.41 to 5139.46 of the Revised Code and is of programs 528
or services that provide case management, treatment, or prevention 529
services to any felony or misdemeanor delinquent, unruly youth, 530
or status offender under the supervision of the juvenile court, 531
including, but not limited to, community residential care, day 532
treatment, services to children in their home, or electronic 533
monitoring. 534

(K) The purchase is made by a public children services agency 535
pursuant to section 307.92 or 5153.16 of the Revised Code and 536
consists of family services, programs, or ancillary services that 537
provide case management, prevention, or treatment services for 538
children at risk of being or alleged to be abused, neglected, or 539
dependent children. 540

(L) The purchase is to obtain the services of emergency 541
medical service organizations under a contract made by the board 542
of county commissioners pursuant to section 307.05 of the Revised 543
Code with a joint emergency medical services district. 544

Any issuer of policies, contracts, or plans listed in 545
division (F) of this section and any prospective lessor under 546
division (I) of this section may have the issuer's or prospective 547
lessor's name and address, or the name and address of an agent, 548
placed on a special notification list to be kept by the 549
contracting authority, by sending the contracting authority that 550
name and address. The contracting authority shall send notice to 551
all persons listed on the special notification list. Notices shall 552

state the deadline and place for submitting proposals. The 553
contracting authority shall mail the notices at least six weeks 554
prior to the deadline set by the contracting authority for 555
submitting proposals. Every five years the contracting authority 556
may review this list and remove any person from the list after 557
mailing the person notification of that action. 558

Any contracting authority that negotiates a contract under 559
division (F) of this section shall request proposals and 560
renegotiate with issuers in accordance with that division at least 561
every three years from the date of the signing of such a contract. 562

Any consultant employed pursuant to division (F) of this 563
section and any real estate appraiser employed pursuant to 564
division (I) of this section shall disclose any fees or 565
compensation received from any source in connection with that 566
employment. 567

Sec. 1548.08. (A) When the clerk of a court of common pleas 568
issues a physical certificate of title for a watercraft or 569
outboard motor, the clerk shall issue it over the clerk's official 570
seal. All physical certificates of title to watercraft or outboard 571
motors shall contain the information required in the application 572
for them as prescribed by section 1548.07 of the Revised Code, as 573
well as spaces for the dates of notation and cancellation of each 574
lien, mortgage, or encumbrance, over the signature of the clerk. 575
If any certificate of title is issued for a watercraft or outboard 576
motor in which two persons are establishing joint ownership with 577
right of survivorship under section 2106.17 of the Revised Code, 578
the certificate, in addition to the information required by this 579
section, shall show that the two persons have established joint 580
ownership with right of survivorship in the watercraft or outboard 581
motor. 582

An assignment of certificate of title before a notary public 583

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

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

Sec. 1548.09. When the clerk of a court of common pleas issues a physical certificate of title, the clerk shall issue the certificate of title on a form and in duplicate. One copy shall be retained and filed a manner prescribed by the clerk in the clerk's office, and the information contained in it chief of the division of watercraft. The clerk shall file a copy of the physical evidence for the creation of the certificate of title in a manner prescribed by the chief of the division of watercraft. A clerk may retain digital images of documents used as evidence for issuance of a certificate of title. Certified printouts of documents retained as digital images shall have the same evidentiary value as the original physical documents. The record of the issuance of the certificate of title shall be ~~transmitted on the day it is issued to~~ maintained in the chief of the division of watercraft automated title processing system. The clerk shall sign and affix the clerk's seal to the original certificate of title and, if there are no liens on the watercraft or outboard motor, shall deliver the certificate to the applicant. If there are one or more liens on the watercraft or outboard motor, the clerk shall deliver the certificate of title to the holder of the first lien.

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

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

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 watercraft or outboard motor does not affect ownership of the watercraft or outboard motor. 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 watercraft or outboard motor.

Sec. 1548.11. (A) In the event of the transfer of ownership of a watercraft or outboard motor by operation of law, as upon inheritance, devise, bequest, order in bankruptcy, insolvency, replevin, or execution of sale, or whenever the engine of a watercraft is replaced by another engine, a watercraft or outboard

motor is sold to satisfy storage or repair charges, or 647
repossession is had upon default in performance of the terms of a 648
security agreement as provided in Chapter 1309. of the Revised 649
Code, a clerk of a court of common pleas, upon the surrender of 650
the prior certificate of title or the manufacturer's or importer's 651
certificate, or, when that is not possible, upon presentation of 652
satisfactory proof to the clerk of ownership and rights of 653
possession to the watercraft or outboard motor, and upon payment 654
of the fee prescribed in section 1548.10 of the Revised Code and 655
presentation of an application for certificate of title, may issue 656
to the applicant a certificate of title to the watercraft or 657
outboard motor. Only an affidavit by the person or agent of the 658
person to whom possession of the watercraft or outboard motor has 659
passed, setting forth the facts entitling the person to possession 660
and ownership, together with a copy of the journal entry, court 661
order, or instrument upon which the claim of possession and 662
ownership is founded, is satisfactory proof of ownership and right 663
of possession. If the applicant cannot produce such proof of 664
ownership, the applicant may apply directly to the chief of the 665
division of watercraft and submit such evidence as the applicant 666
has, and the chief, if the chief finds the evidence sufficient, 667
may authorize the clerk to issue a certificate of title. If the 668
chief finds the evidence insufficient, the applicant may petition 669
the court of common pleas for a court order ordering the clerk to 670
issue a certificate of title. The court shall grant or deny the 671
petition based on the sufficiency of the evidence presented to the 672
court. If, from the records in the office of the clerk, there 673
appears to be any lien on the watercraft or outboard motor, the 674
certificate of title shall contain a statement of the lien unless 675
the application is accompanied by proper evidence of its 676
extinction. 677

(B) Upon the death of one of the persons who have established 678
joint ownership with right of survivorship under section 2131.12 679

of the Revised Code in a watercraft or outboard motor and the 680
presentation to the clerk of the title and the certificate of 681
death of the deceased person, the clerk shall enter into the 682
records the transfer of the watercraft or outboard motor to the 683
surviving person, and the title to the watercraft or outboard 684
motor immediately passes to the surviving person. The transfer 685
does not affect any liens on the watercraft or outboard motor. 686

(C) The clerk shall transfer a decedent's interest in one 687
watercraft, one outboard motor, or one of each to the decedent's 688
surviving spouse as provided in section 2106.19 of the Revised 689
Code. 690

(D) Upon the death of an owner of a watercraft or outboard 691
motor designated in beneficiary form under section 2131.13 of the 692
Revised Code, upon application of the transfer-on-death 693
beneficiary or beneficiaries designated pursuant to that section, 694
and upon presentation to the clerk of the certificate of title and 695
the certificate of death of the deceased owner, the clerk shall 696
transfer the watercraft or outboard motor and issue a certificate 697
of title to the transfer-on-death beneficiary or beneficiaries. 698
The transfer does not affect any liens upon any watercraft or 699
outboard motor so transferred. 700

Sec. 1548.13. In the event of a lost or destroyed certificate 701
of title, application shall be made to a clerk of a court of 702
common pleas by the owner of the watercraft or outboard motor, or 703
the holder of a lien on it, for a certified copy of the 704
certificate upon a form prescribed by the chief of the division of 705
watercraft and accompanied by the fee prescribed by section 706
1548.10 of the Revised Code. The application shall be signed and 707
sworn to by the person making the application, and the clerk shall 708
issue a certified copy of the certificate of title to the person 709
entitled to receive it under this chapter. The certified copy 710

shall be plainly marked across its face with the word "duplicate," 711
and any subsequent purchaser of the watercraft or outboard motor 712
in the chain of title originating through the certified copy 713
acquires only such rights in the watercraft or outboard motor as 714
the original holder of the certified copy had. Any purchaser of 715
the watercraft or outboard motor, at the time of purchase, may 716
require the seller to indemnify the purchaser and all subsequent 717
purchasers of the watercraft or outboard motor against any loss 718
that the purchaser or any subsequent purchaser may suffer by 719
reason of any claim presented upon the original certificate. In 720
the event of the recovery of the original certificate of title by 721
the owner, the owner shall surrender it immediately to ~~the~~ a clerk 722
for cancellation. 723

The holder of a certificate of title for a watercraft or 724
outboard motor upon which is noted an existing lien, encumbrance, 725
or mortgage may apply at any time to a clerk for a memorandum 726
certificate, on a form prescribed by the chief, that is signed and 727
sworn to by the applicant. Upon receipt of the application 728
together with the fee prescribed by section 1548.10 of the Revised 729
Code, and if the application appears to be regular, the clerk 730
shall issue to the applicant a memorandum certificate for the 731
watercraft or outboard motor. If the memorandum certificate is 732
lost or destroyed, the holder of it may obtain a certified copy of 733
it by applying for the copy on a form prescribed by the chief, 734
accompanied by the fee prescribed in section 1548.10 of the 735
Revised Code. In the event of the recovery of the original 736
memorandum certificate by the owner, the owner shall surrender it 737
immediately to a clerk for cancellation. Such a memorandum 738
certificate is not assignable and constitutes no evidence of title 739
or of right to transfer or encumber the watercraft or outboard 740
motor described in it. 741

~~If an electronic certificate of title previously has been~~ 742

~~issued for a watercraft or outboard motor, the~~ The owner of the a 743
watercraft or outboard motor may apply at any time to a clerk for 744
a non-negotiable evidence of ownership for the watercraft or 745
outboard motor. 746

Sec. 1548.141. The chief of the division of watercraft shall 747
enable the public to access watercraft and outboard motor title 748
information via electronic means. No fee shall be charged for this 749
access. The title information that must be so accessible is only 750
the title information that is in an electronic format at the time 751
a person requests this access. 752

The chief, shall establish procedures governing this access. 753
The procedures may be established by rule in accordance with 754
Chapter 119. of the Revised Code, ~~shall adopt rules governing this~~ 755
~~access.~~ In adopting these ~~rules~~ procedures, the chief shall confer 756
with the clerks of the courts of common pleas. 757

Access by the public to watercraft and outboard motor title 758
information under this section shall comply with all restrictions 759
contained in the Revised Code and federal law that govern the 760
disclosure of that information. 761

Sec. 1548.20. (A) Chapter 1309. of the Revised Code does not 762
permit or require the deposit, filing, or other record of a 763
security interest covering a watercraft or outboard motor for 764
which a certificate of title is required. Any security agreement 765
covering a security interest in a watercraft or outboard motor, if 766
it is accompanied by delivery of a manufacturer's or importer's 767
certificate and followed by actual and continued possession of 768
that certificate by the holder of the instrument, or, in the case 769
of a certificate of title, if a notation of the security agreement 770
has been made by a clerk of a court of common pleas on the face of 771
the certificate of title or the clerk has entered a notation of 772

the agreement into the automated title processing system and a 773
physical certificate of title for the watercraft or outboard motor 774
has not been issued, shall be valid as against the creditors of 775
the debtor, whether armed with process or not, and against 776
subsequent purchasers, secured parties, and other lienholders or 777
claimants. All security interests, liens, mortgages, and 778
encumbrances entered into the automated title processing system in 779
relation to a particular certificate of title, regardless of 780
whether a physical certificate of title is issued, take priority 781
according to the order of time in which they are entered into the 782
automated title processing system by the clerk. Exposure for sale 783
of any watercraft or outboard motor by its owner, with the 784
knowledge or with the knowledge and consent of the holder of any 785
security interest, lien, mortgage, or encumbrance on the 786
watercraft or outboard motor, shall not render the security 787
interest lien, mortgage, or encumbrance ineffective as against the 788
creditors of the owner or against holders of subsequent security 789
interests, liens, mortgages, or encumbrances upon the watercraft 790
or outboard motor. 791

(B) If a secured party presents evidence of the security 792
interest to a clerk of a court of common pleas together with the 793
certificate of title, if a physical certificate of title for the 794
watercraft or outboard motor exists, and the fee prescribed by 795
section 1548.10 of the Revised Code, the clerk, unless the secured 796
party specifically requests the clerk not to issue a physical 797
certificate of title, shall issue a new original certificate of 798
title from the automated title processing records. The new 799
certificate shall indicate the security interest and the date of 800
the security interest. The clerk also shall note the security 801
interest and its date in the clerk's files and enter that 802
information into the automated title processing system, and on 803
that day shall notify the chief of the division of watercraft. The 804
clerk shall indicate by appropriate notation on the security 805

agreement itself the fact that the security interest has been 806
noted on the certificate of title. 807

(C) If a security interest is fully discharged as a result of 808
its holder's receipt of good funds in the correct amount and if 809
the holder holds a physical certificate of title, the holder shall 810
note the discharge of the security interest over the holder's 811
signature on the face of the certificate of title, or, if there is 812
not sufficient space for the notation on the face of the 813
certificate of title, the holder shall note the discharge over the 814
holder's signature on a form prescribed by the chief. Except as 815
otherwise provided in this section, prior to delivering the 816
certificate of title to the owner, the holder or the holder's 817
agent shall convey the certificate of title or a separate sworn 818
statement of the discharge of the security interest and any 819
additional information the chief requires to a clerk. The 820
conveyance shall occur not more than seven business days after the 821
date good funds in the correct amount to fully discharge the 822
security interest have been credited to an account of the holder, 823
provided the holder has been provided accurate information 824
concerning the watercraft or outboard motor. Conveyance of the 825
certificate of title or separate sworn statement of the discharge 826
within the required seven business days may be indicated by 827
postmark or receipt by a clerk within that period. If the 828
discharge of the security interest appears to be genuine, the 829
clerk shall note the discharge of the security interest on the 830
face of the certificate of title, if it was so conveyed, and note 831
it in the automated title processing system ~~and upon the records~~ 832
~~of the clerk.~~ 833

If a security interest is fully discharged as a result of its 834
holder's receipt of good funds in the correct amount and the 835
holder does not hold a physical certificate of title, when the 836
holder notifies a clerk of the discharge of its security interest, 837

the holder at that time also may request the clerk to issue a 838
physical certificate of title to the watercraft or outboard motor. 839
The request shall specify whether the clerk is to send the 840
certificate of title directly to the owner or to the holder or the 841
holder's agent for transmission to the owner. If such a request is 842
made, the clerk shall issue a physical certificate of title and 843
send it to the specified person. 844

The clerk shall not honor such a request for a physical 845
certificate of title if it is not made by the holder at the same 846
time as the holder's notification to the clerk of the discharge of 847
its security interest. 848

(D)(1) In all cases, a secured party may choose to present a 849
clerk with evidence of a security interest via electronic means, 850
and the clerk shall enter the security interest into the automated 851
title processing system. A secured party also may choose to notify 852
a clerk of the discharge of its security interest via electronic 853
means, and the clerk shall enter the cancellation into the 854
automated title processing system. 855

(2) In the case of a security interest that is being 856
satisfied by a watercraft dealer to whom a certificate of title is 857
being transferred, the cancellation of the security interest shall 858
occur during the course of the transfer. The dealer shall submit a 859
discharge request to the secured party. A discharge request shall 860
include good funds in the correct amount to fully discharge the 861
security interest and accurate information concerning the 862
watercraft or outboard motor. 863

(3)(a) Upon receiving a discharge request that complies with 864
division (D)(2) of this section, except as otherwise provided in 865
this division, a secured party shall convey the certificate of 866
title, with the discharge of the security interest noted on its 867
face, to the dealer within seven business days after the date good 868
funds in the correct amount to fully discharge the security 869

interest have been credited to an account of the secured party. 870

If a secured party is unable to convey to the dealer a 871
certificate of title within the required seven business days, the 872
secured party instead shall convey to the dealer an affidavit 873
stating that the security interest has been discharged, together 874
with payment for a duplicate certificate of title, within that 875
period. 876

(b) Conveyance of a certificate of title, or affidavit and 877
required payment, from a secured party to a dealer under the 878
circumstances described in division (D)(3)(a) of this section 879
within the required seven business days may be indicated by a 880
postmark within that period. 881

(4) A secured party is liable to a dealer for a late fee of 882
ten dollars per day for each certificate of title, or affidavit 883
and required payment, conveyed to the dealer more than seven 884
business days but less than twenty-one days after the date 885
specified in division (D)(3)(a) of this section and, from then on, 886
twenty-five dollars per day until the certificate of title, or 887
affidavit and required payment, are conveyed to the dealer. 888

(E) If a physical certificate of title has not been issued 889
for a watercraft or outboard motor and all the security interests 890
relating to that watercraft or outboard motor have been 891
discharged, the owner of the watercraft or outboard motor may 892
obtain a physical certificate of title from the clerk of any court 893
of common pleas upon payment of the fee specified in section 894
1548.10 of the Revised Code. 895

(F) If a clerk of a court of common pleas, other than the 896
clerk of the court of common pleas of the county in which the 897
owner of a watercraft or outboard motor resides, enters a notation 898
of the existence of, or the cancellation of, a security interest 899
relating to the watercraft or outboard motor, the clerk shall 900

transmit the data relating to the notation to the automated title processing system. 901
902

(G) The electronic transmission of security interest and other information under this section shall comply with rules adopted by the registrar of motor vehicles under section 4505.13 of the Revised Code. 903
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(H) As used in this section: 907

(1) "Accurate information" means the serial number of the watercraft or outboard motor, if any; the make and model of the watercraft or outboard motor; and the name and address of the owner of the watercraft or outboard motor as they appear on the certificate of title that is to be conveyed. 908
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(2) "Good funds" has the same meaning as in section 4505.13 of the Revised Code. 913
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(3) "Watercraft dealer" has the same meaning as in section 1547.01 of the Revised Code. 915
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Sec. 2935.27. (A)(1) If a law enforcement officer issues a citation to a person pursuant to section 2935.26 of the Revised Code and if the minor misdemeanor offense for which the citation is issued is an act prohibited by Chapter 4511., 4513., or 4549. of the Revised Code or an act prohibited by any municipal ordinance that is substantially similar to any section contained in Chapter 4511., 4513., or 4549. of the Revised Code, the officer shall inform the person, if the person has a current valid Ohio driver's or commercial driver's license, of the possible consequences of the person's actions as required under division (E) of this section, and also shall inform the person that the person is required either to appear at the time and place stated in the citation or to comply with division (C) of section 2935.26 of the Revised Code. 917
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(2) If the person is an Ohio resident but does not have a
current valid Ohio driver's or commercial driver's license or if
the person is a resident of a state that is not a member of the
nonresident violator compact of which this state is a member
pursuant to section 4510.71 of the Revised Code, and if the court,
by local rule, has prescribed a procedure for the setting of a
reasonable security pursuant to division (F) of this section,
security shall be set in accordance with that local rule and that
division.

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 963
to the registrar. The registrar shall suspend the person's 964
driver's or commercial driver's license, send written notification 965
of the suspension to the person at the person's last known 966
address, and order the person to surrender the person's driver's 967
or commercial driver's license to the registrar within forty-eight 968
hours. No valid driver's or commercial driver's license shall be 969
granted to the person until the court having jurisdiction of the 970
offense that led to the ~~suspension~~ forfeiture orders that the 971
~~suspension~~ forfeiture be terminated. The court shall so order if 972
the person, after having failed to appear in court at the required 973
time and place to answer the charge or after having pleaded guilty 974
to or been found guilty of the violation and having failed within 975
the time allowed by the court to pay the fine imposed by the 976
court, thereafter appears to answer the charge and pays any fine 977
imposed by the court or pays the fine originally imposed by the 978
court. The court shall inform the registrar of the termination of 979
the ~~suspension~~ forfeiture by entering information relative to the 980
termination on a form approved and furnished by the registrar and 981
sending the form to the registrar as provided in this division. 982
The person shall pay to the bureau of motor vehicles a 983
fifteen-dollar ~~processing~~ reinstatement fee to cover the costs of 984
the bureau in administering this section. The registrar shall 985
deposit the fees so paid into the state bureau of motor vehicles 986
fund created by section 4501.25 of the Revised Code. 987

In addition, upon receipt of the copy of the declaration of 988
~~suspension~~ forfeiture from the court, neither the registrar nor 989
any deputy registrar shall accept any application for the 990
registration or transfer of registration of any motor vehicle 991
owned or leased by the person named in the declaration of 992
~~suspension~~ forfeiture until the court having jurisdiction of the 993
offense that led to the ~~suspension~~ forfeiture orders that the 994
~~suspension~~ forfeiture be terminated. However, for a motor vehicle 995

leased by a person named in a declaration of ~~suspension~~ 996
forfeiture, the registrar shall not implement the preceding 997
sentence until the registrar adopts procedures for that 998
implementation under section 4503.39 of the Revised Code. Upon 999
receipt by the registrar of an order terminating the ~~suspension~~ 1000
forfeiture, the registrar shall take such measures as may be 1001
necessary to permit the person to register a motor vehicle owned 1002
or leased by the person or to transfer the registration of such a 1003
motor vehicle, if the person later makes application to take such 1004
action and the person otherwise is eligible to register the motor 1005
vehicle or to transfer the registration of it. 1006

The registrar is not required to give effect to any 1007
declaration of ~~suspension~~ forfeiture or order terminating a 1008
~~suspension~~ forfeiture unless the order is transmitted to the 1009
registrar by means of an electronic transfer system. The registrar 1010
shall not restore the person's driving or vehicle registration 1011
privileges until the person pays the reinstatement fee as provided 1012
in this division. 1013

If the person who was issued the citation fails to appear at 1014
the time and place specified on the citation and fails to comply 1015
with division (C) of section 2935.26 of the Revised Code and the 1016
person has deposited a sum of money or other security in relation 1017
to the citation under division (A)(2) of this section, the deposit 1018
immediately shall be forfeited to the court. 1019

This section does not preclude further action as authorized 1020
by division (F) of section 2935.26 of the Revised Code. 1021

(E) A law enforcement officer who issues a person a minor 1022
misdemeanor citation for an act prohibited by Chapter 4511., 1023
4513., or 4549. of the Revised Code or an act prohibited by a 1024
municipal ordinance that is substantially similar to any section 1025
contained in Chapter 4511., 4513., or 4549. of the Revised Code 1026
shall inform the person that if the person does not appear at the 1027

time and place stated on the citation or does not comply with 1028
division (C) of section 2935.26 of the Revised Code, the person's 1029
driver's or commercial driver's license will be suspended, the 1030
person will not be eligible for the reissuance of the license or 1031
the issuance of a new license or the issuance of a certificate of 1032
registration for a motor vehicle owned or leased by the person, 1033
until the person appears and complies with all orders of the 1034
court. The person also is subject to any applicable criminal 1035
penalties. 1036

(F) A court setting security under division (A)(2) of this 1037
section shall do so in conformity with sections 2937.22 and 1038
2937.23 of the Revised Code and the Rules of Criminal Procedure. 1039

Sec. 2937.221. (A) A person arrested without warrant for any 1040
violation listed in division (B) of this section, and having a 1041
current valid Ohio driver's or commercial driver's license, if the 1042
person has been notified of the possible consequences of the 1043
person's actions as required by division (C) of this section, may 1044
post bond by depositing the license with the arresting officer if 1045
the officer and person so choose, or with the local court having 1046
jurisdiction if the court and person so choose. The license may be 1047
used as bond only during the period for which it is valid. 1048

When an arresting officer accepts the driver's or commercial 1049
driver's license as bond, the officer shall note the date, time, 1050
and place of the court appearance on "the violator's notice to 1051
appear," and the notice shall serve as a valid Ohio driver's or 1052
commercial driver's license until the date and time appearing 1053
thereon. The arresting officer immediately shall forward the 1054
license to the appropriate court. 1055

When a local court accepts the license as bond or continues 1056
the case to another date and time, it shall provide the person 1057
with a card in a form approved by the registrar of motor vehicles 1058

setting forth the license number, name, address, the date and time 1059
of the court appearance, and a statement that the license is being 1060
held as bond. The card shall serve as a valid license until the 1061
date and time contained in the card. 1062

The court may accept other bond at any time and return the 1063
license to the person. The court shall return the license to the 1064
person when judgment is satisfied, including, but not limited to, 1065
compliance with any court orders, unless a suspension or 1066
cancellation is part of the penalty imposed. 1067

Neither "the violator's notice to appear" nor a court- 1068
granted card shall continue driving privileges beyond the 1069
expiration date of the license. 1070

If the person arrested fails to appear in court at the date 1071
and time set by the court or fails to satisfy the judgment of the 1072
court, including, but not limited to, compliance with all court 1073
orders within the time allowed by the court, the court may ~~impose~~ 1074
~~a class seven suspension~~ declare the forfeiture of the person's 1075
license ~~from the range specified in division (A)(7) of section~~ 1076
~~4510.02 of the Revised Code. Thirty days after the suspension~~ 1077
declaration of the forfeiture, the court shall forward the 1078
person's license to the registrar. The court also shall enter 1079
information relative to the ~~suspension~~ forfeiture on a form 1080
approved and furnished by the registrar and send the form to the 1081
registrar, ~~and the~~. The registrar shall suspend the person's 1082
license and send written notification of the suspension to the 1083
person at the person's last known address. No valid driver's or 1084
commercial driver's license shall be granted to the person until 1085
the ~~expiration of the period of the suspension or, prior to the~~ 1086
~~expiration of that period,~~ the court having jurisdiction orders 1087
that the ~~suspension is~~ forfeiture be terminated. ~~If the court~~ 1088
~~terminates the suspension,~~ The court shall inform the 1089
registrar of the termination of the forfeiture by entering 1090

information relative to the termination on a form approved and 1091
furnished by the registrar and sending the form to the registrar. 1092
Upon the ~~expiration or termination of the suspension~~, the person 1093
shall pay to the bureau of motor vehicles a ~~processing~~ 1094
reinstatement fee of fifteen dollars to cover the costs of the 1095
bureau in administering this section. The registrar shall deposit 1096
the fees so paid into the state bureau of motor vehicles fund 1097
created by section 4501.25 of the Revised Code. 1098

In addition, upon receipt from the court of the copy of the 1099
~~suspension~~ declaration of forfeiture, neither the registrar nor 1100
any deputy registrar shall accept any application for the 1101
registration or transfer of registration of any motor vehicle 1102
owned by or leased in the name of the person named in the 1103
~~suspension~~ declaration of forfeiture until the ~~expiration of the~~ 1104
~~period of the suspension or, prior to the expiration of that~~ 1105
~~period,~~ the court having jurisdiction over the offense that led to 1106
the suspension issues an order terminating the ~~suspension~~ 1107
forfeiture. However, for a motor vehicle leased in the name of a 1108
person named in a ~~suspension~~ declaration of forfeiture, the 1109
registrar shall not implement the preceding sentence until the 1110
registrar adopts procedures for that implementation under section 1111
4503.39 of the Revised Code. Upon ~~the expiration of the suspension~~ 1112
~~or upon~~ receipt by the registrar of such an order ~~terminating the~~ 1113
~~suspension~~, the registrar also shall take the measures necessary 1114
to permit the person to register a motor vehicle the person owns 1115
or leases or to transfer the registration of a motor vehicle the 1116
person owns or leases if the person later makes a proper 1117
application and otherwise is eligible to be issued or to transfer 1118
a motor vehicle registration. 1119

(B) Division (A) of this section applies to persons arrested 1120
for violation of: 1121

(1) Any of the provisions of Chapter 4511. or 4513. of the 1122

Revised Code, except sections 4511.19, 4511.20, 4511.251, and 1123
4513.36 of the Revised Code; 1124

(2) Any municipal ordinance substantially similar to a 1125
section included in division (B)(1) of this section; 1126

(3) Any bylaw, rule, or regulation of the Ohio turnpike 1127
commission substantially similar to a section included in division 1128
(B)(1) of this section. 1129

Division (A) of this section does not apply to those persons 1130
issued a citation for the commission of a minor misdemeanor under 1131
section 2935.26 of the Revised Code. 1132

(C) No license shall be accepted as bond by an arresting 1133
officer or by a court under this section until the officer or 1134
court has notified the person that, if the person deposits the 1135
license with the officer or court and either does not appear on 1136
the date and at the time set by the officer or the court, if the 1137
court sets a time, or does not satisfy any judgment rendered, 1138
including, but not limited to, compliance with all court orders, 1139
the license will be suspended, and the person will not be eligible 1140
for reissuance of the license or issuance of a new license, or the 1141
issuance of a certificate of registration for a motor vehicle 1142
owned or leased by the person until the person appears and 1143
complies with any order issued by the court. The person also is 1144
subject to any criminal penalties that may apply to the person. 1145

(D) The registrar shall not restore the person's driving or 1146
vehicle registration privileges until the person pays the 1147
reinstatement fee as provided in this section. 1148

Sec. 3937.41. (A) As used in this section: 1149

(1) "Ambulance" has the same meaning as in section 4765.01 of 1150
the Revised Code and also includes private ambulance companies 1151
under contract to a municipal corporation, township, or county. 1152

- (2) "Emergency vehicle" means any of the following: 1153
- (a) Any vehicle, as defined in section 4511.01 of the Revised 1154
Code, that is an emergency vehicle of a municipal, township, or 1155
county department or public utility corporation and that is 1156
identified as such as required by law, the director of public 1157
safety, or local authorities; 1158
- (b) Any motor vehicle, as defined in section 4511.01 of the 1159
Revised Code, when commandeered by a police officer; 1160
- (c) Any vehicle, as defined in section 4511.01 of the Revised 1161
Code, that is an emergency vehicle of a qualified nonprofit 1162
corporation police department established pursuant to section 1163
1702.80 of the Revised Code and that is identified as an emergency 1164
vehicle; 1165
- (d) Any vehicle, as defined in section 4511.01 of the Revised 1166
Code, that is an emergency vehicle of a proprietary police 1167
department or security department of a hospital operated by a 1168
public hospital agency or a nonprofit hospital agency that employs 1169
police officers under section 4973.17 of the Revised Code, and 1170
that is identified as an emergency vehicle. 1171
- (3) "Firefighter" means any regular, paid, member of a 1172
lawfully constituted fire department of a municipal corporation or 1173
township. 1174
- (4) "Law enforcement officer" means a sheriff, deputy 1175
sheriff, constable, marshal, deputy marshal, municipal or township 1176
police officer, state highway patrol trooper, police officer 1177
employed by a qualified nonprofit police department pursuant to 1178
section 1702.80 of the Revised Code, or police officer employed by 1179
a proprietary police department or security department of a 1180
hospital operated by a public hospital agency or nonprofit 1181
hospital agency pursuant to section 4973.17 of the Revised Code. 1182
- (5) "Motor vehicle accident" means any accident involving a 1183

motor vehicle which results in bodily injury to any person, or 1184
damage to the property of any person. 1185

(B) No insurer shall consider the circumstance that an 1186
applicant or policyholder has been involved in a motor vehicle 1187
accident while in the pursuit of the applicant's or policyholder's 1188
official duties as a law enforcement officer, firefighter, or 1189
operator of an emergency vehicle or ambulance, while operating a 1190
vehicle engaged in mowing or snow and ice removal as a county, 1191
township, or department of transportation employee, or while 1192
operating a vehicle while engaged in the pursuit of the 1193
applicant's or policyholder's official duties as a member of the 1194
~~commercial~~ motor vehicle safety carrier enforcement unit of the 1195
state highway patrol under section 5503.34 of the Revised Code, as 1196
a basis for doing either of the following: 1197

(1) Refusing to issue or deliver a policy of insurance upon a 1198
private automobile, or increasing the rate to be charged for such 1199
a policy; 1200

(2) Increasing the premium rate, canceling, or failing to 1201
renew an existing policy of insurance upon a private automobile. 1202

(C) Any applicant or policyholder affected by an action of an 1203
insurer in violation of this section may appeal to the 1204
superintendent of insurance. After a hearing held upon not less 1205
than ten days' notice to the applicant or policyholder and to the 1206
insurer and if the superintendent determines that the insurer has 1207
violated this section, the superintendent may direct the issuance 1208
of a policy, decrease the premium rate on a policy, or reinstate 1209
insurance coverage. 1210

(D) The employer of the law enforcement officer, firefighter, 1211
or operator of an emergency vehicle or ambulance, operator of a 1212
vehicle engaged in mowing or snow and ice removal, or operator of 1213
a vehicle who is a member of the ~~commercial~~ motor vehicle safety 1214

carrier enforcement unit, except as otherwise provided in division 1215
(F) of this section, shall certify to the state highway patrol or 1216
law enforcement agency that investigates the accident whether the 1217
officer, firefighter, or operator of an emergency vehicle or 1218
ambulance, operator of a vehicle engaged in mowing or snow and ice 1219
removal, or operator of a vehicle who is a member of the 1220
~~commercial motor vehicle safety~~ carrier enforcement unit, was 1221
engaged in the performance of the person's official duties as such 1222
employee at the time of the accident. The employer shall designate 1223
an official authorized to make the certifications. The state 1224
highway patrol or law enforcement agency shall include the 1225
certification in any report of the accident forwarded to the 1226
department of public safety pursuant to sections 5502.11 and 1227
5502.12 of the Revised Code and shall forward the certification to 1228
the department if received after the report of the accident has 1229
been forwarded to the department. The registrar of motor vehicles 1230
shall not include an accident in a certified abstract of 1231
information under division (A) of section 4509.05 of the Revised 1232
Code, if the person involved has been so certified as having been 1233
engaged in the performance of the person's official duties at the 1234
time of the accident. 1235

(E) Division (B) of this section does not apply to an insurer 1236
whose policy covers the motor vehicle at the time the motor 1237
vehicle is involved in an accident described in division (B) of 1238
this section. 1239

(F) Division (B) of this section does not apply if an 1240
applicant or policyholder, on the basis of the applicant's or 1241
policyholder's involvement in an accident described in that 1242
division, is convicted of or pleads guilty or no contest to a 1243
violation of section 4511.19 of the Revised Code; of a municipal 1244
ordinance relating to operating a vehicle while under the 1245
influence of alcohol, a drug of abuse, or alcohol and a drug of 1246

abuse; or of a municipal ordinance relating to operating a vehicle 1247
with a prohibited concentration of alcohol in the blood, breath, 1248
or urine, or other bodily substance. 1249

Sec. 3937.43. (A) As used in this section: 1250

(1) "Automobile insurance policies" has the same meaning as 1251
in section 3937.30 of the Revised Code. 1252

(2) "Moving violation" means any violation of any statute or 1253
ordinance that regulates the operation of vehicles, streetcars, or 1254
trackless trolleys on highways or streets or that regulates size 1255
or load limitations or fitness requirements of vehicles. "Moving 1256
violation" does not include the violation of any statute or 1257
ordinance that regulates pedestrians or the parking of vehicles. 1258

(3) "Community control sanction" has the same meaning as in 1259
section 2929.01 of the Revised Code. 1260

(B) Every rating plan or schedule of rates for automobile 1261
insurance policies that is filed with the superintendent of 1262
insurance shall provide for an appropriate reduction in premium 1263
charges for any insured or applicant for insurance under the 1264
following conditions: 1265

(1) The applicant or insured is sixty years of age or older; 1266

(2) The applicant or insured successfully completes a motor 1267
vehicle accident prevention course, which includes classroom 1268
instruction and the passing of an examination in accordance with 1269
both of the following: 1270

(a) The ~~state highway patrol~~ department of public safety 1271
shall approve the course and the examination. However, the ~~state~~ 1272
~~highway patrol~~ department shall not approve any correspondence 1273
course or any other course that does not provide classroom 1274
instruction. 1275

(b) The examination shall include an actual demonstration of 1276

the applicant's or insured's ability to exercise ordinary and 1277
reasonable control in the operation of a motor vehicle. 1278

(3) The applicant or insured submits to the insurer a 1279
certificate that is issued by the sponsor of the motor vehicle 1280
accident prevention course and attests to the successful 1281
completion of the course by the applicant or insured; 1282

(4) The insurer may consider the driving record of the 1283
applicant or insured in accordance with divisions (C) and (D) of 1284
this section. 1285

(C) In determining whether to grant a reduction in premium 1286
charges in accordance with this section, the insurer may consider 1287
the driving record of the insured or applicant for a three-year 1288
period prior to the successful completion of a motor vehicle 1289
accident prevention course. 1290

(D)(1) Subject to division (D)(2) of this section, every 1291
reduction in premium charges granted in accordance with this 1292
section shall be effective for an insured for a three-year period 1293
after each successful completion of a motor vehicle accident 1294
prevention course. 1295

(2) As a condition of maintaining a reduction in premium 1296
charges granted in accordance with this section, an insurer may 1297
require that the insured, during the three-year period for which 1298
the reduction has been granted, neither be involved in an accident 1299
for which the insured is primarily at fault, nor be convicted of 1300
more than one moving violation. 1301

(E) A reduction in premium charges granted in accordance with 1302
this section shall not become effective until the first full term 1303
of coverage following the successful completion of a motor vehicle 1304
accident prevention course in accordance with division (B) of this 1305
section. 1306

(F) The ~~superintendent~~ director of the ~~state highway patrol~~ 1307

department of public safety shall adopt rules in accordance with 1308
Chapter 119. of the Revised Code that are necessary to carry out 1309
the duties of the ~~state highway patrol~~ department under this 1310
section. 1311

(G) This section does not apply to any automobile insurance 1312
policy issued under an assigned risk plan pursuant to section 1313
4509.70 of the Revised Code. 1314

(H) This section does not apply to circumstances in which the 1315
motor vehicle accident prevention course is required by a court as 1316
a condition of a community control sanction imposed for a moving 1317
violation. 1318

Sec. 3937.45. (A) No insurer shall consider the circumstance 1319
that an applicant or policyholder has been convicted of any 1320
violation of the weight provisions of Chapter 5577. of the Revised 1321
Code, or a substantially similar municipal ordinance relating to 1322
vehicle weight as a basis for doing either of the following: 1323

(1) Refusing to issue or deliver a policy of insurance upon a 1324
private automobile, or increasing the rate to be charged for such 1325
a policy; 1326

(2) Increasing the premium rate, canceling, or failing to 1327
renew an existing policy of insurance upon a private automobile. 1328

(B) Any applicant or policyholder affected by an action of an 1329
insurer in violation of division (A) of this section may appeal to 1330
the superintendent of insurance. After a hearing held upon not 1331
less than ten days' notice to the applicant or policyholder and to 1332
the insurer and ~~if he determines~~ after determining that the 1333
insurer has violated this section, the superintendent may direct 1334
the issuance of a policy, decrease the premium rate on a policy, 1335
or reinstate insurance coverage. 1336

(C) The registrar shall not include the conviction for a 1337

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

(D) Division (A) of this section does not apply to an insurer whose policy covers the vehicle, trackless trolley, load, object, or structure operated or moved upon improved public highways, streets, bridges, or culverts in violation of the weight provisions of Chapter 5577. of the Revised Code, or a substantially similar municipal ordinance relating to vehicle weight.

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

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

(B) "Motor vehicle" means any vehicle, including mobile homes and recreational vehicles, that is propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires. "Motor vehicle" does not include motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, well-drilling machinery, ditch-digging machinery, farm machinery,

trailers that are used to transport agricultural produce or 1369
agricultural production materials between a local place of storage 1370
or supply and the farm when drawn or towed on a public road or 1371
highway at a speed of twenty-five miles per hour or less, 1372
threshing machinery, hay-baling machinery, corn sheller, 1373
hammermill and agricultural tractors, machinery used in the 1374
production of horticultural, agricultural, and vegetable products, 1375
and trailers that are designed and used exclusively to transport a 1376
boat between a place of storage and a marina, or in and around a 1377
marina, when drawn or towed on a public road or highway for a 1378
distance of no more than ten miles and at a speed of twenty-five 1379
miles per hour or less. 1380

(C) "Agricultural tractor" and "traction engine" mean any 1381
self-propelling vehicle that is designed or used for drawing other 1382
vehicles or wheeled machinery, but has no provisions for carrying 1383
loads independently of such other vehicles, and that is used 1384
principally for agricultural purposes. 1385

(D) "Commercial tractor," except as defined in division (C) 1386
of this section, means any motor vehicle that has motive power and 1387
either is designed or used for drawing other motor vehicles, or is 1388
designed or used for drawing another motor vehicle while carrying 1389
a portion of the other motor vehicle or its load, or both. 1390

(E) "Passenger car" means any motor vehicle that is designed 1391
and used for carrying not more than nine persons and includes any 1392
motor vehicle that is designed and used for carrying not more than 1393
fifteen persons in a ridesharing arrangement. 1394

(F) "Collector's vehicle" means any motor vehicle or 1395
agricultural tractor or traction engine that is of special 1396
interest, that has a fair market value of one hundred dollars or 1397
more, whether operable or not, and that is owned, operated, 1398
collected, preserved, restored, maintained, or used essentially as 1399
a collector's item, leisure pursuit, or investment, but not as the 1400

owner's principal means of transportation. "Licensed collector's
vehicle" means a collector's vehicle, other than an agricultural
tractor or traction engine, that displays current, valid license
tags issued under section 4503.45 of the Revised Code, or a
similar type of motor vehicle that displays current, valid license
tags issued under substantially equivalent provisions in the laws
of other states.

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

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

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

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

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

(L) "Motorized bicycle" means any vehicle that either has two

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

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

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

(O) "Mobile home" means a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent

chassis, is transportable in one or more sections, and does not 1464
qualify as a manufactured home as defined in division (C)(4) of 1465
section 3781.06 of the Revised Code or as an industrialized unit 1466
as defined in division (C)(3) of section 3781.06 of the Revised 1467
Code. 1468

(P) "Semitrailer" means any vehicle of the trailer type that 1469
does not have motive power and is so designed or used with another 1470
and separate motor vehicle that in operation a part of its own 1471
weight or that of its load, or both, rests upon and is carried by 1472
the other vehicle furnishing the motive power for propelling 1473
itself and the vehicle referred to in this division, and includes, 1474
for the purpose only of registration and taxation under those 1475
chapters, any vehicle of the dolly type, such as a trailer dolly, 1476
that is designed or used for the conversion of a semitrailer into 1477
a trailer. 1478

(Q) "Recreational vehicle" means a vehicular portable 1479
structure that meets all of the following conditions: 1480

(1) It is designed for the sole purpose of recreational 1481
travel. 1482

(2) It is not used for the purpose of engaging in business 1483
for profit. 1484

(3) It is not used for the purpose of engaging in intrastate 1485
commerce. 1486

(4) It is not used for the purpose of commerce as defined in 1487
49 C.F.R. 383.5, as amended. 1488

(5) It is not regulated by the public utilities commission 1489
pursuant to Chapter 4919., 4921., or 4923. of the Revised Code. 1490

(6) It is classed as one of the following: 1491

(a) "Travel trailer" means a nonself-propelled recreational 1492
vehicle that does not exceed an overall length of thirty-five 1493

feet, exclusive of bumper and tongue or coupling, and contains 1494
less than three hundred twenty square feet of space when erected 1495
on site. "Travel trailer" includes a tent-type fold-out camping 1496
trailer as defined in section 4517.01 of the Revised Code. 1497

(b) "Motor home" means a self-propelled recreational vehicle 1498
that has no fifth wheel and is constructed with permanently 1499
installed facilities for cold storage, cooking and consuming of 1500
food, and for sleeping. 1501

(c) "Truck camper" means a nonself-propelled recreational 1502
vehicle that does not have wheels for road use and is designed to 1503
be placed upon and attached to a motor vehicle. "Truck camper" 1504
does not include truck covers that consist of walls and a roof, 1505
but do not have floors and facilities enabling them to be used as 1506
a dwelling. 1507

(d) "Fifth wheel trailer" means a vehicle that is of such 1508
size and weight as to be movable without a special highway permit, 1509
that has a gross trailer area of four hundred square feet or less, 1510
that is constructed with a raised forward section that allows a 1511
bi-level floor plan, and that is designed to be towed by a vehicle 1512
equipped with a fifth-wheel hitch ordinarily installed in the bed 1513
of a truck. 1514

(e) "Park trailer" means a vehicle that is commonly known as 1515
a park model recreational vehicle, meets the American national 1516
standard institute standard A119.5 (1988) for park trailers, is 1517
built on a single chassis, has a gross trailer area of four 1518
hundred square feet or less when set up, is designed for seasonal 1519
or temporary living quarters, and may be connected to utilities 1520
necessary for the operation of installed features and appliances. 1521

(R) "Pneumatic tires" means tires of rubber and fabric or 1522
tires of similar material, that are inflated with air. 1523

(S) "Solid tires" means tires of rubber or similar elastic 1524

material that are not dependent upon confined air for support of 1525
the load. 1526

(T) "Solid tire vehicle" means any vehicle that is equipped 1527
with two or more solid tires. 1528

(U) "Farm machinery" means all machines and tools that are 1529
used in the production, harvesting, and care of farm products, and 1530
includes trailers that are used to transport agricultural produce 1531
or agricultural production materials between a local place of 1532
storage or supply and the farm when drawn or towed on a public 1533
road or highway at a speed of twenty-five miles per hour or less. 1534

(V) "Owner" includes any person or firm, other than a 1535
manufacturer or dealer, that has title to a motor vehicle, except 1536
that, in sections 4505.01 to 4505.19 of the Revised Code, "owner" 1537
includes in addition manufacturers and dealers. 1538

(W) "Manufacturer" and "dealer" include all persons and firms 1539
that are regularly engaged in the business of manufacturing, 1540
selling, displaying, offering for sale, or dealing in motor 1541
vehicles, at an established place of business that is used 1542
exclusively for the purpose of manufacturing, selling, displaying, 1543
offering for sale, or dealing in motor vehicles. A place of 1544
business that is used for manufacturing, selling, displaying, 1545
offering for sale, or dealing in motor vehicles shall be deemed to 1546
be used exclusively for those purposes even though snowmobiles or 1547
all-purpose vehicles are sold or displayed for sale thereat, even 1548
though farm machinery is sold or displayed for sale thereat, or 1549
even though repair, accessory, gasoline and oil, storage, parts, 1550
service, or paint departments are maintained thereat, or, in any 1551
county having a population of less than seventy-five thousand at 1552
the last federal census, even though a department in a place of 1553
business is used to dismantle, salvage, or rebuild motor vehicles 1554
by means of used parts, if such departments are operated for the 1555
purpose of furthering and assisting in the business of 1556

manufacturing, selling, displaying, offering for sale, or dealing 1557
in motor vehicles. Places of business or departments in a place of 1558
business used to dismantle, salvage, or rebuild motor vehicles by 1559
means of using used parts are not considered as being maintained 1560
for the purpose of assisting or furthering the manufacturing, 1561
selling, displaying, and offering for sale or dealing in motor 1562
vehicles. 1563

(X) "Operator" includes any person who drives or operates a 1564
motor vehicle upon the public highways. 1565

(Y) "Chauffeur" means any operator who operates a motor 1566
vehicle, other than a taxicab, as an employee for hire; or any 1567
operator whether or not the owner of a motor vehicle, other than a 1568
taxicab, who operates such vehicle for transporting, for gain, 1569
compensation, or profit, either persons or property owned by 1570
another. Any operator of a motor vehicle who is voluntarily 1571
involved in a ridesharing arrangement is not considered an 1572
employee for hire or operating such vehicle for gain, 1573
compensation, or profit. 1574

(Z) "State" includes the territories and federal districts of 1575
the United States, and the provinces of Canada. 1576

(AA) "Public roads and highways" for vehicles includes all 1577
public thoroughfares, bridges, and culverts. 1578

(BB) "Manufacturer's number" means the manufacturer's 1579
original serial number that is affixed to or imprinted upon the 1580
chassis or other part of the motor vehicle. 1581

(CC) "Motor number" means the manufacturer's original number 1582
that is affixed to or imprinted upon the engine or motor of the 1583
vehicle. 1584

(DD) "Distributor" means any person who is authorized by a 1585
motor vehicle manufacturer to distribute new motor vehicles to 1586
licensed motor vehicle dealers at an established place of business 1587

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 to another purpose of a volunteer driver and includes ridesharing arrangements known as carpools, vanpools, and buspools.

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

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

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

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

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

(GG) "Chartered party" means a group of persons who contract as a group to acquire the exclusive use of a passenger-carrying motor vehicle at a fixed charge for the vehicle in accordance with the carrier's tariff, lawfully on file with the United States department of transportation, for the purpose of group travel to a

specified destination or for a particular itinerary, either agreed 1619
upon in advance or modified by the chartered group after having 1620
left the place of origin. 1621

(HH) "International registration plan" means a reciprocal 1622
agreement of member jurisdictions that is endorsed by the American 1623
association of motor vehicle administrators, and that promotes and 1624
encourages the fullest possible use of the highway system by 1625
authorizing apportioned registration of fleets of vehicles and 1626
recognizing registration of vehicles apportioned in member 1627
jurisdictions. 1628

(II) "Restricted plate" means a license plate that has a 1629
restriction of time, geographic area, mileage, or commodity, and 1630
includes license plates issued to farm trucks under division 1631
~~(K)~~(J) of section 4503.04 of the Revised Code. 1632

(JJ) "Gross vehicle weight," with regard to any commercial 1633
car, trailer, semitrailer, or bus that is taxed at the rates 1634
established under section 4503.042 of the Revised Code, means the 1635
unladen weight of the vehicle fully equipped plus the maximum 1636
weight of the load to be carried on the vehicle. 1637

(KK) "Combined gross vehicle weight" with regard to any 1638
combination of a commercial car, trailer, and semitrailer, that is 1639
taxed at the rates established under section 4503.042 of the 1640
Revised Code, means the total unladen weight of the combination of 1641
vehicles fully equipped plus the maximum weight of the load to be 1642
carried on that combination of vehicles. 1643

(LL) "Chauffeured limousine" means a motor vehicle that is 1644
designed to carry nine or fewer passengers and is operated for 1645
hire on an hourly basis pursuant to a prearranged contract for the 1646
transportation of passengers on public roads and highways along a 1647
route under the control of the person hiring the vehicle and not 1648
over a defined and regular route. "Prearranged contract" means an 1649

agreement, made in advance of boarding, to provide transportation 1650
from a specific location in a chauffeured limousine at a fixed 1651
rate per hour or trip. "Chauffeured limousine" does not include 1652
any vehicle that is used exclusively in the business of funeral 1653
directing. 1654

(MM) "Manufactured home" has the same meaning as in division 1655
(C)(4) of section 3781.06 of the Revised Code. 1656

(NN) "Acquired situs," with respect to a manufactured home or 1657
a mobile home, means to become located in this state by the 1658
placement of the home on real property, but does not include the 1659
placement of a manufactured home or a mobile home in the inventory 1660
of a new motor vehicle dealer or the inventory of a manufacturer, 1661
remanufacturer, or distributor of manufactured or mobile homes. 1662

(OO) "Electronic" includes electrical, digital, magnetic, 1663
optical, electromagnetic, or any other form of technology that 1664
entails capabilities similar to these technologies. 1665

(PP) "Electronic record" means a record generated, 1666
communicated, received, or stored by electronic means for use in 1667
an information system or for transmission from one information 1668
system to another. 1669

(QQ) "Electronic signature" means a signature in electronic 1670
form attached to or logically associated with an electronic 1671
record. 1672

(RR) "Financial transaction device" has the same meaning as 1673
in division (A) of section 113.40 of the Revised Code. 1674

(SS) "Electronic motor vehicle dealer" means a motor vehicle 1675
dealer licensed under Chapter 4517. of the Revised Code whom the 1676
registrar of motor vehicles determines meets the criteria 1677
designated in section 4503.035 of the Revised Code for electronic 1678
motor vehicle dealers and designates as an electronic motor 1679
vehicle dealer under that section. 1680

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

~~(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; 1712

(3) Acquire or lease such facilities as are necessary to 1713
carry out the duties of the registrar's office; 1714

(4) Establish accounts in a bank or depository and deposit 1715
any funds collected by the registrar in those accounts to the 1716
credit of "state of Ohio, bureau of motor vehicles." Within three 1717
days after the deposit of funds in such an account, the registrar 1718
shall draw on that account in favor of the treasurer of state. The 1719
registrar may reserve funds against the draw to the treasurer of 1720
state to the extent reasonably necessary to ensure that the 1721
deposited items are not dishonored. The registrar may pay any 1722
service charge usually collected by the bank or depository. 1723

The registrar shall give a bond for the faithful performance 1724
of the registrar's duties in such amount and with such security as 1725
the director approves. When in the opinion of the director it is 1726
advisable, any deputy or other employee may be required to give 1727
bond in such amount and with such security as the director 1728
approves. In the discretion of the director, the bonds authorized 1729
to be taken on deputies or other employees may be individual, 1730
schedule, or blanket bonds. 1731

The director of public safety may investigate the activities 1732
of the bureau and have access to its records at any time, and the 1733
registrar shall make a report to the director at any time upon 1734
request. 1735

All laws relating to the licensing of motor vehicle dealers, 1736
motor vehicle leasing dealers, distributors, and salespersons, and 1737
of motor vehicle salvage dealers, salvage motor vehicle auctions, 1738
and salvage motor vehicle pools, designating and granting power to 1739
the registrar shall be liberally construed to the end that the 1740
practice or commission of fraud in the business of selling motor 1741
vehicles and of disposing of salvage motor vehicles may be 1742

prohibited and prevented. 1743

(B) There is hereby created in the department of public 1744
safety a division of emergency medical services, which shall be 1745
administered by an executive director of emergency medical 1746
services appointed under section 4765.03 of the Revised Code. 1747

Sec. 4501.021. (A) Notwithstanding sections 149.33 to 149.34 1748
of the Revised Code, the registrar of motor vehicles shall 1749
determine the methods for obtaining, collecting, recording, and 1750
maintaining the records of the bureau of motor vehicles and of 1751
deputy registrars that pertain to driver's or commercial driver's 1752
licenses, identification cards, and vehicle registrations, 1753
including photographic or digitalized images, and electronic or 1754
digitalized signatures. The registrar may choose methods including 1755
paper, film, digital or other electronic media, or any other media 1756
that reasonably allows for recording, maintaining, and retrieving 1757
the records in a reliable manner. 1758

(B) The registrar of motor vehicles may dispose of all 1759
records of the bureau of motor vehicles pursuant to section 149.34 1760
of the Revised Code. 1761

The disposal of all records shall not take place when the 1762
registrar has received notice that a court case or other legal 1763
action is pending involving such records. 1764

Any surplus from the sale of such records, after paying the 1765
cost of administering the destruction or sale of such records, 1766
shall be paid into the state treasury. 1767

~~(B)~~(C) Each deputy registrar shall retain in the deputy 1768
registrar's office a file containing copies of all records and 1769
transactions performed for the bureau. Copies of motor vehicle 1770
registration applications shall be retained for a period of 1771
eighteen months from the date of the record or transaction, 1772

whichever is later; copies of driver's license or identification 1773
card applications shall be retained for a period of four years 1774
from the date of the record or transaction, whichever is later; 1775
and all other records shall be retained for a period of three 1776
years from the date of the record or transaction, whichever is 1777
later. The retained records shall be available for public 1778
examination, but no person may make copies of the records for sale 1779
or distribution. 1780

Sec. 4501.11. (A) There is hereby created in the state 1781
treasury the security, investigations, and policing fund. 1782
Notwithstanding section 5503.04 of the Revised Code, no fines 1783
collected from or money arising from bonds or bail forfeited by 1784
persons apprehended or arrested by state highway patrol troopers 1785
shall be credited to the general revenue fund until sufficient 1786
revenue to fund appropriations for the activities described under 1787
division (B) of this section are credited to the security, 1788
investigations, and policing fund. All investment earnings of the 1789
security, investigations, and policing fund shall be credited to 1790
that fund. 1791

This division does not apply to fines for violations of 1792
division (B) of section 4513.263 of the Revised Code, or to fines 1793
for violations of any municipal ordinance that is substantively 1794
comparable to that division, which fines shall be delivered to the 1795
treasurer of state as provided in division (E) of section 4513.263 1796
of the Revised Code. 1797

(B) The money credited to the security, investigations, and 1798
policing fund shall be used to pay the costs of: 1799

(1) Providing security for the governor, other officials and 1800
dignitaries, the capitol square, and other state property pursuant 1801
to division (E) of section 5503.02 of the Revised Code; 1802

(2) Undertaking major criminal investigations that involve 1803

state property interests; 1804

(3) Providing traffic control and security for the Ohio 1805
expositions commission on a full-time, year-round basis; 1806

(4) Performing nonhighway-related duties of the state highway 1807
patrol at the Ohio state fair; 1808

(5) Coordinating homeland security activities. 1809

Sec. 4503.01. "Motor vehicle" as defined in section 4505.01 1810
of the Revised Code applies to sections 4503.02 to 4503.10, and 1811
4503.12 to 4503.18 of the Revised Code. For the purposes of 1812
sections 4503.02 to 4503.04, 4503.10 to 4503.12, 4503.182, 1813
4503.19, 4503.21, 4503.22, and 4503.25 of the Revised Code, the 1814
term "motor vehicle" also includes a motorized bicycle and a 1815
trailer or semitrailer whose weight is four thousand pounds or 1816
less. 1817

As used in this chapter, "motor vehicle" does not include a 1818
concrete pump or a concrete conveyor. 1819

Sec. 4503.03. (A)(1)(a) The registrar of motor vehicles may 1820
designate the county auditor in each county a deputy registrar. If 1821
the population of a county is forty thousand or less according to 1822
the last federal census and if the county auditor is designated by 1823
the registrar as a deputy registrar, no other person need be 1824
designated in the county to act as a deputy registrar. 1825

(b) ~~For three years after the effective date of this~~ 1826
~~amendment, the~~ The registrar may designate a clerk of a court of 1827
common pleas as a deputy registrar if the population of the county 1828
is forty thousand or less according to the last federal census. 1829
All fees collected and retained by a clerk for conducting deputy 1830
registrar services shall be paid into the county treasury to the 1831
credit of the certificate of title administration fund created 1832
under section 325.33 of the Revised Code. 1833

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

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

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

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

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

The registrar shall not contract with either of the following 1865
to act as a deputy registrar: 1866

(1) Any elected public official other than a county auditor 1867
or, as authorized by division (A)(1)(b) of this section, a clerk 1868
of a court of common pleas, acting in an ~~the county auditor's~~ 1869
official capacity; 1870

(2) Any person holding a current, valid contract to conduct 1871
motor vehicle inspections under section 3704.14 of the Revised 1872
Code. 1873

(C)(1) Except as provided in division (C)(2) of this section, 1874
deputy registrars are independent contractors and neither they nor 1875
their employees are employees of this state, except that nothing 1876
in this section shall affect the status of county auditors or 1877
clerks of courts of common pleas as public officials, nor the 1878
status of their employees as employees of any of the counties of 1879
this state, which are political subdivisions of this state. Each 1880
deputy registrar shall be responsible for the payment of all 1881
unemployment compensation premiums, all workers' compensation 1882
premiums, social security contributions, and any and all taxes for 1883
which the deputy registrar is legally responsible. Each deputy 1884
registrar shall comply with all applicable federal, state, and 1885
local laws requiring the withholding of income taxes or other 1886
taxes from the compensation of the deputy registrar's employees. 1887
Each deputy registrar shall maintain during the entire term of the 1888
deputy registrar's contract a policy of business liability 1889
insurance satisfactory to the registrar and shall hold the 1890
department of public safety, the director of public safety, the 1891
bureau of motor vehicles, and the registrar harmless upon any and 1892
all claims for damages arising out of the operation of the deputy 1893
registrar agency. 1894

(2) For purposes of Chapter 4141. of the Revised Code, 1895
determinations concerning the employment of deputy registrars and 1896

their employees shall be made under Chapter 4141. of the Revised Code. 1897
1898

(D)(1) With the approval of the director, the registrar shall 1899
adopt rules governing the terms of the contract between the 1900
registrar and each deputy registrar and specifications for the 1901
services to be performed. The rules shall include specifications 1902
relating to the amount of bond to be given as provided in this 1903
section; the size and location of the deputy's office; and the 1904
leasing of equipment necessary to conduct the vision screenings 1905
required under section 4507.12 of the Revised Code and training in 1906
the use of the equipment. The specifications shall permit and 1907
encourage every deputy registrar to inform the public of the 1908
location of the deputy registrar's office and hours of operation 1909
by means of public service announcements and allow any deputy 1910
registrar to advertise in regard to the operation of the deputy 1911
registrar's office. The rules also shall include specifications 1912
for the hours the deputy's office is to be open to the public and 1913
shall require as a minimum that one deputy's office in each county 1914
be open to the public for at least four hours each weekend, 1915
provided that if only one deputy's office is located within the 1916
boundary of the county seat, that office is the office that shall 1917
be open for the four-hour period each weekend, and that every 1918
deputy's office in each county shall be open to the public until 1919
six-thirty p.m. on at least one weeknight each week. The rules 1920
also shall include specifications providing that every deputy in 1921
each county, upon request, provide any person with information 1922
about the location and office hours of all deputy registrars in 1923
the county and that every deputy prominently display within the 1924
deputy's ~~the deputy registrar's~~ office, the toll-free telephone 1925
number of the bureau. The rules shall not prohibit the award of a 1926
deputy registrar contract to a nonprofit corporation formed under 1927
the laws of this state. The rules shall prohibit any deputy 1928
registrar from operating more than one such office at any time, 1929

except that the rules may permit a nonprofit corporation formed 1930
for the purposes of providing automobile-related services to its 1931
members or the public and that provides such services from more 1932
than one location in this state to operate a deputy registrar 1933
office at any such location, provided that the nonprofit 1934
corporation operates no more than one deputy registrar office in 1935
any one county. The rules may include such other specifications as 1936
the registrar and director consider necessary to provide a high 1937
level of service. 1938

(2) With the prior approval of the registrar, each deputy 1939
registrar may conduct at the location of the deputy registrar's 1940
office any business that is consistent with the functions of a 1941
deputy registrar and that is not specifically mandated or 1942
authorized by this or another chapter of the Revised Code or by 1943
implementing rules of the registrar. 1944

(3) As used in this section and in section 4507.01 of the 1945
Revised Code, "nonprofit corporation" has the same meaning as in 1946
section 1702.01 of the Revised Code. 1947

(E) Unless otherwise terminated and except for interim 1948
contracts of less than one year, contracts with deputy registrars 1949
shall be for a term of at least two years, but no more than three 1950
years, and all contracts effective on or after July 1, 1996, shall 1951
be for a term of more than two years, but not more than three 1952
years. All contracts with deputy registrars shall expire on the 1953
~~thirtieth day~~ last Saturday of June in the year of their 1954
expiration. The auditor of state may examine the accounts, 1955
reports, systems, and other data of each deputy registrar at least 1956
every two years. The registrar, with the approval of the director, 1957
shall immediately remove a deputy who violates any provision of 1958
the Revised Code related to the duties as a deputy, any rule 1959
adopted by the registrar, or a term of the deputy's contract with 1960
the registrar. The registrar also may remove a deputy who, in the 1961

opinion of the registrar, has engaged in any conduct that is 1962
either unbecoming to one representing this state or is 1963
inconsistent with the efficient operation of the deputy's office. 1964
~~Upon removal of a deputy registrar for contract violation, the 1965~~
~~auditor of state shall examine the accounts, records, systems, and 1966~~
~~other data of the deputy registrar so removed. 1967~~

If the registrar, with the approval of the director, 1968
determines that there is good cause to believe that a deputy 1969
registrar or a person proposing for a deputy registrar contract 1970
has engaged in any conduct that would require the denial or 1971
termination of the deputy registrar contract, the registrar may 1972
require the production of books, records, and papers as the 1973
registrar determines are necessary, and may take the depositions 1974
of witnesses residing within or outside the state in the same 1975
manner as is prescribed by law for the taking of depositions in 1976
civil actions in the court of common pleas, and for that purpose 1977
the registrar may issue a subpoena for any witness or a subpoena 1978
duces tecum to compel the production of any books, records, or 1979
papers, directed to the sheriff of the county where the witness 1980
resides or is found. Such a subpoena shall be served and returned 1981
in the same manner as a subpoena in a criminal case is served and 1982
returned. The fees and mileage of the sheriff and witnesses shall 1983
be the same as that allowed in the court of common pleas in 1984
criminal cases and shall be paid from the fund in the state 1985
treasury for the use of the agency in the same manner as other 1986
expenses of the agency are paid. 1987

In any case of disobedience or neglect of any subpoena served 1988
on any person or the refusal of any witness to testify to any 1989
matter regarding which the witness lawfully may be interrogated, 1990
the court of common pleas of any county where the disobedience, 1991
neglect, or refusal occurs or any judge of that court, on 1992
application by the registrar, shall compel obedience by attachment 1993

proceedings for contempt, as in the case of disobedience of the 1994
requirements of a subpoena issued from that court, or a refusal to 1995
testify in that court. 1996

Nothing in this division shall be construed to require a 1997
hearing of any nature prior to the termination of any deputy 1998
registrar contract by the registrar, with the approval of the 1999
director, for cause. 2000

(F) Except as provided in section 2743.03 of the Revised 2001
Code, no court, other than the court of common pleas of Franklin 2002
county, has jurisdiction of any action against the department of 2003
public safety, the director, the bureau, or the registrar to 2004
restrain the exercise of any power or authority, or to entertain 2005
any action for declaratory judgment, in the selection and 2006
appointment of, or contracting with, deputy registrars. Neither 2007
the department, the director, the bureau, nor the registrar is 2008
liable in any action at law for damages sustained by any person 2009
because of any acts of the department, the director, the bureau, 2010
or the registrar, or of any employee of the department or bureau, 2011
in the performance of official duties in the selection and 2012
appointment of, and contracting with, deputy registrars. 2013

(G) The registrar shall assign to each deputy registrar a 2014
series of numbers sufficient to supply the demand at all times in 2015
the area the deputy registrar serves, and the registrar shall keep 2016
a record in the registrar's office of the numbers within the 2017
series assigned. Each deputy shall be required to give bond in the 2018
amount of at least twenty-five thousand dollars, or in such higher 2019
amount as the registrar determines necessary, based on a uniform 2020
schedule of bond amounts established by the registrar and 2021
determined by the volume of registrations handled by the deputy. 2022
The form of the bond shall be prescribed by the registrar. The 2023
bonds required of deputy registrars, in the discretion of the 2024
registrar, may be individual or schedule bonds or may be included 2025

in any blanket bond coverage carried by the department. 2026

(H) Each deputy registrar shall keep a file of each 2027
application received by the deputy and shall register that motor 2028
vehicle with the name and address of its owner. 2029

(I) Upon request, a deputy registrar shall make the physical 2030
inspection of a motor vehicle and issue the physical inspection 2031
certificate required in section 4505.061 of the Revised Code. 2032

(J) Each deputy registrar shall file a report semi-annually 2033
with the registrar of motor vehicles listing the number of 2034
applicants for licenses the deputy has served, the number of voter 2035
registration applications the deputy has completed and transmitted 2036
to the board of elections, and the number of voter registration 2037
applications declined. 2038

Sec. 4503.034. (A) Notwithstanding sections 4503.10, 2039
4503.102, 4503.12, 4503.182, 4503.24, 4505.061, 4506.08, 4507.24, 2040
4507.50, 4507.52, 4519.03, 4519.05, 4519.10, 4519.56, and 4519.69 2041
of the Revised Code: 2042

(1) Each deputy registrar shall be allowed the increased fee 2043
otherwise allowed in those sections and commencing on January 1, 2044
2003, for performing the services specified in those sections only 2045
if the deputy registrars achieve a statewide satisfaction rate of 2046
at least ninety per cent on the survey conducted by the registrar 2047
of motor vehicles under this section. If the deputy registrars 2048
fail to achieve a statewide satisfaction rate of at least ninety 2049
per cent on the survey, the fee for performing the services 2050
specified in those sections shall remain at the rate in effect for 2051
the immediately preceding year. 2052

(2) Each deputy registrar shall be allowed the increased fee 2053
otherwise allowed in those sections and commencing on January 1, 2054
2004, for performing the services specified in those sections only 2055

if the deputy registrars achieve a statewide satisfaction rate of 2056
at least ninety per cent on the survey conducted by the registrar 2057
under this section. If the deputy registrars fail to achieve a 2058
statewide satisfaction rate of at least ninety per cent on the 2059
survey, the fee for performing the services specified in those 2060
sections shall remain at the rate in effect for the immediately 2061
preceding year. 2062

(B) The registrar shall develop and conduct a survey 2063
evaluating public satisfaction with the conduct of services by 2064
deputy registrars under sections 4503.10, 4503.102, 4503.12, 2065
4503.182, 4503.24, 4505.061, 4506.08, 4507.24, 4507.50, 4507.52, 2066
4519.03, 4519.05, 4519.10, 4519.56, and 4519.69 of the Revised 2067
Code. In developing the survey, the registrar also shall establish 2068
standards that shall enable a deputy registrar to achieve a ninety 2069
per cent satisfaction rating. The ninety per cent satisfaction 2070
rate required under divisions (A)(1) and (2) of this section as a 2071
condition to increasing the service fees shall be determined on a 2072
statewide basis and not on an individual basis. The registrar 2073
shall conduct the survey in 2002 to determine the satisfaction 2074
rating for purposes of division (A)(1) of this section and shall 2075
conduct the survey again in 2003 to determine the satisfaction 2076
rating for purposes of division (A)(2) of this section. 2077

Sec. 4503.036. (A) Not later than January 1, 2005, the 2078
registrar of motor vehicles shall adopt rules for the appointment 2079
of limited authority deputy registrars. Notwithstanding section 2080
4503.03 of the Revised Code, the registrar may appoint the clerk 2081
of a court or common pleas or an electronic motor vehicle dealer 2082
qualified under section 4503.035 of the Revised Code as a limited 2083
authority deputy registrar. 2084

(B) A limited authority deputy registrar may conduct only 2085
initial and transfer motor vehicle transactions using electronic 2086

means, vehicle identification number inspections, and other 2087
associated transactions in a manner approved in the rules that the 2088
registrar adopts. 2089

(C) A limited authority deputy registrar may collect and 2090
retain a fee of three dollars and fifty cents for each transaction 2091
or physical inspection that the limited authority deputy registrar 2092
conducts, and shall collect all fees and taxes that are required 2093
by law and related to the transaction or inspection in a manner 2094
approved by the registrar. A clerk of a court of common pleas 2095
shall pay all fees collected and retained under this section into 2096
the county treasury to the credit of the certificate of title 2097
administration fund created under section 325.33 of the Revised 2098
Code. 2099

(D) The rules adopted by the registrar may establish 2100
reasonable eligibility standards for clerks and electronic motor 2101
vehicle dealers. The rules shall prescribe the terms and 2102
conditions of limited authority deputy registrar contracts and 2103
shall require each limited authority deputy registrar to sign a 2104
contract before assuming any duties as a limited authority deputy 2105
registrar. The rules may establish different eligibility standards 2106
and contract terms and conditions depending on whether the limited 2107
authority deputy registrar is a clerk or an electronic motor 2108
vehicle dealer. No contract shall be for a period of more than 2109
three years. The contract may contain any other provisions the 2110
registrar reasonably prescribes. Each contract shall terminate on 2111
a date specified by the registrar. 2112

(E) Any eligible clerk or qualified electronic motor vehicle 2113
dealer may make an application to the registrar for appointment as 2114
a limited authority deputy registrar. With the approval of the 2115
director of public safety, the registrar shall make the 2116
appointments from the applications submitted, based upon the 2117
discretion of the registrar and director and not upon a 2118

competitive basis. 2119

(F) A limited authority deputy registrar is not subject to 2120
the contribution limits of division (B) of section 4503.03 of the 2121
Revised Code or the filing requirement of division (A) of section 2122
4503.033 of the Revised Code. 2123

Sec. 4503.04. ~~Until the rates established under~~ Except as 2124
provided in section 4503.042 of the Revised Code for the 2125
registration of commercial cars, trailers, semitrailers, and 2126
certain buses ~~other than transit buses become operative,~~ the rates 2127
of the taxes imposed by section 4503.02 of the Revised Code shall 2128
be as follows: 2129

(A) For motor vehicles having three wheels or less, the 2130
license tax is: 2131

(1) For each motorized bicycle, ten dollars; 2132

(2) For each motorcycle, fourteen dollars. 2133

(B) For each passenger car, twenty dollars; 2134

(C) For each manufactured home, each mobile home, and each 2135
travel trailer, ten dollars; 2136

(D) For each noncommercial motor vehicle designed by the 2137
manufacturer to carry a load of no more than three-quarters of one 2138
ton and for each motor home, thirty-five dollars; for each 2139
noncommercial motor vehicle designed by the manufacturer to carry 2140
a load of more than three-quarters of one ton, but not more than 2141
one ton, seventy dollars; 2142

~~(E) For each commercial car and for each trailer or~~ 2143
~~semitrailer, except a manufactured or mobile home or noncommercial~~ 2144
~~trailer, which shall not be taxed by this division, the license~~ 2145
~~tax is fifteen dollars plus:~~ 2146

~~(1) Eighty five cents for each one hundred pounds or part~~ 2147

thereof for the first two thousand pounds or part thereof of	2148
weight of vehicle fully equipped;	2149
(2) One dollar and forty cents for each one hundred pounds or	2150
part thereof in excess of two thousand pounds up to and including	2151
three thousand pounds;	2152
(3) One dollar and ninety cents for each one hundred pounds	2153
or part thereof in excess of three thousand pounds up to and	2154
including four thousand pounds;	2155
(4) Two dollars and twenty cents for each one hundred pounds	2156
or part thereof in excess of four thousand pounds up to and	2157
including five thousand pounds;	2158
(5) Two dollars and forty cents for each one hundred pounds	2159
or part thereof in excess of five thousand pounds up to and	2160
including six thousand pounds;	2161
(6) Two dollars and eighty cents for each one hundred pounds	2162
or part thereof in excess of six thousand pounds up to and	2163
including ten thousand pounds;	2164
(7) Three dollars for each one hundred pounds or part thereof	2165
in excess of ten thousand pounds up to and including twelve	2166
thousand pounds;	2167
(8) Three dollars and twenty five cents for each one hundred	2168
pounds or part thereof in excess of twelve thousand pounds.	2169
(F) For each noncommercial trailer, the license tax is:	2170
(1) Eighty-five cents for each one hundred pounds or part	2171
thereof for the first two thousand pounds or part thereof of	2172
weight of vehicle fully equipped;	2173
(2) One dollar and forty cents for each one hundred pounds or	2174
part thereof in excess of two thousand pounds up to and including	2175
three thousand pounds.	2176
(G)(F) Notwithstanding its weight, twelve dollars for any:	2177

(1) Vehicle equipped, owned, and used by a charitable or nonprofit corporation exclusively for the purpose of administering chest x-rays or receiving blood donations;	2178
	2179
	2180
(2) Van used principally for the transportation of handicapped persons that has been modified by being equipped with adaptive equipment to facilitate the movement of such persons into and out of the van-	2181
	2182
	2183
	2184
(H) For each bus, except a transit bus, having motor power the license tax is:	2185
	2186
(1) Eighty five cents per one hundred pounds or part thereof for the first two thousand pounds or part thereof of weight of vehicle fully equipped;	2187
	2188
	2189
(2) One dollar and thirty cents for each one hundred pounds or part thereof in excess of two thousand pounds up to and including three thousand pounds;	2190
	2191
	2192
(3) One dollar and eighty cents for each one hundred pounds or part thereof in excess of three thousand pounds up to and including four thousand pounds;	2193
	2194
	2195
(4) Two dollars and ten cents for each one hundred pounds or part thereof in excess of four thousand pounds up to and including six thousand pounds;	2196
	2197
	2198
(5) Two dollars and forty cents for each one hundred pounds or part thereof in excess of six thousand pounds up to and including ten thousand pounds;	2199
	2200
	2201
(6) Two dollars and seventy cents for each one hundred pounds or part thereof in excess of ten thousand pounds;	2202
	2203
(7) Notwithstanding its weight, twelve dollars for any bus;	2204
<u>(3) Bus</u> used principally for the transportation of handicapped persons or persons sixty-five years of age or older;	2205
	2206
(8) <u>(G)</u> Notwithstanding its weight, twenty dollars for any bus	2207

used principally for the transportation of persons in a 2208
ridesharing arrangement. 2209

~~(I)~~(H) For each transit bus having motor power the license 2210
tax is twelve dollars. 2211

"Transit bus" means either a motor vehicle having a seating 2212
capacity of more than seven persons which is operated and used by 2213
any person in the rendition of a public mass transportation 2214
service primarily in a municipal corporation or municipal 2215
corporations and provided at least seventy-five per cent of the 2216
annual mileage of such service and use is within such municipal 2217
corporation or municipal corporations or a motor vehicle having a 2218
seating capacity of more than seven persons which is operated 2219
solely for the transportation of persons associated with a 2220
charitable or nonprofit corporation, but does not mean any motor 2221
vehicle having a seating capacity of more than seven persons when 2222
such vehicle is used in a ridesharing capacity or any bus 2223
described by division (F)(3) of this section. 2224

The application for registration of such transit bus shall be 2225
accompanied by an affidavit prescribed by the registrar of motor 2226
vehicles and signed by the person or an agent of the firm or 2227
corporation operating such bus stating that the bus has a seating 2228
capacity of more than seven persons, and that it is either to be 2229
operated and used in the rendition of a public mass transportation 2230
service and that at least seventy-five per cent of the annual 2231
mileage of such operation and use shall be within one or more 2232
municipal corporations or that it is to be operated solely for the 2233
transportation of persons associated with a charitable or 2234
nonprofit corporation. 2235

The form of the license plate, and the manner of its 2236
attachment to the vehicle, shall be prescribed by the registrar of 2237
motor vehicles. 2238

~~(F)~~(I) The minimum tax for any vehicle having motor power 2239
other than a farm truck, a motorized bicycle, or motorcycle is ten 2240
dollars and eighty cents, and for each noncommercial trailer, five 2241
dollars. 2242

~~(K)~~(J)(1) Except as otherwise provided in division ~~(K)~~(J) of 2243
this section, for each farm truck, except a noncommercial motor 2244
vehicle, that is owned, controlled, or operated by one or more 2245
farmers exclusively in farm use as defined in this section, and 2246
not for commercial purposes, and provided that at least 2247
seventy-five per cent of such farm use is by or for the one or 2248
more owners, controllers, or operators of the farm in the 2249
operation of which a farm truck is used, the license tax is five 2250
dollars plus: 2251

(a) Fifty cents per one hundred pounds or part thereof for 2252
the first three thousand pounds; 2253

(b) Seventy cents per one hundred pounds or part thereof in 2254
excess of three thousand pounds up to and including four thousand 2255
pounds; 2256

(c) Ninety cents per one hundred pounds or part thereof in 2257
excess of four thousand pounds up to and including six thousand 2258
pounds; 2259

(d) Two dollars for each one hundred pounds or part thereof 2260
in excess of six thousand pounds up to and including ten thousand 2261
pounds; 2262

(e) Two dollars and twenty-five cents for each one hundred 2263
pounds or part thereof in excess of ten thousand pounds; 2264

(f) The minimum license tax for any farm truck shall be 2265
twelve dollars. 2266

(2) The owner of a farm truck may register the truck for a 2267
period of one-half year by paying one-half the registration tax 2268

imposed on the truck under this chapter and one-half the amount of 2269
any tax imposed on the truck under Chapter 4504. of the Revised 2270
Code. 2271

(3) A farm bus may be registered for a period of ninety days 2272
from the date of issue of the license plates for the bus, for a 2273
fee of ten dollars, provided such license plates shall not be 2274
issued for more than any two ninety-day periods in any calendar 2275
year. Such use does not include the operation of trucks by 2276
commercial processors of agricultural products. 2277

(4) License plates for farm trucks and for farm buses shall 2278
have some distinguishing marks, letters, colors, or other 2279
characteristics to be determined by the director of public safety. 2280

(5) Every person registering a farm truck or bus under this 2281
section shall furnish an affidavit certifying that the truck or 2282
bus licensed to that person is to be so used as to meet the 2283
requirements necessary for the farm truck or farm bus 2284
classification. 2285

Any farmer may use a truck owned by the farmer for commercial 2286
purposes by paying the difference between the commercial truck 2287
registration fee and the farm truck registration fee for the 2288
remaining part of the registration period for which the truck is 2289
registered. Such remainder shall be calculated from the beginning 2290
of the semiannual period in which application for such commercial 2291
license is made. 2292

Taxes at the rates provided in this section are in lieu of 2293
all taxes on or with respect to the ownership of such motor 2294
vehicles, except as provided in section 4503.042 and section 2295
4503.06 of the Revised Code. 2296

~~(L)~~(K) Other than trucks registered under the international 2297
registration plan in another jurisdiction and for which this state 2298
has received an apportioned registration fee, the license tax for 2299

each truck which is owned, controlled, or operated by a 2300
nonresident, and licensed in another state, and which is used 2301
exclusively for the transportation of nonprocessed agricultural 2302
products intrastate, from the place of production to the place of 2303
processing, is twenty-four dollars. 2304

"Truck," as used in this division, means any pickup truck, 2305
straight truck, semitrailer, or trailer other than a travel 2306
trailer. Nonprocessed agricultural products, as used in this 2307
division, does not include livestock or grain. 2308

A license issued under this division shall be issued for a 2309
period of one hundred thirty days in the same manner in which all 2310
other licenses are issued under this section, provided that no 2311
truck shall be so licensed for more than one 2312
one_hundred_thirty-day period during any calendar year. 2313

The license issued pursuant to this division shall consist of 2314
a windshield decal to be designed by the director of public 2315
safety. 2316

Every person registering a truck under this division shall 2317
furnish an affidavit certifying that the truck licensed to the 2318
person is to be used exclusively for the purposes specified in 2319
this division. 2320

~~(M)~~(L) Every person registering a motor vehicle as a 2321
noncommercial motor vehicle as defined in section 4501.01 of the 2322
Revised Code, or registering a trailer as a noncommercial trailer 2323
as defined in that section, shall furnish an affidavit certifying 2324
that the motor vehicle or trailer so licensed to the person is to 2325
be so used as to meet the requirements necessary for the 2326
noncommercial vehicle classification. 2327

~~(N)~~(M) Every person registering a van or bus as provided in 2328
divisions ~~(G)~~(F)(2) and ~~(H)~~(7)(3) of this section shall furnish a 2329
notarized statement certifying that the van or bus licensed to the 2330

person is to be used for the purposes specified in those 2331
divisions. The form of the license plate issued for such motor 2332
vehicles shall be prescribed by the registrar. 2333

~~(O)~~(N) Every person registering as a passenger car a motor 2334
vehicle designed and used for carrying more than nine but not more 2335
than fifteen passengers, and every person registering a bus as 2336
provided in division ~~(H)~~~~(8)~~(G) of this section, shall furnish an 2337
affidavit certifying that the vehicle so licensed to the person is 2338
to be used in a ridesharing arrangement and that the person will 2339
have in effect whenever the vehicle is used in a ridesharing 2340
arrangement a policy of liability insurance with respect to the 2341
motor vehicle in amounts and coverages no less than those required 2342
by section 4509.79 of the Revised Code. The form of the license 2343
plate issued for such a motor vehicle shall be prescribed by the 2344
registrar. 2345

~~(P)~~(O) As used in this section: 2346

(1) "Van" means any motor vehicle having a single rear axle 2347
and an enclosed body without a second seat. 2348

(2) "Handicapped person" means any person who has lost the 2349
use of one or both legs, or one or both arms, or is blind, deaf, 2350
or so severely disabled as to be unable to move about without the 2351
aid of crutches or a wheelchair. 2352

(3) "Farm truck" means a truck used in the transportation 2353
from the farm of products of the farm, including livestock and its 2354
products, poultry and its products, floricultural and 2355
horticultural products, and in the transportation to the farm of 2356
supplies for the farm, including tile, fence, and every other 2357
thing or commodity used in agricultural, floricultural, 2358
horticultural, livestock, and poultry production and livestock, 2359
poultry, and other animals and things used for breeding, feeding, 2360
or other purposes connected with the operation of the farm. 2361

(4) "Farm bus" means a bus used only for the transportation 2362
of agricultural employees and used only in the transportation of 2363
such employees as are necessary in the operation of the farm. 2364

(5) "Farm supplies" includes fuel used exclusively in the 2365
operation of a farm, including one or more homes located on and 2366
used in the operation of one or more farms, and furniture and 2367
other things used in and around such homes. 2368

Sec. 4503.041. (A) The original owner of any trailer weighing 2369
four thousand pounds or less and used exclusively for 2370
noncommercial purposes ~~shall~~, upon application for initial 2371
registration, shall obtain and present such evidence of the 2372
trailer's weight as the registrar of motor vehicles may require. 2373
Whenever an application for registration other than an initial 2374
application by the original owner is made for a trailer to which 2375
this section applies, the application shall be accompanied by an 2376
affidavit, prescribed by the registrar and signed by the present 2377
owner, stating that the weight of the trailer is the same as that 2378
indicated by the evidence obtained and presented for initial 2379
registration by the original owner, and no other evidence of 2380
weight shall be required. This section does not apply to the owner 2381
of a boat trailer being registered in accordance with section 2382
4503.173 of the Revised Code. 2383

(B) The owner of a trailer described in division (A) of this 2384
section or the operator of a motor vehicle towing such a trailer 2385
may tow the trailer directly to and from a scale facility for the 2386
purpose of determining the trailer's weight prior to the 2387
registration of the trailer provided that at the time of such 2388
towing the owner or operator has in the owner's or operator's 2389
possession an official weight slip prescribed by the registrar and 2390
provided the trailer does not carry any load during such towing. 2391

Sec. 4503.042. The registrar of motor vehicles shall adopt 2392
rules establishing the date, subsequent to this state's entry into 2393
membership in the international registration plan, when the rates 2394
established by this section become operative. 2395

(A) The rates of the taxes imposed by section 4503.02 of the 2396
Revised Code are as follows for commercial cars having a gross 2397
vehicle weight or combined gross vehicle weight of: 2398

(1) Not more than two thousand pounds, forty-five dollars; 2399

(2) More than two thousand but not more than six thousand 2400
pounds, seventy dollars; 2401

(3) More than six thousand but not more than ten thousand 2402
pounds, eighty-five dollars; 2403

(4) More than ten thousand but not more than fourteen 2404
thousand pounds, one hundred five dollars; 2405

(5) More than fourteen thousand but not more than eighteen 2406
thousand pounds, one hundred twenty-five dollars; 2407

(6) More than eighteen thousand but not more than twenty-two 2408
thousand pounds, one hundred fifty dollars; 2409

(7) More than twenty-two thousand but not more than 2410
twenty-six thousand pounds, one hundred seventy-five dollars; 2411

(8) More than twenty-six thousand but not more than thirty 2412
thousand pounds, three hundred fifty-five dollars; 2413

(9) More than thirty thousand but not more than thirty-four 2414
thousand pounds, four hundred twenty dollars; 2415

(10) More than thirty-four thousand but not more than 2416
thirty-eight thousand pounds, four hundred eighty dollars; 2417

(11) More than thirty-eight thousand but not more than 2418
forty-two thousand pounds, five hundred forty dollars; 2419

(12) More than forty-two thousand but not more than forty-six thousand pounds, six hundred dollars;	2420 2421
(13) More than forty-six thousand but not more than fifty thousand pounds, six hundred sixty dollars;	2422 2423
(14) More than fifty thousand but not more than fifty-four thousand pounds, seven hundred twenty-five dollars;	2424 2425
(15) More than fifty-four thousand but not more than fifty-eight thousand pounds, seven hundred eighty-five dollars;	2426 2427
(16) More than fifty-eight thousand but not more than sixty-two thousand pounds, eight hundred fifty-five dollars;	2428 2429
(17) More than sixty-two thousand but not more than sixty-six thousand pounds, nine hundred twenty-five dollars;	2430 2431
(18) More than sixty-six thousand but not more than seventy thousand pounds, nine hundred ninety-five dollars;	2432 2433
(19) More than seventy thousand but not more than seventy-four thousand pounds, one thousand eighty dollars;	2434 2435
(20) More than seventy-four thousand but not more than seventy-eight thousand pounds, one thousand two hundred dollars;	2436 2437
(21) More than seventy-eight thousand pounds, one thousand three hundred forty dollars.	2438 2439
(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:	2440 2441 2442
(1) Not more than two thousand pounds, ten dollars;	2443
(2) More than two thousand but not more than six thousand pounds, forty dollars;	2444 2445
(3) More than six thousand but not more than ten thousand pounds, one hundred dollars;	2446 2447
(4) More than ten thousand but not more than fourteen	2448

thousand pounds, one hundred eighty dollars;	2449
(5) More than fourteen thousand but not more than eighteen thousand pounds, two hundred sixty dollars;	2450 2451
(6) More than eighteen thousand but not more than twenty-two thousand pounds, three hundred forty dollars;	2452 2453
(7) More than twenty-two thousand but not more than twenty-six thousand pounds, four hundred twenty dollars;	2454 2455
(8) More than twenty-six thousand but not more than thirty thousand pounds, five hundred dollars;	2456 2457
(9) More than thirty thousand but not more than thirty-four thousand pounds, five hundred eighty dollars;	2458 2459
(10) More than thirty-four thousand but not more than thirty-eight thousand pounds, six hundred sixty dollars;	2460 2461
(11) More than thirty-eight thousand but not more than forty-two thousand pounds, seven hundred forty dollars;	2462 2463
(12) More than forty-two thousand but not more than forty-six thousand pounds, eight hundred twenty dollars;	2464 2465
(13) More than forty-six thousand but not more than fifty thousand pounds, nine hundred forty dollars;	2466 2467
(14) More than fifty thousand but not more than fifty-four thousand pounds, one thousand dollars;	2468 2469
(15) More than fifty-four thousand but not more than fifty-eight thousand pounds, one thousand ninety dollars;	2470 2471
(16) More than fifty-eight thousand but not more than sixty-two thousand pounds, one thousand one hundred eighty dollars;	2472 2473 2474
(17) More than sixty-two thousand but not more than sixty-six thousand pounds, one thousand two hundred seventy dollars;	2475 2476
(18) More than sixty-six thousand but not more than seventy	2477

thousand pounds, one thousand three hundred sixty dollars;	2478
(19) More than seventy thousand but not more than	2479
seventy-four thousand pounds, one thousand four hundred fifty	2480
dollars;	2481
(20) More than seventy-four thousand but not more than	2482
seventy-eight thousand pounds, one thousand five hundred forty	2483
dollars;	2484
(21) More than seventy-eight thousand pounds, one thousand	2485
six hundred thirty dollars.	2486
(C) In addition to the license taxes imposed at the rates	2487
specified in divisions (A) and (B) of this section, an	2488
administrative fee of two <u>three</u> dollars and twenty-five cents,	2489
plus an appropriate amount to cover the cost of postage, shall be	2490
collected by the registrar for each international registration	2491
plan license processed by the registrar. <u>If the deputy registrar</u>	2492
<u>fees are increased on January 1, 2004, in accordance with section</u>	2493
<u>4503.034 of the Revised Code, the administrative fee collected</u>	2494
<u>under this section is three dollars and fifty cents, commencing on</u>	2495
<u>that date, plus postage.</u>	2496
(D) The rate of the tax for each trailer and semitrailer is	2497
twenty-five dollars.	2498
(E) The rates established by this section shall not apply to	2499
any of the following:	2500
(1) Vehicles equipped, owned, and used by a charitable or	2501
nonprofit corporation exclusively for the purpose of administering	2502
chest x-rays or receiving blood donations;	2503
(2) Vans used principally for the transportation of	2504
handicapped persons that have been modified by being equipped with	2505
adaptive equipment to facilitate the movement of such persons into	2506
and out of the vans;	2507

- (3) Buses used principally for the transportation of 2508
handicapped persons or persons sixty-five years of age or older; 2509
- (4) Buses used principally for the transportation of persons 2510
in a ridesharing arrangement; 2511
- (5) Transit buses having motor power; 2512
- (6) Noncommercial trailers, mobile homes, or manufactured 2513
homes. 2514

Sec. 4503.10. (A) The owner of every snowmobile, off-highway 2515
motorcycle, and all-purpose vehicle required to be registered 2516
under section 4519.02 of the Revised Code shall file an 2517
application for registration under section 4519.03 of the Revised 2518
Code. The owner of a motor vehicle, other than a snowmobile, 2519
off-highway motorcycle, or all-purpose vehicle, that is not 2520
designed and constructed by the manufacturer for operation on a 2521
street or highway may not register it under this chapter except 2522
upon certification of inspection pursuant to section 4513.02 of 2523
the Revised Code by the sheriff, or the chief of police of the 2524
municipal corporation or township, with jurisdiction over the 2525
political subdivision in which the owner of the motor vehicle 2526
resides. Except as provided in section 4503.103 of the Revised 2527
Code, every owner of every other motor vehicle not previously 2528
described in this section and every person mentioned as owner in 2529
the last certificate of title of a motor vehicle that is operated 2530
or driven upon the public roads or highways shall cause to be 2531
filed each year, by mail or otherwise, in the office of the 2532
registrar of motor vehicles or a deputy registrar, a written or 2533
electronic application or a preprinted registration renewal notice 2534
issued under section 4503.102 of the Revised Code, the form of 2535
which shall be prescribed by the registrar, for registration for 2536
the following registration year, which shall begin on the first 2537
day of January of every calendar year and end on the thirty-first 2538

day of December in the same year. Applications for registration 2539
and registration renewal notices shall be filed at the times 2540
established by the registrar pursuant to section 4503.101 of the 2541
Revised Code. A motor vehicle owner also may elect to apply for or 2542
renew a motor vehicle registration by electronic means using 2543
electronic signature in accordance with rules adopted by the 2544
registrar. Except as provided in division (J) of this section, 2545
applications for registration shall be made on blanks furnished by 2546
the registrar for that purpose, containing the following 2547
information: 2548

(1) A brief description of the motor vehicle to be 2549
registered, including the ~~name of the manufacturer, the factory~~ 2550
~~number of the vehicle, the year's model year, make, model, and~~ 2551
vehicle identification number, and, in the case of commercial 2552
cars, the gross weight of the vehicle fully equipped computed in 2553
the manner prescribed in section 4503.08 of the Revised Code; 2554

(2) The name and residence address of the owner, and the 2555
township and municipal corporation in which the owner resides; 2556

(3) The district of registration, which shall be determined 2557
as follows: 2558

(a) In case the motor vehicle to be registered is used for 2559
hire or principally in connection with any established business or 2560
branch business, conducted at a particular place, the district of 2561
registration is the municipal corporation in which that place is 2562
located or, if not located in any municipal corporation, the 2563
county and township in which that place is located. 2564

(b) In case the vehicle is not so used, the district of 2565
registration is the municipal corporation or county in which the 2566
owner resides at the time of making the application. 2567

(4) Whether the motor vehicle is a new or used motor vehicle; 2568

(5) The date of purchase of the motor vehicle; 2569

(6) Whether the fees required to be paid for the registration 2570
or transfer of the motor vehicle, during the preceding 2571
registration year and during the preceding period of the current 2572
registration year, have been paid. Each application for 2573
registration shall be signed by the owner, either manually or by 2574
electronic signature, or pursuant to obtaining a limited power of 2575
attorney authorized by the registrar for registration, or other 2576
document authorizing such signature. If the owner elects to apply 2577
for or renew the motor vehicle registration with the registrar by 2578
electronic means, the owner's manual signature is not required. 2579

(7) The owner's social security number, if assigned, or, 2580
where a motor vehicle to be registered is used for hire or 2581
principally in connection with any established business, the 2582
owner's federal taxpayer identification number. The bureau of 2583
motor vehicles shall retain in its records all social security 2584
numbers provided under this section, but the bureau shall not 2585
place social security numbers on motor vehicle certificates of 2586
registration. 2587

(B) ~~Each~~ Except as otherwise provided in this division, each 2588
time an applicant first registers a motor vehicle in the 2589
applicant's name, the applicant shall present for inspection a 2590
physical certificate of title or memorandum certificate showing 2591
title to the motor vehicle to be registered in the name of the 2592
applicant if a physical certificate of title or memorandum 2593
certificate has been issued by a clerk of a court of common pleas. 2594
If, under sections 4505.021, 4505.06, and 4505.08 of the Revised 2595
Code, a clerk instead has issued an electronic certificate of 2596
title for the applicant's motor vehicle, that certificate may be 2597
presented for inspection at the time of first registration in a 2598
manner prescribed by rules adopted by the registrar. An applicant 2599
is not required to present a certificate of title to an electronic 2600
motor vehicle dealer acting as a limited authority deputy 2601

registrar in accordance with rules adopted by the registrar. When 2602
a motor vehicle inspection and maintenance program is in effect 2603
under section 3704.14 of the Revised Code and rules adopted under 2604
it, each application for registration for a vehicle required to be 2605
inspected under that section and those rules shall be accompanied 2606
by an inspection certificate for the motor vehicle issued in 2607
accordance with that section. The application shall be refused if 2608
any of the following applies: 2609

(1) The application is not in proper form. 2610

(2) The application is prohibited from being accepted by 2611
division (D) of section 2935.27, division (A) of section 2937.221, 2612
division (A) of section 4503.13, division (B) of section 4510.22, 2613
or division (B)(1) of section 4521.10 of the Revised Code. 2614

(3) A certificate of title or memorandum certificate of title 2615
is required but does not accompany the application or, in the case 2616
of an electronic certificate of title, is required but is not 2617
presented in a manner prescribed by the registrar's rules. 2618

(4) All registration and transfer fees for the motor vehicle, 2619
for the preceding year or the preceding period of the current 2620
registration year, have not been paid. 2621

(5) The owner or lessee does not have an inspection 2622
certificate for the motor vehicle as provided in section 3704.14 2623
of the Revised Code, and rules adopted under it, if that section 2624
is applicable. 2625

This section does not require the payment of license or 2626
registration taxes on a motor vehicle for any preceding year, or 2627
for any preceding period of a year, if the motor vehicle was not 2628
taxable for that preceding year or period under sections 4503.02, 2629
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 2630
Revised Code. When a certificate of registration is issued upon 2631
the first registration of a motor vehicle by or on behalf of the 2632

owner, the official issuing the certificate shall indicate the 2633
issuance with a stamp on the certificate of title or memorandum 2634
certificate or, in the case of an electronic certificate of title, 2635
an electronic stamp or other notation as specified in rules 2636
adopted by the registrar, and with a stamp on the inspection 2637
certificate for the motor vehicle, if any. The official also shall 2638
indicate, by a stamp or by other means the registrar prescribes, 2639
on the registration certificate issued upon the first registration 2640
of a motor vehicle by or on behalf of the owner the odometer 2641
reading of the motor vehicle as shown in the odometer statement 2642
included in or attached to the certificate of title. Upon each 2643
subsequent registration of the motor vehicle by or on behalf of 2644
the same owner, the official also shall so indicate the odometer 2645
reading of the motor vehicle as shown on the immediately preceding 2646
certificate of registration. 2647

The registrar shall include in the permanent registration 2648
record of any vehicle required to be inspected under section 2649
3704.14 of the Revised Code the inspection certificate number from 2650
the inspection certificate that is presented at the time of 2651
registration of the vehicle as required under this division. 2652

(C)(1) Commencing with each registration renewal with an 2653
expiration date on or after October 1, 2003, and for each initial 2654
application for registration received on and after that date, the 2655
registrar and each deputy registrar shall collect an additional 2656
fee of eleven dollars for each application for registration and 2657
registration renewal received. The additional fee is for the 2658
purpose of defraying the department of public safety's costs 2659
associated with the administration and enforcement of the motor 2660
vehicle and traffic laws of Ohio. Each deputy registrar shall 2661
transmit the fees collected under division (C)(1) of this section 2662
in the time and manner provided in this section. The registrar 2663
shall deposit all moneys received under division (C)(1) of this 2664

section into the state highway safety fund established in section 2665
4501.06 of the Revised Code. 2666

(2) In addition, a charge of twenty-five cents shall be made 2667
for each reflectorized safety license plate issued, and a single 2668
charge of twenty-five cents shall be made for each county 2669
identification sticker or each set of county identification 2670
stickers issued, as the case may be, to cover the cost of 2671
producing the license plates and stickers, including material, 2672
manufacturing, and administrative costs. Those fees shall be in 2673
addition to the license tax. If the total cost of producing the 2674
plates is less than twenty-five cents per plate, or if the total 2675
cost of producing the stickers is less than twenty-five cents per 2676
sticker or per set issued, any excess moneys accruing from the 2677
fees shall be distributed in the same manner as provided by 2678
section 4501.04 of the Revised Code for the distribution of 2679
license tax moneys. If the total cost of producing the plates 2680
exceeds twenty-five cents per plate, or if the total cost of 2681
producing the stickers exceeds twenty-five cents per sticker or 2682
per set issued, the difference shall be paid from the license tax 2683
moneys collected pursuant to section 4503.02 of the Revised Code. 2684

(D) Each deputy registrar shall be allowed a fee of two 2685
dollars and seventy-five cents commencing on July 1, 2001, three 2686
dollars and twenty-five cents commencing on January 1, 2003, and 2687
three dollars and fifty cents commencing on January 1, 2004, for 2688
each application for registration and registration renewal notice 2689
the deputy registrar receives, which shall be for the purpose of 2690
compensating the deputy registrar for the deputy registrar's 2691
services, and such office and rental expenses, as may be necessary 2692
for the proper discharge of the deputy registrar's duties in the 2693
receiving of applications and renewal notices and the issuing of 2694
registrations. 2695

(E) Upon the certification of the registrar, the county 2696

sheriff or local police officials shall recover license plates 2697
erroneously or fraudulently issued. 2698

(F) Each deputy registrar, upon receipt of any application 2699
for registration or registration renewal notice, together with the 2700
license fee and any local motor vehicle license tax levied 2701
pursuant to Chapter 4504. of the Revised Code, shall transmit that 2702
fee and tax, if any, in the manner provided in this section, 2703
together with the original and duplicate copy of the application, 2704
to the registrar. The registrar, subject to the approval of the 2705
director of public safety, may deposit the funds collected by 2706
those deputies in a local bank or depository to the credit of the 2707
"state of Ohio, bureau of motor vehicles." Where a local bank or 2708
depository has been designated by the registrar, each deputy 2709
registrar shall deposit all moneys collected by the deputy 2710
registrar into that bank or depository not more than one business 2711
day after their collection and shall make reports to the registrar 2712
of the amounts so deposited, together with any other information, 2713
some of which may be prescribed by the treasurer of state, as the 2714
registrar may require and as prescribed by the registrar by rule. 2715
The registrar, within three days after receipt of notification of 2716
the deposit of funds by a deputy registrar in a local bank or 2717
depository, shall draw on that account in favor of the treasurer 2718
of state. The registrar, subject to the approval of the director 2719
and the treasurer of state, may make reasonable rules necessary 2720
for the prompt transmittal of fees and for safeguarding the 2721
interests of the state and of counties, townships, municipal 2722
corporations, and transportation improvement districts levying 2723
local motor vehicle license taxes. The registrar may pay service 2724
charges usually collected by banks and depositories for such 2725
service. If deputy registrars are located in communities where 2726
banking facilities are not available, they shall transmit the fees 2727
forthwith, by money order or otherwise, as the registrar, by rule 2728
approved by the director and the treasurer of state, may 2729

prescribe. The registrar may pay the usual and customary fees for 2730
such service. 2731

(G) This section does not prevent any person from making an 2732
application for a motor vehicle license directly to the registrar 2733
by mail, by electronic means, or in person at any of the 2734
registrar's offices, upon payment of a service fee of two dollars 2735
and seventy-five cents commencing on July 1, 2001, three dollars 2736
and twenty-five cents commencing on January 1, 2003, and three 2737
dollars and fifty cents commencing on January 1, 2004, for each 2738
application. 2739

(H) No person shall make a false statement as to the district 2740
of registration in an application required by division (A) of this 2741
section. Violation of this division is falsification under section 2742
2921.13 of the Revised Code and punishable as specified in that 2743
section. 2744

(I)(1) Where applicable, the requirements of division (B) of 2745
this section relating to the presentation of an inspection 2746
certificate issued under section 3704.14 of the Revised Code and 2747
rules adopted under it for a motor vehicle, the refusal of a 2748
license for failure to present an inspection certificate, and the 2749
stamping of the inspection certificate by the official issuing the 2750
certificate of registration apply to the registration of and 2751
issuance of license plates for a motor vehicle under sections 2752
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 2753
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 2754
4503.47, and 4503.51 of the Revised Code. 2755

(2)(a) The registrar shall adopt rules ensuring that each 2756
owner registering a motor vehicle in a county where a motor 2757
vehicle inspection and maintenance program is in effect under 2758
section 3704.14 of the Revised Code and rules adopted under it 2759
receives information about the requirements established in that 2760
section and those rules and about the need in those counties to 2761

present an inspection certificate with an application for 2762
registration or preregistration. 2763

(b) Upon request, the registrar shall provide the director of 2764
environmental protection, or any person that has been awarded a 2765
contract under division (D) of section 3704.14 of the Revised 2766
Code, an on-line computer data link to registration information 2767
for all passenger cars, noncommercial motor vehicles, and 2768
commercial cars that are subject to that section. The registrar 2769
also shall provide to the director of environmental protection a 2770
magnetic data tape containing registration information regarding 2771
passenger cars, noncommercial motor vehicles, and commercial cars 2772
for which a multi-year registration is in effect under section 2773
4503.103 of the Revised Code or rules adopted under it, including, 2774
without limitation, the date of issuance of the multi-year 2775
registration, the registration deadline established under rules 2776
adopted under section 4503.101 of the Revised Code that was 2777
applicable in the year in which the multi-year registration was 2778
issued, and the registration deadline for renewal of the 2779
multi-year registration. 2780

(J) Application for registration under the international 2781
registration plan, as set forth in sections 4503.60 to 4503.66 of 2782
the Revised Code, shall be made to the registrar on forms 2783
furnished by the registrar. In accordance with international 2784
registration plan guidelines and pursuant to rules adopted by the 2785
registrar, the forms shall include the following: 2786

(1) A uniform mileage schedule; 2787

(2) The gross vehicle weight of the vehicle or combined gross 2788
vehicle weight of the combination vehicle as declared by the 2789
registrant; 2790

(3) Any other information the registrar requires by rule. 2791

Sec. 4503.12. (A) Upon the transfer of ownership of a motor 2792
vehicle, the registration of the motor vehicle expires, and the 2793
original owner immediately shall remove the license plates from 2794
the motor vehicle, except that: 2795

(1) If a statutory merger or consolidation results in the 2796
transfer of ownership of a motor vehicle from a constituent 2797
corporation to the surviving corporation, or if the incorporation 2798
of a proprietorship or partnership results in the transfer of 2799
ownership of a motor vehicle from the proprietorship or 2800
partnership to the corporation, the registration shall be 2801
continued upon the filing by the surviving or new corporation, 2802
within thirty days of such transfer, of an application for an 2803
amended certificate of registration, ~~unless such registration is~~ 2804
~~prohibited by division (D) of section 2935.27, division (A) of~~ 2805
~~section 2937.221, division (B) of section 4507.168, or division~~ 2806
~~(B)(1) of section 4521.10 of the Revised Code. The application~~ 2807
~~shall be accompanied by a service fee of two dollars and~~ 2808
~~seventy five cents commencing on July 1, 2001, three dollars and~~ 2809
~~twenty five cents commencing on January 1, 2003, and three dollars~~ 2810
~~and fifty cents commencing on January 1, 2004, a transfer fee of~~ 2811
~~one dollar, and the original certificate of registration. Upon a~~ 2812
proper filing, the registrar of motor vehicles shall issue an 2813
amended certificate of registration in the name of the new owner. 2814

(2) If the death of the owner of a motor vehicle results in 2815
the transfer of ownership of the motor vehicle to the surviving 2816
spouse of the owner or if a motor vehicle is owned by two persons 2817
under joint ownership with right of survivorship established under 2818
section 2131.12 of the Revised Code and one of those persons dies, 2819
the registration shall be continued upon the filing by the 2820
survivor of an application for an amended certificate of 2821
registration, ~~unless such registration is prohibited by division~~ 2822
~~(D) of section 2935.27, division (A) of section 2937.221, division~~ 2823

~~(A) of section 4503.13, division (B) of section 4510.22, or 2824
division (B)(1) of section 4521.10 of the Revised Code. The 2825
application shall be accompanied by a service fee of two dollars 2826
and seventy five cents commencing on July 1, 2001, three dollars 2827
and twenty five cents commencing on January 1, 2003, and three 2828
dollars and fifty cents commencing on January 1, 2004, a transfer 2829
fee of one dollar, the original certificate of registration, and, 2830
in. In relation to a motor vehicle that is owned by two persons 2831
under joint ownership with right of survivorship established under 2832
section 2131.12 of the Revised Code, the application shall be 2833
accompanied by a copy of the certificate of title that specifies 2834
that the vehicle is owned under joint ownership with right of 2835
survivorship. Upon a proper filing, the registrar shall issue an 2836
amended certificate of registration in the name of the survivor. 2837~~

(3) If the death of the owner of a motor vehicle results in 2838
the transfer of ownership of the motor vehicle to a 2839
transfer-on-death beneficiary or beneficiaries designated under 2840
section 2131.13 of the Revised Code, the registration shall be 2841
continued upon the filing by the transfer-on-death beneficiary or 2842
beneficiaries of an application for an amended certificate of 2843
registration, ~~unless that registration is prohibited by division 2844
(D) of section 2935.27, division (A) of section 2937.221, division 2845
(A) of section 4503.13, division (B) of section 4510.22, or 2846
division (B)(1) of section 4521.10 of the Revised Code. The 2847
application shall be accompanied by a service fee of two dollars 2848
and seventy five cents commencing on July 1, 2001, three dollars 2849
and twenty five cents commencing on January 1, 2003, and three 2850
dollars and fifty cents commencing on January 1, 2004, a transfer 2851
fee of one dollar, the original certificate of registration, and a 2852
copy of the certificate of title that specifies that the owner of 2853
the motor vehicle has designated the motor vehicle in beneficiary 2854
form under section 2131.13 of the Revised Code. Upon a proper 2855
filing, the registrar shall issue an amended certificate of 2856~~

registration in the name of the transfer-on-death beneficiary or 2857
beneficiaries. 2858

(4) If the original owner of a motor vehicle that has been 2859
transferred makes application for the registration of another 2860
motor vehicle at any time during the remainder of the registration 2861
period for which the transferred motor vehicle was registered, the 2862
owner, ~~unless such registration is prohibited by division (D) of~~ 2863
~~section 2935.27, division (A) of section 2937.221, division (A) of~~ 2864
~~section 4503.13, division (E) of section 4503.234, division (B) of~~ 2865
~~section 4510.22, or division (B)(1) of section 4521.10 of the~~ 2866
~~Revised Code,~~ may file an application for transfer of the 2867
registration and, where applicable, the license plates, 2868
~~accompanied by a service fee of two dollars and seventy five cents~~ 2869
~~commencing on July 1, 2001, three dollars and twenty five cents~~ 2870
~~commencing on January 1, 2003, and three dollars and fifty cents~~ 2871
~~commencing on January 1, 2004, a transfer fee of one dollar, and~~ 2872
~~the original certificate of registration.~~ The transfer of the 2873
registration and, where applicable, the license plates from the 2874
motor vehicle for which they originally were issued to a 2875
succeeding motor vehicle purchased by the same person in whose 2876
name the original registration and license plates were issued 2877
shall be done within a period not to exceed thirty days. During 2878
that thirty-day period, the license plates from the motor vehicle 2879
for which they originally were issued may be displayed on the 2880
succeeding motor vehicle, and the succeeding motor vehicle may be 2881
operated on the public roads and highways in this state. 2882

At the time of application for transfer, the registrar shall 2883
compute and collect the amount of tax due on the succeeding motor 2884
vehicle, based upon the amount that would be due on a new 2885
registration as of the date on which the transfer is made less a 2886
credit for the unused portion of the original registration 2887
beginning on that date. If the credit exceeds the amount of tax 2888

due on the new registration, no refund shall be made. In computing 2889
the amount of tax due and credits to be allowed under this 2890
division, the provisions of division (B)(1)(a) and (b) of section 2891
4503.11 of the Revised Code shall apply. As to passenger cars, 2892
noncommercial vehicles, motor homes, and motorcycles, transfers 2893
within or between these classes of motor vehicles only shall be 2894
allowed. If the succeeding motor vehicle is of a different class 2895
than the motor vehicle for which the registration originally was 2896
issued, new license plates also shall be issued upon the surrender 2897
of the license plates originally issued and payment of the fees 2898
provided in divisions (C) and (D) of section 4503.10 of the 2899
Revised Code. 2900

(5) The owner of a commercial car having a gross vehicle 2901
weight or combined gross vehicle weight of more than ten thousand 2902
pounds may transfer the registration of that commercial car to 2903
another commercial car the owner owns without transferring 2904
ownership of the first commercial car, ~~unless registration of the~~ 2905
~~second commercial car is prohibited by division (D) of section~~ 2906
~~2935.27, division (A) of section 2937.221, division (A) of section~~ 2907
~~4503.13, division (B) of section 4507.168, or division (B)(1) of~~ 2908
~~section 4521.10 of the Revised Code.~~ At any time during the 2909
remainder of the registration period for which the first 2910
commercial car was registered, the owner may file an application 2911
for the transfer of the registration and, where applicable, the 2912
license plates, accompanied by ~~a service fee of two dollars and~~ 2913
~~seventy five cents commencing on July 1, 2001, three dollars and~~ 2914
~~twenty five cents commencing on January 1, 2003, and three dollars~~ 2915
~~and fifty cents commencing on January 1, 2004, a transfer fee of~~ 2916
~~one dollar, and~~ the certificate of registration of the first 2917
commercial car. The amount of any tax due or credit to be allowed 2918
for a transfer of registration under this division shall be 2919
computed in accordance with division (A)(4) of this section. 2920

No commercial car to which a registration is transferred 2921
under this division shall be operated on a public road or highway 2922
in this state until after the transfer of registration is 2923
completed in accordance with this division. 2924

(6) Upon application to the registrar or a deputy registrar, 2925
a person who owns or leases a motor vehicle may transfer special 2926
license plates assigned to that vehicle to any other vehicle that 2927
the person owns or leases or that is owned or leased by the 2928
person's spouse. ~~The application shall be accompanied by a service 2929
fee of two dollars and seventy five cents commencing on July 1,~~ 2930
~~2001, three dollars and twenty five cents commencing on January 1,~~ 2931
~~2003, and three dollars and fifty cents commencing on January 1,~~ 2932
~~2004, a transfer fee of one dollar, and the original certificate 2933
of registration.~~ As appropriate, the application also shall be 2934
accompanied by a power of attorney for the registration of a 2935
leased vehicle and a written statement releasing the special 2936
plates to the applicant. Upon a proper filing, the registrar or 2937
deputy registrar shall assign the special license plates to the 2938
motor vehicle owned or leased by the applicant and issue a new 2939
certificate of registration for that motor vehicle. 2940

(7) If a corporation transfers the ownership of a motor 2941
vehicle to an affiliated corporation, the affiliated corporation 2942
may apply to the registrar for the transfer of the registration 2943
and any license plates. The registrar may require the applicant to 2944
submit documentation of the corporate relationship and shall 2945
determine whether the application for registration transfer is 2946
made in good faith and not for the purposes of circumventing the 2947
provisions of this chapter. Upon a proper filing, the registrar 2948
shall issue an amended certificate of registration in the name of 2949
the new owner. 2950

(B) An application under division (A) of this section shall 2951
be accompanied by a service fee of two dollars and seventy-five 2952

cents commencing on July 1, 2001, three dollars and twenty-five 2953
cents commencing on January 1, 2003, and three dollars and fifty 2954
cents commencing on January 1, 2004, a transfer fee of one dollar, 2955
and the original certificate of registration, if applicable. 2956

(C) Neither the registrar nor a deputy registrar shall 2957
transfer a registration under division (A) of this section if the 2958
registration is prohibited by division (D) of section 2935.27, 2959
division (A) of section 2937.221, division (A) of section 4503.13, 2960
division (D) of section 4503.234, division (B) of section 4510.22, 2961
or division (B)(1) of section 4521.10 of the Revised Code. 2962

(D) Whoever violates division (A) of this section is guilty 2963
of a misdemeanor of the fourth degree. 2964

~~(C)~~(E) As used in division (A)(6) of this section, "special 2965
license plates" means either of the following: 2966

(1) Any license plates for which the person to whom the 2967
license plates are issued must pay an additional fee in excess of 2968
the fees prescribed in section 4503.04 of the Revised Code, 2969
Chapter 4504. of the Revised Code, and the service fee prescribed 2970
in division (D) or (G) of section 4503.10 of the Revised Code; 2971

(2) License plates issued under section 4503.44 of the 2972
Revised Code. 2973

Sec. 4503.13. (A) A municipal court or county court, at the 2974
court's discretion, may order the clerk of the court to send to 2975
the registrar of motor vehicles a report containing the name, 2976
address, and such other information as the registrar may require 2977
by rule, of any person for whom an arrest warrant has been issued 2978
by that court and is outstanding. 2979

Upon receipt of such a report, the registrar shall enter the 2980
information contained in the report into the records of the bureau 2981
of motor vehicles. Neither the registrar nor any deputy registrar 2982

shall issue a certificate of registration for a motor vehicle 2983
owner or lessee, when a lessee is determinable under procedures 2984
established by the registrar under division (E) of this section, 2985
who is named in the report until the registrar receives 2986
notification from the municipal court or county court that there 2987
are no outstanding arrest warrants in the name of the person. The 2988
registrar also shall send a notice to the person who is named in 2989
the report, via regular first class mail sent to the person's last 2990
known address as shown in the records of the bureau, informing the 2991
person that neither the registrar nor any deputy registrar is 2992
permitted to issue a certificate of registration for a motor 2993
vehicle in the name of the person until the registrar receives 2994
notification that there are no outstanding arrest warrants in the 2995
name of the person. 2996

(B) A clerk who reports an outstanding arrest warrant in 2997
accordance with division (A) of this section immediately shall 2998
notify the registrar when the warrant has been executed and 2999
returned to the issuing court or has been canceled. ~~The clerk~~ 3000

Upon receipt of such notification, the registrar shall charge 3001
and collect from the person named in the executed or canceled 3002
arrest warrant a processing fee of fifteen dollars to cover the 3003
costs of the bureau in administering this section. ~~The clerk~~ 3004
registrar shall transmit monthly deposit all such processing fees 3005
~~to the registrar for deposit~~ into the state bureau of motor 3006
vehicles fund created by section 4501.25 of the Revised Code. 3007

Upon receipt payment of such notification the processing fee, 3008
the registrar shall cause the report of that outstanding arrest 3009
warrant to be removed from the records of the bureau and, if there 3010
are no other outstanding arrest warrants issued by a municipal 3011
court or county court in the name of the person and the person 3012
otherwise is eligible to be issued a certificate of registration 3013
for a motor vehicle, the registrar or a deputy registrar may issue 3014

a certificate of registration for a motor vehicle in the name of 3015
the person named in the executed or canceled arrest warrant. 3016

(C) Neither the registrar, any employee of the bureau, a 3017
deputy registrar, nor any employee of a deputy registrar is 3018
personally liable for damages or injuries resulting from any error 3019
made by a clerk in entering information contained in a report 3020
submitted to the registrar under this section. 3021

(D) Any information submitted to the registrar by a clerk 3022
under this section shall be transmitted by means of an electronic 3023
data transfer system. 3024

(E) The registrar shall determine the procedures and 3025
information necessary to implement this section in regard to motor 3026
vehicle lessees. Division (A) of this section shall not apply to 3027
cases involving a motor vehicle lessee until such procedures are 3028
established. 3029

Sec. 4503.182. (A) A purchaser of a motor vehicle, upon 3030
application and proof of purchase of the vehicle, may be issued a 3031
temporary license placard or windshield sticker for the motor 3032
vehicle. 3033

The purchaser of a vehicle applying for a temporary license 3034
placard or windshield sticker under this section shall execute an 3035
affidavit stating that the purchaser has not been issued 3036
previously during the current registration year a license plate 3037
that could legally be transferred to the vehicle. 3038

Placards or windshield stickers shall be issued only for the 3039
applicant's use of the vehicle to enable the applicant to legally 3040
operate the motor vehicle while proper title, license plates, and 3041
a certificate of registration are being obtained, and shall be 3042
displayed on no other motor vehicle. 3043

Placards or windshield stickers issued under this section are 3044

valid for a period of thirty days from date of issuance and are 3045
not transferable or renewable. 3046

The fee for the placards or windshield stickers issued under 3047
this section is two dollars plus a ~~deputy registrar~~ service fee of 3048
two dollars and seventy-five cents commencing on July 1, 2001, 3049
three dollars and twenty-five cents commencing on January 1, 2003, 3050
and three dollars and fifty cents commencing on January 1, 2004, 3051
~~for each placard issued by a deputy registrar.~~ 3052

(B)(1) The registrar of motor vehicles may issue to a 3053
motorized bicycle dealer or a licensed motor vehicle dealer 3054
temporary license placards to be issued to purchasers for use on 3055
vehicles sold by the dealer, in accordance with rules prescribed 3056
by the registrar. The dealer shall notify the registrar, within 3057
forty-eight hours, of the issuance of a placard by electronic 3058
means via computer equipment purchased and maintained by the 3059
dealer or in any other manner prescribed by the registrar. 3060

(2) The fee for each placard issued by the registrar to a 3061
~~licensed motor vehicle dealer is two dollars plus a fee of two~~ 3062
~~dollars and seventy five cents commencing on July 1, 2001, three~~ 3063
~~dollars and twenty five cents commencing on January 1, 2003, and~~ 3064
~~three dollars and fifty cents commencing on January 1, 2004~~ seven 3065
dollars, of which five dollars shall be deposited and used in 3066
accordance with division (D) of this section. The registrar shall 3067
charge an additional three dollars and fifty cents for each 3068
placard issued to a dealer who notifies the registrar of the 3069
issuance of the placards in a manner other than by approved 3070
electronic means. 3071

(3) When a dealer issues a temporary license placard to a 3072
purchaser, the dealer shall collect and retain the fees 3073
established under divisions (A) and (D) of this section. 3074

(C) The registrar of motor vehicles, at the registrar's 3075

discretion, may issue a temporary license placard. Such a placard 3076
may be issued in the case of extreme hardship encountered by a 3077
citizen from this state or another state who has attempted to 3078
comply with all registration laws, but for extreme circumstances 3079
is unable to properly register the citizen's vehicle. 3080

(D) In addition to the fees charged under divisions (A) and 3081
(B) of this section, commencing on October 1, 2003, the registrar 3082
and each deputy registrar shall collect a fee of five dollars for 3083
each temporary license placard issued. The additional fee is for 3084
the purpose of defraying the department of public safety's costs 3085
associated with the administration and enforcement of the motor 3086
vehicle and traffic laws of Ohio. Each deputy registrar shall 3087
transmit the fees collected under this division in the same manner 3088
as provided for transmission of fees collected under division (A) 3089
of this section. The registrar shall deposit all moneys received 3090
under this division into the state highway safety fund established 3091
in section 4501.06 of the Revised Code. 3092

(E) The registrar shall adopt rules, in accordance with 3093
division (B) of section 111.15 of the Revised Code, to specify the 3094
procedures for reporting the information from applications for 3095
temporary license placards and windshield stickers and for 3096
providing the information from these applications to law 3097
enforcement agencies. 3098

(F) Temporary license placards issued under this section 3099
shall bear a distinctive combination of seven letters, numerals, 3100
or letters and numerals, and shall incorporate a security feature 3101
that, to the greatest degree possible, prevents tampering with any 3102
of the information that is entered upon a placard when it is 3103
issued. 3104

(G) Whoever violates division (A) of this section is guilty 3105
of a misdemeanor of the fourth degree. Whoever violates division 3106
(B) of this section is guilty of a misdemeanor of the first 3107

degree. 3108

(H) As used in this section, "motorized bicycle dealer" means 3109
any person engaged in the business of selling at retail, 3110
displaying, offering for sale, or dealing in motorized bicycles 3111
who is not subject to section 4503.09 of the Revised Code. 3112

Sec. 4503.231. (A) No motor vehicle registered in the name of 3113
a person whose certificate of registration and identification 3114
license plates have been impounded as provided by division (B)(1) 3115
of section 4507.02 of the Revised Code, shall be operated on any 3116
highway in this state unless it displays restricted license plates 3117
that are a different color from those regularly issued and carry a 3118
special serial number that may be readily identified by law 3119
enforcement officers. The registrar of motor vehicles shall 3120
designate the color and serial number to be used on restricted 3121
license plates, which shall remain the same from year to year and 3122
shall not be displayed on any other motor vehicles. 3123

The bureau of motor vehicles shall adopt rules providing for 3124
the decentralization of the issuance of restricted license plates 3125
under this section. The rules shall provide for the issuance of 3126
the restricted license plates by at least one agency in each 3127
county. 3128

No person operating a motor vehicle displaying restricted 3129
license plates as described in this division shall knowingly 3130
disguise or obscure the color of the restricted plate. 3131

(B) If a person has been granted limited driving privileges 3132
with a condition of the privileges being that the person must 3133
display on the vehicle that is driven under the privileges 3134
restricted license plates that are described in this section, ~~all~~ 3135
~~of the following apply:~~ 3136

~~(1) If the person may operate a motor vehicle ~~to be driven~~~~ 3137

~~under the limited driving privileges that~~ is owned by the person's 3138
employer ~~and~~ only if the person is required to operate that motor 3139
vehicle in the course and scope of the person's employment, ~~the,~~ 3140
Such a person may operate that vehicle without displaying on that 3141
vehicle restricted license plates that are issued under this 3142
section if the employer has been notified that the person has 3143
limited driving privileges and of the nature of the restriction 3144
and if the person has proof of the employer's notification in the 3145
person's possession while operating the employer's vehicle for 3146
normal business duties. A motor vehicle owned by a business that 3147
is partly or entirely owned or controlled by the person with the 3148
limited driving privileges is not a motor vehicle owned by an 3149
employer, for purposes of this division. 3150

~~(2) If a motor vehicle to be driven under the limited driving 3151
privileges is registered in a state other than this state, instead 3152
of displaying on that vehicle restricted license plates that are 3153
issued under this section, the person with the limited driving 3154
privileges shall display on the vehicle a decal, as prescribed by 3155
the registrar of motor vehicles, that states that the vehicle is 3156
subject to limited driving privileges in this state and that 3157
describes the restriction. The decal shall be displayed on the 3158
bottom left corner of the back window of the vehicle or, if there 3159
is no back window, on the bottom left corner of the windshield of 3160
the vehicle. The bureau of motor vehicles shall adopt rules 3161
providing for the decentralization of the issuance of the decals 3162
described in this division, with the rules providing for the 3163
issuance of the decals by at least one agency in each county. 3164~~

(C) Whoever violates this section is guilty of a minor 3165
misdemeanor. 3166

Sec. 4503.24. (A) The owner of a chauffeured limousine, upon 3167
compliance with the motor vehicle laws relating to the 3168

registration and licensing of motor vehicles, upon payment of the 3169
regular license tax as prescribed under section 4503.04 of the 3170
Revised Code, any tax levied under Chapter 4504. of the Revised 3171
Code, ~~and~~ an additional fee of seven dollars and fifty cents, and 3172
the fee specified in division (C) of this section, if applicable, 3173
and upon compliance with section 4509.80 of the Revised Code, 3174
shall be issued appropriate vehicle registration and a set of 3175
license plates and a validation sticker, or a validation sticker 3176
alone when required by section 4503.191 of the Revised Code. The 3177
~~owner shall also be license plates issued an additional license~~ 3178
~~plate sticker that bears~~ under this section shall bear the word 3179
"livery." ~~The livery license printed at the bottom of the plate~~ 3180
~~sticker issued under this section shall be of a different color or~~ 3181
~~shade each year, the new.~~ The color or shade to of the word shall 3182
be selected by the director of public safety. The additional fee 3183
shall be for the purpose of compensating the bureau of motor 3184
vehicles for additional services required in the issuing of such 3185
licenses and shall be transmitted by the registrar of motor 3186
vehicles to the treasurer of state for deposit in the state bureau 3187
of motor vehicles fund created by section 4501.25 of the Revised 3188
Code. 3189

(B) Any application for registration or registration renewal 3190
of a chauffeured limousine made under this section ~~shall~~ may be 3191
submitted by mail directly to the registrar. ~~No or in person to a~~ 3192
deputy registrar ~~shall accept or process any application for~~ 3193
~~registration made under this section.~~ 3194

(C) Each deputy registrar shall be allowed a fee of three 3195
dollars and twenty-five cents commencing on January 1, 2003, and 3196
three dollars and fifty cents commencing on January 1, 2004, for 3197
each application for registration and registration renewal notice 3198
the deputy registrar receives. 3199

Sec. 4503.44. (A) As used in this section and in section	3200
4511.69 of the Revised Code:	3201
(1) "Person with a disability that limits or impairs the	3202
ability to walk" means any person who, as determined by a	3203
physician or chiropractor, meets any of the following criteria:	3204
(a) Cannot walk two hundred feet without stopping to rest;	3205
(b) Cannot walk without the use of, or assistance from, a	3206
brace, cane, crutch, another person, prosthetic device,	3207
wheelchair, or other assistive device;	3208
(c) Is restricted by a lung disease to such an extent that	3209
the person's forced (respiratory) expiratory volume for one	3210
second, when measured by spirometry, is less than one liter, or	3211
the arterial oxygen tension is less than sixty millimeters of	3212
mercury on room air at rest;	3213
(d) Uses portable oxygen;	3214
(e) Has a cardiac condition to the extent that the person's	3215
functional limitations are classified in severity as class III or	3216
class IV according to standards set by the American heart	3217
association;	3218
(f) Is severely limited in the ability to walk due to an	3219
arthritic, neurological, or orthopedic condition;	3220
(g) Is blind.	3221
(2) "Organization" means any private organization or	3222
corporation, or any governmental board, agency, department,	3223
division, or office, that, as part of its business or program,	3224
transports persons with disabilities that limit or impair the	3225
ability to walk on a regular basis in a motor vehicle that has not	3226
been altered for the purpose of providing it with special	3227
equipment for use by handicapped persons. This definition does not	3228
apply to division (J) of this section.	3229

(3) "Physician" means a person licensed to practice medicine 3230
or surgery or osteopathic medicine and surgery under Chapter 4731. 3231
of the Revised Code. 3232

(4) "Chiropractor" means a person licensed to practice 3233
chiropractic under Chapter 4734. of the Revised Code. 3234

(B) Any organization or person with a disability that limits 3235
or impairs the ability to walk may apply to the registrar of motor 3236
vehicles for a removable windshield placard or, if the person owns 3237
or leases a motor vehicle, the person may apply for the 3238
registration of any motor vehicle the person owns or leases. In 3239
addition to one or more sets of license plates or one placard, a 3240
person with a disability that limits or impairs the ability to 3241
walk is entitled to one additional placard, but only if the person 3242
applies separately for the additional placard, states the reasons 3243
why the additional placard is needed, and the registrar, in the 3244
registrar's discretion, determines that good and justifiable cause 3245
exists to approve the request for the additional placard. When a 3246
motor vehicle has been altered for the purpose of providing it 3247
with special equipment for a person with a disability that limits 3248
or impairs the ability to walk, but is owned or leased by someone 3249
other than such a person, the owner or lessee may apply to the 3250
registrar or a deputy registrar for registration under this 3251
section. The application for registration of a motor vehicle owned 3252
or leased by a person with a disability that limits or impairs the 3253
ability to walk shall be accompanied by a signed statement from 3254
the applicant's personal physician or chiropractor certifying that 3255
the applicant meets at least one of the criteria contained in 3256
division (A)(1) of this section and that the disability is 3257
expected to continue for more than six consecutive months. The 3258
application for a removable windshield placard made by a person 3259
with a disability that limits or impairs the ability to walk shall 3260
be accompanied by a prescription from the applicant's personal 3261

physician or chiropractor prescribing such a placard for the 3262
applicant, ~~and by a signed statement certifying~~ provided that the 3263
applicant meets at least one of the criteria contained in division 3264
(A)(1) of this section. The physician or chiropractor shall state 3265
on the prescription the length of time the physician or 3266
chiropractor expects the applicant to have the disability that 3267
limits or impairs the applicant's ability to walk. The application 3268
for a removable windshield placard made by an organization shall 3269
be accompanied by such documentary evidence of regular transport 3270
of persons with disabilities that limit or impair the ability to 3271
walk by the organization as the registrar may require by rule and 3272
shall be completed in accordance with procedures that the 3273
registrar may require by rule. The application for registration of 3274
a motor vehicle that has been altered for the purpose of providing 3275
it with special equipment for a person with a disability that 3276
limits or impairs the ability to walk but is owned by someone 3277
other than such a person shall be accompanied by such documentary 3278
evidence of vehicle alterations as the registrar may require by 3279
rule. 3280

(C) When an organization, a person with a disability that 3281
limits or impairs the ability to walk, or a person who does not 3282
have a disability that limits or impairs the ability to walk but 3283
owns a motor vehicle that has been altered for the purpose of 3284
providing it with special equipment for a person with a disability 3285
that limits or impairs the ability to walk first submits an 3286
application for registration of a motor vehicle under this section 3287
and every fifth year thereafter, the organization or person shall 3288
submit a signed statement from the applicant's personal physician 3289
or chiropractor, a completed application, and any required 3290
documentary evidence of vehicle alterations as provided in 3291
division (B) of this section, and also a power of attorney from 3292
the owner of the motor vehicle if the applicant leases the 3293
vehicle. Upon submission of these items, the registrar or deputy 3294

registrar shall issue to the applicant appropriate vehicle 3295
registration and a set of license plates and validation stickers, 3296
or validation stickers alone when required by section 4503.191 of 3297
the Revised Code. In addition to the letters and numbers 3298
ordinarily inscribed thereon, the license plates shall be 3299
imprinted with the international symbol of access. The license 3300
plates and validation stickers shall be issued upon payment of the 3301
regular license fee as prescribed under section 4503.04 of the 3302
Revised Code and any motor vehicle tax levied under Chapter 4504. 3303
of the Revised Code, and the payment of a service fee equal to the 3304
amount specified in division (D) or (G) of section 4503.10 of the 3305
Revised Code. 3306

(D)(1) Upon receipt of a completed and signed application for 3307
a removable windshield placard, a prescription as described in 3308
division (B) of this section, documentary evidence of regular 3309
transport of persons with disabilities that limit or impair the 3310
ability to walk, if required, and payment of a service fee equal 3311
to the amount specified in division (D) or (G) of section 4503.10 3312
of the Revised Code, the registrar or deputy registrar shall issue 3313
to the applicant a removable windshield placard, which shall bear 3314
the date of expiration on both sides of the placard and shall be 3315
valid until expired, revoked, or surrendered. Every removable 3316
windshield placard expires as described in division (D)(2) of this 3317
section, but in no case shall a removable windshield placard be 3318
valid for a period of less than sixty days. Removable windshield 3319
placards shall be renewable upon application as provided in 3320
division (B) of this section, and a service fee equal to the 3321
amount specified in division (D) or (G) of section 4503.10 of the 3322
Revised Code shall be charged for the renewal of a removable 3323
windshield placard. The registrar shall provide the application 3324
form and shall determine the information to be included thereon. 3325
The registrar also shall determine the form and size of the 3326
removable windshield placard, the material of which it is to be 3327

made, and any other information to be included thereon, and shall 3328
adopt rules relating to the issuance, expiration, revocation, 3329
surrender, and proper display of such placards. Any placard issued 3330
after October 14, 1999, shall be manufactured in a manner that 3331
allows the expiration date of the placard to be indicated on it 3332
through the punching, drilling, boring, or creation by any other 3333
means of holes in the placard. 3334

(2) At the time a removable windshield placard is issued to a 3335
person with a disability that limits or impairs the ability to 3336
walk, the registrar or deputy registrar shall enter into the 3337
records of the bureau of motor vehicles the last date on which the 3338
person will have that disability, as indicated on the accompanying 3339
prescription. Not less than thirty days prior to that date and all 3340
removable windshield placard renewal dates, the bureau shall send 3341
a renewal notice to that person at the person's last known address 3342
as shown in the records of the bureau, informing the person that 3343
the person's removable windshield placard will expire on the 3344
indicated date not to exceed five years from the date of issuance, 3345
and that the person is required to renew the placard by submitting 3346
to the registrar or a deputy registrar another prescription, as 3347
described in division (B) of this section, and by complying with 3348
the renewal provisions prescribed in division (D)(1) of this 3349
section. If such a prescription is not received by the registrar 3350
or a deputy registrar by that date, the placard issued to that 3351
person expires and no longer is valid, and this fact shall be 3352
recorded in the records of the bureau. 3353

(3) At least once every year, on a date determined by the 3354
registrar, the bureau shall examine the records of the office of 3355
vital statistics, located within the department of health, that 3356
pertain to deceased persons, and also the bureau's records of all 3357
persons who have been issued removable windshield placards and 3358
temporary removable windshield placards. If the records of the 3359

office of vital statistics indicate that a person to whom a 3360
removable windshield placard or temporary removable windshield 3361
placard has been issued is deceased, the bureau shall cancel that 3362
placard, and note the cancellation in its records. 3363

The office of vital statistics shall make available to the 3364
bureau all information necessary to enable the bureau to comply 3365
with division (D)(3) of this section. 3366

(4) Nothing in this section shall be construed to require a 3367
person or organization to apply for a removable windshield placard 3368
or special license plates if the parking card or special license 3369
plates issued to the person or organization under prior law have 3370
not expired or been surrendered or revoked. 3371

(E)(1)(a) Any person with a disability that limits or impairs 3372
the ability to walk may apply to the registrar or a deputy 3373
registrar for a temporary removable windshield placard. The 3374
application for a temporary removable windshield placard shall be 3375
accompanied by a prescription from the applicant's personal 3376
physician or chiropractor prescribing such a placard for the 3377
applicant, ~~and by a signed statement certifying~~ provided that the 3378
applicant meets at least one of the criteria contained in division 3379
(A)(1) of this section and that the disability is expected to 3380
continue for six consecutive months or less. The physician or 3381
chiropractor shall state on the prescription the length of time 3382
the physician or chiropractor expects the applicant to have the 3383
disability that limits or impairs the applicant's ability to walk, 3384
which cannot exceed six months from the date of the prescription. 3385
Upon receipt of an application for a temporary removable 3386
windshield placard, presentation of the prescription ~~and the~~ 3387
~~signed statement~~ from the applicant's personal physician or 3388
chiropractor, and payment of a service fee equal to the amount 3389
specified in division (D) or (G) of section 4503.10 of the Revised 3390
Code, the registrar or deputy registrar shall issue to the 3391

applicant a temporary removable windshield placard. The 3392

(b) Any active-duty member of the armed forces of the United 3393
States, including the reserve components of the armed forces and 3394
the national guard, who has an illness or injury that limits or 3395
impairs the ability to walk may apply to the registrar or a deputy 3396
registrar for a temporary removable windshield placard. With the 3397
application, the person shall present evidence of the person's 3398
active-duty status and the illness or injury. Evidence of the 3399
illness or injury may include a current department of defense 3400
convalescent leave statement, any department of defense document 3401
indicating that the person currently has an ill or injured 3402
casualty status or has limited duties, or a prescription from any 3403
physician or chiropractor prescribing the placard for the 3404
applicant. Upon receipt of the application and the necessary 3405
evidence, the registrar or deputy registrar shall issue the 3406
applicant the temporary removable windshield placard without the 3407
payment of any service fee. 3408

(2) The temporary removable windshield placard shall be of 3409
the same size and form as the removable windshield placard, shall 3410
be printed in white on a red-colored background, and shall bear 3411
the word "temporary" in letters of such size as the registrar 3412
shall prescribe. A temporary removable windshield placard also 3413
shall bear the date of expiration on the front and back of the 3414
placard, and shall be valid until expired, surrendered, or 3415
revoked, but in no case shall such a placard be valid for a period 3416
of less than sixty days. The registrar shall provide the 3417
application form and shall determine the information to be 3418
included on it, provided that the registrar shall not require a 3419
physician or chiropractor's prescription or certification for a 3420
person applying under division (E)(1)(b) of this section. The 3421
registrar also shall determine the material of which the temporary 3422
removable windshield placard is to be made and any other 3423

information to be included on the placard and shall adopt rules 3424
relating to the issuance, expiration, surrender, revocation, and 3425
proper display of those placards. Any temporary removable 3426
windshield placard issued after October 14, 1999, shall be 3427
manufactured in a manner that allows for the expiration date of 3428
the placard to be indicated on it through the punching, drilling, 3429
boring, or creation by any other means of holes in the placard. 3430

(F) If an applicant for a removable windshield placard is a 3431
veteran of the armed forces of the United States whose disability, 3432
as defined in division (A)(1) of this section, is 3433
service-connected, the registrar or deputy registrar, upon receipt 3434
of the application, presentation of a signed statement from the 3435
applicant's personal physician or chiropractor certifying the 3436
applicant's disability, and presentation of such documentary 3437
evidence from the department of veterans affairs that the 3438
disability of the applicant meets at least one of the criteria 3439
identified in division (A)(1) of this section and is 3440
service-connected as the registrar may require by rule, but 3441
without the payment of any service fee, shall issue the applicant 3442
a removable windshield placard that is valid until expired, 3443
surrendered, or revoked. 3444

(G) Upon a conviction of a violation of division ~~(H)~~, (I), ~~or~~ 3445
(J), or (K) of this section, the court shall report the 3446
conviction, and send the placard or parking card, if available, to 3447
the registrar, who thereupon shall revoke the privilege of using 3448
the placard or parking card and send notice in writing to the 3449
placardholder or cardholder at that holder's last known address as 3450
shown in the records of the bureau, and the placardholder or 3451
cardholder shall return the placard or card if not previously 3452
surrendered to the court, to the registrar within ten days 3453
following mailing of the notice. 3454

Whenever a person to whom a removable windshield placard or 3455

parking card has been issued moves to another state, the person 3456
shall surrender the placard or card to the registrar; and whenever 3457
an organization to which a placard or card has been issued changes 3458
its place of operation to another state, the organization shall 3459
surrender the placard or card to the registrar. 3460

~~(G)~~(H) Subject to division (F) of section 4511.69 of the 3461
Revised Code, the operator of a motor vehicle displaying a 3462
removable windshield placard, temporary removable windshield 3463
placard, parking card, or the special license plates authorized by 3464
this section is entitled to park the motor vehicle in any special 3465
parking location reserved for persons with disabilities that limit 3466
or impair the ability to walk, also known as handicapped parking 3467
spaces or disability parking spaces. 3468

~~(H)~~(I) No person or organization that is not eligible under 3469
division (B) or (E) of this section shall willfully and falsely 3470
represent that the person or organization is so eligible. 3471

No person or organization shall display license plates issued 3472
under this section unless the license plates have been issued for 3473
the vehicle on which they are displayed and are valid. 3474

~~(I)~~(J) No person or organization to which a removable 3475
windshield placard or temporary removable windshield placard is 3476
issued shall do either of the following: 3477

(1) Display or permit the display of the placard on any motor 3478
vehicle when having reasonable cause to believe the motor vehicle 3479
is being used in connection with an activity that does not include 3480
providing transportation for persons with disabilities that limit 3481
or impair the ability to walk; 3482

(2) Refuse to return or surrender the placard, when required. 3483

~~(J)~~(K)(1) No person or organization to which a parking card 3484
is issued shall do either of the following: 3485

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

(b) Refuse to return or surrender the parking card, when required.

(2) As used in division ~~(J)~~(K) of this section:

(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.

(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.

~~(K)~~(L) 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:

(1) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar;

(2) Paying a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code.

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.

~~(L)~~(M) The registrar shall pay all fees received under this 3516
section for the issuance of removable windshield placards or 3517
temporary removable windshield placards or duplicate removable 3518
windshield placards or cards into the state treasury to the credit 3519
of the state bureau of motor vehicles fund created in section 3520
4501.25 of the Revised Code. 3521

~~(M)~~(N) For purposes of enforcing this section, every peace 3522
officer is deemed to be an agent of the registrar. Any peace 3523
officer or any authorized employee of the bureau of motor vehicles 3524
who, in the performance of duties authorized by law, becomes aware 3525
of a person whose placard or parking card has been revoked 3526
pursuant to this section, may confiscate that placard or parking 3527
card and return it to the registrar. The registrar shall prescribe 3528
any forms used by law enforcement agencies in administering this 3529
section. 3530

No peace officer, law enforcement agency employing a peace 3531
officer, or political subdivision or governmental agency employing 3532
a peace officer, and no employee of the bureau is liable in a 3533
civil action for damages or loss to persons arising out of the 3534
performance of any duty required or authorized by this section. As 3535
used in this division, "peace officer" has the same meaning as in 3536
division (B) of section 2935.01 of the Revised Code. 3537

~~(N)~~(O) All applications for registration of motor vehicles, 3538
removable windshield placards, and temporary removable windshield 3539
placards issued under this section, all renewal notices for such 3540
items, and all other publications issued by the bureau that relate 3541
to this section shall set forth the criminal penalties that may be 3542
imposed upon a person who violates any provision relating to 3543
special license plates issued under this section, the parking of 3544
vehicles displaying such license plates, and the issuance, 3545
procurement, use, and display of removable windshield placards and 3546
temporary removable windshield placards issued under this section. 3547

~~(O)~~(P) Whoever violates this section is guilty of a 3548
misdemeanor of the fourth degree. 3549

Sec. 4503.642. (A) There is hereby created in the bureau of 3550
motor vehicles a performance registration and information systems 3551
management program for coordinating motor carrier safety 3552
information with federal and state agencies. The registrar of 3553
motor vehicles shall collect and maintain necessary motor carrier, 3554
commercial motor vehicle, and driver data in a manner that 3555
complies with the information systems established by the United 3556
States secretary of transportation under 49 U.S.C. 31106. 3557

(B) The registrar shall refuse to issue a registration, 3558
license plate, permit, or certificate of title for any commercial 3559
motor vehicle that is assigned to a motor carrier that has been 3560
prohibited from operating by a federal agency. The registrar may 3561
allow a prohibited motor vehicle carrier to transfer title on a 3562
commercial motor vehicle if the prohibited carrier does not retain 3563
a direct or indirect interest in the vehicle. 3564

(C) The registrar shall suspend, revoke, deny, or remove the 3565
registration, license plates, or any permit issued to any 3566
commercial motor vehicle that is assigned to a motor carrier who 3567
has been prohibited from operating by a federal agency. The 3568
suspension, revocation, denial, or removal shall remain in effect 3569
until the carrier is no longer prohibited from operating by the 3570
federal agency. The suspension, revocation, denial, or removal 3571
shall apply to all commercial motor vehicles under the carrier's 3572
control. 3573

(D) A carrier or registrant whose privilege to operate a 3574
commercial motor vehicle has been suspended, revoked, denied, or 3575
removed under division (C) of this section may request a hearing 3576
in accordance with Chapter 119. of the Revised Code. The hearing 3577
shall be limited to whether the carrier or registrant has been 3578

correctly identified, whether the carrier or registrant has been 3579
prohibited from operating by the federal agency, and whether the 3580
federal agency subsequently has rescinded the prohibition. 3581

(E) The registrar shall restore a motor carrier's or 3582
registrant's privilege to register, transfer a title, or operate a 3583
commercial motor vehicle only upon acceptable notification from 3584
the federal agency that the prohibition has been removed and upon 3585
payment of all applicable taxes and fees. 3586

(F) The registrar shall take those steps necessary to 3587
implement this section, including the adoption of rules, 3588
procedures, and forms. 3589

Sec. 4504.01. As used in this chapter: 3590

(A) "Motor vehicle" means all vehicles included within the 3591
definition of motor vehicle in sections 4501.01 and 4505.01 of the 3592
Revised Code and also includes motorized bicycles. "Motor vehicle" 3593
does not include a concrete pump or a concrete conveyor. 3594

(B) "County motor vehicle license tax" means a tax imposed by 3595
a county pursuant to this chapter. 3596

(C) "Township motor vehicle license tax" means a tax imposed 3597
by a township pursuant to this chapter. 3598

(D) "Municipal motor vehicle license tax" means a tax imposed 3599
by a municipal corporation pursuant to this chapter. 3600

(E) "Registrar" means the registrar of motor vehicles as 3601
provided in section 4501.02 of the Revised Code. 3602

(F) "Deputy registrar" means any deputy appointed by the 3603
registrar of motor vehicles pursuant to sections 4501.02 and 3604
4503.03 of the Revised Code. 3605

Sec. 4505.022. The registrar of motor vehicles may adopt 3606
rules pursuant to Chapter 119. of the Revised Code to allow a 3607

motor vehicle auction owner licensed under section 4517.07 of the 3608
Revised Code to file an application for a certificate of title in 3609
an electronic manner approved by the registrar. 3610

Sec. 4505.032. (A)(1) If a person who is not an electronic 3611
motor vehicle dealer owns a motor vehicle for which a physical 3612
certificate of title has not been issued by a clerk of a court of 3613
common pleas and the person sells the motor vehicle to ~~an~~ 3614
~~electronic~~ a motor vehicle dealer licensed under Chapter 4517. of 3615
the Revised Code, the person is not required to obtain a physical 3616
certificate of title to the motor vehicle in order to transfer 3617
ownership to the dealer. The person shall present the dealer, in a 3618
manner approved by the registrar of motor vehicles, with 3619
sufficient proof of the person's identity and complete and sign a 3620
form prescribed by the registrar attesting to the person's 3621
identity and assigning the motor vehicle to the dealer. ~~The~~ Except 3622
as otherwise provided in this section, the motor vehicle dealer 3623
shall present the assignment form to any clerk of a court of 3624
common pleas together with an application for a certificate of 3625
title and payment of the fees prescribed by section 4505.09 of the 3626
Revised Code. 3627

In a case in which a person who is the owner of a motor 3628
vehicle for which a physical certificate of title has not been 3629
issued assigns the motor vehicle to an electronic motor vehicle 3630
dealer, the ~~electronic motor vehicle dealer then shall~~ instead may 3631
inform a clerk of a court of common pleas via electronic means of 3632
the sale of the motor vehicle and assignment of ownership of the 3633
vehicle to the dealer. The clerk shall enter the information 3634
relating to the assignment, including, but not limited to, the 3635
odometer disclosure statement required by section 4505.06 of the 3636
Revised Code, into the automated title processing system, and 3637
ownership of the vehicle passes to the dealer when the clerk 3638
enters this information into the system. The dealer is not 3639

required to obtain a certificate of title to the vehicle in the 3640
dealer's name. 3641

(2) A clerk shall charge and collect from a dealer a fee of 3642
five dollars for each motor vehicle assigned to the dealer under 3643
division (A)(1) of this section. The fee shall be distributed in 3644
accordance with section 4505.09 of the Revised Code. 3645

(B) If a person who is not an electronic motor vehicle dealer 3646
owns a motor vehicle for which a physical certificate of title has 3647
not been issued by a clerk of a court of common pleas and the 3648
person sells the motor vehicle to a person who is not ~~an~~ 3649
~~electronic~~ a motor vehicle dealer licensed under Chapter 4517. of 3650
the Revised Code, the person shall obtain a physical certificate 3651
of title to the motor vehicle in order to transfer ownership of 3652
the vehicle to ~~the~~ that ~~person who is not an electronic motor~~ 3653
~~vehicle dealer.~~ 3654

Sec. 4505.06. (A)(1) Application for a certificate of title 3655
shall be made in a form prescribed by the registrar of motor 3656
vehicles and shall be sworn to before a notary public or other 3657
officer empowered to administer oaths. The application shall be 3658
filed with the clerk of any court of common pleas. An application 3659
for a certificate of title may be filed electronically by any 3660
electronic means approved by the registrar in any county with the 3661
clerk of the court of common pleas of that county. Any payments 3662
required by this chapter shall be considered as accompanying any 3663
electronically transmitted application when payment actually is 3664
received by the clerk. Payment of any fee or taxes may be made by 3665
electronic transfer of funds. 3666

(2) The application for a certificate of title shall be 3667
accompanied by the fee prescribed in section 4505.09 of the 3668
Revised Code. The fee shall be retained by the clerk who issues 3669
the certificate of title and shall be distributed in accordance 3670

with that section. If a clerk of a court of common pleas, other 3671
than the clerk of the court of common pleas of an applicant's 3672
county of residence, issues a certificate of title to the 3673
applicant, the clerk shall transmit data related to the 3674
transaction to the automated title processing system. 3675

(3) If a certificate of title previously has been issued for 3676
a motor vehicle in this state, the application for a certificate 3677
of title also shall be accompanied by that certificate of title 3678
duly assigned, unless otherwise provided in this chapter. If a 3679
certificate of title previously has not been issued for the motor 3680
vehicle in this state, the application, unless otherwise provided 3681
in this chapter, shall be accompanied by a manufacturer's or 3682
importer's certificate or by a certificate of title of another 3683
state from which the motor vehicle was brought into this state. If 3684
the application refers to a motor vehicle last previously 3685
registered in another state, the application also shall be 3686
accompanied by the physical inspection certificate required by 3687
section 4505.061 of the Revised Code. If the application is made 3688
by two persons regarding a motor vehicle in which they wish to 3689
establish joint ownership with right of survivorship, they may do 3690
so as provided in section 2131.12 of the Revised Code. If the 3691
applicant requests a designation of the motor vehicle in 3692
beneficiary form so that upon the death of the owner of the motor 3693
vehicle, ownership of the motor vehicle will pass to a designated 3694
transfer-on-death beneficiary or beneficiaries, the applicant may 3695
do so as provided in section 2131.13 of the Revised Code. A person 3696
who establishes ownership of a motor vehicle that is transferable 3697
on death in accordance with section 2131.13 of the Revised Code 3698
may terminate that type of ownership or change the designation of 3699
the transfer-on-death beneficiary or beneficiaries by applying for 3700
a certificate of title pursuant to this section. The clerk shall 3701
retain the evidence of title presented by the applicant and on 3702
which the certificate of title is issued, except that, if an 3703

application for a certificate of title is filed electronically by 3704
an electronic motor vehicle dealer on behalf of the purchaser of a 3705
motor vehicle, the clerk shall retain the completed electronic 3706
record to which the dealer converted the certificate of title 3707
application and other required documents. The registrar, after 3708
consultation with the attorney general, shall adopt rules that 3709
govern the location at which, and the manner in which, are stored 3710
the actual application and all other documents relating to the 3711
sale of a motor vehicle when an electronic motor vehicle dealer 3712
files the application for a certificate of title electronically on 3713
behalf of the purchaser. 3714

The clerk shall use reasonable diligence in ascertaining 3715
whether or not the facts in the application for a certificate of 3716
title are true by checking the application and documents 3717
accompanying it or the electronic record to which a dealer 3718
converted the application and accompanying documents with the 3719
records of motor vehicles in the clerk's office. If the clerk is 3720
satisfied that the applicant is the owner of the motor vehicle and 3721
that the application is in the proper form, the clerk, within five 3722
business days after the application is filed, shall issue a 3723
physical certificate of title over the clerk's signature and 3724
sealed with the clerk's seal, unless the applicant specifically 3725
requests the clerk not to issue a physical certificate of title 3726
and instead to issue an electronic certificate of title. For 3727
purposes of the transfer of a certificate of title, if the clerk 3728
is satisfied that the secured party has duly discharged a lien 3729
notation but has not canceled the lien notation with a clerk, the 3730
clerk may cancel the lien notation on the automated title 3731
processing system and notify the clerk of the county of origin. 3732

(4) In the case of the sale of a motor vehicle to a general 3733
buyer or user by a dealer, by a motor vehicle leasing dealer 3734
selling the motor vehicle to the lessee or, in a case in which the 3735

leasing dealer subleased the motor vehicle, the sublessee, at the 3736
end of the lease agreement or sublease agreement, or by a 3737
manufactured home broker, the certificate of title shall be 3738
obtained in the name of the buyer by the dealer, leasing dealer, 3739
or manufactured home broker, as the case may be, upon application 3740
signed by the buyer. The certificate of title shall be issued, or 3741
the process of entering the certificate of title application 3742
information into the automated title processing system if a 3743
physical certificate of title is not to be issued shall be 3744
completed, within five business days after the application for 3745
title is filed with the clerk. If the buyer of the motor vehicle 3746
previously leased the motor vehicle and is buying the motor 3747
vehicle at the end of the lease pursuant to that lease, the 3748
certificate of title shall be obtained in the name of the buyer by 3749
the motor vehicle leasing dealer who previously leased the motor 3750
vehicle to the buyer or by the motor vehicle leasing dealer who 3751
subleased the motor vehicle to the buyer under a sublease 3752
agreement. 3753

In all other cases, except as provided in section 4505.032 3754
and division (D)(2) of section 4505.11 of the Revised Code, such 3755
certificates shall be obtained by the buyer. 3756

(5)(a)(i) If the certificate of title is being obtained in 3757
the name of the buyer by a motor vehicle dealer or motor vehicle 3758
leasing dealer and there is a security interest to be noted on the 3759
certificate of title, the dealer or leasing dealer shall submit 3760
the application for the certificate of title and payment of the 3761
applicable tax to a clerk within seven business days after the 3762
later of the delivery of the motor vehicle to the buyer or the 3763
date the dealer or leasing dealer obtains the manufacturer's or 3764
importer's certificate, or certificate of title issued in the name 3765
of the dealer or leasing dealer, for the motor vehicle. Submission 3766
of the application for the certificate of title and payment of the 3767

applicable tax within the required seven business days may be 3768
indicated by postmark or receipt by a clerk within that period. 3769

(ii) Upon receipt of the certificate of title with the 3770
security interest noted on its face, the dealer or leasing dealer 3771
shall forward the certificate of title to the secured party at the 3772
location noted in the financing documents or otherwise specified 3773
by the secured party. 3774

(iii) A motor vehicle dealer or motor vehicle leasing dealer 3775
is liable to a secured party for a late fee of ten dollars per day 3776
for each certificate of title application and payment of the 3777
applicable tax that is submitted to a clerk more than seven 3778
business days but less than twenty-one days after the later of the 3779
delivery of the motor vehicle to the buyer or the date the dealer 3780
or leasing dealer obtains the manufacturer's or importer's 3781
certificate, or certificate of title issued in the name of the 3782
dealer or leasing dealer, for the motor vehicle and, from then on, 3783
twenty-five dollars per day until the application and applicable 3784
tax are submitted to a clerk. 3785

(b) In all cases of transfer of a motor vehicle, the 3786
application for certificate of title shall be filed within thirty 3787
days after the assignment or delivery of the motor vehicle. If an 3788
application for a certificate of title is not filed within the 3789
period specified in division (A)(5)(b) of this section, the clerk 3790
shall collect a fee of five dollars for the issuance of the 3791
certificate, except that no such fee shall be required from a 3792
motor vehicle salvage dealer, as defined in division (A) of 3793
section 4738.01 of the Revised Code, who immediately surrenders 3794
the certificate of title for cancellation. The fee shall be in 3795
addition to all other fees established by this chapter, and shall 3796
be retained by the clerk. The registrar shall provide, on the 3797
certificate of title form prescribed by section 4505.07 of the 3798
Revised Code, language necessary to give evidence of the date on 3799

which the assignment or delivery of the motor vehicle was made. 3800

(6) As used in division (A) of this section, "lease 3801
agreement," "lessee," and "sublease agreement" have the same 3802
meanings as in section 4505.04 of the Revised Code. 3803

(B) The clerk, except as provided in this section, shall 3804
refuse to accept for filing any application for a certificate of 3805
title and shall refuse to issue a certificate of title unless the 3806
dealer or manufactured home broker or the applicant, in cases in 3807
which the certificate shall be obtained by the buyer, submits with 3808
the application payment of the tax levied by or pursuant to 3809
Chapters 5739. and 5741. of the Revised Code based on the 3810
purchaser's county of residence. Upon payment of the tax in 3811
accordance with division (E) of this section, the clerk shall 3812
issue a receipt prescribed by the registrar and agreed upon by the 3813
tax commissioner showing payment of the tax or a receipt issued by 3814
the commissioner showing the payment of the tax. When submitting 3815
payment of the tax to the clerk, a dealer shall retain any 3816
discount to which the dealer is entitled under section 5739.12 of 3817
the Revised Code. 3818

For receiving and disbursing such taxes paid to the clerk by 3819
a resident of the clerk's county, the clerk may retain a poundage 3820
fee of one and one one-hundredth per cent, and the clerk shall pay 3821
the poundage fee into the certificate of title administration fund 3822
created by section 325.33 of the Revised Code. The clerk shall not 3823
retain a poundage fee from payments of taxes by persons who do not 3824
reside in the clerk's county. 3825

A clerk, however, may retain from the taxes paid to the clerk 3826
an amount equal to the poundage fees associated with certificates 3827
of title issued by other clerks of courts of common pleas to 3828
applicants who reside in the first clerk's county. The registrar, 3829
in consultation with the tax commissioner and the clerks of the 3830
courts of common pleas, shall develop a report from the automated 3831

title processing system that informs each clerk of the amount of 3832
the poundage fees that the clerk is permitted to retain from those 3833
taxes because of certificates of title issued by the clerks of 3834
other counties to applicants who reside in the first clerk's 3835
county. 3836

In the case of casual sales of motor vehicles, as defined in 3837
section 4517.01 of the Revised Code, the price for the purpose of 3838
determining the tax shall be the purchase price on the assigned 3839
certificate of title executed by the seller and filed with the 3840
clerk by the buyer on a form to be prescribed by the registrar, 3841
which shall be prima-facie evidence of the amount for the 3842
determination of the tax. 3843

(C)(1) If the transferor indicates on the certificate of 3844
title that the odometer reflects mileage in excess of the designed 3845
mechanical limit of the odometer, the clerk shall enter the phrase 3846
"exceeds mechanical limits" following the mileage designation. If 3847
the transferor indicates on the certificate of title that the 3848
odometer reading is not the actual mileage, the clerk shall enter 3849
the phrase "nonactual: warning - odometer discrepancy" following 3850
the mileage designation. The clerk shall use reasonable care in 3851
transferring the information supplied by the transferor, but is 3852
not liable for any errors or omissions of the clerk or those of 3853
the clerk's deputies in the performance of the clerk's duties 3854
created by this chapter. 3855

The registrar shall prescribe an affidavit in which the 3856
transferor shall swear to the true selling price and, except as 3857
provided in this division, the true odometer reading of the motor 3858
vehicle. The registrar may prescribe an affidavit in which the 3859
seller and buyer provide information pertaining to the odometer 3860
reading of the motor vehicle in addition to that required by this 3861
section, as such information may be required by the United States 3862
secretary of transportation by rule prescribed under authority of 3863

subchapter IV of the "Motor Vehicle Information and Cost Savings Act," 86 Stat. 961 (1972), 15 U.S.C. 1981. 3864
3865

(2) Division (C)(1) of this section does not require the 3866
giving of information concerning the odometer and odometer reading 3867
of a motor vehicle when ownership of a motor vehicle is being 3868
transferred as a result of a bequest, under the laws of intestate 3869
succession, to a survivor pursuant to section 2106.18, 2131.12, or 3870
4505.10 of the Revised Code, to a transfer-on-death beneficiary or 3871
beneficiaries pursuant to section 2131.13 of the Revised Code, ~~or~~ 3872
in connection with the creation of a security interest or for a 3873
vehicle with a gross vehicle weight rating of more than sixteen 3874
thousand pounds. 3875

(D) When the transfer to the applicant was made in some other 3876
state or in interstate commerce, the clerk, except as provided in 3877
this section, shall refuse to issue any certificate of title 3878
unless the tax imposed by or pursuant to Chapter 5741. of the 3879
Revised Code based on the purchaser's county of residence has been 3880
paid as evidenced by a receipt issued by the tax commissioner, or 3881
unless the applicant submits with the application payment of the 3882
tax. Upon payment of the tax in accordance with division (E) of 3883
this section, the clerk shall issue a receipt prescribed by the 3884
registrar and agreed upon by the tax commissioner, showing payment 3885
of the tax. 3886

For receiving and disbursing such taxes paid to the clerk by 3887
a resident of the clerk's county, the clerk may retain a poundage 3888
fee of one and one one-hundredth per cent. The clerk shall not 3889
retain a poundage fee from payments of taxes by persons who do not 3890
reside in the clerk's county. 3891

A clerk, however, may retain from the taxes paid to the clerk 3892
an amount equal to the poundage fees associated with certificates 3893
of title issued by other clerks of courts of common pleas to 3894
applicants who reside in the first clerk's county. The registrar, 3895

in consultation with the tax commissioner and the clerks of the 3896
courts of common pleas, shall develop a report from the automated 3897
title processing system that informs each clerk of the amount of 3898
the poundage fees that the clerk is permitted to retain from those 3899
taxes because of certificates of title issued by the clerks of 3900
other counties to applicants who reside in the first clerk's 3901
county. 3902

When the vendor is not regularly engaged in the business of 3903
selling motor vehicles, the vendor shall not be required to 3904
purchase a vendor's license or make reports concerning those 3905
sales. 3906

(E) The clerk shall accept any payment of a tax in cash, or 3907
by cashier's check, certified check, draft, money order, or teller 3908
check issued by any insured financial institution payable to the 3909
clerk and submitted with an application for a certificate of title 3910
under division (B) or (D) of this section. The clerk also may 3911
accept payment of the tax by corporate, business, or personal 3912
check, credit card, electronic transfer or wire transfer, debit 3913
card, or any other accepted form of payment made payable to the 3914
clerk. The clerk may require bonds, guarantees, or letters of 3915
credit to ensure the collection of corporate, business, or 3916
personal checks. Any service fee charged by a third party to a 3917
clerk for the use of any form of payment may be paid by the clerk 3918
from the certificate of title administration fund created in 3919
section 325.33 of the Revised Code, or may be assessed by the 3920
clerk upon the applicant as an additional fee. Upon collection, 3921
the additional fees shall be paid by the clerk into that 3922
certificate of title administration fund. 3923

The clerk shall make a good faith effort to collect any 3924
payment of taxes due but not made because the payment was returned 3925
or dishonored, but the clerk is not personally liable for the 3926
payment of uncollected taxes or uncollected fees. The clerk shall 3927

notify the tax commissioner of any such payment of taxes that is 3928
due but not made and shall furnish the information to the 3929
commissioner that the commissioner requires. The clerk shall 3930
deduct the amount of taxes due but not paid from the clerk's 3931
periodic remittance of tax payments, in accordance with procedures 3932
agreed upon by the tax commissioner. The commissioner may collect 3933
taxes due by assessment in the manner provided in section 5739.13 3934
of the Revised Code. 3935

Any person who presents payment that is returned or 3936
dishonored for any reason is liable to the clerk for payment of a 3937
penalty over and above the amount of the taxes due. The clerk 3938
shall determine the amount of the penalty, and the penalty shall 3939
be no greater than that amount necessary to compensate the clerk 3940
for banking charges, legal fees, or other expenses incurred by the 3941
clerk in collecting the returned or dishonored payment. The 3942
remedies and procedures provided in this section are in addition 3943
to any other available civil or criminal remedies. Subsequently 3944
collected penalties, poundage fees, and title fees, less any title 3945
fee due the state, from returned or dishonored payments collected 3946
by the clerk shall be paid into the certificate of title 3947
administration fund. Subsequently collected taxes, less poundage 3948
fees, shall be sent by the clerk to the treasurer of state at the 3949
next scheduled periodic remittance of tax payments, with 3950
information as the commissioner may require. The clerk may abate 3951
all or any part of any penalty assessed under this division. 3952

(F) In the following cases, the clerk shall accept for filing 3953
an application and shall issue a certificate of title without 3954
requiring payment or evidence of payment of the tax: 3955

(1) When the purchaser is this state or any of its political 3956
subdivisions, a church, or an organization whose purchases are 3957
exempted by section 5739.02 of the Revised Code; 3958

(2) When the transaction in this state is not a retail sale 3959

as defined by section 5739.01 of the Revised Code; 3960

(3) When the purchase is outside this state or in interstate 3961
commerce and the purpose of the purchaser is not to use, store, or 3962
consume within the meaning of section 5741.01 of the Revised Code; 3963

(4) When the purchaser is the federal government; 3964

(5) When the motor vehicle was purchased outside this state 3965
for use outside this state; 3966

(6) When the motor vehicle is purchased by a nonresident of 3967
this state for immediate removal from this state, and will be 3968
permanently titled and registered in another state, as provided by 3969
division (B)(23) of section 5739.02 of the Revised Code, and upon 3970
presentation of a copy of the affidavit provided by that section, 3971
and a copy of the exemption certificate provided by section 3972
5739.03 of the Revised Code. 3973

The clerk shall forward all payments of taxes, less poundage 3974
fees, to the treasurer of state in a manner to be prescribed by 3975
the tax commissioner and shall furnish information to the 3976
commissioner as the commissioner requires. 3977

(G) An application, as prescribed by the registrar and agreed 3978
to by the tax commissioner, shall be filled out and sworn to by 3979
the buyer of a motor vehicle in a casual sale. The application 3980
shall contain the following notice in bold lettering: "WARNING TO 3981
TRANSFEROR AND TRANSFEREE (SELLER AND BUYER): You are required by 3982
law to state the true selling price. A false statement is in 3983
violation of section 2921.13 of the Revised Code and is punishable 3984
by six months' imprisonment or a fine of up to one thousand 3985
dollars, or both. All transfers are audited by the department of 3986
taxation. The seller and buyer must provide any information 3987
requested by the department of taxation. The buyer may be assessed 3988
any additional tax found to be due." 3989

(H) For sales of manufactured homes or mobile homes occurring 3990

on or after January 1, 2000, the clerk shall accept for filing, 3991
pursuant to Chapter 5739. of the Revised Code, an application for 3992
a certificate of title for a manufactured home or mobile home 3993
without requiring payment of any tax pursuant to section 5739.02, 3994
5741.021, 5741.022, or 5741.023 of the Revised Code, or a receipt 3995
issued by the tax commissioner showing payment of the tax. For 3996
sales of manufactured homes or mobile homes occurring on or after 3997
January 1, 2000, the applicant shall pay to the clerk an 3998
additional fee of five dollars for each certificate of title 3999
issued by the clerk for a manufactured or mobile home pursuant to 4000
division (H) of section 4505.11 of the Revised Code and for each 4001
certificate of title issued upon transfer of ownership of the 4002
home. The clerk shall credit the fee to the county certificate of 4003
title administration fund, and the fee shall be used to pay the 4004
expenses of archiving those certificates pursuant to division (A) 4005
of section 4505.08 and division (H)(3) of section 4505.11 of the 4006
Revised Code. The tax commissioner shall administer any tax on a 4007
manufactured or mobile home pursuant to Chapters 5739. and 5741. 4008
of the Revised Code. 4009

(I) Every clerk shall have the capability to transact by 4010
electronic means all procedures and transactions relating to the 4011
issuance of motor vehicle certificates of title that are described 4012
in the Revised Code as being accomplished by electronic means. 4013

Sec. 4505.07. (A) A physical certificate of title shall be 4014
printed upon a special paper with a secure printing process or 4015
other secure process, for the printing of motor vehicle titles, as 4016
required by section 2 of the "Truth in Mileage Act of 1986," 100 4017
Stat. 3309, 15 U.S.C.A. 1901 et seq. 4018

An electronic certificate of title is an electronic record 4019
stored in the automated title processing system that established 4020
ownership of a motor vehicle, as well as any security interests 4021

<u>that exist in that motor vehicle.</u>	4022
(B) Every certificate of title shall bear the distinguishing number assigned to the title, and shall contain, on the front of the certificate, the following information:	4023 4024 4025
(1) An indication that the certificate is issued in this state;	4026 4027
(2) The county in which the certificate is issued;	4028
(3) An indication that the certificate is an original, memorandum, duplicate, or salvage certificate;	4029 4030
(4) The date of issuance of the certificate;	4031
(5) The name and address of the owner, in full;	4032
(6) The name and address of the previous owner, in full;	4033
(7) The previous certificate of title number;	4034
(8) The state in which the vehicle previously was titled;	4035
(9) The make, body type, year, model, and vehicle identification number of the vehicle;	4036 4037
(10) First and second lien notation information, including the name and address of the lienholder in full and the date of the lien notation;	4038 4039 4040
(11) For discharging and canceling the lien notation, a notice that states: "lien discharge," a space for the signature of the lienholder, the discharge date, a space for the signature of the clerk of the court of common pleas, the cancellation date, and a space for the notation of the deputy clerk;	4041 4042 4043 4044 4045
(12) The purchase price of the motor vehicle and the amount of Ohio sales or use tax paid;	4046 4047
(13) The mileage registered on the odometer and the status of the odometer of the vehicle at the time the previous title was assigned;	4048 4049 4050

(14) A space for the seal of the clerk;	4051
(15) The signature of the clerk;	4052
(16) A space for the notation of the deputy clerk;	4053
(17) A space for other pertinent information as may be required by the registrar of motor vehicles;	4054 4055
(18) A consecutive number for control purposes;	4056
(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;	4057 4058 4059 4060 4061
(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.	4062 4063 4064 4065 4066
(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.	4067 4068 4069
(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.	4070 4071 4072
(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.	4073 4074 4075
(F) The following information shall appear on the reverse side of each certificate of title:	4076 4077
(1) A notice in bold lettering that states: "ERASURES AND ALTERATIONS VOID THIS TITLE ASSIGNMENT. (Type or print in ink.);"	4078 4079

(2) The total consideration of the vehicle;	4080
(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;	4081 4082 4083 4084
(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.	4085 4086 4087 4088 4089 4090
(5) A disclosure that states: "I (we) warrant the title to be free of all liens."	4091 4092
(6) A space for the signature of the transferor and the transferor's printed name and address in full;	4093 4094
(7) A space for the seal of the clerk or a notary;	4095
(8) The acknowledgment statement of the clerk, the deputy clerk, or a notary;	4096 4097
(9) A space for the signature of the clerk, the deputy clerk, or a notary;	4098 4099
(10) The buyer's odometer acknowledgment statement, with a space for the buyer's printed name and address;	4100 4101
(11) A notice in bold lettering that states: "WARNING TO TRANSFEROR AND TRANSFEREE (SELLER AND BUYER): You are required by law to state the true selling price. A false statement is in violation of section 2921.13 of the Revised Code and is punishable by six months' imprisonment or a fine of up to one thousand dollars, or both. All transfers are audited by the department of taxation.	4102 4103 4104 4105 4106 4107 4108
The seller and buyer must provide any information requested	4109

by the department of taxation. The buyer may be assessed any 4110
additional tax found to be due." 4111

(12) An application for a certificate of title, memorandum 4112
certificate of title, or salvage certificate of title, as 4113
prescribed by the registrar, which shall include all of the 4114
following: 4115

(a) A disclosure that states: "Application for certificate of 4116
title (type or print in ink)"; 4117

(b) A disclosure that states: "Fee of \$5.00 for failure to 4118
apply for title within 30 days of assignment."; 4119

(c) A space for the applicant's printed name and address: 4120

(d) A space for the applicant's social security number or 4121
employer's identification number; 4122

(e) A space for the purchase price, tax paid, or tax 4123
exemption reason, or dealer's permit number, and vendor's number, 4124
and condition of the vehicle; 4125

(f) A disclosure statement that states: "Lien information: If 4126
no lien state "none." If more than one lien, attach statement of 4127
all additional liens."; 4128

(g) A space for the lienholder's name and address; 4129

(h) A disclosure statement that states: "I (we) state that 4130
all information contained in this application is true and 4131
correct."; 4132

(i) A space for the applicant's signature; 4133

(j) A space for the acknowledgment statement of the clerk, 4134
the deputy clerk, or a notary; 4135

(k) A space for the seal of the clerk or a notary; 4136

(l) A space for the signature of the clerk, the deputy clerk, 4137
or a notary; 4138

(m) Any other pertinent information as may be required by the registrar. 4139
4140

Sec. 4505.08. (A) When the clerk of a court of common pleas 4141
issues a physical certificate of title, the clerk shall issue the 4142
certificate of title ~~in duplicate. One copy shall be retained and~~ 4143
~~filed by the clerk in the clerk's office on a form and in a manner~~ 4144
prescribed by the registrar of motor vehicles. The clerk shall 4145
file a copy of the physical evidence for the creation of the 4146
certificate of title in a manner prescribed by the registrar. A 4147
clerk may retain digital images of documents used as evidence for 4148
issuance of a certificate of title. Certified printouts of 4149
documents retained as digital images shall have the same 4150
evidentiary value as the original physical documents. The record 4151
of the issuance of the certificate of title shall be maintained in 4152
the automated title processing system. The clerk shall sign and 4153
affix the clerk's seal to the original certificate of title and, 4154
if there are no liens on the motor vehicle, shall deliver the 4155
certificate to the applicant or the selling dealer. If there are 4156
one or more liens on the motor vehicle, the certificate of title 4157
shall be delivered to the holder of the first lien or the selling 4158
dealer, who shall deliver the certificate of title to the holder 4159
of the first lien. 4160

The registrar ~~of motor vehicles~~ shall prescribe a uniform 4161
method of numbering certificates of title, and such numbering 4162
shall be in such manner that the county of issuance is indicated. 4163
The clerk shall assign numbers to certificates of title in the 4164
manner prescribed by the registrar. The clerk shall file all 4165
certificates of title according to rules to be prescribed by the 4166
registrar, and the clerk shall maintain in the clerk's office 4167
indexes for the certificates of title. 4168

The clerk need not retain on file any current certificates of 4169

title, current duplicate certificates of title, current memorandum 4170
certificates of title, or current salvage certificates of title, 4171
or supporting evidence of them, ~~including the electronic record~~ 4172
~~described in division (A) of section 4505.06 of the Revised Code,~~ 4173
covering any motor vehicle or manufactured or mobile home for a 4174
period longer than seven years after the date of its filing; 4175
thereafter, the documents and supporting evidence may be 4176
destroyed. The clerk need not retain on file any inactive records, 4177
including certificates of title, duplicate certificates of title, 4178
or memorandum certificates of title, or supporting evidence of 4179
them, including the electronic record described in division (A) of 4180
section 4505.06 of the Revised Code, covering any motor vehicle or 4181
manufactured or mobile home for a period longer than five years 4182
after the date of its filing; thereafter, the documents and 4183
supporting evidence may be destroyed. 4184

The automated title processing system shall contain all 4185
active records and an index of the active records, a record and 4186
index of all inactive titles for ten years, and a record and index 4187
of all inactive titles for manufactured and mobile homes for 4188
thirty years. If the clerk provides a written copy of any 4189
information contained in the database, the copy shall be 4190
considered the original for purposes of the clerk certifying the 4191
record of the information for use in any legal proceeding. 4192

(B)(1) If the clerk issues a certificate of title for a motor 4193
vehicle that was last previously registered in another state, the 4194
clerk shall record verbatim, where practicable, in the space on 4195
the title described in division (B)(19) of section 4505.07 of the 4196
Revised Code, the words that appear as a notation to the vehicle 4197
on the title issued by the previous state. These notations may 4198
include, but are not limited to, words to the effect that the 4199
vehicle was considered or was categorized by the state in which it 4200
was last previously registered to be a law enforcement vehicle or 4201

a taxicab or was once in a flood. 4202

(2) If the clerk, while issuing a certificate of title for a 4203
motor vehicle that was last previously registered in another 4204
state, receives information from the automated title processing 4205
system indicating that a title to the vehicle previously was 4206
issued by this state and that the previous title contained 4207
notations that appeared in the space described in division (B)(19) 4208
or (20) of section 4505.07 of the Revised Code, the clerk shall 4209
enter the notations that appeared on the previous certificate of 4210
title issued by this state on the new certificate of title in the 4211
space described in division (B)(19) or (20) of section 4505.07 of 4212
the Revised Code, irrespective of whether the notations appear on 4213
the certificate of title issued by the state in which the vehicle 4214
was last previously registered. 4215

(3) If the clerk, while issuing a certificate of title for a 4216
motor vehicle that was last previously registered in another 4217
state, receives information from the automated title processing 4218
system indicating that the vehicle was previously issued a title 4219
by this state and that the previous title bore the notation 4220
"REBUILT SALVAGE" as required by division (E) of section 4505.11 4221
of the Revised Code, or the previous title to the vehicle issued 4222
by this state was a salvage certificate of title, the clerk shall 4223
cause the certificate of title the clerk issues to bear the 4224
notation "REBUILT SALVAGE" in the location prescribed by the 4225
registrar pursuant to that division. 4226

(C) When the clerk issues a certificate of title for a motor 4227
vehicle that was last previously registered in this state and was 4228
a law enforcement vehicle or a taxicab or was once in a flood, the 4229
clerk shall record that information in the space on the title 4230
described in division (B)(20) of section 4505.07 of the Revised 4231
Code. The registrar, by rule, may prescribe any additional uses of 4232
or happenings to a motor vehicle that the registrar has reason to 4233

believe should be noted on the certificate of title as provided in 4234
this division. 4235

(D) The clerk shall use reasonable care in recording or 4236
entering onto titles the clerk issues any notation and information 4237
the clerk is required by divisions (B) and (C) of this section to 4238
record or enter and in causing the titles the clerk issues to bear 4239
any notation required by those divisions, but the clerk is not 4240
liable for any of the clerk's errors or omissions or those of the 4241
clerk's deputies, or the automated title processing system, in the 4242
performance of the duties imposed on the clerk by this section. 4243

(E) The clerk may issue a duplicate title, when duly applied 4245
for, of any title that has been destroyed as herein provided. 4246

(F) The clerk shall issue a physical certificate of title to 4247
an applicant unless the applicant specifically requests the clerk 4248
not to issue a physical certificate of title and instead to issue 4249
an electronic certificate of title. The fact that a physical 4250
certificate of title is not issued for a motor vehicle does not 4251
affect ownership of the vehicle. In that case, when the clerk 4252
completes the process of entering certificate of title application 4253
information into the automated title processing system, the effect 4254
of the completion of the process is the same as if the clerk 4255
actually issued a physical certificate of title for the motor 4256
vehicle. 4257

(G) An electronic motor vehicle dealer who applies for a 4258
certificate of title on behalf of a customer who purchases a motor 4259
vehicle from the dealer may print a non-negotiable evidence of 4260
ownership for the customer if the customer so requests. The 4261
authorization to print the non-negotiable evidence of ownership 4262
shall come from the clerk with whom the dealer makes application 4263
for the certificate of title for the customer, but the printing by 4264
the dealer does not create an agency relationship of any kind 4265

between the dealer and the clerk. 4266

~~(H) If an electronic certificate of title previously has been~~ 4267
~~issued for a motor vehicle, the~~ The owner of ~~the~~ a motor vehicle 4268
may apply at any time to a clerk of a court of common pleas for a 4269
non-negotiable evidence of ownership for the motor vehicle. 4270

Sec. 4505.09. (A) The clerk of a court of common pleas shall 4271
charge a fee of five dollars for each certificate of title that is 4272
not applied for within thirty days after the later of the 4273
assignment or delivery of the motor vehicle described in it. The 4274
fees shall be retained by the clerk. 4275

In addition to those fees, the clerk shall charge a fee of 4276
five dollars for each certificate of title, duplicate certificate 4277
of title, memorandum certificate of title, authorization to print 4278
a non-negotiable evidence of ownership described in division (G) 4279
of section 4505.08 of the Revised Code, non-negotiable evidence of 4280
ownership printed by the clerk under division (H) of that section, 4281
and notation of any lien on a certificate of title. The clerk 4282
shall retain two dollars and twenty-five cents of the fee charged 4283
for each certificate of title, four dollars and seventy-five cents 4284
of the fee charged for each duplicate certificate of title, all of 4285
the fees charged for each memorandum certificate, authorization to 4286
print a non-negotiable evidence of ownership, or non-negotiable 4287
evidence of ownership printed by the clerk, and four dollars and 4288
twenty-five cents of the fee charged for each notation of a lien. 4289

The remaining two dollars and seventy-five cents charged for 4290
the certificate of title, the remaining twenty-five cents charged 4291
for the duplicate certificate of title, and the remaining 4292
seventy-five cents charged for the notation of any lien on a 4293
certificate of title shall be paid to the registrar of motor 4294
vehicles by monthly returns, which shall be forwarded to the 4295
registrar not later than the fifth day of the month next 4296

succeeding that in which the certificate is issued or that in 4297
which the registrar is notified of a lien or cancellation of a 4298
lien. 4299

(B)(1) The registrar shall pay twenty-five cents of the 4300
amount received for each certificate of title and all of the 4301
amounts received for each notation of any lien and each duplicate 4302
certificate of title into the state bureau of motor vehicles fund 4303
established in section 4501.25 of the Revised Code. 4304

(2) Fifty cents of the amount received for each certificate 4305
of title shall be paid by the registrar as follows: 4306

(a) Four cents shall be paid into the state treasury to the 4307
credit of the motor vehicle dealers board fund, which is hereby 4308
created. All investment earnings of the fund shall be credited to 4309
the fund. The moneys in the motor vehicle dealers board fund shall 4310
be used by the motor vehicle dealers board created under section 4311
4517.30 of the Revised Code, together with other moneys 4312
appropriated to it, in the exercise of its powers and the 4313
performance of its duties under Chapter 4517. of the Revised Code, 4314
except that the director of budget and management may transfer 4315
excess money from the motor vehicle dealers board fund to the 4316
bureau of motor vehicles fund if the registrar determines that the 4317
amount of money in the motor vehicle dealers board fund, together 4318
with other moneys appropriated to the board, exceeds the amount 4319
required for the exercise of its powers and the performance of its 4320
duties under Chapter 4517. of the Revised Code and requests the 4321
director to make the transfer. 4322

(b) Twenty-one cents shall be paid into the general revenue 4323
fund. 4324

(c) Twenty-five cents shall be paid into the state treasury 4325
to the credit of the motor vehicle sales audit fund, which is 4326
hereby created. The moneys in the fund shall be used by the tax 4327

commissioner together with other funds available to the 4328
commissioner to conduct a continuing investigation of sales and 4329
use tax returns filed for motor vehicles in order to determine if 4330
sales and use tax liability has been satisfied. The commissioner 4331
shall refer cases of apparent violations of section 2921.13 of the 4332
Revised Code made in connection with the titling or sale of a 4333
motor vehicle and cases of any other apparent violations of the 4334
sales or use tax law to the appropriate county prosecutor whenever 4335
the commissioner considers it advisable. 4336

(3) Two dollars of the amount received by the registrar for 4337
each certificate of title shall be paid into the state treasury to 4338
the credit of the automated title processing fund, which is hereby 4339
created and which shall consist of moneys collected under division 4340
(B)(3) of this section and under sections 1548.10 and 4519.59 of 4341
the Revised Code. All investment earnings of the fund shall be 4342
credited to the fund. The moneys in the fund shall be used as 4343
follows: 4344

(a) Except for moneys collected under section 1548.10 of the 4345
Revised Code and as provided in division (B)(3)(c) of this 4346
section, moneys collected under division (B)(3) of this section 4347
shall be used to implement and maintain an automated title 4348
processing system for the issuance of motor vehicle, off-highway 4349
motorcycle, and all-purpose vehicle certificates of title in the 4350
offices of the clerks of the courts of common pleas. 4351

(b) Moneys collected under section 1548.10 of the Revised 4352
Code shall be used to issue marine certificates of title in the 4353
offices of the clerks of the courts of common pleas as provided in 4354
Chapter 1548. of the Revised Code. 4355

(c) Moneys collected under division (B)(3) of this section 4356
shall be used in accordance with section 4505.25 of the Revised 4357
Code to implement Sub. S.B. 59 of the 124th general assembly. 4358

(C)(1) The automated title processing board is hereby created 4359
consisting of the registrar or the registrar's representative, a 4360
person selected by the registrar, the president of the Ohio clerks 4361
of court association or the president's representative, and two 4362
clerks of courts of common pleas appointed by the governor. The 4363
director of budget and management or the director's designee, the 4364
chief of the division of watercraft in the department of natural 4365
resources or the chief's designee, and the tax commissioner or the 4366
commissioner's designee shall be nonvoting members of the board. 4367
The purpose of the board is to facilitate the operation and 4368
maintenance of an automated title processing system and approve 4369
the procurement of automated title processing system equipment. 4370
Voting members of the board, excluding the registrar or the 4371
registrar's representative, shall serve without compensation, but 4372
shall be reimbursed for travel and other necessary expenses 4373
incurred in the conduct of their official duties. The registrar or 4374
the registrar's representative shall receive neither compensation 4375
nor reimbursement as a board member. 4376

(2) The automated title processing board shall determine each 4377
of the following: 4378

(a) The automated title processing equipment and certificates 4379
of title requirements for each county; 4380

(b) The payment of expenses that may be incurred by the 4381
counties in implementing an automated title processing system; 4382

(c) The repayment to the counties for existing title 4383
processing equipment. 4384

(3) The registrar shall purchase, lease, or otherwise acquire 4385
any automated title processing equipment and certificates of title 4386
that the board determines are necessary from moneys in the 4387
automated title processing fund established by division (B)(3) of 4388
this section. ~~Each county issuing more than one hundred thousand 4389~~

~~certificates of title annually, with the approval of the registrar 4390
and in accordance with the registrar's requirements, may purchase 4391
and maintain an automated title processing system for the issuance 4392
of motor vehicle titles, certificates of title for off-highway 4393
motorcycles and all purpose vehicles, and certificates of title 4394
for watercraft and outboard motors with the cost of the system 4395
paid for from the automated processing title fund. 4396~~

(D) All counties shall conform to the requirements of the 4397
registrar regarding the operation of their automated title 4398
processing system for motor vehicle titles, certificates of title 4399
for off-highway motorcycles and all-purpose vehicles, and 4400
certificates of title for watercraft and outboard motors. 4401

Sec. 4505.10. (A) In the event of the transfer of ownership 4402
of a motor vehicle by operation of law, as upon inheritance, 4403
devise, bequest, order in bankruptcy, insolvency, replevin, or 4404
execution sale, a motor vehicle is sold to satisfy storage or 4405
repair charges, or repossession is had upon default in performance 4406
of the terms of a security agreement as provided in Chapter 1309. 4407
of the Revised Code and the secured party has notified the debtor 4408
as required by division (B) of section 1309.611 of the Revised 4409
Code, a clerk of a court of common pleas, upon the surrender of 4410
the prior certificate of title or the manufacturer's or importer's 4411
certificate, or, when that is not possible, upon presentation of 4412
satisfactory proof to the clerk of ownership and rights of 4413
possession to the motor vehicle, and upon payment of the fee 4414
prescribed in section 4505.09 of the Revised Code and presentation 4415
of an application for certificate of title, may issue to the 4416
applicant a certificate of title to the motor vehicle. Only an 4417
affidavit by the person or agent of the person to whom possession 4418
of the motor vehicle has passed, setting forth the facts entitling 4419
the person to the possession and ownership, together with a copy 4420
of the journal entry, court order, or instrument upon which the 4421

claim of possession and ownership is founded, is satisfactory 4422
proof of ownership and right of possession. If the applicant 4423
cannot produce that proof of ownership, the applicant may apply 4424
directly to the registrar of motor vehicles and submit the 4425
evidence the applicant has, and the registrar, if the registrar 4426
finds the evidence sufficient, then may authorize a clerk to issue 4427
a certificate of title. If the registrar finds the evidence 4428
insufficient, the applicant may petition the court of common pleas 4429
for a court order ordering the clerk to issue a certificate of 4430
title. The court shall grant or deny the petition based on the 4431
sufficiency of the evidence presented to the court. If, from the 4432
records in the office of the clerk involved, there appears to be 4433
any lien on the motor vehicle, the certificate of title shall 4434
contain a statement of the lien unless the application is 4435
accompanied by proper evidence of its extinction. 4436

(B) A clerk shall transfer a decedent's interest in one or 4437
two automobiles to the surviving spouse of the decedent, as 4438
provided in section 2106.18 of the Revised Code, upon receipt of 4439
the title or titles. An affidavit executed by the surviving spouse 4440
shall be submitted to the clerk with the title or titles. The 4441
affidavit shall give the date of death of the decedent, shall 4442
state that each automobile for which the decedent's interest is to 4443
be so transferred is not disposed of by testamentary disposition, 4444
and shall provide an approximate value for each automobile 4445
selected to be transferred by the surviving spouse. The affidavit 4446
shall also contain a description for each automobile for which the 4447
decedent's interest is to be so transferred. The transfer does not 4448
affect any liens upon any automobile for which the decedent's 4449
interest is so transferred. 4450

(C) Upon the death of one of the persons who have established 4451
joint ownership with right of survivorship under section 2131.12 4452
of the Revised Code in a motor vehicle, and upon presentation to a 4453

clerk of the title and the certificate of death of the decedent, 4454
the clerk shall transfer title to the motor vehicle to the 4455
survivor. The transfer does not affect any liens upon any motor 4456
vehicle so transferred. 4457

(D) Upon the death of the owner of a motor vehicle designated 4458
in beneficiary form under section 2131.13 of the Revised Code, 4459
upon application for a certificate of title by the 4460
transfer-on-death beneficiary or beneficiaries designated pursuant 4461
to that section, and upon presentation to the clerk of the 4462
certificate of title and the certificate of death of the decedent, 4463
the clerk shall transfer the motor vehicle and issue a certificate 4464
of title to the transfer-on-death beneficiary or beneficiaries. 4465
The transfer does not affect any liens upon the motor vehicle so 4466
transferred. 4467

Sec. 4505.11. (A) Each owner of a motor vehicle and each 4468
person mentioned as owner in the last certificate of title, when 4469
the motor vehicle is dismantled, destroyed, or changed in such 4470
manner that it loses its character as a motor vehicle, or changed 4471
in such manner that it is not the motor vehicle described in the 4472
certificate of title, shall surrender the certificate of title to 4473
that motor vehicle to a clerk of a court of common pleas, and the 4474
clerk, with the consent of any holders of any liens noted on the 4475
certificate of title, then shall enter a cancellation upon the 4476
clerk's records and shall notify the registrar of motor vehicles 4477
of the cancellation. 4478

Upon the cancellation of a certificate of title in the manner 4479
prescribed by this section, any clerk and the registrar of motor 4480
vehicles may cancel and destroy all certificates and all 4481
memorandum certificates in that chain of title. 4482

(B) If an Ohio certificate of title or salvage certificate of 4483
title to a motor vehicle is assigned to a salvage dealer, the 4484

dealer is not required to obtain an Ohio certificate of title or a 4485
salvage certificate of title to the motor vehicle in the dealer's 4486
own name if the dealer dismantles or destroys the motor vehicle, 4487
indicates the number of the dealer's motor vehicle salvage 4488
dealer's license on it, marks "FOR DESTRUCTION" across the face of 4489
the certificate of title or salvage certificate of title, and 4490
surrenders the certificate of title or salvage certificate of 4491
title to a clerk of a court of common pleas as provided in 4492
division (A) of this section. If the salvage dealer retains the 4493
motor vehicle for resale, the dealer shall make application for a 4494
salvage certificate of title to the motor vehicle in the dealer's 4495
own name as provided in division (C)(1) of this section. 4496

(C)(1) When an insurance company declares it economically 4497
impractical to repair such a motor vehicle and has paid an agreed 4498
price for the purchase of the motor vehicle to any insured or 4499
claimant owner, the insurance company shall receive the 4500
certificate of title and the motor vehicle and proceed as follows. 4501
Within thirty days, the insurance company shall deliver the 4502
certificate of title to a clerk of a court of common pleas and 4503
shall make application for a salvage certificate of title. The 4504
clerk shall issue the salvage certificate of title on a form, 4505
prescribed by the registrar, that shall be easily distinguishable 4506
from the original certificate of title and shall bear the same 4507
~~number and~~ information as the original certificate of title except 4508
that it may bear a different number than that of the original 4509
certificate of title. Except as provided in division (C)(2) of 4510
this section, the salvage certificate of title shall be assigned 4511
by the insurance company to a salvage dealer or any other person 4512
for use as evidence of ownership upon the sale or other 4513
disposition of the motor vehicle, and the salvage certificate of 4514
title shall be transferrable to any other person. The clerk shall 4515
charge a fee of four dollars for the cost of processing each 4516
salvage certificate of title. 4517

(2) If an insurance company considers a motor vehicle as 4518
described in division (C)(1) of this section to be impossible to 4519
restore for highway operation, the insurance company may assign 4520
the certificate of title to the motor vehicle to a salvage dealer 4521
or scrap metal processing facility and send the assigned 4522
certificate of title to the clerk of the court of common pleas of 4523
~~the any county in which the salvage dealer or scrap metal~~ 4524
~~processing facility is located.~~ The insurance company shall mark 4525
the face of the certificate of title "FOR DESTRUCTION" and shall 4526
deliver a photocopy of the certificate of title to the salvage 4527
dealer or scrap metal processing facility for its records. 4528

(3) If an insurance company declares it economically 4529
impractical to repair a motor vehicle, agrees to pay to the 4530
insured or claimant owner an amount in settlement of a claim 4531
against a policy of motor vehicle insurance covering the motor 4532
vehicle, and agrees to permit the insured or claimant owner to 4533
retain possession of the motor vehicle, the insurance company 4534
shall not pay the insured or claimant owner any amount in 4535
settlement of the insurance claim until the owner obtains a 4536
salvage certificate of title to the vehicle and furnishes a copy 4537
of the salvage certificate of title to the insurance company. 4538

(D) When a self-insured organization, rental or leasing 4539
company, or secured creditor becomes the owner of a motor vehicle 4540
that is burned, damaged, or dismantled and is determined to be 4541
economically impractical to repair, the self-insured organization, 4542
rental or leasing company, or secured creditor shall do one of the 4543
following: 4544

(1) Mark the face of the certificate of title to the motor 4545
vehicle "FOR DESTRUCTION" and surrender the certificate of title 4546
to a clerk of a court of common pleas for cancellation as 4547
described in division (A) of this section. The self-insured 4548
organization, rental or leasing company, or secured creditor then 4549

shall deliver the motor vehicle, together with a photocopy of the certificate of title, to a salvage dealer or scrap metal processing facility and shall cause the motor vehicle to be dismantled, flattened, crushed, or destroyed.

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

(E) If a motor vehicle titled with a salvage certificate of title is restored for operation upon the highways, application shall be made to a clerk of a court of common pleas for a certificate of title. Upon inspection by the state highway patrol, which shall include establishing proof of ownership and an inspection of the motor number and vehicle identification number of the motor vehicle and of documentation or receipts for the materials used in restoration by the owner of the motor vehicle being inspected, which documentation or receipts shall be presented at the time of inspection, the clerk, upon surrender of the salvage certificate of title, shall issue a certificate of title for a fee prescribed by the registrar. The certificate of title shall be in the same form as the original certificate of title, ~~shall bear the same number as the salvage certificate of title and the original certificate of title,~~ and shall bear the words "REBUILT SALVAGE" in black boldface letters on its face. Every subsequent certificate of title, memorandum certificate of title, or duplicate certificate of title issued for the motor vehicle also shall bear the words "REBUILT SALVAGE" in black boldface letters on its face. The exact location on the face of

the certificate of title of the words "REBUILT SALVAGE" shall be 4582
determined by the registrar, who shall develop an automated 4583
procedure within the automated title processing system to comply 4584
with this division. The clerk shall use reasonable care in 4585
performing the duties imposed on the clerk by this division in 4586
issuing a certificate of title pursuant to this division, but the 4587
clerk is not liable for any of the clerk's errors or omissions or 4588
those of the clerk's deputies, or the automated title processing 4589
system in the performance of those duties. A fee of fifty dollars 4590
shall be assessed by the state highway patrol for each inspection 4591
made pursuant to this division and shall be deposited into the 4592
state highway safety fund established by section 4501.06 of the 4593
Revised Code. 4594

(F) No person shall operate upon the highways in this state a 4595
motor vehicle, title to which is evidenced by a salvage 4596
certificate of title, except to deliver the motor vehicle pursuant 4597
to an appointment for an inspection under this section. 4598

(G) No motor vehicle the certificate of title to which has 4599
been marked "FOR DESTRUCTION" and surrendered to a clerk of a 4600
court of common pleas shall be used for anything except parts and 4601
scrap metal. 4602

(H)(1) Except as otherwise provided in this division, an 4603
owner of a manufactured or mobile home that will be taxed as real 4604
property pursuant to division (B) of section 4503.06 of the 4605
Revised Code shall surrender the certificate of title to the 4606
auditor of the county containing the taxing district in which the 4607
home is located. An owner whose home qualifies for real property 4608
taxation under divisions (B)(1)(a) and (b) of section 4503.06 of 4609
the Revised Code shall surrender the certificate within fifteen 4610
days after the home meets the conditions specified in those 4611
divisions. The auditor shall deliver the certificate of title to 4612
the clerk of the court of common pleas who issued it. 4613

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

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

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

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

(4) Upon application by the owner of a manufactured or mobile home that is taxed as real property pursuant to division (B) of section 4503.06 of the Revised Code and that no longer satisfies divisions (B)(1)(a) and (b) or divisions (B)(2)(a) and (b) of that section, the clerk shall reactivate the record of the certificate of title that was inactivated under division (H)(3) of this section and shall issue a new certificate of title, but only if the application contains or has attached to it all of the following:

(a) An endorsement of the county treasurer that all real

property taxes charged against the home under Title LVII of the Revised Code and division (B) of section 4503.06 of the Revised Code for all preceding tax years have been paid;

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

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

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

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

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

(2) Chapter 1309. of the Revised Code applies to a security interest in a motor vehicle held as inventory ~~1309.102~~ for sale by a dealer. The security interest has priority over creditors of the dealer as provided in Chapter 1309. of the Revised Code without notation of the security interest on a certificate of title, without entry of a notation of the security interest into the automated title processing system if a physical certificate of title for the motor vehicle has not been issued, or without the retention of a manufacturer's or importer's certificate.

(B) Subject to division (A) of this section, any security agreement covering a security interest in a motor vehicle, if a

notation of the agreement has been made by a clerk of a court of 4675
common pleas on the face of the certificate of title or the clerk 4676
has entered a notation of the agreement into the automated title 4677
processing system and a physical certificate of title for the 4678
motor vehicle has not been issued, is valid as against the 4679
creditors of the debtor, whether armed with process or not, and 4680
against subsequent purchasers, secured parties, and other 4681
lienholders or claimants. All security interests, liens, 4682
mortgages, and encumbrances entered into the automated title 4683
processing system in relation to a particular certificate of 4684
title, regardless of whether a physical certificate of title is 4685
issued, take priority according to the order of time in which they 4686
are entered into the automated title processing system by the 4687
clerk. Exposure for sale of any motor vehicle by its owner, with 4688
the knowledge or with the knowledge and consent of the holder of 4689
any security interest, lien, mortgage, or encumbrance on it, does 4690
not render that security interest, lien, mortgage, or encumbrance 4691
ineffective as against the creditors of that owner, or against 4692
holders of subsequent security interests, liens, mortgages, or 4693
encumbrances upon that motor vehicle. 4694

The secured party, upon presentation of evidence of a 4695
security interest to a clerk of a court of common pleas, together 4696
with the certificate of title if a physical certificate of title 4697
for the motor vehicle exists, and the fee prescribed by section 4698
4505.09 of the Revised Code, may have a notation of the security 4699
interest made. Unless the secured party specifically requests the 4700
clerk not to issue a physical certificate of title and instead to 4701
issue an electronic certificate of title, the clerk shall issue, 4702
over the clerk's signature and seal of office, a new original 4703
certificate of title from the automated title processing records 4704
that indicates the security interest and the date of the security 4705
interest. 4706

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 holds a physical certificate of title, the holder shall note the discharge of the security interest on the face of the certificate of title over the holder's signature, 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. 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 convey the certificate of title 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 fully discharge the security interest have been credited to an account of the holder, provided the holder has been provided accurate information concerning the motor vehicle. Conveyance of the certificate of title or separate ~~sworn~~ statement of the discharge within the required seven business days may be indicated by postmark or receipt by a clerk within that period, or, in the case of a written confirmation that is sent electronically as provided in division (C)(1) of this section, by the date of the electronic mail or other electronic communication. If the discharge of the security interest appears to be genuine, the clerk shall note the cancellation of the security interest on the face of the certificate of title, if it was so conveyed, and note it in the automated title processing system ~~and upon the records of the clerk.~~

If a security interest is fully discharged as a result of its holder's receipt of good funds in the correct amount and the holder does not hold a physical certificate of title, when the holder notifies a clerk of the discharge of its security interest, the holder at that time also may request the clerk to issue a physical certificate of title to the vehicle. The request shall

specify whether the clerk is to send the certificate of title 4740
directly to the owner or to the holder or the holder's agent for 4741
transmission to the owner. If such a request is made, the clerk 4742
shall issue a physical certificate of title and send it to the 4743
specified person. 4744

The clerk shall not honor such a request for a physical 4745
certificate of title if it is not made by the holder at the same 4746
time as the holder's notification to the clerk of the discharge of 4747
its security interest. 4748

(C)(1) In all cases, a secured party may choose to present a 4749
clerk with evidence of a security interest via written 4750
confirmation through electronic means, and the clerk shall enter 4751
the security interest into the automated title processing system. 4752
A secured party also may choose to notify a clerk of the discharge 4753
of its security interest via electronic means, and the clerk shall 4754
enter the cancellation into the automated title processing system. 4755

(2) In the case of a security interest that is being 4756
satisfied by a dealer to whom a certificate of title is being 4757
transferred, the cancellation of the security interest shall occur 4758
during the course of the transfer. The dealer shall submit a 4759
discharge request to the secured party. A discharge request shall 4760
include good funds in the correct amount to fully discharge the 4761
security interest and accurate information concerning the motor 4762
vehicle. 4763

(3)(a) Upon receiving a discharge request that complies with 4764
division (C)(2) of this section, ~~except as otherwise provided in~~ 4765
~~this division~~ if the current automated title processing system 4766
record indicates that a physical title exists for that motor 4767
vehicle, a secured party shall convey the physical certificate of 4768
title, with the discharge of the security interest noted on its 4769
face, to the dealer within seven business days after the date good 4770
funds in the correct amount to fully discharge the security 4771

interest have been ~~credit~~ credited to an account of the secured party. 4772
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If a secured party is unable to convey to the dealer a the physical 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. If the current automated title processing system record for a motor vehicle indicates that an electronic title exists for that motor vehicle, the secured party shall convey to the dealer within the required seven business days written confirmation that the security interest has been satisfied. 4774
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(b) Conveyance of a physical certificate of title, or affidavit and required payment, or written confirmation that the security interest has been satisfied 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 or, in the case of a written confirmation that is sent electronically, the date of the electronic mail or other electronic communication. 4784
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(4) A secured party is liable to a dealer for a late fee of ten dollars per day for each physical certificate of title, or affidavit and required payment, or written confirmation that the security interest has been satisfied that is 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 physical certificate of title, or affidavit and required payment, are or written confirmation that the security interest has been satisfied is conveyed to the dealer. 4792
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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 4802
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trailer does not constitute a conditional sale or create a 4804
security interest merely because the lease agreement permits or 4805
requires the lessor, at the end of the lease term, to adjust the 4806
rental price to either a higher or a lower amount by reference to 4807
the amount the lessor realizes upon the sale or other disposition 4808
of the motor vehicle or trailer. 4809

(E) If a physical certificate of title has not been issued 4810
for a motor vehicle and all the security interests relating to 4811
that motor vehicle have been discharged, the owner of the motor 4812
vehicle may obtain a physical certificate of title from the clerk 4813
of any court of common pleas upon payment of the fee specified in 4814
section ~~4509.09~~ 4505.09 of the Revised Code. 4815

(F) If a clerk of a court of common pleas, other than the 4816
clerk of the court of common pleas of the county in which the 4817
owner of a motor vehicle resides, enters a notation of the 4818
existence of, or the cancellation of, a security interest relating 4819
to the motor vehicle, the clerk shall transmit the data relating 4820
to the notation to the automated title processing system. 4821

(G) The registrar of motor vehicles, in accordance with 4822
Chapter 119. of the Revised Code, shall adopt rules governing the 4823
electronic transmission of security interest and other information 4824
under this section. In adopting the rules, the registrar shall 4825
confer with the clerks of the courts of common pleas. 4826

(H) As used in this section: 4827

(1) "Accurate information" means the make and model of the 4828
motor vehicle, its vehicle identification number, and the name and 4829
address of its owner as they appear on the certificate of title 4830
that is to be conveyed. 4831

(2) "Dealer" has the same meaning as in section 4517.01 of 4832
the Revised Code. 4833

(3) "Good funds" includes cash, or a wire transfer, cashier's 4834

check, certified check, draft, money order, or teller's check 4835
issued by an insured financial institution, or a dealer's check 4836
for which the secured party has received funds that are available 4837
for withdrawal pursuant to "Availability of Funds and Collection 4838
of Checks (Regulation CC)," 12 C.F.R. 229. 4839

(4) "Inventory" has the same meaning as in section ~~1309.07~~ 4840
1309.102 of the Revised Code. 4841

(5) "Electronic certificate of title" means an electronic 4842
record stored in the automated title processing system that 4843
established ownership of a motor vehicle, as well as any security 4844
interest that exists in that motor vehicle. 4845

(6) "Written confirmation" means a communication from a 4846
secured party to a motor vehicle dealer regarding the secured 4847
party's security interest in a motor vehicle. A written 4848
confirmation may be either a physical document or an electronic 4849
communication such as electronic mail. Both types of written 4850
confirmation may be conveyed under this section. 4851

Sec. 4505.141. The registrar of motor vehicles shall enable 4852
the public to access motor vehicle title information via 4853
electronic means. No fee shall be charged for this access. The 4854
title information that must be so accessible is only the title 4855
information that is in an electronic format at the time a person 4856
requests this access. 4857

The registrar, shall establish procedures governing this 4858
access. The procedures may be established by rule in accordance 4859
with Chapter 119. of the Revised Code, ~~shall adopt rules governing 4860
this access.~~ In adopting the rules procedures, the registrar shall 4861
confer with the clerks of the courts of common pleas. 4862

Access by the public to motor vehicle title information under 4863
this section shall comply with all restrictions contained in the 4864

Revised Code and federal law that govern the disclosure of that 4865
information. 4866

Sec. 4506.01. As used in this chapter: 4867

(A) "Alcohol concentration" means the concentration of 4868
alcohol in a person's blood, breath, or urine. When expressed as a 4869
percentage, it means grams of alcohol per the following: 4870

(1) One hundred milliliters of whole blood, blood serum, or 4871
blood plasma; 4872

(2) Two hundred ten liters of breath; 4873

(3) One hundred milliliters of urine. 4874

(B) "School bus" has the same meaning as in section 4511.01 4875
of the Revised Code. 4876

(C) "Commercial driver's license" means a license issued in 4877
accordance with this chapter that authorizes an individual to 4878
drive a commercial motor vehicle. 4879

(D) "Commercial driver license information system" means the 4880
information system established pursuant to the requirements of the 4881
"Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 3207-171, 4882
49 U.S.C.A. App. 2701. 4883

(E) Except when used in section 4506.25 of the Revised Code, 4884
"commercial motor vehicle" means any motor vehicle designed or 4885
used to transport persons or property that meets any of the 4886
following qualifications: 4887

(1) Any combination of vehicles with a combined gross vehicle 4888
weight rating of twenty-six thousand one pounds or more, provided 4889
the gross vehicle weight rating of the vehicle or vehicles being 4890
towed is in excess of ten thousand pounds; 4891

(2) Any single vehicle with a gross vehicle weight rating of 4892
twenty-six thousand one pounds or more, or any such vehicle towing 4893

a vehicle having a gross vehicle weight rating that is not in 4894
excess of ten thousand pounds; 4895

(3) Any single vehicle or combination of vehicles that is not 4896
a class A or class B vehicle, but that either is designed to 4897
transport sixteen or more passengers including the driver, or is 4898
placarded for hazardous materials; 4899

(4) Any school bus with a gross vehicle weight rating of less 4900
than twenty-six thousand one pounds that is designed to transport 4901
fewer than sixteen passengers including the driver; 4902

(5) Is transporting hazardous materials for which placarding 4903
is required by regulations adopted under the "Hazardous Materials 4904
Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as 4905
amended; 4906

(6) Any single vehicle or combination of vehicles that is 4907
designed to be operated and to travel on a public street or 4908
highway and is considered by the federal highway administration to 4909
be a commercial motor vehicle, including, but not limited to, a 4910
motorized crane, a vehicle whose function is to pump cement, a rig 4911
for drilling wells, and a portable crane. 4912

(F) "Controlled substance" means all of the following: 4913

(1) Any substance classified as a controlled substance under 4914
the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 U.S.C.A. 4915
802(6), as amended; 4916

(2) Any substance included in schedules I through V of 21 4917
C.F.R. part 1308, as amended; 4918

(3) Any drug of abuse. 4919

(G) "Conviction" means an unvacated adjudication of guilt or 4920
a determination that a person has violated or failed to comply 4921
with the law in a court of original jurisdiction or an authorized 4922
administrative tribunal, an unvacated forfeiture of bail or 4923

collateral deposited to secure the person's appearance in court, 4924
the payment of a fine or court cost, or violation of a condition 4925
of release without bail, regardless of whether or not the penalty 4926
is rebated, suspended, or probated. 4927

(H) "Disqualification" means withdrawal of the privilege to 4928
drive a commercial motor vehicle. 4929

(I) "Drive" means to drive, operate, or be in physical 4930
control of a motor vehicle. 4931

(J) "Driver" means any person who drives, operates, or is in 4932
physical control of a commercial motor vehicle or is required to 4933
have a commercial driver's license. 4934

(K) "Driver's license" means a license issued by the bureau 4935
of motor vehicles that authorizes an individual to drive. 4936

(L) "Drug of abuse" means any controlled substance, dangerous 4937
drug as defined in section 4729.01 of the Revised Code, or 4938
over-the-counter medication that, when taken in quantities 4939
exceeding the recommended dosage, can result in impairment of 4940
judgment or reflexes. 4941

(M) "Employer" means any person, including the federal 4942
government, any state, and a political subdivision of any state, 4943
that owns or leases a commercial motor vehicle or assigns a person 4944
to drive such a motor vehicle. 4945

(N) "Endorsement" means an authorization on a person's 4946
commercial driver's license that is required to permit the person 4947
to operate a specified type of commercial motor vehicle. 4948

(O) "Felony" means any offense under federal or state law 4949
that is punishable by death or specifically classified as a felony 4950
under the law of this state, regardless of the penalty that may be 4951
imposed. 4952

(P) "Foreign jurisdiction" means any jurisdiction other than 4953

a state. 4954

(Q) "Gross vehicle weight rating" means the value specified 4955
by the manufacturer as the maximum loaded weight of a single or a 4956
combination vehicle. The gross vehicle weight rating of a 4957
combination vehicle is the gross vehicle weight rating of the 4958
power unit plus the gross vehicle weight rating of each towed 4959
unit. 4960

(R) "Hazardous materials" means materials identified as such 4961
under regulations adopted under the "Hazardous Materials 4962
Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as 4963
amended. 4964

(S) "Motor vehicle" has the same meaning as in section 4965
4511.01 of the Revised Code. 4966

(T) Except when used in sections 4506.25 and 4506.26 of the 4967
Revised Code, "out-of-service order" means a temporary prohibition 4968
against driving a commercial motor vehicle issued under this 4969
chapter or a similar law of another state or of a foreign 4970
jurisdiction. 4971

(U) "Residence" means any person's residence determined in 4972
accordance with standards prescribed in rules adopted by the 4973
registrar. 4974

(V) "Temporary residence" means residence on a temporary 4975
basis as determined by the registrar in accordance with standards 4976
prescribed in rules adopted by the registrar. 4977

(W) "Serious traffic violation" means a conviction arising 4978
from the operation of a commercial motor vehicle that involves any 4979
of the following: 4980

(1) A single charge of any speed that is in excess of the 4981
posted speed limit by an amount specified by the United States 4982
secretary of transportation and that the director of public safety 4983

designates as such by rule; 4984

(2) Violation of section 4511.20, 4511.201, or 4511.202 of 4985
the Revised Code or any similar ordinance or resolution, or of any 4986
similar law of another state or political subdivision of another 4987
state; 4988

(3) Violation of a law of this state or an ordinance or 4989
resolution relating to traffic control, other than a parking 4990
violation, or of any similar law of another state or political 4991
subdivision of another state, that results in a fatal accident; 4992

(4) Violation of any other law of this state or an ordinance 4993
or resolution relating to traffic control, other than a parking 4994
violation, that is determined to be a serious traffic violation by 4995
the United States secretary of transportation and the director 4996
designates as such by rule. 4997

(X) "State" means a state of the United States and includes 4998
the District of Columbia. 4999

(Y) "Tank vehicle" means any commercial motor vehicle that is 5000
designed to transport any liquid and has a maximum capacity 5001
greater than one hundred nineteen gallons or is designed to 5002
transport gaseous materials and has a water capacity greater than 5003
one thousand pounds within a tank that is either permanently or 5004
temporarily attached to the vehicle or its chassis. "Tank vehicle" 5005
does not include ~~either~~ any of the following: 5006

(1) Any portable tank having a rated capacity of less than 5007
one thousand gallons; 5008

(2) Tanks used exclusively as a fuel tank for the motor 5009
vehicle to which it is attached; 5010

(3) An empty storage container tank that is not designed for 5011
transportation and that is readily distinguishable from a 5012
transportation tank; 5013

<u>(4) Ready-mix concrete mixers.</u>	5014
(Z) "United States" means the fifty states and the District of Columbia.	5015 5016
(AA) "Vehicle" has the same meaning as in section 4511.01 of the Revised Code.	5017 5018
(BB) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.	5019 5020
(CC) "Portable tank" means a liquid or gaseous packaging designed primarily to be loaded on or temporarily attached to a vehicle and equipped with skids, mountings, or accessories to facilitate handling of the tank by mechanical means.	5021 5022 5023 5024
Sec. 4506.08. (A) Each application for a commercial driver's license temporary instruction permit shall be accompanied by a fee of ten dollars; except as provided in division (B) of this section, each application for a commercial driver's license, restricted commercial driver's license, or renewal of such a license shall be accompanied by a fee of twenty-five dollars; and each application for a duplicate commercial driver's license shall be accompanied by a fee of ten dollars. In addition, the registrar of motor vehicles or deputy registrar may collect and retain an additional fee of no more than two dollars and 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, for each application for a commercial driver's license temporary instruction permit, commercial driver's license, renewal of a commercial driver's license, or duplicate commercial driver's license received by the registrar or deputy. No fee shall be charged for the annual issuance of a waiver for farm-related service industries pursuant to section 4506.24 of the Revised Code.	5025 5026 5027 5028 5029 5030 5031 5032 5033 5034 5035 5036 5037 5038 5039 5040 5041 5042 5043

Each deputy registrar shall transmit the fees collected to 5044
the registrar at the time and in the manner prescribed by the 5045
registrar by rule. The registrar shall pay the fees into the state 5046
highway safety fund established in section 4501.06 of the Revised 5047
Code. 5048

(B) In addition to the fees imposed under division (A) of 5049
this section, the registrar of motor vehicles or deputy registrar 5050
shall collect a fee of twelve dollars commencing on October 1, 5051
2003, for each application for a commercial driver's license 5052
temporary instruction permit, commercial driver's license, or 5053
duplicate commercial driver's license and for each application for 5054
renewal of a commercial driver's license with an expiration date 5055
on or after that date received by the registrar or deputy 5056
registrar. The additional fee is for the purpose of defraying the 5057
department of public safety's costs associated with the 5058
administration and enforcement of the motor vehicle and traffic 5059
laws of Ohio. Each deputy registrar shall transmit the fees 5060
collected under division (B) of this section in the time and 5061
manner prescribed by the registrar. The registrar shall deposit 5062
all moneys received under division (B) of this section into the 5063
state highway safety fund established in section 4501.06 of the 5064
Revised Code. 5065

(C) Information regarding the driving record of any person 5066
holding a commercial driver's license issued by this state shall 5067
be furnished by the registrar, upon request and payment of a fee 5068
of ~~three~~ two dollars, to the employer or prospective employer of 5069
such a person and to any insurer. 5070

Sec. 4506.09. (A) The registrar of motor vehicles, subject to 5071
approval by the director of public safety, shall adopt rules 5072
conforming with applicable standards adopted by the federal 5073
~~highway~~ motor carrier safety administration as regulations under 5074

the "~~Commercial Motor Vehicle Safety Act of 1986,~~" 100 Stat. 5075
~~3207-171, 49 U.S.C.A. App. 2701 Pub. L. No. 103-272, 108 Stat.~~ 5076
1014 to 1029 (1994), 49 U.S.C.A. 31301 to 31317. The rules shall 5077
establish requirements for the qualification and testing of 5078
persons applying for a commercial driver's license, which shall be 5079
in addition to other requirements established by this chapter. 5080
Except as provided in division (B) of this section, the highway 5081
patrol or any other employee of the department of public safety 5082
the registrar authorizes shall supervise and conduct the testing 5083
of persons applying for a commercial driver's license. 5084

(B) The director may adopt rules, in accordance with Chapter 5085
119. of the Revised Code and applicable requirements of the 5086
federal ~~highway~~ motor carrier safety administration, authorizing 5087
the skills test specified in this section to be administered by 5088
any person, by an agency of this or another state, or by an 5089
agency, department, or instrumentality of local government ~~and~~ 5090
~~establishing.~~ Each party authorized under this division to 5091
administer the skills test may charge a maximum divisible fee that 5092
may be charged by the other party, provided the of eighty-five 5093
dollars for each skills test given as part of a commercial 5094
driver's license examination. The fee shall consist of not more 5095
than twenty dollars for the pre-trip inspection portion of the 5096
test, not more than twenty dollars for the off-road maneuvering 5097
portion of the test, and not more than forty-five dollars for the 5098
on-road portion of the test. Each such party may require an 5099
appointment fee in the same manner provided in division (E)(2) of 5100
this section, except that the maximum amount such a party may 5101
require as an appointment fee is eighty-five dollars. The skills 5102
test is administered by another party under this division shall be 5103
the same ~~that~~ as otherwise would be administered by this state ~~and~~ 5104
~~that the.~~ The other party has entered shall enter into an 5105
agreement with the director that ~~includes,~~ without limitation, 5106
does all of the following: 5107

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

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

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

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

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

(C) The director shall enter into an agreement with the department of education authorizing the skills test specified in this section to be administered by the department at any location operated by the department for purposes of training and testing school bus drivers, provided that the agreement between the director and the department complies with the requirements of division (B) of this section. Skills tests administered by the department shall be limited to persons applying for a commercial driver's license with a school bus endorsement.

(D) The director shall adopt rules, in accordance with 5139
Chapter 119. of the Revised Code, authorizing waiver of the skills 5140
test specified in this section for any applicant for a commercial 5141
driver's license who meets all of the following requirements: 5142

(1) Certifies that, during the two-year period immediately 5143
preceding application for a commercial driver's license, all of 5144
the following apply: 5145

(a) The applicant has not had more than one license; 5146

(b) The applicant has not had any license suspended, revoked, 5147
or canceled; 5148

(c) The applicant has not had any convictions for any type of 5149
motor vehicle for the offenses for which disqualification is 5150
prescribed in section 4506.16 of the Revised Code; 5151

(d) The applicant has not had any violation of a state or 5152
local law relating to motor vehicle traffic control other than a 5153
parking violation arising in connection with any traffic accident 5154
and has no record of an accident in which the applicant was at 5155
fault. 5156

(2) Certifies and also provides evidence that the applicant 5157
is regularly employed in a job requiring operation of a commercial 5158
motor vehicle and that one of the following applies: 5159

(a) The applicant has previously taken and passed a skills 5160
~~Test~~ test given by a state with a classified licensing and testing 5161
system in which the test was behind-the-wheel in a representative 5162
vehicle for the applicant's commercial driver's license 5163
classification; 5164

(b) The applicant has regularly operated, for at least two 5165
years immediately preceding application for a commercial driver's 5166
license, a vehicle representative of the commercial motor vehicle 5167
the applicant operates or expects to operate. 5168

(E)(1) The department of public safety may charge and collect 5169
a divisible fee of fifty dollars for each skills test given as 5170
part of a commercial driver's license examination. The fee shall 5171
consist of ten dollars for the pre-trip inspection portion of the 5172
test, ten dollars for the off-road maneuvering portion of the 5173
test, and thirty dollars for the on-road portion of the test. 5174

(2) The director may require an applicant for a commercial 5175
driver's license who schedules an appointment with the highway 5176
patrol or other authorized employee of the department of public 5177
safety to take all portions of the skills test, to pay an 5178
appointment fee of fifty dollars at the time of scheduling the 5179
appointment. If the applicant appears at the time and location 5180
specified for the appointment and takes all portions of the skills 5181
test during that appointment, the appointment fee shall serve as 5182
the skills test fee. If the applicant schedules an appointment to 5183
take all portions of the skills test and fails to appear at the 5184
time and location specified for the appointment, no portion of the 5185
appointment fee shall be refunded. If the applicant schedules an 5186
appointment to take all portions of the skills test and appears at 5187
the time and location specified for the appointment, but declines 5188
or is unable to take all portions of the skills test, the 5189
appointment fee shall serve as the skills test fee. If the 5190
applicant cancels a scheduled appointment forty-eight hours or 5191
more prior to the time of the appointment time, the applicant 5192
shall not forfeit the appointment fee. 5193

An applicant for a commercial driver's license who schedules 5194
an appointment to take one or more, but not all, portions of the 5195
skills test shall not be required to pay any appointment fee when 5196
scheduling such an appointment. 5197

(3) ~~All~~ The department of public safety shall deposit all 5198
fees collected it collects under division (E) of this section 5199
~~shall be deposited~~ in the state highway safety fund. 5200

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

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

- (1) The name and residence address of the licensee;
- (2) A color photograph of the licensee;
- (3) A physical description of the licensee, including sex, height, weight, and color of eyes and hair;
- (4) The licensee's date of birth;
- (5) The licensee's social security number if the person has requested that the number be displayed in accordance with section 4501.31 of the Revised Code or if federal law requires the social security number to be displayed and any number or other identifier the director of public safety considers appropriate and establishes by rules adopted under Chapter 119. of the Revised Code and in compliance with federal law;
- (6) The licensee's signature;
- (7) The classes of commercial motor vehicles the licensee is

authorized to drive and any endorsements or restrictions relating 5231
to the licensee's driving of those vehicles; 5232

~~(8) A space marked "blood type" in which the licensee may~~ 5233
~~specify the licensee's blood type;~~ 5234

~~(9)~~ The name of this state; 5235

~~(10)~~(9) The dates of issuance and of expiration of the 5236
license; 5237

~~(11)~~(10) If the licensee has certified willingness to make an 5238
anatomical donation under section 2108.04 of the Revised Code, any 5239
symbol chosen by the registrar of motor vehicles to indicate that 5240
the licensee has certified that willingness; 5241

~~(12)~~(11) If the licensee has executed a durable power of 5242
attorney for health care or a declaration governing the use or 5243
continuation, or the withholding or withdrawal, of life-sustaining 5244
treatment and has specified that the licensee wishes the license 5245
to indicate that the licensee has executed either type of 5246
instrument, any symbol chosen by the registrar to indicate that 5247
the licensee has executed either type of instrument; 5248

~~(13)~~(12) Any other information the registrar considers 5249
advisable and requires by rule. 5250

(B) The registrar may establish and maintain a file of 5251
negatives of photographs taken for the purposes of this section. 5252

(C) Neither the registrar nor any deputy registrar shall 5253
issue a commercial driver's license to anyone under twenty-one 5254
years of age that does not have the characteristics prescribed by 5255
the registrar distinguishing it from the commercial driver's 5256
license issued to persons who are twenty-one years of age or 5257
older. 5258

(D) Whoever violates division (C) of this section is guilty 5259
of a minor misdemeanor. 5260

Sec. 4506.12. (A) Commercial drivers' licenses shall be 5261
issued in the following classes and shall include any endorsements 5262
and restrictions that are applicable. Subject to any such 5263
endorsements and restrictions, the holder of a valid commercial 5264
driver's license may drive all commercial motor vehicles in the 5265
class for which that license is issued and all lesser classes of 5266
vehicles, except that the holder shall not operate a motorcycle 5267
unless the holder is licensed to do so under Chapter 4507. of the 5268
Revised Code. 5269

(B) The classes of commercial drivers' licenses and the 5270
commercial motor vehicles that they authorize the operation of are 5271
as follows: 5272

(1) Class A--any combination of vehicles with a combined 5273
gross vehicle weight rating of twenty-six thousand one pounds or 5274
more, if the gross vehicle weight rating of the vehicle or 5275
vehicles being towed is in excess of ten thousand pounds. 5276

(2) Class B--any single vehicle with a gross vehicle weight 5277
rating of twenty-six thousand one pounds or more or any such 5278
vehicle towing a vehicle having a gross vehicle weight rating that 5279
is not in excess of ten thousand pounds. 5280

(3) Class C--any single vehicle, or combination of vehicles, 5281
that is not a class A or class B vehicle, but that either is 5282
designed to transport sixteen or more passengers, including the 5283
driver, or is placarded for hazardous materials and any school bus 5284
with a gross vehicle weight rating of less than twenty-six 5285
thousand one pounds that is designed to transport fewer than 5286
sixteen passengers including the driver. 5287

(C) The following endorsements and restrictions apply to 5288
commercial drivers' licenses: 5289

(1) H--authorizes the driver to drive a vehicle transporting 5290

hazardous materials;	5291
(2) K--restricts the driver to only intrastate operation;	5292
(3) L--restricts the driver to vehicles not equipped with air brakes;	5293 5294
(4) T--authorizes the driver to drive double and triple trailers;	5295 5296
(5) P--authorizes the driver to drive vehicles carrying passengers;	5297 5298
(6) P1--authorizes the driver to drive class A vehicles with fewer than fifteen passengers and all lesser classes of vehicles without restriction as to the number of passengers;	5299 5300 5301
(7) P2--authorizes the driver to drive class A or B vehicles with fewer than fifteen passengers and all lesser classes of vehicles without restriction as to the number of passengers;	5302 5303 5304
(8) P3--restricts the driver to driving class B school buses;	5305
(9) P4--Restricts the driver to driving class C school buses designed to transport fewer than sixteen passengers including the driver.	5306 5307 5308
(10) N--authorizes the driver to drive tank vehicles;	5309
(11) S--authorizes the driver to drive school buses;	5310
(12) X--authorizes the driver to drive tank vehicles transporting hazardous materials;	5311 5312
(13) W--restricts the driver to the operation of commercial motor vehicles in accordance with a waiver for farm-related service industries issued under section 4506.24 of the Revised Code.	5313 5314 5315 5316
(D) <u>In addition to any endorsement that otherwise may apply,</u> <u>a person who is engaged in the towing of a disabled or wrecked</u> <u>motor vehicle shall hold a commercial driver's license bearing any</u>	5317 5318 5319

endorsement required to drive the towed vehicle except the driver 5320
is not required to have either of the following: 5321

(1) A passenger endorsement to tow an unoccupied passenger 5322
vehicle; 5323

(2) Any endorsement required for the wrecked or disabled 5324
vehicle when the driver initially removes a vehicle from the site 5325
of the emergency where the vehicle became wrecked or disabled to 5326
the nearest appropriate repair, disposal, or storage facility, as 5327
applicable. 5328

(E) No person shall drive any commercial motor vehicle for 5329
which an endorsement is required under this section unless the 5330
proper endorsement appears on the person's commercial driver's 5331
license. 5332

~~(E)~~(F) Whoever violates this section is guilty of a 5333
misdemeanor of the first degree. 5334

Sec. 4507.13. (A) The registrar of motor vehicles shall issue 5335
a driver's license to every person licensed as an operator of 5336
motor vehicles other than commercial motor vehicles. No person 5337
licensed as a commercial motor vehicle driver under Chapter 4506. 5338
of the Revised Code need procure a driver's license, but no person 5339
shall drive any commercial motor vehicle unless licensed as a 5340
commercial motor vehicle driver. 5341

Every driver's license shall display on it the distinguishing 5342
number assigned to the licensee and shall display the licensee's 5343
name and date of birth; the licensee's residence address and 5344
county of residence; a color photograph of the licensee; a brief 5345
description of the licensee for the purpose of identification; a 5346
facsimile of the signature of the licensee as it appears on the 5347
application for the license; ~~a space marked "blood type" in which~~ 5348
~~a licensee may specify the licensee's blood type;~~ a notation, in a 5349

manner prescribed by the registrar, indicating any condition 5350
described in division (D)(3) of section 4507.08 of the Revised 5351
Code to which the licensee is subject; if the licensee has 5352
executed a durable power of attorney for health care or a 5353
declaration governing the use or continuation, or the withholding 5354
or withdrawal, of life-sustaining treatment and has specified that 5355
the licensee wishes the license to indicate that the licensee has 5356
executed either type of instrument, any symbol chosen by the 5357
registrar to indicate that the licensee has executed either type 5358
of instrument; and any additional information that the registrar 5359
requires by rule. No license shall display the licensee's social 5360
security number unless the licensee specifically requests that the 5361
licensee's social security number be displayed on the license. If 5362
federal law requires the licensee's social security number to be 5363
displayed on the license, the social security number shall be 5364
displayed on the license notwithstanding this section. 5365

The driver's license for licensees under twenty-one years of 5366
age shall have characteristics prescribed by the registrar 5367
distinguishing it from that issued to a licensee who is twenty-one 5368
years of age or older, except that a driver's license issued to a 5369
person who applies no more than thirty days before the applicant's 5370
twenty-first birthday shall have the characteristics of a license 5371
issued to a person who is twenty-one years of age or older. 5372

The driver's license issued to a temporary resident shall 5373
contain the word "nonrenewable" and shall have any additional 5374
characteristics prescribed by the registrar distinguishing it from 5375
a license issued to a resident. 5376

Every driver's or commercial driver's license displaying a 5377
motorcycle operator's endorsement and every restricted license to 5378
operate a motor vehicle also shall display the designation 5379
"novice," if the endorsement or license is issued to a person who 5380
is eighteen years of age or older and previously has not been 5381

licensed to operate a motorcycle by this state or another 5382
jurisdiction recognized by this state. The "novice" designation 5383
shall be effective for one year after the date of issuance of the 5384
motorcycle operator's endorsement or license. 5385

Each license issued under this section shall be of such 5386
material and so designed as to prevent its reproduction or 5387
alteration without ready detection and, to this end, shall be 5388
laminated with a transparent plastic material. 5389

(B) Except in regard to a driver's license issued to a person 5390
who applies no more than thirty days before the applicant's 5391
twenty-first birthday, neither the registrar nor any deputy 5392
registrar shall issue a driver's license to anyone under 5393
twenty-one years of age that does not have the characteristics 5394
prescribed by the registrar distinguishing it from the driver's 5395
license issued to persons who are twenty-one years of age or 5396
older. 5397

(C) Whoever violates division (B) of this section is guilty 5398
of a minor misdemeanor. 5399

Sec. 4507.141. (A) Any hearing-impaired person may apply to 5400
the registrar of motor vehicles for an identification card 5401
identifying the person as hearing-impaired. The application for a 5402
hearing-impaired identification card shall be accompanied by a 5403
signed statement from the applicant's personal physician 5404
certifying that the applicant is hearing-impaired. Upon receipt of 5405
the application for the identification card and the signed 5406
statement from the applicant's personal physician, and upon 5407
presentation by the applicant of ~~his~~ the applicant's driver's or 5408
commercial driver's license or motorcycle operator's license ~~and~~ 5409
~~payment of a fee of five dollars~~, the registrar shall issue the 5410
applicant an identification card. A hearing-impaired person may 5411
also apply for a hearing-impaired identification card at the time 5412

~~he~~ the person applies for a driver's or commercial driver's 5413
license or motorcycle operator's license or endorsement. Every 5414
hearing-impaired identification card shall expire on the same date 5415
that the cardholder's driver's or commercial driver's license or 5416
motorcycle operator's license expires. 5417

(B) The hearing-impaired identification card shall be 5418
rectangular in shape, approximately the same size as an average 5419
motor vehicle sun visor, as determined by the registrar, to enable 5420
the identification card to be attached to a sun visor in a motor 5421
vehicle. The identification card shall contain the heading 5422
"Identification Card for the Hearing-impaired Driver" in boldface 5423
type, the name and signature of the hearing-impaired person to 5424
whom it is issued, an identifying number, and instructions on the 5425
actions the hearing-impaired person should take and the actions 5426
the person should refrain from taking in the event ~~he~~ the person 5427
is stopped by a law enforcement officer while operating the motor 5428
vehicle. The registrar shall determine the preferred manner in 5429
which a hearing-impaired motorcycle operator should carry or 5430
display the hearing-impaired identification card, and the color 5431
and composition of, and any other information to be included on, 5432
the identification card. 5433

(C) As used in this section, "hearing-impaired" means a 5434
hearing loss of forty decibels or more in one or both ears. 5435

Sec. 4507.1614. The registrar shall suspend the person's 5436
license or permit under division (A) of section 4507.162 of the 5437
Revised Code regardless of whether the disposition of the case in 5438
juvenile court occurred after the person's eighteenth birthday. 5439

Sec. 4507.19. The registrar of motor vehicles may cancel any 5440
driver's or commercial driver's license or identification card 5441
that was obtained fraudulently or unlawfully, was issued in error, 5442

or has been altered or willfully destroyed. 5443

Sec. 4507.20. The registrar of motor vehicles, when the 5444
registrar has good cause to believe that the holder of a driver's 5445
or commercial driver's license is incompetent or otherwise not 5446
qualified to be licensed, shall ~~upon send a~~ written notice ~~of at~~ 5447
~~least thirty days sent~~ to the licensee's last known address, 5448
~~require~~ requiring the licensee to submit to a driver's license 5449
examination, a physical examination, or both, or a commercial 5450
driver's license examination within the time indicated on the 5451
notice. The physical examination may be conducted by any 5452
individual authorized by the Revised Code to do so, including a 5453
physician assistant, a clinical nurse specialist, a certified 5454
nurse practitioner, or a certified nurse-midwife. Any written 5455
documentation of the physical examination shall be completed by 5456
the individual who conducted the examination. 5457

Upon the conclusion of the examination, the registrar may 5458
suspend the license of the person, may permit the licensee to 5459
retain the license, or may issue the licensee a restricted 5460
license. Refusal or neglect of the licensee to submit to the 5461
examination is ground for suspension of the licensee's license. 5462

A physician licensed under Chapter 4731. of the Revised Code 5463
may submit a report to the registrar stating that in the 5464
physician's professional opinion the holder of a driver's or 5465
commercial driver's license may be incompetent or otherwise not 5466
qualified to operate safely a motor vehicle due to medical 5467
reasons. Any such report submitted to the registrar is 5468
confidential, is not a public record, and is not subject to 5469
disclosure under section 149.43 of the Revised Code. 5470

Sec. 4507.50. (A) The registrar of motor vehicles or a deputy 5471
registrar, upon receipt of an application filed in compliance with 5472

section 4507.51 of the Revised Code by any person who is a 5473
resident or a temporary resident of this state and, except as 5474
otherwise provided in this section, is not licensed as an operator 5475
of a motor vehicle in this state or another licensing 5476
jurisdiction, and, except as provided in division (B) of this 5477
section, upon receipt of a fee of three dollars and fifty cents, 5478
shall issue an identification card to that person. 5479

Any person who is a resident or temporary resident of this 5480
state whose Ohio driver's or commercial driver's license has been 5481
suspended or canceled, upon application in compliance with section 5482
4507.51 of the Revised Code and, except as provided in division 5483
(B) of this section, payment of a fee of three dollars and fifty 5484
cents, may be issued a temporary identification card. The 5485
temporary identification card shall be identical to an 5486
identification card, except that it shall be printed on its face 5487
with a statement that the card is valid during the effective dates 5488
of the suspension or cancellation of the cardholder's license, or 5489
until the birthday of the cardholder in the fourth year after the 5490
date on which it is issued, whichever is shorter. The cardholder 5491
shall surrender the identification card to the registrar or any 5492
deputy registrar before the cardholder's driver's or commercial 5493
driver's license is restored or reissued. 5494

Except as provided in division (B) of this section, the 5495
deputy registrar shall be allowed a fee of two dollars and 5496
seventy-five cents commencing on July 1, 2001, three dollars and 5497
twenty-five cents commencing on January 1, 2003, and three dollars 5498
and fifty cents commencing on January 1, 2004, for each 5499
identification card issued under this section. The fee allowed to 5500
the deputy registrar shall be in addition to the fee for issuing 5501
an identification card. 5502

Neither the registrar nor any deputy registrar shall charge a 5503
fee in excess of one dollar and fifty cents for laminating an 5504

identification card or temporary identification card. A deputy 5505
registrar laminating such a card shall retain the entire amount of 5506
the fee charged for lamination, less the actual cost to the 5507
registrar of the laminating materials used for that lamination, as 5508
specified in the contract executed by the bureau for the 5509
laminating materials and laminating equipment. The deputy 5510
registrar shall forward the amount of the cost of the laminating 5511
materials to the registrar for deposit as provided in this 5512
section. 5513

The fee collected for issuing an identification card under 5514
this section, except the fee allowed to the deputy registrar, 5515
shall be paid into the state treasury to the credit of the state 5516
bureau of motor vehicles fund created in section 4501.25 of the 5517
Revised Code. 5518

(B) A disabled veteran who has a service-connected disability 5519
rated at one hundred per cent by the veterans' administration may 5520
apply to the registrar or a deputy registrar for the issuance to 5521
that veteran of an identification card or a temporary 5522
identification card under this section without payment of any fee 5523
prescribed in division (A) of this section, including any 5524
lamination fee. 5525

~~If the identification card or temporary identification card 5526
of a disabled veteran described in this division is laminated by a 5527
deputy registrar who is acting as a deputy registrar pursuant to a 5528
contract with the registrar that is in effect on the effective 5529
date of this amendment, the disabled veteran shall pay the deputy 5530
registrar the lamination fee prescribed in division (A) of this 5531
section. If the identification card or temporary identification 5532
card is laminated by a deputy registrar who is acting as a deputy 5533
registrar pursuant to a contract with the registrar that is 5534
executed after July 29, 1998, the disabled veteran is not required 5535
to pay the deputy registrar the lamination fee prescribed in 5536~~

~~division (A) of this section.~~ 5537

~~A disabled veteran whose identification card or temporary 5538
identification card is laminated by the registrar is not required 5539
to pay the registrar any lamination fee. 5540~~

An application made under division ~~(A)~~(B) of this section 5541
shall be accompanied by such documentary evidence of disability as 5542
the registrar may require by rule. 5543

Sec. 4507.51. (A)(1) Every application for an identification 5544
card or duplicate shall be made on a form furnished by the 5545
registrar of motor vehicles, shall be signed by the applicant, and 5546
by the applicant's parent or guardian if the applicant is under 5547
eighteen years of age, and shall contain the following information 5548
pertaining to the applicant: name, date of birth, sex, general 5549
description including the applicant's height, weight, hair color, 5550
and eye color, address, and social security number, ~~and at the 5551
option of the applicant, the applicant's the applicant's the 5552
applicant's the applicant's blood type. The application form shall 5553
state that an applicant is not required to furnish the applicant's 5554
the applicant's blood type. The application also shall state 5555
whether an applicant wishes to certify willingness to make an 5556
anatomical gift under section 2108.04 of the Revised Code and 5557
shall include information about the requirements of that section 5558
that apply to persons who are less than eighteen years of age. The 5559
statement regarding willingness to make such a donation shall be 5560
given no consideration in the decision of whether to issue an 5561
identification card. Each applicant shall be photographed in color 5562
at the time of making application. 5563~~

(2) The application also shall state whether the applicant 5564
has executed a valid durable power of attorney for health care 5565
pursuant to sections 1337.11 to 1337.17 of the Revised Code or has 5566
executed a declaration governing the use or continuation, or the 5567

withholding or withdrawal, of life-sustaining treatment pursuant 5568
to sections 2133.01 to 2133.15 of the Revised Code and, if the 5569
applicant has executed either type of instrument, whether the 5570
applicant wishes the identification card issued to indicate that 5571
the applicant has executed the instrument. 5572

(3) The registrar or deputy registrar, in accordance with 5573
section 3503.11 of the Revised Code, shall register as an elector 5574
any person who applies for an identification card or duplicate if 5575
the applicant is eligible and wishes to be registered as an 5576
elector. The decision of an applicant whether to register as an 5577
elector shall be given no consideration in the decision of whether 5578
to issue the applicant an identification card or duplicate. 5579

(B) The application for an identification card or duplicate 5580
shall be filed in the office of the registrar or deputy registrar. 5581
Each applicant shall present documentary evidence as required by 5582
the registrar of the applicant's age and identity ~~or her or her~~, 5583
and the applicant shall swear that all information given is true. 5584

All applications for an identification card or duplicate 5585
shall be filed in duplicate, and if submitted to a deputy 5586
registrar, a copy shall be forwarded to the registrar. The 5587
registrar shall prescribe rules for the manner in which a deputy 5588
registrar is to file and maintain applications and other records. 5589
The registrar shall maintain a suitable, indexed record of all 5590
applications denied and cards issued or canceled. 5591

Sec. 4507.53. Digitalized photographic records of the 5592
department of public safety may be released only to state, local, 5593
or federal ~~law enforcement~~ governmental agencies for criminal 5594
justice purposes and to any court. 5595

Sec. 4507.99. ~~(A)~~ Unless another penalty is provided by the 5596
section that contains the provision violated or otherwise is 5597

provided by the laws of this state, whoever violates any provision 5598
of sections 4507.01 to 4507.081 or 4507.10 to 4507.37 of the 5599
Revised Code is guilty of a misdemeanor of the first degree. 5600

~~(B) Whenever a person is found guilty of a violation of a 5601
traffic offense specified in Traffic Rule 13(B) that requires the 5602
person's appearance in court, the court shall require the person 5603
to verify the existence at the time of the offense of proof of 5604
financial responsibility covering the person's operation of the 5605
motor vehicle, or the motor vehicle if registered in the person's 5606
name, and notify the registrar pursuant to division (D) of section 5607
4509.101 of the Revised Code if the person fails to verify the 5608
existence of such proof of financial responsibility. 5609~~

Sec. 4509.05. (A) Upon request, the registrar of motor 5610
vehicles shall search and furnish a certified abstract of the 5611
following information with respect to any person: 5612

~~(A)(1) An enumeration of the motor vehicle accidents in which 5613
such person has been involved except accidents certified as 5614
described in division (D) of section 3937.41 of the Revised Code; 5615~~

~~(B)(2) Such person's record of convictions for violation of 5616
the motor vehicle laws. 5617~~

~~(B) The registrar shall collect for each abstract a fee of 5618
two dollars. 5619~~

(C) The registrar may permit deputy registrars to perform a 5620
search and furnish a certified abstract under this section. A 5621
deputy registrar performing this function shall comply with 5622
section 4501.27 of the Revised Code concerning the disclosure of 5623
personal information, shall collect and transmit to the registrar 5624
the two dollar fee established under division (B) of this section, 5625
and may collect and retain a service fee of three dollars and 5626
twenty-five cents commencing on the effective date of this 5627

amendment. If the deputy registrar fees are increased on January 1, 2004, in accordance with section 4503.034 of the Revised Code, the deputy registrar may collect and retain a service fee of three dollars and fifty cents, commencing on that date.

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

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

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

(b) If, within five years of the violation, the person's operating privileges are again suspended and the person's license again is impounded for a violation of division (A)(1) of this section, a class C suspension of the person's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for the period of time specified in division (B)(3) of section 4510.02 of the Revised Code. The court may grant limited driving privileges to the person only if the person presents proof of financial responsibility and has complied with division (A)(5) of this

section, and no court may grant limited driving privileges for the 5659
first fifteen days of the suspension. 5660

(c) If, within five years of the violation, the person's 5661
operating privileges are suspended and the person's license is 5662
impounded two or more times for a violation of division (A)(1) of 5663
this section, a class B suspension of the person's driver's 5664
license, commercial driver's license, temporary instruction 5665
permit, probationary license, or nonresident operating privilege 5666
for the period of time specified in division (B)(2) of section 5667
4510.02 of the Revised Code. No court may grant limited driving 5668
privileges during the suspension. 5669

(d) In addition to the suspension of an owner's license under 5670
division (A)(2)(a), (b), or (c) of this section, the suspension of 5671
the rights of the owner to register the motor vehicle and the 5672
impoundment of the owner's certificate of registration and license 5673
plates until the owner complies with division (A)(5) of this 5674
section. 5675

(3) A person to whom this state has issued a certificate of 5676
registration for a motor vehicle or a license to operate a motor 5677
vehicle or who is determined to have operated any motor vehicle or 5678
permitted the operation in this state of a motor vehicle owned by 5679
the person shall be required to verify the existence of proof of 5680
financial responsibility covering the operation of the motor 5681
vehicle or the person's operation of the motor vehicle under any 5682
of the following circumstances: 5683

(a) The person or a motor vehicle owned by the person is 5684
involved in a traffic accident that requires the filing of an 5685
accident report under section 4509.06 of the Revised Code. 5686

(b) The person receives a traffic ticket indicating that 5687
proof of the maintenance of financial responsibility was not 5688
produced upon the request of a peace officer or state highway 5689

patrol trooper made in accordance with division (D)(2) of this 5690
section. 5691

(c) Whenever, in accordance with rules adopted by the 5692
registrar, the person is randomly selected by the registrar and 5693
requested to provide such verification. 5694

(4) An order of the registrar that suspends and impounds a 5695
license or registration, or both, shall state the date on or 5696
before which the person is required to surrender the person's 5697
license or certificate of registration and license plates. The 5698
person is deemed to have surrendered the license or certificate of 5699
registration and license plates, in compliance with the order, if 5700
the person does either of the following: 5701

(a) On or before the date specified in the order, personally 5702
delivers the license or certificate of registration and license 5703
plates, or causes the delivery of the items, to the registrar; 5704

(b) Mails the license or certificate of registration and 5705
license plates to the registrar in an envelope or container 5706
bearing a postmark showing a date no later than the date specified 5707
in the order. 5708

(5) Except as provided in division (A)(6) or (L) of this 5709
section, the registrar shall not restore any operating privileges 5710
or registration rights suspended under this section, return any 5711
license, certificate of registration, or license plates impounded 5712
under this section, or reissue license plates under section 5713
4503.232 of the Revised Code, if the registrar destroyed the 5714
impounded license plates under that section, or reissue a license 5715
under section 4510.52 of the Revised Code, if the registrar 5716
destroyed the suspended license under that section, unless the 5717
rights are not subject to suspension or revocation under any other 5718
law and unless the person, in addition to complying with all other 5719
conditions required by law for reinstatement of the operating 5720

privileges or registration rights, complies with all of the 5721
following: 5722

(a) Pays a financial responsibility reinstatement fee of 5723
seventy-five dollars for the first violation of division (A)(1) of 5724
this section, two hundred fifty dollars for a second violation of 5725
that division, and five hundred dollars for a third or subsequent 5726
violation of that division; 5727

(b) If the person has not voluntarily surrendered the 5728
license, certificate, or license plates in compliance with the 5729
order, pays a financial responsibility nonvoluntary compliance fee 5730
in an amount, not to exceed fifty dollars, determined by the 5731
registrar; 5732

(c) Files and continuously maintains proof of financial 5733
responsibility under sections 4509.44 to 4509.65 of the Revised 5734
Code. 5735

(6) If the registrar issues an order under division (A)(2) of 5736
this section resulting from the failure of a person to respond to 5737
a financial responsibility random verification request under 5738
division (A)(3)(c) of this section and the person successfully 5739
maintains an affirmative defense to a violation of section 4510.16 5740
of the Revised Code or is determined by the registrar or a deputy 5741
registrar to have been in compliance with division (A)(1) of this 5742
section at the time of the initial financial responsibility random 5743
verification request, the registrar shall do both of the 5744
following: 5745

(a) Terminate the order of suspension or impoundment; 5746

(b) Restore the operating privileges and registration rights 5747
of the person without payment of the fees established in divisions 5748
(A)(5)(a) and (b) of this section and without a requirement to 5749
file proof of financial responsibility. 5750

(B)(1) Every party required to file an accident report under 5751

section 4509.06 of the Revised Code also shall include with the 5752
report a document described in division (G)(1) of this section. 5753

If the registrar determines, within forty-five days after the 5754
report is filed, that an operator or owner has violated division 5755
(A)(1) of this section, the registrar shall do all of the 5756
following: 5757

(a) Order the impoundment, with respect to the motor vehicle 5758
involved, required under division (A)(2)(d) of this section, of 5759
the certificate of registration and license plates of any owner 5760
who has violated division (A)(1) of this section; 5761

(b) Order the suspension required under division (A)(2)(a), 5762
(b), or (c) of this section of the license of any operator or 5763
owner who has violated division (A)(1) of this section; 5764

(c) Record the name and address of the person whose 5765
certificate of registration and license plates have been impounded 5766
or are under an order of impoundment, or whose license has been 5767
suspended or is under an order of suspension; the serial number of 5768
the person's license; the serial numbers of the person's 5769
certificate of registration and license plates; and the person's 5770
social security account number, if assigned, or, where the motor 5771
vehicle is used for hire or principally in connection with any 5772
established business, the person's federal taxpayer identification 5773
number. The information shall be recorded in such a manner that it 5774
becomes a part of the person's permanent record, and assists the 5775
registrar in monitoring compliance with the orders of suspension 5776
or impoundment. 5777

(d) Send written notification to every person to whom the 5778
order pertains, at the person's last known address as shown on the 5779
records of the bureau. The person, within ten days after the date 5780
of the mailing of the notification, shall surrender to the 5781
registrar, in a manner set forth in division (A)(4) of this 5782

section, any certificate of registration and registration plates 5783
under an order of impoundment, or any license under an order of 5784
suspension. 5785

(2) The registrar shall issue any order under division (B)(1) 5786
of this section without a hearing. Any person adversely affected 5787
by the order, within ten days after the issuance of the order, may 5788
request an administrative hearing before the registrar, who shall 5789
provide the person with an opportunity for a hearing in accordance 5790
with this paragraph. A request for a hearing does not operate as a 5791
suspension of the order. The scope of the hearing shall be limited 5792
to whether the person in fact demonstrated to the registrar proof 5793
of financial responsibility in accordance with this section. The 5794
registrar shall determine the date, time, and place of any 5795
hearing, provided that the hearing shall be held, and an order 5796
issued or findings made, within thirty days after the registrar 5797
receives a request for a hearing. If requested by the person in 5798
writing, the registrar may designate as the place of hearing the 5799
county seat of the county in which the person resides or a place 5800
within fifty miles of the person's residence. The person shall pay 5801
the cost of the hearing before the registrar, if the registrar's 5802
order of suspension or impoundment is upheld. 5803

(C) Any order of suspension or impoundment issued under this 5804
section or division (B) of section 4509.37 of the Revised Code may 5805
be terminated at any time if the registrar determines upon a 5806
showing of proof of financial responsibility that the operator or 5807
owner of the motor vehicle was in compliance with division (A)(1) 5808
of this section at the time of the traffic offense, motor vehicle 5809
inspection, or accident that resulted in the order against the 5810
person. A determination may be made without a hearing. This 5811
division does not apply unless the person shows good cause for the 5812
person's failure to present satisfactory proof of financial 5813
responsibility to the registrar prior to the issuance of the 5814

order. 5815

(D)(1) For the purpose of enforcing this section, every peace officer is deemed an agent of the registrar. 5816
5817

(a) Except as provided in division (D)(1)(b) of this section, any peace officer who, in the performance of the peace officer's duties as authorized by law, becomes aware of a person whose license is under an order of suspension, or whose certificate of registration and license plates are under an order of impoundment, pursuant to this section, may confiscate the license, certificate of registration, and license plates, and return them to the registrar. 5818
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(b) Any peace officer who, in the performance of the peace officer's duties as authorized by law, becomes aware of a person whose license is under an order of suspension, or whose certificate of registration and license plates are under an order of impoundment resulting from failure to respond to a financial responsibility random verification, shall not, for that reason, arrest the owner or operator or seize the vehicle or license plates. Instead, the peace officer shall issue a citation for a violation of section 4510.16 of the Revised Code specifying the circumstances as failure to respond to a financial responsibility random verification. 5826
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(2) A peace officer shall request the owner or operator of a motor vehicle to produce proof of financial responsibility in a manner described in division (G) of this section at the time the peace officer acts to enforce the traffic laws of this state and during motor vehicle inspections conducted pursuant to section 4513.02 of the Revised Code. 5837
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(3) A peace officer shall indicate on every traffic ticket whether the person receiving the traffic ticket produced proof of the maintenance of financial responsibility in response to the 5843
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officer's request under division (D)(2) of this section. The peace 5846
officer shall inform every person who receives a traffic ticket 5847
and who has failed to produce proof of the maintenance of 5848
financial responsibility that the person must submit proof to the 5849
traffic violations bureau with any payment of a fine and costs for 5850
the ticketed violation or, if the person is to appear in court for 5851
the violation, the person must submit proof to the court. 5852

(4)(a) If a person who has failed to produce proof of the 5853
maintenance of financial responsibility appears in court for a 5854
ticketed violation, the court may permit the defendant to present 5855
evidence of proof of financial responsibility to the court at such 5856
time and in such manner as the court determines to be necessary or 5857
appropriate. The In a manner prescribed by the registrar, the 5858
clerk of courts shall provide the registrar with the identity of 5859
any person who fails to submit proof of the maintenance of 5860
financial responsibility pursuant to division (D)(3) of this 5861
section. 5862

(b) If a person who has failed to produce proof of the 5863
maintenance of financial responsibility also fails to submit that 5864
proof to the traffic violations bureau with payment of a fine and 5865
costs for the ticketed violation, the traffic violations bureau, in a manner prescribed by the registrar, shall notify the 5866
registrar of the identity of that person. 5867
5868

(5)(a) Upon receiving notice from a clerk of courts or 5869
traffic violations bureau pursuant to division (D)(4) of this 5870
section, the registrar shall order the suspension of the license 5871
of the person required under division (A)(2)(a), (b), or (c) of 5872
this section and the impoundment of the person's certificate of 5873
registration and license plates required under division (A)(2)(d) 5874
of this section, effective thirty days after the date of the 5875
mailing of notification. The registrar also shall notify the 5876
person that the person must present the registrar with proof of 5877

financial responsibility in accordance with this section, 5878
surrender to the registrar the person's certificate of 5879
registration, license plates, and license, or submit a statement 5880
subject to section 2921.13 of the Revised Code that the person did 5881
not operate or permit the operation of the motor vehicle at the 5882
time of the offense. Notification shall be in writing and shall be 5883
sent to the person at the person's last known address as shown on 5884
the records of the bureau of motor vehicles. The person, within 5885
fifteen days after the date of the mailing of notification, shall 5886
present proof of financial responsibility, surrender the 5887
certificate of registration, license plates, and license to the 5888
registrar in a manner set forth in division (A)(4) of this 5889
section, or submit the statement required under this section 5890
together with other information the person considers appropriate. 5891

If the registrar does not receive proof or the person does 5892
not surrender the certificate of registration, license plates, and 5893
license, in accordance with this division, the registrar shall 5894
permit the order for the suspension of the license of the person 5895
and the impoundment of the person's certificate of registration 5896
and license plates to take effect. 5897

(b) In the case of a person who presents, within the 5898
fifteen-day period, documents to show proof of financial 5899
responsibility, the registrar shall terminate the order of 5900
suspension and the impoundment of the registration and license 5901
plates required under division (A)(2)(d) of this section and shall 5902
send written notification to the person, at the person's last 5903
known address as shown on the records of the bureau. 5904

(c) Any person adversely affected by the order of the 5905
registrar under division (D)(5)(a) or (b) of this section, within 5906
ten days after the issuance of the order, may request an 5907
administrative hearing before the registrar, who shall provide the 5908
person with an opportunity for a hearing in accordance with this 5909

paragraph. A request for a hearing does not operate as a 5910
suspension of the order. The scope of the hearing shall be limited 5911
to whether, at the time of the hearing, the person ~~in fact~~ 5912
~~demonstrated to the registrar~~ presents proof of financial 5913
responsibility covering the vehicle and whether the person is 5914
eligible for an exemption in accordance with this section or any 5915
rule adopted under it. The registrar shall determine the date, 5916
time, and place of any hearing; provided, that the hearing shall 5917
be held, and an order issued or findings made, within thirty days 5918
after the registrar receives a request for a hearing. If requested 5919
by the person in writing, the registrar may designate as the place 5920
of hearing the county seat of the county in which the person 5921
resides or a place within fifty miles of the person's residence. 5922
Such person shall pay the cost of the hearing before the 5923
registrar, if the registrar's order of suspension or impoundment 5924
under division (D)(5)(a) or (b) of this section is upheld. 5925

(6) A peace officer may charge an owner or operator of a 5926
motor vehicle with a violation of section 4510.16 of the Revised 5927
Code when the owner or operator fails to show proof of the 5928
maintenance of financial responsibility pursuant to a peace 5929
officer's request under division (D)(2) of this section, if a 5930
check of the owner or operator's driving record indicates that the 5931
owner or operator, at the time of the operation of the motor 5932
vehicle, is required to file and maintain proof of financial 5933
responsibility under section 4509.45 of the Revised Code for a 5934
previous violation of this chapter. 5935

(7) Any forms used by law enforcement agencies in 5936
administering this section shall be prescribed, supplied, and paid 5937
for by the registrar. 5938

(8) No peace officer, law enforcement agency employing a 5939
peace officer, or political subdivision or governmental agency 5940
that employs a peace officer shall be liable in a civil action for 5941

damages or loss to persons arising out of the performance of any 5942
duty required or authorized by this section. 5943

(9) As used in this division and divisions (E) and (G) of 5944
this section, "peace officer" has the meaning set forth in section 5945
2935.01 of the Revised Code. 5946

(E) All fees, except court costs, collected under this 5947
section shall be paid into the state treasury to the credit of the 5948
financial responsibility compliance fund. The financial 5949
responsibility compliance fund shall be used exclusively to cover 5950
costs incurred by the bureau in the administration of this section 5951
and sections 4503.20, 4507.212, and 4509.81 of the Revised Code, 5952
and by any law enforcement agency employing any peace officer who 5953
returns any license, certificate of registration, and license 5954
plates to the registrar pursuant to division (C) of this section, 5955
except that the director of budget and management may transfer 5956
excess money from the financial responsibility compliance fund to 5957
the state bureau of motor vehicles fund if the registrar 5958
determines that the amount of money in the financial 5959
responsibility compliance fund exceeds the amount required to 5960
cover such costs incurred by the bureau or a law enforcement 5961
agency and requests the director to make the transfer. 5962

All investment earnings of the financial responsibility 5963
compliance fund shall be credited to the fund. 5964

(F) Chapter 119. of the Revised Code applies to this section 5965
only to the extent that any provision in that chapter is not 5966
clearly inconsistent with this section. 5967

(G)(1) The registrar, court, traffic violations bureau, or 5968
peace officer may require proof of financial responsibility to be 5969
demonstrated by use of a standard form prescribed by the 5970
registrar. If the use of a standard form is not required, a person 5971
may demonstrate proof of financial responsibility under this 5972

section by presenting to the traffic violations bureau, court, 5973
registrar, or peace officer any of the following documents or a 5974
copy of the documents: 5975

(a) A financial responsibility identification card as 5976
provided in section 4509.103 of the Revised Code; 5977

(b) A certificate of proof of financial responsibility on a 5978
form provided and approved by the registrar for the filing of an 5979
accident report required to be filed under section 4509.06 of the 5980
Revised Code; 5981

(c) A policy of liability insurance, a declaration page of a 5982
policy of liability insurance, or liability bond, if the policy or 5983
bond complies with section 4509.20 or sections 4509.49 to 4509.61 5984
of the Revised Code; 5985

(d) A bond or certification of the issuance of a bond as 5986
provided in section 4509.59 of the Revised Code; 5987

(e) A certificate of deposit of money or securities as 5988
provided in section 4509.62 of the Revised Code; 5989

(f) A certificate of self-insurance as provided in section 5990
4509.72 of the Revised Code. 5991

(2) If a person fails to demonstrate proof of financial 5992
responsibility in a manner described in division (G)(1) of this 5993
section, the person may demonstrate proof of financial 5994
responsibility under this section by any other method that the 5995
court or the bureau, by reason of circumstances in a particular 5996
case, may consider appropriate. 5997

(3) A motor carrier certificated by the interstate commerce 5998
commission or by the public utilities commission may demonstrate 5999
proof of financial responsibility by providing a statement 6000
designating the motor carrier's operating authority and averring 6001
that the insurance coverage required by the certificating 6002

authority is in full force and effect. 6003

(4)(a) A finding by the registrar or court that a person is 6004
covered by proof of financial responsibility in the form of an 6005
insurance policy or surety bond is not binding upon the named 6006
insurer or surety or any of its officers, employees, agents, or 6007
representatives and has no legal effect except for the purpose of 6008
administering this section. 6009

(b) The preparation and delivery of a financial 6010
responsibility identification card or any other document 6011
authorized to be used as proof of financial responsibility under 6012
this division does not do any of the following: 6013

(i) Create any liability or estoppel against an insurer or 6014
surety, or any of its officers, employees, agents, or 6015
representatives; 6016

(ii) Constitute an admission of the existence of, or of any 6017
liability or coverage under, any policy or bond; 6018

(iii) Waive any defenses or counterclaims available to an 6019
insurer, surety, agent, employee, or representative in an action 6020
commenced by an insured or third-party claimant upon a cause of 6021
action alleged to have arisen under an insurance policy or surety 6022
bond or by reason of the preparation and delivery of a document 6023
for use as proof of financial responsibility. 6024

(c) Whenever it is determined by a final judgment in a 6025
judicial proceeding that an insurer or surety, which has been 6026
named on a document accepted by a court or the registrar as proof 6027
of financial responsibility covering the operation of a motor 6028
vehicle at the time of an accident or offense, is not liable to 6029
pay a judgment for injuries or damages resulting from such 6030
operation, the registrar, notwithstanding any previous contrary 6031
finding, shall forthwith suspend the operating privileges and 6032
registration rights of the person against whom the judgment was 6033

rendered as provided in division (A)(2) of this section. 6034

(H) In order for any document described in division (G)(1)(b) 6035
of this section to be used for the demonstration of proof of 6036
financial responsibility under this section, the document shall 6037
state the name of the insured or obligor, the name of the insurer 6038
or surety company, and the effective and expiration dates of the 6039
financial responsibility, and designate by explicit description or 6040
by appropriate reference all motor vehicles covered which may 6041
include a reference to fleet insurance coverage. 6042

(I) For purposes of this section, "owner" does not include a 6043
licensed motor vehicle leasing dealer as defined in section 6044
4517.01 of the Revised Code, but does include a motor vehicle 6045
renting dealer as defined in section 4549.65 of the Revised Code. 6046
Nothing in this section or in section 4509.51 of the Revised Code 6047
shall be construed to prohibit a motor vehicle renting dealer from 6048
entering into a contractual agreement with a person whereby the 6049
person renting the motor vehicle agrees to be solely responsible 6050
for maintaining proof of financial responsibility, in accordance 6051
with this section, with respect to the operation, maintenance, or 6052
use of the motor vehicle during the period of the motor vehicle's 6053
rental. 6054

(J) The purpose of this section is to require the maintenance 6055
of proof of financial responsibility with respect to the operation 6056
of motor vehicles on the highways of this state, so as to minimize 6057
those situations in which persons are not compensated for injuries 6058
and damages sustained in motor vehicle accidents. The general 6059
assembly finds that this section contains reasonable civil 6060
penalties and procedures for achieving this purpose. 6061

(K) Nothing in this section shall be construed to be subject 6062
to section 4509.78 of the Revised Code. 6063

(L)(1) The registrar may terminate any suspension imposed 6064

under this section and not require the owner to comply with 6065
divisions (A)(5)(a), (b), and (c) of this section if the registrar 6066
with or without a hearing determines that the owner of the vehicle 6067
has established by clear and convincing evidence that all of the 6068
following apply: 6069

~~(1)(a)~~ The owner customarily maintains proof of financial 6070
responsibility. 6071

~~(2)(b)~~ Proof of financial responsibility was not in effect 6072
for the vehicle on the date in question for one of the following 6073
reasons: 6074

~~(a)(i)~~ The vehicle was inoperable. 6075

~~(b)(ii)~~ The vehicle is operated only seasonally, and the date 6076
in question was outside the season of operation. 6077

~~(c)(iii)~~ A person other than the vehicle owner or driver was 6078
at fault for the lapse of proof of financial responsibility 6079
through no fault of the owner or driver. 6080

~~(d)(iv)~~ The lapse of proof of financial responsibility was 6081
caused by excusable neglect under circumstances that are not 6082
likely to recur and do not suggest a purpose to evade the 6083
requirements of this chapter. 6084

~~(3)(2)~~ The registrar may grant an owner or driver relief for 6085
a reason specified in division (L)(1)(b)(i) or (ii) of this 6086
section whenever the owner or driver is randomly selected to 6087
verify the existence of proof of financial responsibility for such 6088
a vehicle. However, the registrar may grant an owner or driver 6089
relief for a reason specified in division (L)(1)(b)(iii) or (iv) 6090
of this section only if the owner or driver has not previously 6091
been granted relief under division (L)(1)(b)(iii) or (iv) of this 6092
section. 6093

(M) The registrar shall adopt rules in accordance with 6094

Chapter 119. of the Revised Code that are necessary to administer 6095
and enforce this section. The rules shall include procedures for 6096
the surrender of license plates upon failure to maintain proof of 6097
financial responsibility and provisions relating to reinstatement 6098
of registration rights, acceptable forms of proof of financial 6099
responsibility, and verification of the existence of financial 6100
responsibility during the period of registration. 6101

Sec. 4509.79. (A) As used in this section, "ridesharing 6102
arrangement" means the transportation of persons in a motor 6103
vehicle where such transportation is incidental to another purpose 6104
of a volunteer driver and includes ridesharing arrangements known 6105
as carpools, vanpools, and buspools. 6106

(B) Every owner registering as a passenger car a motor 6107
vehicle designed and used for carrying more than nine but not more 6108
than fifteen passengers or registering a bus under division 6109
~~(H)~~~~(8)~~(G) of section 4503.04 of the Revised Code shall have in 6110
effect, whenever the motor vehicle is used in a ridesharing 6111
arrangement, a policy of liability insurance with respect to the 6112
motor vehicle in amounts and coverage no less than: 6113

(1) One hundred thousand dollars because of bodily injury to 6114
or death of one person in any one accident; 6115

(2) Three hundred thousand dollars because of bodily injury 6116
to or death of two or more persons in any one accident; 6117

(3) Fifty thousand dollars because of injury to property of 6118
others in any one accident. 6119

(C) Whoever violates this section shall be fined not more 6120
than five thousand dollars. 6121

Sec. 4510.10. (A) As used in this section, "reinstatement 6122
fees" means the fees that are required under section 4507.1612, 6123
4507.45, 4509.101, 4509.81, 4511.191, 4511.951, or any other 6124

provision of the Revised Code, or under a schedule established by 6125
the bureau of motor vehicles, in order to reinstate a driver's or 6126
commercial driver's license or permit or nonresident operating 6127
privilege of an offender under a suspension. 6128

(B) Reinstatement fees are those fees that compensate the 6129
bureau of motor vehicles for suspensions, cancellations, or 6130
disqualifications of a person's driving privileges and to 6131
compensate the bureau and other agencies in their administration 6132
of programs intended to reduce and eliminate threats to public 6133
safety through education, treatment, and other activities. The 6134
registrar of motor vehicles shall not reinstate a driver's or 6135
commercial driver's license or permit or nonresident operating 6136
privilege of a person until the person has paid all reinstatement 6137
fees and has complied with all conditions for each suspension, 6138
cancellation, or disqualification incurred by that person. 6139

(C) When a municipal court or county court determines in a 6140
pending case involving an offender that the offender cannot 6141
reasonably pay reinstatement fees due and owing by the offender 6142
relative to a suspension that has been or that will be imposed in 6143
the case, then the court, by order, may undertake either of the 6144
following, in order of preference: 6145

(1) Establish a reasonable payment plan of not less than 6146
fifty dollars per month, to be paid by the offender to the bureau 6147
of motor vehicles in all succeeding months until all reinstatement 6148
fees required of the offender are paid in full; 6149

(2) If the offender, but for the payment of the reinstatement 6150
fees, otherwise would be entitled to operate a vehicle in this 6151
state or to obtain reinstatement of the offender's operating 6152
privileges, permit the offender to operate a motor vehicle, as 6153
authorized by the court, until a future date upon which date all 6154
reinstatement fees must be paid in full. A payment extension 6155

granted under this division shall not exceed one hundred eighty 6156
days, and any operating privileges granted under this division 6157
shall be solely for the purpose of permitting the offender 6158
occupational or "family necessity" privileges in order to enable 6159
the offender to reasonably acquire the delinquent reinstatement 6160
fees due and owing. 6161

~~(C)~~(D) If a municipal court or county court, by order, 6162
undertakes either activity described in division ~~(B)~~(C)(1) or (2) 6163
of this section, the court, at any time after the issuance of the 6164
order, may determine that a change of circumstances has occurred 6165
and may amend the order as justice requires, provided that the 6166
amended order also shall be an order that is permitted under 6167
division ~~(B)~~(C)(1) or (2) of this section. 6168

~~(D)~~(E) If a court enters an order of the type described in 6169
division ~~(B)~~(C)(1), ~~(B)~~(C)(2), or ~~(C)~~(D) of this section, during 6170
the pendency of the order, the offender in relation to whom it 6171
applies is not subject to prosecution for failing to pay the 6172
reinstatement fees covered by the order. 6173

(F) Reinstatement fees are debts that may be discharged in 6174
bankruptcy. 6175

Sec. 4510.22. (A) If a person who has a current valid Ohio 6176
driver's, commercial driver's license, or temporary instruction 6177
permit is charged with a violation of any provision in sections 6178
4511.01 to 4511.76, 4511.84, 4513.01 to 4513.65, or 4549.01 to 6179
4549.65 of the Revised Code that is classified as a misdemeanor of 6180
the first, second, third, or fourth degree or with a violation of 6181
any substantially equivalent municipal ordinance and if the person 6182
either fails to appear in court at the required time and place to 6183
answer the charge or pleads guilty to or is found guilty of the 6184
violation and fails within the time allowed by the court to pay 6185
the fine imposed by the court, the court shall declare the 6186

~~suspension~~ forfeiture of the person's license. Thirty days after 6187
the declaration of forfeiture, the court shall inform the 6188
registrar of motor vehicles of the ~~declaration~~ forfeiture by 6189
entering information relative to the ~~declaration~~ of forfeiture on 6190
a form approved and furnished by the registrar and sending the 6191
form to the registrar. The court also shall forward the person's 6192
license, if it is in the possession of the court, to the 6193
registrar. 6194

The registrar shall impose a class F suspension of the 6195
person's driver's or commercial driver's license, or temporary 6196
instruction permit for the period of time specified in division 6197
(B)(6) of section 4510.02 of the Revised Code on any person who is 6198
named in a declaration received by the registrar under this 6199
section. The registrar shall send written notification of the 6200
suspension to the person at the person's last known address and, 6201
if the person is in possession of the license, order the person to 6202
surrender the person's license or permit to the registrar within 6203
forty-eight hours. 6204

No valid driver's or commercial driver's license shall be 6205
granted to the person after the suspension, unless the court 6206
having jurisdiction of the offense that led to the suspension 6207
orders that the ~~suspension~~ forfeiture be terminated. The court 6208
shall order the termination of the ~~suspension~~ forfeiture if the 6209
person thereafter appears to answer the charge and pays any fine 6210
imposed by the court or pays the fine originally imposed by the 6211
court. The court shall inform the registrar of the termination of 6212
the ~~suspension~~ forfeiture by entering information relative to the 6213
termination on a form approved and furnished by the registrar and 6214
sending the form to the registrar. The person shall pay to the 6215
bureau of motor vehicles a fifteen-dollar ~~processing~~ reinstatement 6216
fee to cover the costs of the bureau in administering this 6217
section. The registrar shall deposit the fee into the state bureau 6218

of motor vehicles fund created by section 4501.25 of the Revised Code. 6219
6220

(B) In addition to suspending the driver's or commercial 6221
driver's license or permit of the person named in a declaration of 6222
~~suspension~~ forfeiture, the registrar, upon receipt from the court 6223
of the copy of the declaration of ~~suspension~~ forfeiture, shall 6224
take any measures that may be necessary to ensure that neither the 6225
registrar nor any deputy registrar accepts any application for the 6226
registration or transfer of registration of any motor vehicle 6227
owned or leased by the person named in the declaration of of 6228
forfeiture. However, for a motor vehicle leased by a person named 6229
in a declaration of of forfeiture, the registrar shall not implement 6230
the preceding sentence until the registrar adopts procedures for 6231
that implementation under section 4503.39 of the Revised Code. The 6232
period of denial of registration or transfer shall continue until 6233
such time as the court having jurisdiction of the offense that led 6234
to the suspension orders the ~~suspension~~ to forfeiture be 6235
terminated. Upon receipt by the registrar of an order terminating 6236
the ~~suspension~~ forfeiture, the registrar also shall take any 6237
measures that may be necessary to permit the person to register a 6238
motor vehicle owned or leased by the person or to transfer the 6239
registration of such a motor vehicle, if the person later makes 6240
application to take such action and otherwise is eligible to 6241
register the motor vehicle or to transfer its registration. 6242

The registrar shall not be required to give effect to any 6243
declaration of ~~suspension~~ forfeiture or order terminating a 6244
~~suspension~~ forfeiture provided by a court under this section 6245
unless the information contained in the declaration or order is 6246
transmitted to the registrar by means of an electronic transfer 6247
system. The registrar shall not restore the person's driving or 6248
vehicle registration privileges until the person pays the 6249
reinstatement fee as provided in this section. 6250

The period of denial relating to the issuance or transfer of a certificate of registration for a motor vehicle imposed pursuant to this division remains in effect until the person pays any fine imposed by the court relative to the offense.

Sec. 4510.31. (A)(1) Except as provided in division (C) of this section, the registrar of motor vehicles shall suspend the probationary driver's license, restricted license, or temporary instruction permit issued to any person when the person has been convicted of, pleaded guilty to, or been adjudicated in juvenile court of having committed, prior to the person's eighteenth birthday, any of the following:

(a) Three separate violations of section 2903.06, 2903.08, 2921.331, 4511.12, 4511.13, 4511.15, 4511.191, 4511.20, 4511.201, 4511.202, 4511.21, 4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 to 4511.65, 4511.75, 4549.02, 4549.021, or 4549.03 of the Revised Code, section 4510.14 of the Revised Code involving a suspension imposed under section 4511.191 or 4511.196 of the Revised Code, section 2903.04 of the Revised Code in a case in which the person would have been subject to the sanctions described in division (D) of that section had the person been convicted of the violation of that section, former section 2903.07 of the Revised Code, or any municipal ordinances similarly relating to the offenses referred to in those sections;

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

(c) Two separate violations of any of the Revised Code sections referred to in division (A)(1)(a) of this section, or any municipal ordinance that is substantially similar to any of those sections.

(2) Any person whose license or permit is suspended under division (A)(1)(a), (b), or (c) of this section shall mail or

deliver the person's probationary driver's license, restricted 6282
license, or temporary instruction permit to the registrar within 6283
fourteen days of notification of the suspension. The registrar 6284
shall retain the license or permit during the period of the 6285
suspension. A suspension pursuant to division (A)(1)(a) of this 6286
section shall be a class C suspension, a suspension pursuant to 6287
division (A)(1)(b) of this section shall be a class D suspension, 6288
and a suspension pursuant to division (A)(1)(c) of this section 6289
shall be a class E suspension, all for the periods of time 6290
specified in division (B) of section 4510.02 of the Revised Code. 6291
If the person's probationary driver's license, restricted license, 6292
or temporary instruction permit is under suspension on the date 6293
the court imposes sentence upon the person for a violation 6294
described in division (A)(1)(b) of this section, the suspension 6295
shall take effect on the next day immediately following the end of 6296
that period of suspension. If the person is sixteen years of age 6297
or older and pleads guilty to or is convicted of a violation 6298
described in division (A)(1)(b) of this section and the person 6299
does not have a current, valid probationary driver's license, 6300
restricted license, or temporary instruction permit, the registrar 6301
shall deny the issuance to the person of a probationary driver's 6302
license, restricted license, driver's license, commercial driver's 6303
license, or temporary instruction permit, as the case may be, for 6304
six months beginning on the date the court imposes sentence upon 6305
the person for the violation. If the person has not attained the 6306
age of sixteen years on the date the court imposes sentence upon 6307
the person for the violation, the period of denial shall commence 6308
on the date the person attains the age of sixteen years. 6309

(3) The registrar shall suspend the person's license or 6310
permit under division (A) of this section regardless of whether 6311
the disposition of the case in juvenile court occurred after the 6312
person's eighteenth birthday. 6313

(B) The registrar also shall impose a class D suspension for 6314
the period of time specified in division (B)(4) of section 4510.02 6315
of the Revised Code of the temporary instruction permit or 6316
probationary driver's license of any person under the age of 6317
eighteen who has been adjudicated an unruly child, delinquent 6318
child, or juvenile traffic offender for having committed any act 6319
that if committed by an adult would be a drug abuse offense or a 6320
violation of division (B) of section 2917.11 of the Revised Code. 6321
The registrar, in the registrar's discretion, may terminate the 6322
suspension if the child, at the discretion of the court, attends 6323
and satisfactorily completes a drug abuse or alcohol abuse 6324
education, intervention, or treatment program specified by the 6325
court. Any person whose temporary instruction permit or 6326
probationary driver's license is suspended under this division 6327
shall mail or deliver the person's permit or license to the 6328
registrar within fourteen days of notification of the suspension. 6329
The registrar shall retain the permit or license during the period 6330
of the suspension. 6331

(C)(1) Except as provided in division (C)(3) of this section, 6332
for any person who is convicted of, pleads guilty to, or is 6333
adjudicated in juvenile court of having committed a second or 6334
third violation of section 4511.12, 4511.13, 4511.15, 4511.20 to 6335
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 6336
4511.75 of the Revised Code or any similar municipal ordinances 6337
and whose license or permit is suspended under division (A)(1)(a) 6338
or (c) of this section, the court in which the second or third 6339
conviction, finding, plea, or adjudication resulting in the 6340
suspension was made, upon petition of the person, may grant the 6341
person limited driving privileges during the period during which 6342
the suspension otherwise would be imposed under division (A)(1)(a) 6343
or (c) of this section if the court finds reasonable cause to 6344
believe that the suspension will seriously affect the person's 6345
ability to continue in employment, educational training, 6346

vocational training, or treatment. In granting the limited driving 6347
privileges, the court shall specify the purposes, times, and 6348
places of the privileges and may impose any other conditions upon 6349
the person's driving a motor vehicle that the court considers 6350
reasonable and necessary. 6351

A court that grants limited driving privileges to a person 6352
under this division shall retain the person's probationary 6353
driver's license, restricted license, or temporary instruction 6354
permit during the period the license or permit is suspended and 6355
also during the period for which limited driving privileges are 6356
granted, and shall deliver to the person a permit card, in a form 6357
to be prescribed by the court, setting forth the date on which the 6358
limited driving privileges will become effective, the purposes for 6359
which the person may drive, the times and places at which the 6360
person may drive, and any other conditions imposed upon the 6361
person's use of a motor vehicle. 6362

The court immediately shall notify the registrar, in writing, 6363
of a grant of limited driving privileges under this division. The 6364
notification shall specify the date on which the limited driving 6365
privileges will become effective, the purposes for which the 6366
person may drive, the times and places at which the person may 6367
drive, and any other conditions imposed upon the person's use of a 6368
motor vehicle. The registrar shall not suspend the probationary 6369
driver's license, restricted license, or temporary instruction 6370
permit of any person pursuant to division (A) of this section 6371
during any period for which the person has been granted limited 6372
driving privileges as provided in this division, if the registrar 6373
has received the notification described in this division from the 6374
court. 6375

(2) Except as provided in division (C)(3) of this section, in 6376
any case in which the temporary instruction permit or probationary 6377
driver's license of a person under eighteen years of age has been 6378

suspended under division (A) or (B) of this section or any other 6379
provision of law, the court may grant the person limited driving 6380
privileges for the purpose of the person's practicing of driving 6381
with the person's parent, guardian, or other custodian during the 6382
period of the suspension. Any grant of limited driving privileges 6383
under this division shall comply with division (D) of section 6384
4510.021 of the Revised Code. 6385

(3) A court shall not grant limited driving privileges to a 6386
person identified in division (C)(1) or (2) of this section if the 6387
person, within the preceding six years, has been convicted of, 6388
pleaded guilty to, or adjudicated in juvenile court of having 6389
committed three or more violations of one or more of the divisions 6390
or sections set forth in divisions (G)(2)(b) to (g) of section 6391
2919.22 of the Revised Code. 6392

(D) If a person who has been granted limited driving 6393
privileges under division (C) of this section is convicted of, 6394
pleads guilty to, or is adjudicated in juvenile court of having 6395
committed, a violation of Chapter 4510. of the Revised Code, or a 6396
subsequent violation of any of the sections of the Revised Code 6397
listed in division (A)(1)(a) of this section or any similar 6398
municipal ordinance during the period for which the person was 6399
granted limited driving privileges, the court that granted the 6400
limited driving privileges shall suspend the person's permit card. 6401
The court or the clerk of the court immediately shall forward the 6402
person's probationary driver's license, restricted license, or 6403
temporary instruction permit together with written notification of 6404
the court's action to the registrar. Upon receipt of the license 6405
or permit and notification, the registrar shall impose a class C 6406
suspension of the person's probationary driver's license, 6407
restricted license, or temporary instruction permit for the period 6408
of time specified in division (B)(3) of section 4510.02 of the 6409
Revised Code. The registrar shall retain the license or permit 6410

during the period of suspension, and no further limited driving 6411
privileges shall be granted during that period. 6412

(E) No application for a driver's or commercial driver's 6413
license shall be received from any person whose probationary 6414
driver's license, restricted license, or temporary instruction 6415
permit has been suspended under this section until each of the 6416
following has occurred: 6417

(1) The suspension period has expired; 6418

(2) A temporary instruction permit or commercial driver's 6419
license temporary instruction permit has been issued; 6420

(3) The person successfully completes a juvenile driver 6421
improvement program approved by the registrar under section 6422
4510.311 of the Revised Code; 6423

(4) The applicant has submitted to the examination for a 6424
driver's license as provided for in section 4507.11 or a 6425
commercial driver's license as provided in Chapter 4506. of the 6426
Revised Code. 6427

Sec. 4510.43. (A)(1) The director of public safety, upon 6428
consultation with the director of health and in accordance with 6429
Chapter 119. of the Revised Code, shall certify immobilizing and 6430
disabling devices and shall publish and make available to the 6431
courts, without charge, a list of approved devices together with 6432
information about the manufacturers of the devices and where they 6433
may be obtained. The manufacturer of an immobilizing or disabling 6434
device shall pay the cost of obtaining the certification of the 6435
device to the director of public safety, and the director shall 6436
deposit the payment in the drivers' treatment and intervention 6437
fund established by sections 4511.19 and 4511.191 of the Revised 6438
Code. 6439

(2) The director of public safety, in accordance with Chapter 6440

119. of the Revised Code, shall adopt and publish rules setting 6441
forth the requirements for obtaining the certification of an 6442
immobilizing or disabling device. The director of public safety 6443
shall not certify an immobilizing or disabling device under this 6444
section unless it meets the requirements specified and published 6445
by the director in the rules adopted pursuant to this division. A 6446
certified device may consist of an ignition interlock device, an 6447
ignition blocking device initiated by time or magnetic or 6448
electronic encoding, an activity monitor, or any other device that 6449
reasonably assures compliance with an order granting limited 6450
driving privileges. 6451

The requirements for an immobilizing or disabling device that 6452
is an ignition interlock device shall include provisions for 6453
setting a minimum and maximum calibration range and shall include, 6454
but shall not be limited to, specifications that the device 6455
complies with all of the following: 6456

(a) It does not impede the safe operation of the vehicle. 6457

(b) It has features that make circumvention difficult and 6458
that do not interfere with the normal use of the vehicle. 6459

(c) It correlates well with established measures of alcohol 6460
impairment. 6461

(d) It works accurately and reliably in an unsupervised 6462
environment. 6463

(e) It is resistant to tampering and shows evidence of 6464
tampering if tampering is attempted. 6465

(f) It is difficult to circumvent and requires premeditation 6466
to do so. 6467

(g) It minimizes inconvenience to a sober user. 6468

(h) It requires a proper, deep-lung breath sample or other 6469
accurate measure of the concentration by weight of alcohol in the 6470

breath. 6471

(i) It operates reliably over the range of automobile 6472
environments. 6473

(j) It is made by a manufacturer who is covered by product 6474
liability insurance. 6475

(3) The director of public safety may adopt, in whole or in 6476
part, the guidelines, rules, regulations, studies, or independent 6477
laboratory tests performed and relied upon by other states, or 6478
their agencies or commissions, in the certification or approval of 6479
immobilizing or disabling devices. 6480

(4) The director of public safety shall adopt rules in 6481
accordance with Chapter 119. of the Revised Code for the design of 6482
a warning label that shall be affixed to each immobilizing or 6483
disabling device upon installation. The label shall contain a 6484
warning that any person tampering, circumventing, or otherwise 6485
misusing the device is subject to a fine, imprisonment, or both 6486
and may be subject to civil liability. 6487

(B) A court considering the use of a prototype device in a 6488
pilot program shall advise the director of public safety, thirty 6489
days before the use, of the prototype device and its protocol, 6490
methodology, manufacturer, and licensor, lessor, other agent, or 6491
owner, and the length of the court's pilot program. A prototype 6492
device shall not be used for a violation of section 4510.14 or 6493
4511.19 of the Revised Code, a violation of a municipal OVI 6494
ordinance, or in relation to a suspension imposed under section 6495
4511.191 of the Revised Code. A court that uses a prototype device 6496
in a pilot program, periodically during the existence of the 6497
program and within fourteen days after termination of the program, 6498
shall report in writing to the director of public safety regarding 6499
the effectiveness of the prototype device and the program. 6500

(C) If a person has been granted limited driving privileges 6501

with a condition of the privileges being that the motor vehicle 6502
that is operated under the privileges must be equipped with an 6503
immobilizing or disabling device, ~~all of the following apply:~~ 6504

~~(1) If the person may operate a motor vehicle to be driven 6505
under the limited driving privileges that is owned by the person's 6506
employer and only if the person is required to operate that motor 6507
vehicle in the course and scope of the offender's employment, the 6508
Such a person may operate that vehicle without the installation of 6509
an immobilizing or disabling device, provided that the employer 6510
has been notified that the person has limited driving privileges 6511
and of the nature of the restriction and further provided that the 6512
person has proof of the employer's notification in the person's 6513
possession while operating the employer's vehicle for normal 6514
business duties. A motor vehicle owned by a business that is 6515
partly or entirely owned or controlled by a person with limited 6516
driving privileges is not a motor vehicle owned by an employer, 6517
for purposes of this division. 6518~~

~~(2) If the motor vehicle to be driven under the limited 6519
driving privileges is registered in a state other than this state, 6520
instead of installing on that vehicle an immobilizing or disabling 6521
device, the person with the limited driving privileges shall 6522
display on the vehicle a decal, as prescribed by the registrar of 6523
motor vehicles, that states that the vehicle is subject to limited 6524
driving privileges in this state and that describes the 6525
restriction. The decal shall be displayed on the bottom left 6526
corner of the back window of the vehicle or, if there is no back 6527
window, on the bottom left corner of the windshield of the 6528
vehicle. 6529~~

Sec. 4511.01. As used in this chapter and in Chapter 4513. of 6530
the Revised Code: 6531

(A) "Vehicle" means every device, including a motorized 6532

bicycle, in, upon, or by which any person or property may be 6533
transported or drawn upon a highway, except that "vehicle" does 6534
not include any motorized wheelchair, any electric personal 6535
assistive mobility ~~devices~~ device, any device that is moved by 6536
power collected from overhead electric trolley wires or that is 6537
used exclusively upon stationary rails or tracks, or any device, 6538
other than a bicycle, that is moved by human power. 6539

(B) "Motor vehicle" means every vehicle propelled or drawn by 6540
power other than muscular power or power collected from overhead 6541
electric trolley wires, except motorized bicycles, road rollers, 6542
traction engines, power shovels, power cranes, and other equipment 6543
used in construction work and not designed for or employed in 6544
general highway transportation, hole-digging machinery, 6545
well-drilling machinery, ditch-digging machinery, farm machinery, 6546
trailers used to transport agricultural produce or agricultural 6547
production materials between a local place of storage or supply 6548
and the farm when drawn or towed on a street or highway at a speed 6549
of twenty-five miles per hour or less, threshing machinery, 6550
hay-baling machinery, agricultural tractors and machinery used in 6551
the production of horticultural, floricultural, agricultural, and 6552
vegetable products, and trailers designed and used exclusively to 6553
transport a boat between a place of storage and a marina, or in 6554
and around a marina, when drawn or towed on a street or highway 6555
for a distance of no more than ten miles and at a speed of 6556
twenty-five miles per hour or less. 6557

(C) "Motorcycle" means every motor vehicle, other than a 6558
tractor, having a saddle for the use of the operator and designed 6559
to travel on not more than three wheels in contact with the 6560
ground, including, but not limited to, motor vehicles known as 6561
"motor-driven cycle," "motor scooter," or "motorcycle" without 6562
regard to weight or brake horsepower. 6563

(D) "Emergency vehicle" means emergency vehicles of 6564

municipal, township, or county departments or public utility 6565
corporations when identified as such as required by law, the 6566
director of public safety, or local authorities, and motor 6567
vehicles when commandeered by a police officer. 6568

(E) "Public safety vehicle" means any of the following: 6569

(1) Ambulances, including private ambulance companies under 6570
contract to a municipal corporation, township, or county, and 6571
private ambulances and nontransport vehicles bearing license 6572
plates issued under section 4503.49 of the Revised Code; 6573

(2) Motor vehicles used by public law enforcement officers or 6574
other persons sworn to enforce the criminal and traffic laws of 6575
the state; 6576

(3) Any motor vehicle when properly identified as required by 6577
the director of public safety, when used in response to fire 6578
emergency calls or to provide emergency medical service to ill or 6579
injured persons, and when operated by a duly qualified person who 6580
is a member of a volunteer rescue service or a volunteer fire 6581
department, and who is on duty pursuant to the rules or directives 6582
of that service. The state fire marshal shall be designated by the 6583
director of public safety as the certifying agency for all public 6584
safety vehicles described in division (E)(3) of this section. 6585

(4) Vehicles used by fire departments, including motor 6586
vehicles when used by volunteer fire fighters responding to 6587
emergency calls in the fire department service when identified as 6588
required by the director of public safety. 6589

Any vehicle used to transport or provide emergency medical 6590
service to an ill or injured person, when certified as a public 6591
safety vehicle, shall be considered a public safety vehicle when 6592
transporting an ill or injured person to a hospital regardless of 6593
whether such vehicle has already passed a hospital. 6594

(5) Vehicles used by the ~~commercial motor vehicle safety~~ 6595

carrier enforcement unit for the enforcement of orders and rules 6596
of the public utilities commission as specified in section 5503.34 6597
of the Revised Code. 6598

(F) "School bus" means every bus designed for carrying more 6599
than nine passengers that is owned by a public, private, or 6600
governmental agency or institution of learning and operated for 6601
the transportation of children to or from a school session or a 6602
school function, or owned by a private person and operated for 6603
compensation for the transportation of children to or from a 6604
school session or a school function, provided "school bus" does 6605
not include a bus operated by a municipally owned transportation 6606
system, a mass transit company operating exclusively within the 6607
territorial limits of a municipal corporation, or within such 6608
limits and the territorial limits of municipal corporations 6609
immediately contiguous to such municipal corporation, nor a common 6610
passenger carrier certified by the public utilities commission 6611
unless such bus is devoted exclusively to the transportation of 6612
children to and from a school session or a school function, and 6613
"school bus" does not include a van or bus used by a licensed 6614
child day-care center or type A family day-care home to transport 6615
children from the child day-care center or type A family day-care 6616
home to a school if the van or bus does not have more than fifteen 6617
children in the van or bus at any time. 6618

(G) "Bicycle" means every device, other than a tricycle 6619
designed solely for use as a play vehicle by a child, propelled 6620
solely by human power upon which any person may ride having either 6621
two tandem wheels, or one wheel in the front and two wheels in the 6622
rear, any of which is more than fourteen inches in diameter. 6623

(H) "Motorized bicycle" means any vehicle having either two 6624
tandem wheels or one wheel in the front and two wheels in the 6625
rear, that is capable of being pedaled and is equipped with a 6626
helper motor of not more than fifty cubic centimeters piston 6627

displacement that produces no more than one brake horsepower and 6628
is capable of propelling the vehicle at a speed of no greater than 6629
twenty miles per hour on a level surface. 6630

(I) "Commercial tractor" means every motor vehicle having 6631
motive power designed or used for drawing other vehicles and not 6632
so constructed as to carry any load thereon, or designed or used 6633
for drawing other vehicles while carrying a portion of such other 6634
vehicles, or load thereon, or both. 6635

(J) "Agricultural tractor" means every self-propelling 6636
vehicle designed or used for drawing other vehicles or wheeled 6637
machinery but having no provision for carrying loads independently 6638
of such other vehicles, and used principally for agricultural 6639
purposes. 6640

(K) "Truck" means every motor vehicle, except trailers and 6641
semitrailers, designed and used to carry property. 6642

(L) "Bus" means every motor vehicle designed for carrying 6643
more than nine passengers and used for the transportation of 6644
persons other than in a ridesharing arrangement, and every motor 6645
vehicle, automobile for hire, or funeral car, other than a taxicab 6646
or motor vehicle used in a ridesharing arrangement, designed and 6647
used for the transportation of persons for compensation. 6648

(M) "Trailer" means every vehicle designed or used for 6649
carrying persons or property wholly on its own structure and for 6650
being drawn by a motor vehicle, including any such vehicle when 6651
formed by or operated as a combination of a "semitrailer" and a 6652
vehicle of the dolly type, such as that commonly known as a 6653
"trailer dolly," a vehicle used to transport agricultural produce 6654
or agricultural production materials between a local place of 6655
storage or supply and the farm when drawn or towed on a street or 6656
highway at a speed greater than twenty-five miles per hour, and a 6657
vehicle designed and used exclusively to transport a boat between 6658

a place of storage and a marina, or in and around a marina, when
drawn or towed on a street or highway for a distance of more than
ten miles or at a speed of more than twenty-five miles per hour.

(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 6690
contiguous objects, or of destroying life or limb. Manufactured 6691
articles shall not be held to be explosives when the individual 6692
units contain explosives in such limited quantities, of such 6693
nature, or in such packing, that it is impossible to procure a 6694
simultaneous or a destructive explosion of such units, to the 6695
injury of life, limb, or property by fire, by friction, by 6696
concussion, by percussion, or by a detonator, such as fixed 6697
ammunition for small arms, firecrackers, or safety fuse matches. 6698

(U) "Flammable liquid" means any liquid that has a flash 6699
point of seventy degrees Fahrenheit, or less, as determined by a 6700
tagliabue or equivalent closed cup test device. 6701

(V) "Gross weight" means the weight of a vehicle plus the 6702
weight of any load thereon. 6703

(W) "Person" means every natural person, firm, 6704
co-partnership, association, or corporation. 6705

(X) "Pedestrian" means any natural person afoot. 6706

(Y) "Driver or operator" means every person who drives or is 6707
in actual physical control of a vehicle, trackless trolley, or 6708
streetcar. 6709

(Z) "Police officer" means every officer authorized to direct 6710
or regulate traffic, or to make arrests for violations of traffic 6711
regulations. 6712

(AA) "Local authorities" means every county, municipal, and 6713
other local board or body having authority to adopt police 6714
regulations under the constitution and laws of this state. 6715

(BB) "Street" or "highway" means the entire width between the 6716
boundary lines of every way open to the use of the public as a 6717
thoroughfare for purposes of vehicular travel. 6718

(CC) "Controlled-access highway" means every street or 6719

highway in respect to which owners or occupants of abutting lands 6720
and other persons have no legal right of access to or from the 6721
same except at such points only and in such manner as may be 6722
determined by the public authority having jurisdiction over such 6723
street or highway. 6724

(DD) "Private road or driveway" means every way or place in 6725
private ownership used for vehicular travel by the owner and those 6726
having express or implied permission from the owner but not by 6727
other persons. 6728

(EE) "Roadway" means that portion of a highway improved, 6729
designed, or ordinarily used for vehicular travel, except the berm 6730
or shoulder. If a highway includes two or more separate roadways 6731
the term "roadway" means any such roadway separately but not all 6732
such roadways collectively. 6733

(FF) "Sidewalk" means that portion of a street between the 6734
curb lines, or the lateral lines of a roadway, and the adjacent 6735
property lines, intended for the use of pedestrians. 6736

(GG) "Laned highway" means a highway the roadway of which is 6737
divided into two or more clearly marked lanes for vehicular 6738
traffic. 6739

(HH) "Through highway" means every street or highway as 6740
provided in section 4511.65 of the Revised Code. 6741

(II) "State highway" means a highway under the jurisdiction 6742
of the department of transportation, outside the limits of 6743
municipal corporations, provided that the authority conferred upon 6744
the director of transportation in section 5511.01 of the Revised 6745
Code to erect state highway route markers and signs directing 6746
traffic shall not be modified by sections 4511.01 to 4511.79 and 6747
4511.99 of the Revised Code. 6748

(JJ) "State route" means every highway that is designated 6749
with an official state route number and so marked. 6750

(KK) "Intersection" means: 6751

(1) The area embraced within the prolongation or connection 6752
of the lateral curb lines, or, if none, then the lateral boundary 6753
lines of the roadways of two highways which join one another at, 6754
or approximately at, right angles, or the area within which 6755
vehicles traveling upon different highways joining at any other 6756
angle may come in conflict. 6757

(2) Where a highway includes two roadways thirty feet or more 6758
apart, then every crossing of each roadway of such divided highway 6759
by an intersecting highway shall be regarded as a separate 6760
intersection. If an intersecting highway also includes two 6761
roadways thirty feet or more apart, then every crossing of two 6762
roadways of such highways shall be regarded as a separate 6763
intersection. 6764

(3) The junction of an alley with a street or highway, or 6765
with another alley, shall not constitute an intersection. 6766

(LL) "Crosswalk" means: 6767

(1) That part of a roadway at intersections ordinarily 6768
included within the real or projected prolongation of property 6769
lines and curb lines or, in the absence of curbs, the edges of the 6770
traversable roadway; 6771

(2) Any portion of a roadway at an intersection or elsewhere, 6772
distinctly indicated for pedestrian crossing by lines or other 6773
markings on the surface; 6774

(3) Notwithstanding divisions (LL)(1) and (2) of this 6775
section, there shall not be a crosswalk where local authorities 6776
have placed signs indicating no crossing. 6777

(MM) "Safety zone" means the area or space officially set 6778
apart within a roadway for the exclusive use of pedestrians and 6779
protected or marked or indicated by adequate signs as to be 6780

plainly visible at all times. 6781

(NN) "Business district" means the territory fronting upon a 6782
street or highway, including the street or highway, between 6783
successive intersections within municipal corporations where fifty 6784
per cent or more of the frontage between such successive 6785
intersections is occupied by buildings in use for business, or 6786
within or outside municipal corporations where fifty per cent or 6787
more of the frontage for a distance of three hundred feet or more 6788
is occupied by buildings in use for business, and the character of 6789
such territory is indicated by official traffic control devices. 6790

(OO) "Residence district" means the territory, not comprising 6791
a business district, fronting on a street or highway, including 6792
the street or highway, where, for a distance of three hundred feet 6793
or more, the frontage is improved with residences or residences 6794
and buildings in use for business. 6795

(PP) "Urban district" means the territory contiguous to and 6796
including any street or highway which is built up with structures 6797
devoted to business, industry, or dwelling houses situated at 6798
intervals of less than one hundred feet for a distance of a 6799
quarter of a mile or more, and the character of such territory is 6800
indicated by official traffic control devices. 6801

(QQ) "Traffic control devices" means all flaggers, signs, 6802
signals, markings, and devices placed or erected by authority of a 6803
public body or official having jurisdiction, for the purpose of 6804
regulating, warning, or guiding traffic, including signs denoting 6805
names of streets and highways. 6806

(RR) "Traffic control signal" means any device, whether 6807
manually, electrically, or mechanically operated, by which traffic 6808
is alternately directed to stop, to proceed, to change direction, 6809
or not to change direction. 6810

(SS) "Railroad sign or signal" means any sign, signal, or 6811

device erected by authority of a public body or official or by a 6812
railroad and intended to give notice of the presence of railroad 6813
tracks or the approach of a railroad train. 6814

(TT) "Traffic" means pedestrians, ridden or herded animals, 6815
vehicles, streetcars, trackless trolleys, and other devices, 6816
either singly or together, while using any highway for purposes of 6817
travel. 6818

(UU) "Right-of-way" means either of the following, as the 6819
context requires: 6820

(1) The right of a vehicle, streetcar, trackless trolley, or 6821
pedestrian to proceed uninterruptedly in a lawful manner in the 6822
direction in which it or the individual is moving in preference to 6823
another vehicle, streetcar, trackless trolley, or pedestrian 6824
approaching from a different direction into its or the 6825
individual's path; 6826

(2) A general term denoting land, property, or the interest 6827
therein, usually in the configuration of a strip, acquired for or 6828
devoted to transportation purposes. When used in this context, 6829
right-of-way includes the roadway, shoulders or berm, ditch, and 6830
slopes extending to the right-of-way limits under the control of 6831
the state or local authority. 6832

(VV) "Rural mail delivery vehicle" means every vehicle used 6833
to deliver United States mail on a rural mail delivery route. 6834

(WW) "Funeral escort vehicle" means any motor vehicle, 6835
including a funeral hearse, while used to facilitate the movement 6836
of a funeral procession. 6837

(XX) "Alley" means a street or highway intended to provide 6838
access to the rear or side of lots or buildings in urban districts 6839
and not intended for the purpose of through vehicular traffic, and 6840
includes any street or highway that has been declared an "alley" 6841
by the legislative authority of the municipal corporation in which 6842

such street or highway is located. 6843

(YY) "Freeway" means a divided multi-lane highway for through traffic with all crossroads separated in grade and with full control of access. 6844
6845
6846

(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. 6847
6848
6849

(AAA) "Thruway" means a through highway whose entire roadway is reserved for through traffic and on which roadway parking is prohibited. 6850
6851
6852

(BBB) "Stop intersection" means any intersection at one or more entrances of which stop signs are erected. 6853
6854

(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. 6855
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(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. 6860
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(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. 6864
6865
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(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. 6867
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6869

(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 6870
6871
6872

for drawing other vehicles or wheeled machinery, has no provision 6873
for carrying loads independently of the drawn vehicles or 6874
machinery, and is used principally for agricultural purposes. 6875

(HHH) "Operate" means to cause or have caused movement of a 6876
vehicle, streetcar, or trackless trolley on any public or private 6877
property used by the public for purposes of vehicular travel or 6878
parking. 6879

(III) "Predicate motor vehicle or traffic offense" means any 6880
of the following: 6881

(1) A violation of section 4511.03, 4511.051, 4511.12, 6882
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 6883
4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 6884
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 6885
4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 6886
4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 6887
4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 6888
4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 6889
4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 6890
4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 6891
4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code; 6892

(2) A violation of division (A)(2) of section 4511.17, 6893
divisions (A) to (D) of section 4511.51, or division (A) of 6894
section 4511.74 of the Revised Code; 6895

(3) A violation of any provision of sections 4511.01 to 6896
4511.76 of the Revised Code for which no penalty otherwise is 6897
provided in the section that contains the provision violated; 6898

(4) A violation of a municipal ordinance that is 6899
substantially similar to any section or provision set forth or 6900
described in division (III)(1), (2), or (3) of this section. 6901

Sec. 4511.121. (A)(1) Except as provided in division (B) of 6902

this section, any operator of a commercial motor vehicle, upon 6903
approaching a scale location established for the purpose of 6904
determining the weight of the vehicle and its load, shall comply 6905
with any traffic control device or the order of a peace officer 6906
directing the vehicle to proceed to be weighed or otherwise 6907
inspected. 6908

(2) Any operator of a commercial motor vehicle, upon 6909
bypassing a scale location in accordance with division (B) of this 6910
section, shall comply with an order of a peace officer to stop the 6911
vehicle to verify the use and operation of an electronic clearance 6912
device. 6913

(B) Any operator of a commercial motor vehicle that is 6914
equipped with an electronic clearance device authorized by the 6915
superintendent of the state highway patrol under section 4549.081 6916
of the Revised Code may bypass a scale location, regardless of the 6917
instruction of a traffic control device to enter the scale 6918
facility, if either of the following apply: 6919

(1) The in-cab transponder displays a green light or other 6920
affirmative visual signal and also sounds an affirmative audible 6921
signal; 6922

(2) Any other criterion established by the superintendent by 6923
rule is met. 6924

(C) Any peace officer may order the operator of a commercial 6925
motor vehicle that bypasses a scale location to stop the vehicle 6926
to verify the use and operation of an electronic clearance device. 6927

(D) Whoever violates division (A) of this section is guilty 6928
of a minor misdemeanor. If, within one year of the offense, the 6929
offender previously has been convicted of or pleaded guilty to a 6930
violation of division (A) of this section, whoever violates that 6931
division is guilty of a misdemeanor of the fourth degree. If, 6932

within one year of the offense, the offender previously has been 6933
convicted of or pleaded guilty to two or more violations of 6934
division (A) of this section, whoever violates division (A) is 6935
guilty of a misdemeanor of the third degree. 6936

(E) As used in this section and in section 4549.081 of the 6937
Revised Code, "commercial motor vehicle" means any combination of 6938
vehicles with a gross vehicle weight rating or an actual gross 6939
vehicle weight of more than ten thousand pounds if the vehicle is 6940
used in interstate or intrastate commerce to transport property 6941
and also means any vehicle that is transporting hazardous 6942
materials for which placarding is required pursuant to 49 C.F.R. 6943
Parts 100 to 180. 6944

Sec. 4513.61. The sheriff of a county or chief of police of a 6945
municipal corporation, township, or township police district, 6946
within the sheriff's or chief's respective territorial 6947
jurisdiction, or a state highway patrol trooper, upon notification 6948
to the sheriff or chief of police of such action and of the 6949
location of the place of storage, may order into storage any motor 6950
vehicle, including an abandoned junk motor vehicle as defined in 6951
section 4513.63 of the Revised Code, that has come into the 6952
possession of the sheriff, chief of police, or state highway 6953
patrol trooper as a result of the performance of the sheriff's, 6954
chief's, or trooper's duties or that has been left on a public 6955
street or other property open to the public for purposes of 6956
vehicular travel, or upon or within the right-of-way of any road 6957
or highway, for forty-eight hours or longer without notification 6958
to the sheriff or chief of police of the reasons for leaving the 6959
motor vehicle in such place, except that when such a motor vehicle 6960
constitutes an obstruction to traffic it may be ordered into 6961
storage immediately. The sheriff or chief of police shall 6962
designate the place of storage of any motor vehicle so ordered 6963
removed. 6964

The sheriff or chief of police immediately shall cause a 6965
search to be made of the records of the bureau of motor vehicles 6966
to ascertain the owner and any lienholder of a motor vehicle 6967
ordered into storage by the sheriff or chief of police, or by a 6968
state highway patrol trooper, and, if known, shall send or cause 6969
to be sent notice to the owner or lienholder at the owner's or 6970
lienholder's last known address by certified mail with return 6971
receipt requested, that the motor vehicle will be declared a 6972
nuisance and disposed of if not claimed within ten days of the 6973
date of mailing of the notice. The owner or lienholder of the 6974
motor vehicle may reclaim it upon payment of any expenses or 6975
charges incurred in its removal and storage, and presentation of 6976
proof of ownership, which may be evidenced by a certificate of 6977
title or memorandum certificate of title to the motor vehicle. If 6978
the owner or lienholder of the motor vehicle reclaims it after a 6979
search of the records of the bureau has been conducted and after 6980
notice has been sent to the owner or lienholder as described in 6981
this section, and the search was conducted by the owner of the 6982
place of storage or the owner's employee, and the notice was sent 6983
to the motor vehicle owner by the owner of the place of storage or 6984
the owner's employee, the owner or lienholder shall pay to the 6985
place of storage a processing fee of twenty-five dollars, in 6986
addition to any expenses or charges incurred in the removal and 6987
storage of the vehicle. 6988

If the owner or lienholder makes no claim to the motor 6989
vehicle within ten days of the date of mailing of the notice, and 6990
if the vehicle is to be disposed of at public auction as provided 6991
in section 4513.62 of the Revised Code, the sheriff or chief of 6992
police shall file with the clerk of courts of the county in which 6993
the place of storage is located an affidavit showing compliance 6994
with the requirements of this section. Upon presentation of the 6995
affidavit, the clerk, without charge, shall issue a salvage 6996
certificate of title, free and clear of all liens and 6997

encumbrances, to the sheriff or chief of police. If the vehicle is 6998
to be disposed of to a motor vehicle salvage dealer or other 6999
facility as provided in section 4513.62 of the Revised Code, the 7000
sheriff or chief of police shall execute in triplicate an 7001
affidavit, as prescribed by the registrar of motor vehicles, 7002
describing the motor vehicle and the manner in which it was 7003
disposed of, and that all requirements of this section have been 7004
complied with. The sheriff or chief of police shall retain the 7005
original of the affidavit for the sheriff's or chief's records, 7006
and shall furnish two copies to the motor vehicle salvage dealer 7007
or other facility. Upon presentation of a copy of the affidavit by 7008
the motor vehicle salvage dealer, the clerk of courts, within 7009
thirty days of the presentation, shall issue to such owner a 7010
salvage certificate of title, free and clear of all liens and 7011
encumbrances. 7012

Whenever a motor vehicle salvage dealer or other facility 7013
receives an affidavit for the disposal of a motor vehicle as 7014
provided in this section, the dealer or facility shall not be 7015
required to obtain an Ohio certificate of title to the motor 7016
vehicle in the dealer's or facility's own name if the vehicle is 7017
dismantled or destroyed and both copies of the affidavit are 7018
delivered to the clerk of courts. 7019

Sec. 4513.63. "Abandoned junk motor vehicle" means any motor 7020
vehicle meeting all of the following requirements: 7021

(A) Left on private property for forty-eight hours or longer 7022
without the permission of the person having the right to the 7023
possession of the property, on a public street or other property 7024
open to the public for purposes of vehicular travel or parking, or 7025
upon or within the right-of-way of any road or highway, for 7026
forty-eight hours or longer; 7027

(B) Three years old, or older; 7028

(C) Extensively damaged, such damage including but not 7029
limited to any of the following: missing wheels, tires, motor, or 7030
transmission; 7031

(D) Apparently inoperable; 7032

(E) Having a fair market value of one thousand five hundred 7033
dollars or less. 7034

The sheriff of a county or chief of police of a municipal 7035
corporation, township, or township police district, within the 7036
sheriff's or chief's respective territorial jurisdiction, or a 7037
state highway patrol trooper, upon notification to the sheriff or 7038
chief of police of such action, shall order any abandoned junk 7039
motor vehicle to be photographed by a law enforcement officer. The 7040
officer shall record the make of motor vehicle, the serial number 7041
when available, and shall also detail the damage or missing 7042
equipment to substantiate the value of one thousand five hundred 7043
dollars or less. The sheriff or chief of police shall thereupon 7044
immediately dispose of the abandoned junk motor vehicle to a motor 7045
vehicle salvage dealer as defined in section 4738.01 of the 7046
Revised Code or a scrap metal processing facility as defined in 7047
section 4737.05 of the Revised Code which is under contract to the 7048
county, township, or municipal corporation, or to any other 7049
facility owned by or under contract with the county, township, or 7050
municipal corporation for the destruction of such motor vehicles. 7051
The records and photograph relating to the abandoned junk motor 7052
vehicle shall be retained by the law enforcement agency ordering 7053
the disposition of such vehicle for a period of at least two 7054
years. The law enforcement agency shall execute in quadruplicate 7055
an affidavit, as prescribed by the registrar of motor vehicles, 7056
describing the motor vehicle and the manner in which it was 7057
disposed of, and that all requirements of this section have been 7058
complied with, and, within thirty days of disposing of the 7059
vehicle, shall sign and file the ~~same~~ affidavit with the clerk of 7060

courts of the county in which the motor vehicle was abandoned. The 7061
clerk of courts shall retain the original of the affidavit for the 7062
clerk's files, shall furnish one copy thereof to the registrar, 7063
one copy to the motor vehicle salvage dealer or other facility 7064
handling the disposal of the vehicle, and one copy to the law 7065
enforcement agency ordering the disposal, who shall file such copy 7066
with the records and photograph relating to the disposal. Any 7067
moneys arising from the disposal of an abandoned junk motor 7068
vehicle shall be deposited in the general fund of the county, 7069
township, or the municipal corporation, as the case may be. 7070

Notwithstanding section 4513.61 of the Revised Code, any 7071
motor vehicle meeting the requirements of divisions (C), (D), and 7072
(E) of this section which has remained unclaimed by the owner or 7073
lienholder for a period of ten days or longer following 7074
notification as provided in section 4513.61 of the Revised Code 7075
may be disposed of as provided in this section. 7076

Sec. 4517.01. As used in sections 4517.01 to 4517.65 of the 7077
Revised Code: 7078

(A) "Persons" includes individuals, firms, partnerships, 7079
associations, joint stock companies, corporations, and any 7080
combinations of individuals. 7081

(B) "Motor vehicle" means motor vehicle as defined in section 7082
4501.01 of the Revised Code and also includes "all-purpose 7083
vehicle" and "off-highway motorcycle" as those terms are defined 7084
in section 4519.01 of the Revised Code and manufactured and mobile 7085
homes. 7086

(C) "New motor vehicle" means a motor vehicle, the legal 7087
title to which has never been transferred by a manufacturer, 7088
remanufacturer, distributor, or dealer to an ultimate purchaser. 7089

(D) "Ultimate purchaser" means, with respect to any new motor 7090

vehicle, the first person, other than a dealer purchasing in the 7091
capacity of a dealer, who in good faith purchases such new motor 7092
vehicle for purposes other than resale. 7093

(E) "Business" includes any activities engaged in by any 7094
person for the object of gain, benefit, or advantage either direct 7095
or indirect. 7096

(F) "Engaging in business" means commencing, conducting, or 7097
continuing in business, or liquidating a business when the 7098
liquidator thereof holds self out to be conducting such business; 7099
making a casual sale or otherwise making transfers in the ordinary 7100
course of business when the transfers are made in connection with 7101
the disposition of all or substantially all of the transferor's 7102
assets is not engaging in business. 7103

(G) "Retail sale" or "sale at retail" means the act or 7104
attempted act of selling, bartering, exchanging, or otherwise 7105
disposing of a motor vehicle to an ultimate purchaser for use as a 7106
consumer. 7107

(H) "Retail installment contract" includes any contract in 7108
the form of a note, chattel mortgage, conditional sales contract, 7109
lease, agreement, or other instrument payable in one or more 7110
installments over a period of time and arising out of the retail 7111
sale of a motor vehicle. 7112

(I) "Farm machinery" means all machines and tools used in the 7113
production, harvesting, and care of farm products. 7114

(J) "Dealer" or "motor vehicle dealer" means any new motor 7115
vehicle dealer, any motor vehicle leasing dealer, and any used 7116
motor vehicle dealer. 7117

(K) "New motor vehicle dealer" means any person engaged in 7118
the business of selling at retail, displaying, offering for sale, 7119
or dealing in new motor vehicles pursuant to a contract or 7120
agreement entered into with the manufacturer, remanufacturer, or 7121

distributor of the motor vehicles. 7122

(L) "Used motor vehicle dealer" means any person engaged in 7123
the business of selling, displaying, offering for sale, or dealing 7124
in used motor vehicles, at retail or wholesale, but does not mean 7125
any new motor vehicle dealer selling, displaying, offering for 7126
sale, or dealing in used motor vehicles incidentally to engaging 7127
in the business of selling, displaying, offering for sale, or 7128
dealing in new motor vehicles, any person engaged in the business 7129
of dismantling, salvaging, or rebuilding motor vehicles by means 7130
of using used parts, or any public officer performing official 7131
duties. 7132

(M) "Motor vehicle leasing dealer" means any person engaged 7133
in the business of regularly making available, offering to make 7134
available, or arranging for another person to use a motor vehicle 7135
pursuant to a bailment, lease, sublease, or other contractual 7136
arrangement under which a charge is made for its use at a periodic 7137
rate for a term of thirty days or more, and title to the motor 7138
vehicle is in and remains in the motor vehicle leasing dealer who 7139
originally leases it, irrespective of whether or not the motor 7140
vehicle is the subject of a later sublease, and not in the user, 7141
but does not mean a manufacturer or its affiliate leasing to its 7142
employees or to dealers. 7143

(N) "Salesperson" means any person employed by a dealer or 7144
manufactured home broker to sell, display, and offer for sale, or 7145
deal in motor vehicles for a commission, compensation, or other 7146
valuable consideration, but does not mean any public officer 7147
performing official duties. 7148

(O) "Casual sale" means any transfer of a motor vehicle by a 7149
person other than a new motor vehicle dealer, used motor vehicle 7150
dealer, motor vehicle salvage dealer, as defined in division (A) 7151
of section 4738.01 of the Revised Code, salesperson, motor vehicle 7152
auction owner, manufacturer, or distributor acting in the capacity 7153

of a dealer, salesperson, auction owner, manufacturer, or 7154
distributor, to a person who purchases the motor vehicle for use 7155
as a consumer. 7156

(P) "Motor vehicle show" means a display of current models of 7157
motor vehicles whereby the primary purpose is the exhibition of 7158
competitive makes and models in order to provide the general 7159
public the opportunity to review and inspect various makes and 7160
models of motor vehicles at a single location. 7161

(Q) "Motor vehicle auction owner" means any person who is 7162
engaged wholly or in part in the business of auctioning motor 7163
vehicles. 7164

(R) "Manufacturer" means a person who manufactures, 7165
assembles, or imports motor vehicles, including motor homes, but 7166
does not mean a person who only assembles or installs a body, 7167
special equipment unit, finishing trim, or accessories on a motor 7168
vehicle chassis supplied by a manufacturer or distributor. 7169

(S) "Tent-type fold-out camping trailer" means any vehicle 7170
intended to be used, when stationary, as a temporary shelter with 7171
living and sleeping facilities, and ~~which~~ that is subject to the 7172
following properties and limitations: 7173

(1) A minimum of twenty-five per cent of the fold-out portion 7174
of the top and sidewalls combined must be constructed of canvas, 7175
vinyl, or other fabric, and form an integral part of the shelter. 7176

(2) When folded, the unit must not exceed: 7177

(a) Fifteen feet in length, exclusive of bumper and tongue; 7178

(b) Sixty inches in height from the point of contact with the 7179
ground; 7180

(c) Eight feet in width; 7181

(d) One ton gross weight at time of sale. 7182

(T) "Distributor" means any person authorized by a motor 7183

vehicle manufacturer to distribute new motor vehicles to licensed 7184
new motor vehicle dealers, but does not mean a person who only 7185
assembles or installs a body, special equipment unit, finishing 7186
trim, or accessories on a motor vehicle chassis supplied by a 7187
manufacturer or distributor. 7188

(U) "Flea market" means a market place, other than a dealer's 7189
location licensed under this chapter, where a space or location is 7190
provided for a fee or compensation to a seller to exhibit and 7191
offer for sale or trade, motor vehicles to the general public. 7192

(V) "Franchise" means any written agreement, contract, or 7193
understanding between any motor vehicle manufacturer or 7194
remanufacturer engaged in commerce and any motor vehicle dealer, 7195
~~which~~ that purports to fix the legal rights and liabilities of the 7196
parties to such agreement, contract, or understanding. 7197

(W) "Franchisee" means a person who receives new motor 7198
vehicles from the franchisor under a franchise agreement and who 7199
offers, sells, and provides service for such new motor vehicles to 7200
the general public. 7201

(X) "Franchisor" means a new motor vehicle manufacturer, 7202
remanufacturer, or distributor who supplies new motor vehicles 7203
under a franchise agreement to a franchisee. 7204

(Y) "Dealer organization" means a state or local trade 7205
association the membership of which is comprised predominantly of 7206
new motor vehicle dealers. 7207

(Z) "Factory representative" means a representative employed 7208
by a manufacturer, remanufacturer, or by a factory branch 7209
primarily for the purpose of promoting the sale of its motor 7210
vehicles, parts, or accessories to dealers or for supervising or 7211
contacting its dealers or prospective dealers. 7212

(AA) "Administrative or executive management" means those 7213
individuals who are not subject to federal wage and hour laws. 7214

(BB) "Good faith" means honesty in the conduct or transaction 7215
concerned and the observance of reasonable commercial standards of 7216
fair dealing in the trade as is defined in division (S) of section 7217
1301.01 of the Revised Code, including, but not limited to, the 7218
duty to act in a fair and equitable manner so as to guarantee 7219
freedom from coercion, intimidation, or threats of coercion or 7220
intimidation; provided however, that recommendation, endorsement, 7221
exposition, persuasion, urging, or argument shall not be 7222
considered to constitute a lack of good faith. 7223

(CC) "Coerce" means to compel or attempt to compel by failing 7224
to act in good faith or by threat of economic harm, breach of 7225
contract, or other adverse consequences. Coerce does not mean to 7226
argue, urge, recommend, or persuade. 7227

(DD) "Relevant market area" means any area within a radius of 7228
ten miles from the site of a potential new dealership, except that 7229
for manufactured home or recreational vehicle dealerships the 7230
radius shall be twenty-five miles. The ten-mile radius shall be 7231
measured from the dealer's established place of business that is 7232
used exclusively for the purpose of selling, displaying, offering 7233
for sale, or dealing in motor vehicles. 7234

(EE) "Wholesale" or "at wholesale" means the act or attempted 7235
act of selling, bartering, exchanging, or otherwise disposing of a 7236
motor vehicle to a transferee for the purpose of resale and not 7237
for ultimate consumption by that transferee. 7238

(FF) "Motor vehicle wholesaler" means any person licensed as 7239
a dealer under the laws of another state and engaged in the 7240
business of selling, displaying, or offering for sale used motor 7241
vehicles, at wholesale, but does not mean any motor vehicle dealer 7242
as defined in this section. 7243

(GG)(1) "Remanufacturer" means a person who assembles or 7244
installs passenger seating, walls, a roof elevation, or a body 7245

extension on a conversion van with the motor vehicle chassis 7246
supplied by a manufacturer or distributor, a person who modifies a 7247
truck chassis supplied by a manufacturer or distributor for use as 7248
a public safety or public service vehicle, a person who modifies a 7249
motor vehicle chassis supplied by a manufacturer or distributor 7250
for use as a limousine or hearse, or a person who modifies an 7251
incomplete motor vehicle cab and chassis supplied by a new motor 7252
vehicle dealer or distributor for use as a tow truck, but does not 7253
mean either of the following: 7254

(a) A person who assembles or installs passenger seating, 7255
walls, a roof elevation, or a body extension on a manufactured 7256
home as defined in division (C)(4) of section 3781.06 of the 7257
Revised Code, a mobile home as defined in division (O) and 7258
referred to in division (B) of section 4501.01 of the Revised 7259
Code, or a recreational vehicle as defined in division (Q) and 7260
referred to in division (B) of section 4501.01 of the Revised 7261
Code; 7262

(b) A person who assembles or installs special equipment or 7263
accessories for handicapped persons, as defined in section 4503.44 7264
of the Revised Code, upon a motor vehicle chassis supplied by a 7265
manufacturer or distributor. 7266

(2) For the purposes of division (GG)(1) of this section, 7267
"public safety vehicle or public service vehicle" means a fire 7268
truck, ambulance, school bus, street sweeper, garbage packing 7269
truck, or cement mixer, or a mobile self-contained facility 7270
vehicle. 7271

(3) For the purposes of division (GG)(1) of this section, 7272
"limousine" means a motor vehicle, designed only for the purpose 7273
of carrying nine or fewer passengers, that a person modifies by 7274
cutting the original chassis, lengthening the wheelbase by forty 7275
inches or more, and reinforcing the chassis in such a way that all 7276
modifications comply with all applicable federal motor vehicle 7277

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 7310
the cab and chassis and on which the remanufacturer then installs 7311
in a permanent manner a wrecker body it purchases from a 7312
manufacturer or distributor of wrecker bodies, installs an 7313
emergency flashing light pylon and emergency lights upon the mast 7314
of the wrecker body or rooftop, and installs such other related 7315
accessories and equipment, including push bumpers, front grille 7316
guards with pads and other custom-ordered items such as painting, 7317
special lettering, and safety striping so as to create a complete 7318
motor vehicle capable of lifting and towing another motor vehicle. 7319

(b) An incomplete cab and chassis that are purchased by a 7320
remanufacturer from a new motor vehicle dealer or distributor of 7321
the cab and chassis and on which the remanufacturer then installs 7322
in a permanent manner a car carrier body it purchases from a 7323
manufacturer or distributor of car carrier bodies, installs an 7324
emergency flashing light pylon and emergency lights upon the 7325
rooftop, and installs such other related accessories and 7326
equipment, including push bumpers, front grille guards with pads 7327
and other custom-ordered items such as painting, special 7328
lettering, and safety striping. 7329

As used in division ~~(G)~~(GG)(6)(b) of this section, "car 7330
carrier body" means a mechanical or hydraulic apparatus capable of 7331
lifting and holding a motor vehicle on a flat level surface so 7332
that one or more motor vehicles can be transported, once the car 7333
carrier is permanently installed upon an incomplete cab and 7334
chassis. 7335

(HH) "Operating as a new motor vehicle dealership" means 7336
engaging in activities such as displaying, offering for sale, and 7337
selling new motor vehicles at retail, operating a service facility 7338
to perform repairs and maintenance on motor vehicles, offering for 7339
sale and selling motor vehicle parts at retail, and conducting all 7340
other acts that are usual and customary to the operation of a new 7341

motor vehicle dealership. For the purposes of this chapter only, 7342
possession of either a valid new motor vehicle dealer franchise 7343
agreement or a new motor vehicle dealers license, or both of these 7344
items, is not evidence that a person is operating as a new motor 7345
vehicle dealership. 7346

(II) "Manufactured home broker" means any person acting as a 7347
selling agent on behalf of an owner of a manufactured or mobile 7348
home that is subject to taxation under section 4503.06 of the 7349
Revised Code. 7350

(JJ) "Outdoor power equipment" means garden and small utility 7351
tractors, walk-behind and riding mowers, chainsaws, and tillers. 7352

(KK) "Remote service facility" means premises that are 7353
separate from a licensed new motor vehicle dealer's sales facility 7354
by not more than one mile and that are used by the dealer to 7355
perform repairs, warranty work, recall work, and maintenance on 7356
motor vehicles pursuant to a franchise agreement entered into with 7357
a manufacturer of motor vehicles. A remote service facility shall 7358
be deemed to be part of the franchise agreement and is subject to 7359
all the rights, duties, obligations, and requirements of Chapter 7360
4517. of the Revised Code that relate to the performance of motor 7361
vehicle repairs, warranty work, recall work, and maintenance work 7362
by new motor vehicle dealers. 7363

Sec. 4517.03. (A) A place of business that is used for 7364
selling, displaying, offering for sale, or dealing in motor 7365
vehicles shall be considered as used exclusively for those 7366
purposes even though snowmobiles, farm machinery, outdoor power 7367
equipment, watercraft and related products, or products 7368
manufactured or distributed by a motor vehicle manufacturer with 7369
which the motor vehicle dealer has a franchise agreement are sold 7370
or displayed there, or if repair, accessory, gasoline and oil, 7371
storage, parts, service, or paint departments are maintained 7372

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 7405
included on the new motor vehicle dealer's license and be deemed 7406
to be part of the dealer's licensed location. 7407

(3) No person shall use a remote service facility for 7408
selling, displaying, or offering for sale motor vehicles. 7409

(4) Nothing in Chapter 4517. of the Revised Code shall be 7410
construed as prohibiting the sale of a new or used manufactured or 7411
mobile home located in a manufactured home park by a licensed new 7412
or used motor vehicle dealer. 7413

(C) No used motor vehicle dealer shall sell, display, offer 7414
for sale, or deal in motor vehicles at any place except an 7415
established place of business that is used exclusively for the 7416
purpose of selling, displaying, offering for sale, or dealing in 7417
motor vehicles. 7418

(D) No motor vehicle leasing dealer shall make a motor 7419
vehicle available for use by another, in the manner described in 7420
division (M) of section 4517.01 of the Revised Code, at any place 7421
except an established place of business that is used for leasing 7422
motor vehicles; except that a motor vehicle leasing dealer who is 7423
also a new motor vehicle dealer or used motor vehicle dealer may 7424
lease motor vehicles at the same place of business at which the 7425
dealer sells, offers for sale, or deals in new or used motor 7426
vehicles. 7427

(E) No motor vehicle leasing dealer or motor vehicle renting 7428
dealer shall sell a motor vehicle within ninety days after a 7429
certificate of title to the motor vehicle is issued to the dealer, 7430
except when a salvage certificate of title is issued to replace 7431
the original certificate of title and except when a motor vehicle 7432
leasing dealer sells a motor vehicle to another motor vehicle 7433
leasing dealer at the end of a sublease pursuant to that sublease. 7434

(F) No distributor shall distribute new motor vehicles to new 7435

motor vehicle dealers at any place except an established place of 7436
business that is used exclusively for the purpose of distributing 7437
new motor vehicles to new motor vehicle dealers; except that a 7438
distributor who is also a new motor vehicle dealer may distribute 7439
new motor vehicles at the same place of business at which the 7440
distributor sells, displays, offers for sale, or deals in new 7441
motor vehicles. 7442

(G) No person, firm, or corporation that sells, displays, or 7443
offers for sale tent-type fold-out camping trailers is subject to 7444
the requirement that the person's, firm's, or corporation's place 7445
of business be used exclusively for the purpose of selling, 7446
displaying, offering for sale, or dealing in motor vehicles. No 7447
person, firm, or corporation that sells, displays, or offers for 7448
sale tent-type fold-out camping trailers, trailers, semitrailers, 7449
or park trailers is subject to the requirement that the place of 7450
business have space, under roof, for the display of at least one 7451
new motor vehicle and facilities and space for the inspection, 7452
servicing, and repair of at least one motor vehicle. 7453

(H) No manufactured or mobile home broker shall engage in the 7454
business of brokering manufactured or mobile homes at any place 7455
except an established place of business that is used exclusively 7456
for the purpose of brokering manufactured or mobile homes. 7457

(I) Nothing in this section shall be construed to prohibit 7458
persons licensed under this chapter from making sales calls. 7459

(J) Whoever violates this section is guilty of a misdemeanor 7460
of the fourth degree. 7461

(K) As used in this section: 7462

(1) "Motor vehicle leasing dealer" has the same meaning as in 7463
section 4517.01 of the Revised Code. 7464

(2) "Motor vehicle renting dealer" has the same meaning as in 7465
section 4549.65 of the Revised Code. 7466

(3) "Watercraft" has the same meaning as in section 1547.01 7467
of the Revised Code. 7468

Sec. 4517.10. At the time the registrar of motor vehicles 7469
grants the application of any person for a license as motor 7470
vehicle dealer, motor vehicle leasing dealer, manufactured home 7471
broker, distributor, motor vehicle auction owner, or motor vehicle 7472
salesperson, the registrar shall issue to the person a license. 7473
The registrar shall prescribe different forms for the licenses of 7474
motor vehicle dealers, motor vehicle leasing dealers, manufactured 7475
home brokers, distributors, motor vehicle auction owners, and 7476
motor vehicle salespersons, and all licenses shall include the 7477
name and post-office address of the person licensed. 7478

The fee for a dealer's license, a motor vehicle leasing 7479
dealer's license, and a manufactured home broker's license shall 7480
be ~~twenty five~~ fifty dollars, and the fee for a salesperson's 7481
license shall be ~~five~~ ten dollars. The fee for a motor vehicle 7482
auction owner's license shall be ~~fifty~~ one hundred dollars for 7483
each location. The fee for a distributor's license shall be ~~fifty~~ 7484
one hundred dollars for each distributorship. In all cases, the 7485
fee shall accompany the application for license. 7486

The registrar may require each applicant for a license issued 7487
under this chapter to pay an additional fee, which shall be used 7488
by the registrar to pay the costs of obtaining a record of any 7489
arrests and convictions of the applicant from the Ohio bureau of 7490
identification and investigation. The amount of the fee shall be 7491
equal to that paid by the registrar to obtain such record. 7492

If a dealer, a motor vehicle leasing dealer, or a 7493
manufactured home broker, has more than one place of business in 7494
the county, the dealer or the broker shall make application, in 7495
such form as the registrar prescribes, for a certified copy of the 7496
license issued to the dealer or manufactured home broker for each 7497

place of business operated. In the event of the loss, mutilation, 7498
or destruction of a license issued under sections 4517.01 to 7499
4517.65 of the Revised Code, any licensee may make application to 7500
the registrar, in such form as the registrar prescribes, for a 7501
duplicate copy thereof. The fee for a certified or duplicate copy 7502
of a dealer's, motor vehicle leasing dealer's, manufactured home 7503
broker's, distributor's, or auction owner's license, is two 7504
dollars, and the fee for a duplicate copy of a salesperson's 7505
license is one dollar. All fees for such copies shall accompany 7506
the applications. 7507

~~All Beginning on the effective date of this amendment, all~~ 7508
dealers' licenses, motor vehicle leasing dealers' licenses, 7509
manufactured home broker's licenses, distributors' licenses, ~~and~~ 7510
auction owners' licenses ~~issued or renewed each year shall expire~~ 7511
~~on the last day of March,~~ and all salespersons' licenses issued or 7512
renewed ~~each year~~ shall expire biennially on ~~the last a~~ day of 7513
~~June next following the date of their issuance~~ within the two-year 7514
cycle that is prescribed by the registrar, unless sooner suspended 7515
or revoked. ~~Each~~ Before the first day after the day prescribed by 7516
the registrar in the year that the license expires, each licensed 7517
dealer, motor vehicle leasing dealer, manufactured home broker, 7518
distributor, and auction owner ~~licensed during any year shall,~~ 7519
~~before the first day of April each year thereafter~~ and each 7520
licensed salesperson ~~licensed during any year shall, before the~~ 7521
~~first day of July each~~ in the year thereafter in which the license 7522
will expire, shall file an application, in such form as the 7523
registrar prescribes, for the renewal of such license. The fee 7524
provided in this section for the original license shall accompany 7525
the application. 7526

Any salesperson's license shall be suspended upon the 7527
termination, suspension, or revocation of the license of the motor 7528
vehicle dealer or manufactured home broker for whom the 7529

salesperson is acting, or upon the salesperson leaving the service 7530
of the motor vehicle dealer or manufactured home broker; provided 7531
that upon the termination, suspension, or revocation of the 7532
license of the motor vehicle dealer or manufactured home broker 7533
for whom the salesperson is acting, or upon the salesperson 7534
leaving the service of a licensed motor vehicle dealer or 7535
manufactured home broker, the licensed salesperson, upon entering 7536
the service of any other licensed motor vehicle dealer or 7537
manufactured home broker, shall make application to the registrar, 7538
in such form as the registrar prescribes, to have the 7539
salesperson's license reinstated, transferred, and registered as a 7540
salesperson for the other dealer or broker. If the information 7541
contained in the application is satisfactory to the registrar, the 7542
registrar shall have the salesperson's license reinstated, 7543
transferred, and registered as a salesperson for the other dealer 7544
or broker. The fee for the reinstatement and transfer of license 7545
shall be two dollars. No license issued to a dealer, motor vehicle 7546
leasing dealer, auction owner, manufactured home broker, or 7547
salesperson, under sections 4517.01 to 4517.65 of the Revised Code 7548
shall be transferable to any other person. 7549

Each dealer, motor vehicle leasing dealer, manufactured home 7550
broker, distributor, and auction owner shall keep the license or a 7551
certified copy thereof and, in the case of a dealer or broker, a 7552
current list of the dealer's or the broker's licensed 7553
salespersons, showing the names, addresses, and serial numbers of 7554
their licenses, posted in a conspicuous place in each place of 7555
business. Each salesperson shall carry the salesperson's license 7556
or a certified copy thereof and shall exhibit such license or copy 7557
upon demand to any inspector of the bureau of motor vehicles, 7558
state highway patrol trooper, police officer, or person with whom 7559
the salesperson seeks to transact business as a motor vehicle 7560
salesperson. 7561

~~If a dealer's, motor vehicle leasing dealer's, manufactured
home broker's, distributor's, auction owner's, or salesperson's
license, is not granted, the fee shall be returned to the
applicant at the time of notification that the application has
been refused. The notice of refusal to grant a license shall
disclose the reason for refusal.~~

Sec. 4517.14. The registrar of motor vehicles shall deny the
application of any person for a license as a salesperson and
refuse to issue the license if the registrar finds that the
applicant:

(A) Has made any false statement of a material fact in the
application;

(B) Has not complied with sections 4517.01 to 4517.45 of the
Revised Code;

(C) Is of bad business repute or has habitually defaulted on
financial obligations;

(D) Has been guilty of a fraudulent act in connection with
selling or otherwise dealing in motor vehicles;

(E) Has not been designated to act as salesperson for a motor
vehicle dealer or manufactured home broker licensed to do business
in this state under section 4517.10 of the Revised Code, or
intends to act as salesperson for more than one licensed motor
vehicle dealer or manufactured home broker at the same time,
except that a licensed salesperson may act as a salesperson at any
licensed dealership owned or operated by the same corporation,
regardless of the county in which the dealership's facility is
located;

(F) Holds a current motor vehicle dealer's or manufactured
home broker's license issued under section 4517.10 of the Revised
Code, and intends to act as salesperson for another licensed motor

vehicle dealer or manufactured home broker; 7592

(G) Has, less than twelve months prior to making application, 7593
been denied a salesperson's license or had a salesperson's license 7594
revoked. 7595

The registrar may refuse to issue a salesperson's license to 7596
an applicant who was salesperson for, or in the employ of, a motor 7597
vehicle dealer or manufactured home broker at the time the 7598
dealer's or broker's license was revoked. The registrar's finding 7599
may be based upon any statement contained in the application or 7600
upon any facts within the registrar's knowledge, and, immediately 7601
upon refusing to issue a salesperson's license, the registrar 7602
shall enter a final order and shall certify the final order 7603
together with his findings to the motor vehicle dealers board. 7604

Sec. 4519.03. (A) The owner of every snowmobile, off-highway 7605
motorcycle, and all-purpose vehicle required to be registered 7606
under section 4519.02 of the Revised Code shall file an 7607
application for registration with the registrar of motor vehicles 7608
or a deputy registrar, on blanks furnished by the registrar for 7609
that purpose and containing all of the following information: 7610

(1) A brief description of the snowmobile, off-highway 7611
motorcycle, or all-purpose vehicle, including the ~~name of the~~ 7612
~~manufacturer, the factory or year, make, model number,~~ and the 7613
vehicle identification number; 7614

(2) The name, residence, and business address of the owner; 7615

(3) A statement that the snowmobile, off-highway motorcycle, 7616
or all-purpose vehicle is equipped as required by section 4519.20 7617
of the Revised Code and any rule adopted under that section. The 7618
statement shall include a check list of the required equipment 7619
items in the form the registrar shall prescribe. 7620

The application shall be signed by the owner of the 7621

snowmobile, off-highway motorcycle, or all-purpose vehicle and 7622
shall be accompanied by a fee as provided in division (C) of 7623
section 4519.04 of the Revised Code. 7624

If the application is not in proper form, or if the vehicle 7625
for which registration is sought does not appear to be equipped as 7626
required by section 4519.20 of the Revised Code or any rule 7627
adopted under that section, the registration shall be refused, and 7628
no registration sticker shall be issued. 7629

(B) On and after July 1, 1999, no certificate of registration 7630
or renewal of a certificate of registration shall be issued for an 7631
off-highway motorcycle or all-purpose vehicle required to be 7632
registered under section 4519.02 of the Revised Code, and no 7633
certificate of registration issued under this chapter for an 7634
off-highway motorcycle or all-purpose vehicle that is sold or 7635
otherwise transferred shall be transferred to the new owner of the 7636
off-highway motorcycle or all-purpose vehicle as permitted by 7637
division (B) of section 4519.05 of the Revised Code, unless a 7638
certificate of title has been issued under this chapter for the 7639
motorcycle or vehicle, and the owner or new owner, as the case may 7640
be, presents a physical certificate of title or memorandum 7641
certificate of title for inspection at the time the owner or new 7642
owner first submits a registration application, registration 7643
renewal application, or registration transfer application for the 7644
motorcycle or vehicle on or after July 1, 1999, if a physical 7645
certificate of title or memorandum certificate has been issued by 7646
a clerk of a court of common pleas. If, under sections 4519.512 7647
and 4519.58 of the Revised Code, a clerk instead has issued an 7648
electronic certificate of title for the applicant's off-highway 7649
motorcycle or all-purpose vehicle, that certificate may be 7650
presented for inspection at the time of first registration in a 7651
manner prescribed by rules adopted by the registrar. 7652

(C) When the owner of an off-highway motorcycle or 7653

all-purpose vehicle first registers it in the owner's name, and a certificate of title has been issued for the motorcycle or vehicle, the owner shall present for inspection a physical certificate of title or memorandum certificate of title showing title to the off-highway motorcycle or all-purpose vehicle in the name of the owner if a physical certificate of title or memorandum certificate has been issued by a clerk of a court of common pleas. If, under sections 4519.512 and 4519.58 of the Revised Code, a clerk instead has issued an electronic certificate of title for the applicant's off-highway motorcycle or all-purpose vehicle, that certificate may be presented for inspection at the time of first registration in a manner prescribed by rules adopted by the registrar. If, when the owner of such an off-highway motorcycle or all-purpose vehicle first makes application to register it in the owner's name, the application is not in proper form or the certificate of title or memorandum certificate of title does not accompany the registration or, in the case of an electronic certificate of title, is not presented in a manner prescribed by the registrar, the registration shall be refused, and neither a certificate of registration nor a registration sticker shall be issued. When a certificate of registration and registration sticker are issued upon the first registration of an off-highway motorcycle or all-purpose vehicle by or on behalf of the owner, the official issuing them shall indicate the issuance with a stamp on the certificate of title or memorandum certificate of title or, in the case of an electronic certificate of title, an electronic stamp or other notation as specified in rules adopted by the registrar.

(D) Each deputy registrar shall be allowed a 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, for each application or renewal application received by the deputy

registrar, which shall be for the purpose of compensating the 7687
deputy registrar for services, and office and rental expense, as 7688
may be necessary for the proper discharge of the deputy 7689
registrar's duties in the receiving of applications and the 7690
issuing of certificates of registration. 7691

Each deputy registrar, upon receipt of any application for 7692
registration, together with the registration fee, shall transmit 7693
the fee, together with the original and duplicate copy of the 7694
application, to the registrar in the manner and at the times the 7695
registrar, subject to the approval of the director of public 7696
safety and the treasurer of state, shall prescribe by rule. 7697

Sec. 4519.05. (A) Whenever a registered snowmobile, 7698
off-highway motorcycle, or all-purpose vehicle is destroyed or 7699
similarly disposed of, the owner shall surrender the certificate 7700
of registration to the registrar of motor vehicles or a deputy 7701
registrar within fifteen days following the destruction or 7702
disposal. The registrar thereupon shall cancel the certificate and 7703
enter that fact in the registrar's records. 7704

In the case of an off-highway motorcycle or all-purpose 7705
vehicle for which a certificate of title has been issued, the 7706
owner also shall surrender the certificate of title to the clerk 7707
of the court of common pleas who issued it and the clerk, with the 7708
consent of any lienholders noted thereon, shall enter a 7709
cancellation upon the clerk's records and shall notify the 7710
registrar of the cancellation. Upon the cancellation of a 7711
certificate of title in the manner prescribed by this division, 7712
the clerk and the registrar may cancel and destroy all 7713
certificates of title and memorandum certificates of title in that 7714
chain of title. 7715

(B) Subject to division (B) of section 4519.03 of the Revised 7716
Code, whenever the ownership of a registered snowmobile, 7717

off-highway motorcycle, or all-purpose vehicle is transferred by 7718
sale or otherwise, the new owner, within fifteen days following 7719
the transfer, shall make application to the registrar or a deputy 7720
registrar for the transfer of the certificate of registration. 7721
Upon receipt of the application and a fee of one dollar, the 7722
registrar shall transfer the certificate to the new owner and 7723
shall enter the new owner's name and address in the registrar's 7724
records. 7725

(C) Whenever the owner of a registered snowmobile, 7726
off-highway motorcycle, or all-purpose vehicle changes address, 7727
the owner shall surrender the certificate of registration to the 7728
registrar or a deputy registrar within fifteen days following the 7729
address change. Upon receipt of the certificate, the registrar 7730
shall enter the new address thereon and shall make the appropriate 7731
change in the registrar's records. In a case where the owner's 7732
change of address involves a move outside of the state, the 7733
registrar shall cancel the certificate of registration for that 7734
snowmobile, off-highway motorcycle, or all-purpose vehicle. 7735

(D) Whenever a certificate of registration for a snowmobile, 7736
off-highway motorcycle, or all-purpose vehicle is lost, mutilated, 7737
or destroyed, the owner may obtain a duplicate certificate, which 7738
shall be identified as such, upon application and the payment of a 7739
fee of one dollar. 7740

(E) The registrar and each deputy registrar may collect and 7741
retain an additional fee of two dollars and seventy-five cents 7742
commencing on July 1, 2001, three dollars and twenty-five cents 7743
commencing on January 1, 2003, and three dollars and fifty cents 7744
commencing on January 1, 2004, for each application for the 7745
transfer of a certificate of registration or duplicate certificate 7746
of registration received by the registrar or deputy registrar. 7747

(F) Whoever violates division (A), (B), or (C) of this 7748
section shall be fined not more than twenty-five dollars for a 7749

first offense; for each subsequent offense, the offender shall be 7750
fined not less than twenty-five nor more than fifty dollars. 7751

Sec. 4519.56. (A) An application for a certificate of title 7752
shall be sworn to before a notary public or other officer 7753
empowered to administer oaths by the lawful owner or purchaser of 7754
the off-highway motorcycle or all-purpose vehicle and shall 7755
contain at least the following information in a form and together 7756
with any other information the registrar of motor vehicles may 7757
require: 7758

(1) Name, address, and social security number or employer's 7759
tax identification number of the applicant; 7760

(2) Statement of how the off-highway motorcycle or 7761
all-purpose vehicle was acquired; 7762

(3) Name and address of the previous owner; 7763

(4) A statement of all liens, mortgages, or other 7764
encumbrances on the off-highway motorcycle or all-purpose vehicle, 7765
and the name and address of each holder thereof; 7766

(5) If there are no outstanding liens, mortgages, or other 7767
encumbrances, a statement of that fact; 7768

(6) A description of the off-highway motorcycle or 7769
all-purpose vehicle, including the make, year, series or model, if 7770
any, body type, and manufacturer's vehicle identification number. 7771

If the off-highway motorcycle or all-purpose vehicle contains 7772
a permanent identification number placed thereon by the 7773
manufacturer, this number shall be used as the vehicle 7774
identification number. Except as provided in division (B) of this 7775
section, if the application for a certificate of title refers to 7776
an off-highway motorcycle or all-purpose vehicle that contains 7777
such a permanent identification number, but for which no 7778
certificate of title has been issued previously by this state, the 7779

application shall be accompanied by a physical inspection 7780
certificate as described in that division. 7781

If there is no manufacturer's vehicle identification number 7782
or if the manufacturer's vehicle identification number has been 7783
removed or obliterated, the registrar, upon receipt of a 7784
prescribed application and proof of ownership, but prior to 7785
issuance of a certificate of title, shall assign a vehicle 7786
identification number for the off-highway motorcycle or 7787
all-purpose vehicle. This assigned vehicle identification number 7788
shall be permanently affixed to or imprinted upon the off-highway 7789
motorcycle or all-purpose vehicle by the state highway patrol. The 7790
state highway patrol shall assess a fee of fifty dollars for 7791
affixing the number to the off-highway motorcycle or all-purpose 7792
vehicle and shall deposit each such fee in the state highway 7793
safety fund established by section 4501.06 of the Revised Code. 7794

(B) Except in the case of a new off-highway motorcycle or 7795
all-purpose vehicle sold by a dealer ~~licensed under Chapter 4517-~~ 7796
~~of the Revised Code~~ title to which is evidenced by a 7797
manufacturer's or importer's certificate, if the application for a 7798
certificate of title refers to an off-highway motorcycle or 7799
all-purpose vehicle that contains a permanent identification 7800
number placed thereon by the manufacturer, but for which no 7801
certificate of title previously has been issued by this state, the 7802
application shall be accompanied by a physical inspection 7803
certificate issued by the department of public safety verifying 7804
the make, year, series or model, if any, body type, and 7805
manufacturer's vehicle identification number of the off-highway 7806
motorcycle or all-purpose vehicle for which the certificate of 7807
title is desired. The physical inspection certificate shall be in 7808
such form as is designated by the registrar. The physical 7809
inspection shall be made at a deputy registrar's office or at an 7810
established place of business operated by a licensed motor vehicle 7811

dealer. The deputy registrar or motor vehicle dealer may charge a 7812
maximum fee of two dollars and seventy-five cents commencing on 7813
July 1, 2001, three dollars and twenty-five cents commencing on 7814
January 1, 2003, and three dollars and fifty cents commencing on 7815
January 1, 2004, for conducting the physical inspection. 7816

The clerk of the court of common pleas shall charge a fee of 7817
one dollar and fifty cents for the processing of each physical 7818
inspection certificate. The clerk shall retain fifty cents of the 7819
one dollar and fifty cents so charged and shall pay the remaining 7820
one dollar to the registrar by monthly returns, which shall be 7821
forwarded to the registrar not later than the fifth day of the 7822
month next succeeding that in which the certificate is received by 7823
the clerk. The registrar shall pay such remaining sums into the 7824
state bureau of motor vehicles fund established by section 4501.25 7825
of the Revised Code. 7826

Sec. 4519.57. (A) When the clerk of a court of common pleas 7827
issues a physical certificate of title for an off-highway 7828
motorcycle or all-purpose vehicle, the clerk shall issue it over 7829
the clerk's official seal. The front side of each physical 7830
certificate of title shall contain the information required in the 7831
application for it as prescribed by section 4519.56 of the Revised 7832
Code, spaces for the dates of notation and cancellation of two 7833
liens, mortgages, or encumbrances, and any other pertinent 7834
information as may be required by the registrar of motor vehicles, 7835
but shall contain neither the social security number nor taxpayer 7836
identification number of the applicant. The reverse side of each 7837
physical certificate of title shall contain all of the information 7838
specified in division (F) of section 4505.07 of the Revised Code. 7839
An assignment of certificate of title before a notary public or 7840
other officer empowered to administer oaths shall appear on the 7841
reverse side of each physical certificate of title in the form to 7842
be prescribed by the registrar. The assignment form shall include 7843

a warranty that the signer is the owner of the off-highway
motorcycle or all-purpose vehicle and that there are no mortgages,
liens, or encumbrances on the off-highway motorcycle or
all-purpose vehicle except as are noted on the face of the
certificate of title.

Physical certificates of title also shall bear a statement
that liens applicable to the off-highway motorcycle or all-purpose
vehicle other than the two for which there are spaces on the
certificates may exist and, if so, are entered into the automated
title processing system.

(B) An electronic certificate of title is an electronic
record stored in the automated title processing system that
establishes ownership of an off-highway motorcycle or all-purpose
vehicle, as well as any security interests that exist in that
off-highway motorcycle or all-purpose vehicle.

Sec. 4519.58. (A) When the clerk of a court of common pleas
issues a physical certificate of title, the clerk shall issue the
certificate of title on a form and in duplicate. One copy shall be
retained and filed a manner prescribed by the registrar of motor
vehicles. The clerk shall file a copy of the physical evidence for
the creation of the certificate of title in the clerk's office,
and a manner prescribed by the information contained in it
registrar. A clerk may retain digital images of documents used as
evidence for issuance of a certificate of title. Certified
printouts of documents retained as digital images shall have the
same evidentiary value as the original physical documents. The
record of the issuance of the certificate of title shall be
transmitted to the registrar of motor vehicles on maintained in
the day it is issued automated title processing system. The clerk
shall sign and affix the clerk's seal to the original certificate
of title and, if there are no liens on the off-highway motorcycle

or all-purpose vehicle, shall deliver the certificate to the 7875
applicant or the selling dealer. Except as otherwise provided in 7876
this section, if there are one or more liens on the off-highway 7877
motorcycle or all-purpose vehicle, the certificate of title shall 7878
be delivered to the holder of the first lien. If the certificate 7879
of title is obtained by a dealer on behalf of the applicant and 7880
there are one or more liens on the off-highway motorcycle or 7881
all-purpose vehicle, the clerk shall issue a certificate of title 7882
and may issue a memorandum certificate of title. The certificate 7883
of title and memorandum certificate of title, if issued, shall be 7884
delivered to the holder of the first lien or the selling dealer, 7885
who shall deliver the certificate of title to the holder of the 7886
first lien and the memorandum certificate of title to the 7887
applicant. The selling dealer also may make arrangements with the 7888
clerk to have the clerk deliver the memorandum certificate of 7889
title to the applicant. 7890

(B) The registrar shall prescribe a uniform method of 7891
numbering certificates of title. The numbering shall be in such 7892
manner that the county of issuance is indicated. Numbers shall be 7893
assigned to certificates of title in the manner prescribed by the 7894
registrar. The clerk shall file all certificates of title 7895
according to the rules to be prescribed by the registrar, and the 7896
clerk shall maintain in the clerk's office indexes for the 7897
certificates of title. 7898

The clerk need not retain on file any current certificates of 7899
title, current duplicate certificates of title, current memorandum 7900
certificates of title, or current salvage certificates of title, 7901
or supporting evidence of them, ~~including the electronic record~~ 7902
~~described in section 4519.55 of the Revised Code,~~ covering any 7903
off-highway motorcycle or all-purpose vehicle for a period longer 7904
than seven years after the date of their filing; thereafter, the 7905
documents and supporting evidence may be destroyed. The clerk need 7906

not retain on file any inactive records, including certificates of 7907
title, duplicate certificates of title, or memorandum certificates 7908
of title, or supporting evidence of them, including the electronic 7909
record described in section 4519.55 of the Revised Code, covering 7910
any off-highway motorcycle or all-purpose vehicle for a period 7911
longer than five years after the date of their filing; thereafter, 7912
the documents and supporting evidence may be destroyed. 7913

The automated title processing system shall contain all 7914
active records and an index of the active records, and shall 7915
contain a record and index of all inactive titles for ten years, 7916
and a record and index of all inactive titles for manufactured and 7917
mobile homes for thirty years. If the clerk provides a written 7918
copy of any information contained in the database, the copy shall 7919
be considered the original for purposes of the clerk certifying 7920
the record of such information for use in any legal proceedings. 7921

(C) The clerk shall issue a physical certificate of title to 7922
an applicant unless the applicant specifically requests the clerk 7923
not to issue a physical certificate of title and instead to issue 7924
an electronic certificate of title. The fact that a physical 7925
certificate of title is not issued for an off-highway motorcycle 7926
or all-purpose vehicle does not affect ownership of the motorcycle 7927
or vehicle. In that case, when the clerk completes the process of 7928
entering certificate of title application information into the 7929
automated title processing system, the effect of the completion of 7930
the process is the same as if the clerk actually issued a physical 7931
certificate of title for the motorcycle or vehicle. 7932

(D) An electronic dealer who applies for a certificate of 7933
title on behalf of a customer who purchases an off-highway 7934
motorcycle or all-purpose vehicle from the dealer may print a 7935
non-negotiable evidence of ownership for the customer if the 7936
customer so requests. The authorization to print the 7937
non-negotiable evidence of ownership shall come from the clerk 7938

with whom the dealer makes application for the certificate of 7939
title for the customer, but the printing by the dealer does not 7940
create an agency relationship of any kind between the dealer and 7941
the clerk. 7942

~~(E) If an electronic certificate of title previously has been 7943
issued for an off-highway motorcycle or all-purpose vehicle, the 7944~~
The owner of the off-highway motorcycle or all-purpose vehicle may 7945
apply at any time to a clerk of a court of common pleas for a 7946
non-negotiable evidence of ownership for the off-highway 7947
motorcycle or all-purpose vehicle. 7948

Sec. 4519.61. (A) Each owner of an off-highway motorcycle or 7949
all-purpose vehicle and each person mentioned as owner in the last 7950
certificate of title, when the off-highway motorcycle or 7951
all-purpose vehicle is dismantled, destroyed, or changed in such 7952
manner that it loses its character as an off-highway motorcycle or 7953
all-purpose vehicle, or changed in such manner that it is not the 7954
off-highway motorcycle or all-purpose vehicle described in the 7955
certificate of title, shall surrender the certificate of title to 7956
a clerk of a court of common pleas, and the clerk, with the 7957
consent of the holders of any liens noted on the certificate of 7958
title, then shall enter a cancellation upon the clerk's records 7959
and shall notify the registrar of motor vehicles of the 7960
cancellation. 7961

Upon the cancellation of a certificate of title in the manner 7962
prescribed by this section, any clerk and the registrar may cancel 7963
and destroy all certificates and all memorandum certificates in 7964
that chain of title. 7965

(B) If an Ohio certificate of title or salvage certificate of 7966
title to an off-highway motorcycle or all-purpose vehicle is 7967
assigned to a salvage dealer, the dealer shall not be required to 7968
obtain an Ohio certificate of title or a salvage certificate of 7969

title to the off-highway motorcycle or all-purpose vehicle in the 7970
dealer's own name if the dealer dismantles or destroys the 7971
off-highway motorcycle or all-purpose vehicle, completes the 7972
assignment on the certificate of title or salvage certificate of 7973
title, indicates the number of the dealer's motor vehicle salvage 7974
dealer's license on it, marks "FOR DESTRUCTION" across the face of 7975
the certificate of title or salvage certificate of title, and 7976
surrenders the certificate of title or salvage certificate of 7977
title to a clerk of a court of common pleas as provided in 7978
division (A) of this section. If the salvage dealer retains the 7979
off-highway motorcycle or all-purpose vehicle for resale, the 7980
salvage dealer shall make application for a salvage certificate of 7981
title to the off-highway motorcycle or all-purpose vehicle in the 7982
salvage dealer's own name as provided in division (C)(1) of this 7983
section. 7984

(C)(1) When an insurance company declares it economically 7985
impractical to repair the off-highway motorcycle or all-purpose 7986
vehicle and has paid an agreed price for the purchase of the 7987
off-highway motorcycle or all-purpose vehicle to any insured or 7988
claimant owner, the insurance company shall receive the 7989
certificate of title and off-highway motorcycle or all-purpose 7990
vehicle and proceed as follows. Within thirty days, the insurance 7991
company shall deliver the certificate of title to a clerk of a 7992
court of common pleas and shall make application for a salvage 7993
certificate of title. The clerk shall issue the salvage 7994
certificate of title on a form, prescribed by the registrar, that 7995
shall be easily distinguishable from the original certificate of 7996
title and shall bear the same ~~number and~~ information as the 7997
original certificate of title except that it may bear a different 7998
number from that of the original certificate of title. Except as 7999
provided in division (C)(2) of this section, the salvage 8000
certificate of title shall be assigned by the insurance company to 8001
a salvage dealer or any other person for use as evidence of 8002

ownership upon the sale or other disposition of the off-highway 8003
motorcycle or all-purpose vehicle, and the salvage certificate of 8004
title shall be transferable to any other person. The clerk of the 8005
court of common pleas shall charge a fee of four dollars for the 8006
cost of processing each salvage certificate of title. 8007

(2) If an insurance company considers an off-highway 8008
motorcycle or all-purpose vehicle as described in division (C)(1) 8009
of this section to be impossible to restore to normal operation, 8010
the insurance company may assign the certificate of title to the 8011
off-highway motorcycle or all-purpose vehicle to a salvage dealer 8012
or scrap metal processing facility and send the assigned 8013
certificate of title to the clerk of the court of common pleas of 8014
the any county ~~in which the salvage dealer or scrap metal~~ 8015
~~processing facility is located~~. The insurance company shall mark 8016
the face of the certificate of title "FOR DESTRUCTION" and shall 8017
deliver a photocopy of the certificate of title to the salvage 8018
dealer or scrap metal processing facility for its records. 8019

(3) If an insurance company declares it economically 8020
impractical to repair an off-highway motorcycle or all-purpose 8021
vehicle, agrees to pay to the insured or claimant owner an amount 8022
in settlement of a claim against a policy of motor vehicle 8023
insurance covering the off-highway motorcycle or all-purpose 8024
vehicle, and agrees to permit the insured or claimant owner to 8025
retain possession of the off-highway motorcycle or all-purpose 8026
vehicle, the insurance company shall not pay the insured or 8027
claimant owner any amount in settlement of the insurance claim 8028
until the owner obtains a salvage certificate of title to the 8029
vehicle and furnishes a copy of the salvage certificate of title 8030
to the insurance company. 8031

(D) When a self-insured organization, rental or leasing 8032
company, or secured creditor becomes the owner of an off-highway 8033
motorcycle or all-purpose vehicle that is burned, damaged, or 8034

dismantled and is determined to be economically impractical to 8035
repair, the self-insured organization, rental or leasing company, 8036
or secured creditor shall do one of the following: 8037

(1) Mark the face of the certificate of title to the 8038
off-highway motorcycle or all-purpose vehicle "FOR DESTRUCTION" 8039
and surrender the certificate of title to a clerk of a court of 8040
common pleas for cancellation as described in division (A) of this 8041
section. The self-insured organization, rental or leasing company, 8042
or secured creditor then shall deliver the off-highway motorcycle 8043
or all-purpose vehicle, together with a photocopy of the 8044
certificate of title, to a salvage dealer or scrap metal 8045
processing facility and shall cause the off-highway motorcycle or 8046
all-purpose vehicle to be dismantled, flattened, crushed, or 8047
destroyed. 8048

(2) Obtain a salvage certificate of title to the off-highway 8049
motorcycle or all-purpose vehicle in the name of the self-insured 8050
organization, rental or leasing company, or secured creditor, as 8051
provided in division (C)(1) of this section, and then sell or 8052
otherwise dispose of the off-highway motorcycle or all-purpose 8053
vehicle. If the off-highway motorcycle or all-purpose vehicle is 8054
sold, the self-insured organization, rental or leasing company, or 8055
secured creditor shall obtain a salvage certificate of title to 8056
the off-highway motorcycle or all-purpose vehicle in the name of 8057
the purchaser from a clerk of a court of common pleas. 8058

(E) If an off-highway motorcycle or all-purpose vehicle 8059
titled with a salvage certificate of title is restored for 8060
operation, application shall be made to a clerk of a court of 8061
common pleas for a certificate of title after inspection by the 8062
state highway patrol. The inspection shall include establishing 8063
proof of ownership and an inspection of the motor number and 8064
vehicle identification number of the off-highway motorcycle or 8065
all-purpose vehicle and of documentation or receipts for the 8066

materials used in restoration by the owner of the off-highway 8067
motorcycle or all-purpose vehicle being inspected, which 8068
documentation or receipts shall be presented at the time of 8069
inspection. Upon successful completion of the inspection, the 8070
state highway patrol shall issue to the owner a completed 8071
inspection form. The clerk, upon submission of the completed 8072
inspection form and surrender of the salvage certificate of title, 8073
shall issue a certificate of title for a fee prescribed by the 8074
registrar. The certificate of title shall be in the same form as 8075
the original certificate of title, ~~shall bear the same number as~~ 8076
~~the salvage certificate of title and the original certificate of~~ 8077
~~title,~~ and shall bear the words "REBUILT SALVAGE" in black 8078
boldface letters on its face. Every subsequent certificate of 8079
title, memorandum certificate of title, or certified copy of a 8080
certificate of title or memorandum certificate of title issued for 8081
the off-highway motorcycle or all-purpose vehicle also shall bear 8082
the words "REBUILT SALVAGE" in black boldface letters on its face. 8083
The exact location on the face of the certificate of title of the 8084
words "REBUILT SALVAGE" shall be determined by the registrar, who 8085
shall develop an automated procedure within the automated title 8086
processing system to comply with this division. The clerk shall 8087
use reasonable care in performing the duties imposed on the clerk 8088
by this division in issuing a certificate of title pursuant to 8089
this division, but the clerk is not liable for errors or omissions 8090
of the clerk of courts, the clerk's deputies, or the automated 8091
title processing system in the performance of such duties. A fee 8092
of fifty dollars shall be assessed by the state highway patrol for 8093
each inspection made pursuant to this division. 8094

(F) No off-highway motorcycle or all-purpose vehicle the 8095
certificate of title to which has been marked "FOR DESTRUCTION" 8096
and surrendered to a clerk of a court of common pleas shall be 8097
used for anything except parts and scrap metal. 8098

Sec. 4519.631. The registrar of motor vehicles shall enable the public to access off-highway motorcycle and all-purpose vehicle title information via electronic means. No fee shall be charged for this access. The title information that must be so accessible is only the title information that is in an electronic format at the time a person requests this access.

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

Access by the public to off-highway motorcycle and all-purpose vehicle title information under this section shall comply with all restrictions contained in the Revised Code and federal law that govern the disclosure of that information.

Sec. 4519.68. (A)(1) Chapter 1309. of the Revised Code does not permit or require the deposit, filing, or other record of a security interest covering an off-highway motorcycle or all-purpose vehicle, except as provided in division (A)(2) of this section.

(2) Chapter 1309. of the Revised Code applies to a security interest in an off-highway motorcycle or all-purpose vehicle held as inventory, as defined in section 1309.102 of the Revised Code, for sale by a dealer. The security interest has priority over creditors of the dealer as provided in Chapter 1309. of the Revised Code without notation of the security interest on a certificate of title, without entry of a notation of the security interest into the automated title processing system if a physical certificate of title has not been issued, or without the retention of a manufacturer's or importer's certificate.

(B) Subject to division (A) of this section, any security 8129
agreement covering a security interest in an off-highway 8130
motorcycle or all-purpose vehicle, if a notation of the agreement 8131
has been made by a clerk of a court of common pleas on the face of 8132
the certificate of title or if the clerk has entered a notation of 8133
the agreement into the automated title processing system if a 8134
physical certificate of title has not been issued, is valid as 8135
against the creditors of the debtor, whether armed with process or 8136
not, and against subsequent purchasers, secured parties, and other 8137
lienholders or claimants. All security interests, liens, 8138
mortgages, and encumbrances entered into the automated title 8139
processing system in relation to a particular certificate of 8140
title, regardless of whether a physical certificate of title is 8141
issued, take priority according to the order of time in which they 8142
are entered into the automated title processing system by the 8143
clerk. Exposure for sale of any off-highway motorcycle or 8144
all-purpose vehicle by its owner, with the knowledge or with the 8145
knowledge and consent of the holder of any security interest, 8146
lien, mortgage, or encumbrance on it, does not render the security 8147
interest, lien, mortgage, or encumbrance ineffective as against 8148
the creditors of the owner, or against holders of subsequent 8149
security interests, liens, mortgages, or encumbrances upon the 8150
off-highway motorcycle or all-purpose vehicle. 8151

The secured party, upon presentation of evidence of a 8152
security interest to a clerk of a court of common pleas, together 8153
with the certificate of title if a physical certificate of title 8154
for the off-highway motorcycle or all-purpose vehicle exists, and 8155
the fee prescribed by section 4519.59 of the Revised Code, may 8156
have a notation of the security interest made ~~on the face of the~~ 8157
~~certificate of title, and, if such a notation is made, another~~ 8158
~~notation of the security interest shall be entered into the~~ 8159
~~automated title processing system.~~ Unless the secured party 8160
specifically requests the clerk not to issue a physical 8161

certificate of title and instead to issue an electronic 8162
certificate of title, the clerk, over the clerk's signature and 8163
seal of office, shall issue a new original certificate of title 8164
from the automated title processing system that indicates the 8165
security interest and the date of the security interest. 8166

If a security interest is fully discharged as a result of its 8167
holder's receipt of good funds in the correct amount and if the 8168
holder ~~of the security interest~~ holds a physical certificate of 8169
title, the holder ~~of the security interest~~ shall note ~~its~~ the 8170
discharge of the security interest over the holder's signature on 8171
the face of the certificate of title, or over the holder's 8172
signature on a form prescribed by the registrar of motor vehicles 8173
when there is no space for the discharge on the face of the 8174
certificate of title. ~~Prior~~ Except as otherwise provided in this 8175
section, prior to delivering the certificate of title to the 8176
owner, the holder or the holder's agent shall ~~present it and any~~ 8177
~~additional information a clerk requires to a clerk to have the~~ 8178
~~clerk note the cancellation of the security interest on the face~~ 8179
~~of~~ convey the certificate of title ~~and upon the records of the~~ or 8180
a separate sworn statement of the discharge of the security 8181
interest to a clerk. The conveyance shall occur not more than 8182
seven business days after the date good funds in the correct 8183
amount to discharge fully the security interest have been credited 8184
to an account of the holder, provided the holder has been provided 8185
accurate information concerning the off-highway motorcycle or 8186
all-purpose vehicle. Conveyance of the certificate of title or 8187
separate sworn statement of the discharge within the required 8188
seven business days may be indicated by postmark or receipt by a 8189
clerk within that period. If the discharge of the security 8190
interest appears to be genuine, the clerk shall note the 8191
cancellation of the security interest on the face of the 8192
certificate of title, if it was so conveyed, and also shall note 8193
~~the cancellation on the clerk's records and notify the registrar,~~ 8194

~~who shall note the cancellation. If a security interest that is 8195
discharged does not appear on the face of the certificate of 8196
title, but instead was entered into the automated title processing 8197
system, the clerk shall enter the cancellation into it in the 8198
automated title processing system and also shall note the 8199
cancellation on a form prescribed by the registrar. 8200~~

If a security interest is fully discharged as a result of its 8201
holder's receipt of good funds in the correct amount and the 8202
holder does not hold a physical certificate of title, when the 8203
holder notifies a clerk of the discharge of its security interest, 8204
the holder at that time also may request the clerk to issue a 8205
physical certificate of title to the off-highway motorcycle or 8206
all-purpose vehicle. The request shall specify whether the clerk 8207
is to send the certificate of title directly to the owner or to 8208
the holder or the holder's agent for transmission to the owner. If 8209
such a request is made, the clerk shall issue a physical 8210
certificate of title and send it to the specified person. 8211

The clerk shall not honor such a request for a physical 8212
certificate of title if it is not made by the holder at the same 8213
time as the holder's notification to the clerk of the discharge of 8214
its security interest. 8215

(C) In all cases, a secured party may choose to present a 8216
clerk with evidence of a security interest via electronic means, 8217
and the clerk shall enter the security interest into the automated 8218
title processing system. A secured party also may choose to notify 8219
a clerk of the discharge of its security interest via electronic 8220
means, and the clerk shall enter the cancellation into the 8221
automated title processing system. 8222

(D) If a physical certificate of title has not been issued 8223
for an off-highway motorcycle or all-purpose vehicle and all the 8224
security interests relating to that motorcycle or vehicle have 8225
been discharged, the owner of the motorcycle or vehicle may obtain 8226

a physical certificate of title from the clerk of any court of 8227
common pleas upon payment of the fee specified in section 4519.59 8228
of the Revised Code. 8229

~~(D)~~(E) If a clerk of a court of common pleas, other than the 8230
clerk of the court of common pleas of the county in which the 8231
owner of an off-highway motorcycle or all-purpose vehicle resides, 8232
enters a notation of the existence of, or the cancellation of, a 8233
security interest relating to the off-highway motorcycle or 8234
all-purpose vehicle, the clerk shall transmit the data relating to 8235
the notation to the automated title processing system. 8236

Sec. 4549.081. (A) The superintendent of the state highway 8237
patrol shall adopt rules governing the use of an electronic 8238
clearance device that enables an operator of a commercial motor 8239
vehicle, in accordance with division (B) of section 4511.121 of 8240
the Revised Code, to bypass a scale location established for the 8241
purpose of determining the weight of the vehicle and its load. The 8242
superintendent shall establish the acceptable types and features 8243
of such devices. The rules of the superintendent also shall 8244
establish a method for a peace officer to determine that the 8245
device and its use are in compliance with this section and the 8246
rules of the superintendent. 8247

(B) No person shall use an electronic clearance device if the 8248
device or its use is not in compliance with rules of the 8249
superintendent. 8250

(C) Whoever violates division (B) of this section is guilty 8251
of a misdemeanor of the fourth degree on a first offense and a 8252
misdemeanor of the third degree on each subsequent offense. 8253

Sec. 4738.05. At the time the registrar of motor vehicles 8254
grants the application of any person for a license under this 8255
chapter, ~~he~~ the registrar shall issue to the person a license that 8256

shall have provisional status for a period of one hundred eighty 8257
days from the date of issuance. At the end of that period and 8258
subject to the results of the inspection described in section 8259
4738.071 of the Revised Code of the place of business of the 8260
license holder, the license either shall be revoked or shall 8261
remain valid and no longer have provisional status. The registrar 8262
shall prescribe forms for licenses, and all licenses shall include 8263
the name and post office address of the person licensed. 8264

The fee for a motor vehicle salvage dealer's license, a 8265
salvage motor vehicle auction license, or a salvage motor vehicle 8266
pool license shall be ~~fifty~~ one hundred dollars. In all cases the 8267
fee shall accompany the application for license. 8268

If a licensee has more than one place of business in the 8269
county, ~~he~~ the licensee shall make application, in a form as the 8270
registrar prescribes, for a certified copy of the license issued 8271
to the person for each place of business operated. In the event of 8272
the loss, mutilation, or destruction of a license issued under 8273
sections 4738.01 to 4738.16 of the Revised Code, any licensee may 8274
make application to the registrar, in a form as the registrar 8275
prescribes, for a duplicate copy thereof. The fee for a certified 8276
or duplicate copy of a license is one dollar. All fees for copies 8277
shall accompany the applications. 8278

~~All~~ Beginning on the effective date of this amendment, all 8279
licenses issued or renewed ~~each year~~ shall expire biennially on 8280
~~the last a day of July~~ within the two-year license cycle that is 8281
prescribed by the registrar, unless sooner suspended or revoked, 8282
~~and.~~ Before the first day after the day prescribed by the 8283
registrar in the year that the license expires, each motor vehicle 8284
salvage dealer, salvage motor vehicle auction, or salvage motor 8285
vehicle pool ~~licensed during any year shall, before the first day~~ 8286
~~of August each~~ in the year in which the license will expire, shall 8287
file an application, in a form as the registrar prescribes, for 8288

the renewal of the license. The fee provided in this section for 8289
the original license shall accompany the application. 8290

Sec. 4738.18. (A) Any person licensed under division (A) of 8291
section 4738.03 of the Revised Code who wishes to purchase salvage 8292
motor vehicles at salvage motor vehicle auctions or salvage motor 8293
vehicle pools shall make application to the registrar of motor 8294
vehicles for a buyer's identification card. The application shall 8295
be on a form prescribed by the registrar and shall contain the 8296
applicant's name, principal business address, the license number 8297
under which the applicant will be making purchases, and such other 8298
information as the registrar requires. In lieu of directly 8299
obtaining a buyer's identification card or in addition thereto, 8300
any person licensed under division (A) of section 4738.03 of the 8301
Revised Code may designate up to two employees to act as buyers 8302
for the licensee. The licensee shall make application for a 8303
buyer's identification card for each employee in the same manner 8304
as for a card for the licensee. 8305

(B) The fee for each buyer's identification card shall be ~~ten~~ 8306
thirty-five dollars. 8307

(C) Beginning on the effective date of this amendment, each 8308
buyer's identification card shall expire biennially on a day 8309
within the two-year cycle that is prescribed by the registrar, 8310
unless sooner suspended or revoked. Before the first day after the 8311
day prescribed by the registrar in the year that the card expires, 8312
each cardholder shall file an application for renewal of the card, 8313
in a form that the registrar prescribes. A buyer's identification 8314
card is nontransferable. If the holder of a card no longer 8315
possesses a valid salvage motor vehicle dealer's license, or if an 8316
employee of the licensee leaves the employment of the licensee, 8317
the buyer's identification card of that person is invalid and the 8318
holder shall return the card to the registrar. 8319

(D) Any person who holds a valid salvage motor vehicle dealer's license from another state that imposes qualifications and requirements with respect to the license that are equivalent to those required by Chapter 4738. of the Revised Code may make application and receive a buyer's identification card. The person shall make application to the registrar who shall, based upon ~~his~~ the registrar's investigation, issue a buyer's identification card to those applicants who the registrar determines are qualified.

(E) All applicants for a buyer's identification card must be of good financial repute and not have been convicted of a felony as verified by a report from a law enforcement agency and credit report furnished to the registrar by the applicant.

(F) The registrar may revoke or suspend the license of any salvage motor vehicle dealer who allows ~~his~~ the dealer's card or the card of any employee to be used by any unauthorized person.

Sec. 4738.19. The state, through the registrar of motor vehicles, in accordance with this chapter, is the sole regulator for the registration, licensing, and regulation of motor vehicle salvage dealers.

This section does not preempt the enforcement by local authorities of local zoning, health, or safety codes or laws.

Sec. 4749.02. The ~~department~~ director of ~~commerce~~ public safety shall administer this chapter ~~through the division of real estate and professional licensing~~, and for that purpose, the ~~superintendent of real estate and professional licensing~~ may appoint ~~such~~ employees and adopt ~~such~~ rules ~~as~~ that the ~~superintendent~~ director considers necessary.

Sec. 4749.021. (A) There is hereby created the Ohio private investigation and security services commission, consisting of the

director of public safety or the director's designee, who shall be 8349
a nonvoting member; the superintendent of the highway patrol or 8350
the superintendent's designee, who shall be a voting member; and 8351
twelve members appointed by the governor with the advice and 8352
consent of the senate, as follows: 8353

(1) Three members shall be owners or operators of a business 8354
that maintains a class A license and shall have at least five 8355
years' experience in this state in the business of private 8356
investigation or security services. 8357

(2) One member shall be an owner or operator of a business 8358
that maintains a class B license and shall have at least five 8359
years' experience in this state in the business of private 8360
investigation or security services. 8361

(3) One member shall be an owner or operator of a business 8362
that maintains a class C license and shall have at least five 8363
years' experience in this state in the business of private 8364
investigation or security services. 8365

(4) Two members shall be owners or operators of a business 8366
that maintains a class A, B, or C license and shall have at least 8367
five years' experience in this state in the business of private 8368
investigation or security services. 8369

(5) One member shall be an incumbent chief of police. 8370

(6) One member shall be an active law enforcement officer, 8371
not above the rank of lieutenant. 8372

(7) One member shall be an incumbent sheriff. 8373

(8) Two members shall be representatives of the general 8374
public who have never had a direct employment relationship with 8375
any class A, B, or C licensee. 8376

(B)(1) The governor shall make initial appointments to the 8377
commission by January 1, 2005, and the commission shall hold its 8378

first meeting, at the call of the director of public safety, in 8379
January 2005. Of the initial appointments made to the commission, 8380
three shall be for a term ending December 31, 2005, three shall be 8381
for a term ending December 31, 2006, three shall be for a term 8382
ending December 31, 2007, and three shall be for a term ending 8383
December 31, 2008. Thereafter, terms of office shall be for five 8384
years, with each term ending on the same day of the same month as 8385
did the term that it succeeds. Each member shall hold office from 8386
the date of appointment until the end of the term for which the 8387
member was appointed. Members may be reappointed, but may serve 8388
not more than two complete consecutive five-year terms. Vacancies 8389
shall be filled in the manner provided for original appointments. 8390
Any member appointed to fill a vacancy occurring before the 8391
expiration date of the term for which the member's predecessor was 8392
appointed shall hold office as a member for the remainder of that 8393
term. A member shall continue in office subsequent to the 8394
expiration of the member's term until the member's successor takes 8395
office or until a period of sixty days has elapsed, whichever 8396
occurs first. The governor, after notice and the opportunity for a 8397
hearing, may remove any appointed member for misfeasance, 8398
malfeasance, or nonfeasance. 8399

(2) Ninety days before the expiration of a member's term, or 8400
in the event of a vacancy, the Ohio association of security and 8401
investigation services may submit names to the governor for 8402
consideration of appointment to the commission. 8403

(C) The commission shall advise the director of public safety 8404
on all matters related to the regulation of private investigation 8405
and the business of security services and on all matters related 8406
to this chapter. The commission shall advise the director on the 8407
format, content, and all other aspects of all private 8408
investigation and security services licensure examinations. 8409

(D) In accordance with Chapter 119. of the Revised Code, the 8410

department may establish rules on behalf of the commission. 8411

(E) The commission shall meet not less than four times each 8412
year. It also shall meet upon the call of the chairperson, upon 8413
the request of five members, or at the request of the director of 8414
public safety or the director's designee. 8415

(F) At the first regular meeting of each year, which shall be 8416
called by the chairperson, the members shall elect a chairperson 8417
and a vice-chairperson by a majority vote, and also shall 8418
establish its meeting schedule for the remainder of the year. The 8419
chairperson and vice-chairperson shall serve until their 8420
successors are elected. No member may serve as chairperson more 8421
than three times during a five-year term. The chairperson shall 8422
preside over the commission's meetings, shall set the meeting 8423
agenda, and shall serve as the commission's chief spokesperson and 8424
liaison to the department of public safety. The chairperson or 8425
vice-chairperson shall approve all vouchers of the commission. 8426
Subject to the commission's approval, the chairperson may appoint 8427
committees to assist the commission. Committee members may be 8428
members of the commission. The vice-chairperson shall exercise the 8429
duties of the chairperson when the chairperson is not available. 8430

(G) A quorum of seven appointed members is necessary for a 8431
meeting to convene or continue. All actions of the commission 8432
shall be by a majority of the members present. Members may not 8433
participate or vote by proxy. In accordance with Chapter 121. of 8434
the Revised Code, at least fourteen days before a regular meeting 8435
and twenty-four hours before a special meeting, the chairperson 8436
shall notify all members of the commission in writing of the 8437
agenda. Upon a timely request, any member of the commission may 8438
have an item added to the commission's agenda. 8439

(H) Each member of the commission shall receive the member's 8440
necessary expenses incurred in the performance of official duties, 8441
including travel, hotel, and other necessary expenses. Members of 8442

any special committee, which may be appointed by the commission to 8443
assist it, who are not members of the commission also may receive 8444
necessary expenses. 8445

(I) The department of public safety shall provide the 8446
commission with suitable office and meeting space and necessary 8447
technical, clerical, and administrative support. The department 8448
shall serve as the official repository of the commission's 8449
records. Expenses of the commission shall be paid from the private 8450
investigator and security guard provider fund created in section 8451
4749.07 of the Revised Code. 8452

(J) In the absence of fraud or bad faith, the commission, a 8453
current or former commission member, or an agent, representative, 8454
or employee of the commission is not liable in damages to any 8455
person because of any act, omission, proceeding, or decision 8456
related to official duties. 8457

Sec. 4749.03. (A)(1) Any individual, including a partner in a 8458
partnership, may be licensed as a private investigator under a 8459
class B license, or as a security guard provider under a class C 8460
license, or as a private investigator and a security guard 8461
provider under a class A license, if the individual meets all of 8462
the following requirements: 8463

(a) Has a good reputation for integrity, has not been 8464
convicted of a felony within the last twenty years or any offense 8465
involving moral turpitude, and has not been adjudicated 8466
incompetent for the purpose of holding the license, as provided in 8467
section 5122.301 of the Revised Code, without having been restored 8468
to legal capacity for that purpose. 8469

(b) Depending upon the class of license for which application 8470
is made, for a continuous period of at least two years immediately 8471
preceding application for a license, has been engaged in 8472
investigatory or security services work for a law enforcement or 8473

other public agency engaged in investigatory activities, or for a 8474
private investigator or security guard provider, or engaged in the 8475
practice of law, or has acquired equivalent experience as 8476
determined by rule of the director of ~~commerce~~ public safety. 8477

(c) Demonstrates competency as a private investigator or 8478
security guard provider by passing an examination devised for this 8479
purpose by the director, except that any individually licensed 8480
person who qualifies a corporation for licensure shall not be 8481
required to be reexamined if the person qualifies the corporation 8482
in the same capacity that the person was individually licensed. 8483

(d) Submits evidence of comprehensive general liability 8484
insurance coverage, or other equivalent guarantee approved by the 8485
director in such form and in principal amounts satisfactory to the 8486
director, but not less than one hundred thousand dollars for each 8487
person and three hundred thousand dollars for each occurrence for 8488
bodily injury liability, and one hundred thousand dollars for 8489
property damage liability. 8490

(e) Pays the requisite examination and license fees. 8491

(2) A corporation may be licensed as a private investigator 8492
under a class B license, or as a security guard provider under a 8493
class C license, or as a private investigator and a security guard 8494
provider under a class A license, if an application for licensure 8495
is filed by an officer of the corporation and the officer, another 8496
officer, or the qualifying agent of the corporation satisfies the 8497
requirements of divisions (A)(1) and (F)(1) of this section. 8498
Officers and the statutory agent of a corporation shall be 8499
determined in accordance with Chapter 1701. of the Revised Code. 8500

(3) At least one partner in a partnership shall be licensed 8501
as a private investigator, or as a security guard provider, or as 8502
a private investigator and a security guard provider. Partners in 8503
a partnership shall be determined as provided for in Chapter 1775. 8504

of the Revised Code. 8505

(B) Application for a class A, B, or C license shall be in 8506
writing, under oath, to the director. In the case of an 8507
individual, the application shall state the applicant's name, 8508
birth date, citizenship, physical description, current residence, 8509
residences for the preceding ten years, current employment, 8510
employment for the preceding seven years, experience 8511
qualifications, the location of each of the applicant's offices in 8512
this state, and any other information that is necessary in order 8513
for the director to comply with the requirements of this chapter. 8514
In the case of a corporation, the application shall state the name 8515
of the officer or qualifying agent filing the application; the 8516
state in which the corporation is incorporated and the date of 8517
incorporation; the states in which the corporation is authorized 8518
to transact business; the name of its qualifying agent; the name 8519
of the officer or qualifying agent of the corporation who 8520
satisfies the requirements of divisions (A)(1) and (F)(1) of this 8521
section and the birth date, citizenship, physical description, 8522
current residence, residences for the preceding ten years, current 8523
employment, employment for the preceding seven years, and 8524
experience qualifications of that officer or qualifying agent; and 8525
other information that the director requires. A corporation may 8526
specify in its application information relative to one or more 8527
individuals who satisfy the requirements of divisions (A)(1) and 8528
(F)(1) of this section. 8529

The application described in this division shall be 8530
accompanied by all of the following: 8531

(1) One recent full-face photograph of the applicant or, in 8532
the case of a corporation, of each officer or qualifying agent 8533
specified in the application as satisfying the requirements of 8534
divisions (A)(1) and (F)(1) of this section; 8535

(2) One complete set of the applicant's fingerprints or, in 8536

the case of a corporation, of the fingerprints of each officer or 8537
qualifying agent specified in the application as satisfying the 8538
requirements of divisions (A)(1) and (F)(1) of this section; 8539

(3) Character references from at least five reputable 8540
citizens for the applicant or, in the case of a corporation, for 8541
each officer or qualifying agent specified in the application as 8542
satisfying the requirements of divisions (A)(1) and (F)(1) of this 8543
section, each of whom has known the applicant, officer, or 8544
qualifying agent for at least five years preceding the 8545
application, and none of whom are connected with the applicant, 8546
officer, or qualifying agent by blood or marriage; 8547

(4) An examination fee of twenty-five dollars for the 8548
applicant or, in the case of a corporation, for each officer or 8549
qualifying agent specified in the application as satisfying the 8550
requirements of divisions (A)(1) and (F)(1) of this section, and a 8551
license fee of two hundred fifty dollars. The license fee shall be 8552
refunded if a license is not issued. 8553

(C) Upon receipt of the application and accompanying matter 8554
described in division (B) of this section, the director shall 8555
forward to the bureau of criminal identification and investigation 8556
a request that it make an investigation of the applicant or, in 8557
the case of a corporation, each officer or qualifying agent 8558
specified in the application as satisfying the requirements of 8559
divisions (A)(1) and (F)(1) of this section, to determine whether 8560
the applicant, officer, or qualifying agent meets the requirements 8561
of division (A)(1)(a) of this section. If the director determines 8562
that the applicant, officer, or qualifying agent meets the 8563
requirements of divisions (A)(1)(a), (b), and (d) of this section 8564
and that an officer or qualifying agent meets the requirement of 8565
division (F)(1) of this section, the director shall notify the 8566
applicant, officer, or agent of the time and place for the 8567
examination. If the director determines that an applicant does not 8568

meet the requirements of divisions (A)(1)(a), (b), and (d) of this section, the director shall notify the applicant that the applicant's application is refused and refund the license fee. If the director determines that none of the individuals specified in the application of a corporation as satisfying the requirements of divisions (A)(1) and (F)(1) of this section meet the requirements of divisions (A)(1)(a), (b), and (d) and (F)(1) of this section, the director shall notify the corporation that its application is refused and refund the license fee. If the director requests an investigation of any applicant, officer, or qualifying agent and if the bureau assesses the director a fee for the investigation, the director, in addition to any other fee assessed pursuant to this chapter, may assess the applicant, officer, or qualifying agent, as appropriate, a fee that is equal to the fee assessed by the bureau.

(D) If upon application, investigation, and examination, the director finds that the applicant or, in the case of a corporation, any officer or qualifying agent specified in the application as satisfying the requirements of divisions (A)(1) and (F)(1) of this section, meets the applicable requirements, the director shall issue the applicant or the corporation a class A, B, or C license. The director also shall issue an identification card to an applicant, but not an officer or qualifying agent of a corporation, who meets the applicable requirements ~~an identification card~~. The license and identification card shall state the licensee's name, the classification of the license, the location of the licensee's principal place of business in this state, and the expiration date of the license, and, in the case of a corporation, it also shall state the name of each officer or qualifying agent who satisfied the requirements of divisions (A)(1) and (F)(1) of this section.

Licenses expire on the first day of March following the date

of initial issue, and on the first day of March of each year 8601
thereafter. Renewals shall be according to the standard renewal 8602
procedures contained in Chapter 4745. of the Revised Code, upon 8603
payment of a renewal fee of two hundred fifty dollars. No license 8604
shall be renewed if the licensee or, in the case of a corporation, 8605
each officer or qualifying agent who qualified the corporation for 8606
licensure no longer meets the applicable requirements of this 8607
section. No license shall be renewed unless the licensee provides 8608
evidence of workers' compensation risk coverage and unemployment 8609
compensation insurance coverage, other than for clerical employees 8610
and excepting sole proprietors who are exempted therefrom, as 8611
provided for in Chapters 4123. and 4141. of the Revised Code, 8612
respectively, as well as the licensee's state tax identification 8613
number. No reexamination shall be required for renewal of a 8614
current license. 8615

For purposes of this chapter, a class A, B, or C license 8616
issued to a corporation shall be considered as also having 8617
licensed the individuals who qualified the corporation for 8618
licensure, for as long as they are associated with the 8619
corporation. 8620

For purposes of this division, "sole proprietor" means an 8621
individual licensed under this chapter who does not employ any 8622
other individual. 8623

(E) The director may issue a duplicate copy of a license 8624
issued under this section for the purpose of replacement of a 8625
lost, spoliated, or destroyed license, upon payment of a fee fixed 8626
by the director, not exceeding twenty-five dollars. Any change in 8627
license classification requires new application and application 8628
fees. 8629

(F)(1) In order to qualify a corporation for a class A, B, or 8630
C license, an officer or qualifying agent may qualify another 8631
corporation for similar licensure, provided that the officer or 8632

qualifying agent is actively engaged in the business of both 8633
corporations. 8634

(2) Each officer or qualifying agent who qualifies a 8635
corporation for class A, B, or C licensure shall surrender any 8636
personal license of a similar nature that the officer or 8637
qualifying agent possesses. 8638

(3) Upon written notification to the director, completion of 8639
an application similar to that for original licensure, surrender 8640
of the corporation's current license, and payment of a twenty-five 8641
dollar fee, a corporation's class A, B, or C license may be 8642
transferred to another corporation. 8643

(4) Upon written notification to the director, completion of 8644
an application similar to that for an individual seeking class A, 8645
B, or C licensure, payment of a twenty-five dollar fee, and, if 8646
the individual was the only individual that qualified a 8647
corporation for licensure, surrender of the corporation's license, 8648
any officer or qualifying agent who qualified a corporation for 8649
licensure under this chapter may obtain a similar license in the 8650
individual's own name without reexamination. A request by an 8651
officer or qualifying agent for an individual license shall not 8652
affect a corporation's license unless the individual is the only 8653
individual that qualified the corporation for licensure or all the 8654
other individuals who qualified the corporation for licensure 8655
submit such requests. 8656

(G) If a corporation is for any reason no longer associated 8657
with an individual who qualified it for licensure under this 8658
chapter, an officer of the corporation shall notify the director 8659
of that fact by certified mail, return receipt requested, within 8660
ten days after the association terminates. If the notification is 8661
so given, the individual was the only individual that qualified 8662
the corporation for licensure, and the corporation submits the 8663
name of another officer or qualifying agent to qualify the 8664

corporation for the license within thirty days after the 8665
association terminates, the corporation may continue to operate in 8666
the business of private investigation, the business of security 8667
services, or both businesses in this state under that license for 8668
ninety days after the association terminates. If the officer or 8669
qualifying agent whose name is ~~se~~ submitted satisfies the 8670
requirements of divisions (A)(1) and (F)(1) of this section, the 8671
director shall issue a new license to the corporation within that 8672
ninety-day period. The names of more than one individual may be ~~se~~ 8673
submitted. 8674

Sec. 4749.04. (A) The director of ~~commerce~~ public safety may 8675
revoke, suspend, or refuse to renew, when a renewal form has been 8676
submitted, the license of any private investigator or security 8677
guard provider, or the registration of any employee of a private 8678
investigator or security guard provider, for any of the following: 8679

(1) Violation of any of the provisions of division (B) or (C) 8680
of section 4749.13 of the Revised Code; 8681

(2) Conviction of a felony or a crime involving moral 8682
turpitude; 8683

(3) Violation of any rule of the director governing private 8684
investigators, the business of private investigation, security 8685
guard providers, or the business of security services; 8686

(4) Testifying falsely under oath, or suborning perjury, in 8687
any judicial proceeding; 8688

(5) Failure to satisfy the requirements specified in division 8689
(D) of section 4749.03 of the Revised Code. 8690

Any person whose license or registration is revoked, 8691
suspended, or not renewed when a renewal form is submitted may 8692
appeal in accordance with Chapter 119. of the Revised Code. 8693

(B) In lieu of suspending, revoking, or refusing to renew the 8694

class A, B, or C license, or of suspending, revoking, or refusing 8695
to renew the registration of an employee of a class A, B, or C 8696
licensee, the director ~~of commerce~~ may impose a civil penalty of 8697
not more than one hundred dollars for each calendar day of a 8698
violation of any of the provisions of this section or of division 8699
(B) or (C) of section 4749.13 of the Revised Code or of a 8700
violation of any rule of the director governing private 8701
investigators, the business of private investigation, security 8702
guard providers, or the business of security services. 8703

Sec. 4749.05. (A) Each class A, B, or C licensee shall report 8704
the location of branch offices to the department of ~~commerce~~ 8705
public safety, and to the sheriff of the county and the police 8706
chief of any municipal corporation in which the office is located, 8707
and shall post a branch office license conspicuously in that 8708
office. Application for a branch office license shall be made on a 8709
form prescribed by the director of ~~commerce~~ public safety, and a 8710
license shall be issued upon receipt of the form and payment of a 8711
fee fixed by the director, not exceeding one hundred dollars. If a 8712
licensee moves an office, ~~he~~ the licensee shall notify, in 8713
writing, the department of ~~commerce~~ public safety and any affected 8714
sheriff and chief of police within forty-eight hours of the 8715
change. 8716

This division does not apply to a licensed private 8717
investigator who is engaging in the business of private 8718
investigation as a registered employee of a licensed private 8719
investigator. 8720

(B) ~~No~~ Pursuant to Chapter 119. of the Revised Code, the 8721
director of public safety shall adopt rules regarding when a class 8722
A, B, or C licensee, or any of ~~his~~ such a licensee's employees, 8723
~~shall engage in the business of private investigation or the~~ 8724
~~business of security services unless, within twelve hours of his~~ 8725

arrival, ~~he reports his~~ is required to report the licensee's or 8726
employee's presence and length of stay to the sheriff and police 8727
chief of any county or municipal corporation in which ~~he~~ the 8728
licensee or employee operates. The rules shall include reporting 8729
requirements for licenses or employees conducting fraud 8730
investigations or physical surveillance. 8731

Sec. 4749.06. (A) Each class A, B, or C licensee shall 8732
register the licensee's investigator or security guard employees, 8733
with the department of ~~commerce~~ public safety, which shall 8734
maintain a record of each licensee and registered employee and 8735
make it available, upon request, to any law enforcement agency. 8736
The class A, B, or C licensee shall file an application to 8737
register a new employee no sooner than three days nor later than 8738
seven calendar days after the date on which the employee is hired. 8739

(B)(1) Each employee's registration application shall be 8740
accompanied by one complete set of the employee's fingerprints, 8741
one recent photograph of the employee, the employee's physical 8742
description, and an eighteen-dollar registration fee. 8743

(2) If the director of public safety requests the bureau of 8744
criminal identification and investigation to conduct an 8745
investigation of a licensee's employee and if the bureau assesses 8746
the director a fee for the investigation, the director, in 8747
addition to any other fee assessed pursuant to this chapter, may 8748
assess the licensee a fee that is equal to the fee assessed by the 8749
bureau. If, after investigation, the bureau finds that the 8750
employee has not been convicted of a felony within the last twenty 8751
years, the director shall issue to the employee an identification 8752
card bearing the license number and signature of the licensee, 8753
which in the case of a corporation shall be the signature of its 8754
president or its qualifying agent, and containing the employee's 8755
name, address, age, physical description, and right thumb print or 8756

other identifying mark as the director prescribes, a recent 8757
photograph of the employee, and the employee's signature. The 8758
director may issue a duplicate of a lost, spoliated, or destroyed 8759
identification card issued under this section, upon payment of a 8760
fee fixed by the director, not exceeding five dollars. 8761

(C) Except as provided in division (E) of this section, no 8762
class A, B, or C licensee shall permit an employee, other than an 8763
individual who qualified a corporation for licensure, to engage in 8764
the business of private investigation, the business of security 8765
services, or both businesses until the employee receives an 8766
identification card from the department, except that pending the 8767
issuance of an identification card, a class A, B, or C licensee 8768
may offer for hire security guard or investigator employees 8769
provided the licensee obtains a waiver from the person who 8770
receives, for hire, security guard or investigative services, 8771
acknowledging that the person is aware the employees have not 8772
completed their registration and agreeing to their employment. 8773

(D) If a class A, B, or C licensee, or a registered employee 8774
of a class A, B, or C licensee, intends to carry a firearm, as 8775
defined in section 2923.11 of the Revised Code, in the course of 8776
engaging in the business or employment, the licensee or registered 8777
employee shall satisfactorily complete a firearms basic training 8778
program that includes twenty hours of handgun training and five 8779
hours of training in the use of other firearms, if any other 8780
firearm is to be used, or equivalency training, if authorized, or 8781
shall be a former peace officer who previously had successfully 8782
completed a firearms training course, shall receive a certificate 8783
of satisfactory completion of that program or written evidence of 8784
approval of the equivalency training, shall file an application 8785
for registration, shall receive a firearm-bearer notation on the 8786
licensee's or registered employee's identification card, and shall 8787
annually requalify on a firearms range, all as described in 8788

division (A) of section 4749.10 of the Revised Code. A private 8789
investigator, security guard provider, or employee is authorized 8790
to carry a firearm only in accordance with that division. 8791

(E) This section does not apply to commissioned peace 8792
officers, as defined in division (B) of section 2935.01 of the 8793
Revised Code, working for, either as an employee or independent 8794
contractor, a class A, B, or C licensee. For purposes of this 8795
chapter, a commissioned peace officer is an employee exempt from 8796
registration. 8797

Sec. 4749.07. (A) After refund of any license fees as 8798
required by section 4749.03 of the Revised Code, the department of 8799
~~commerce~~ public safety shall pay all fees received pursuant to 8800
this chapter to the treasurer of state, to be credited to the 8801
private investigator and security guard provider fund, which is 8802
hereby created. 8803

(B) Moneys received in payment of fines levied pursuant to 8804
section 4749.99 of the Revised Code shall be distributed as 8805
follows: 8806

(1) One-third to the general fund of the municipal 8807
corporation or township in which the prosecution occurs; 8808

(2) One-third to the general fund of the county in which the 8809
prosecution occurs; 8810

(3) One-third to the private investigator and security guard 8811
provider fund. 8812

Sec. 4749.08. (A) No class A, B, or C licensee, or registered 8813
employee of a class A, B, or C licensee shall be considered, 8814
because of licensure or registration under this chapter, a law 8815
enforcement officer for any purpose. Nothing in this chapter shall 8816
be construed as granting the right to carry a concealed weapon. 8817

(B) The rules of the department of ~~commerce~~ public safety 8819
adopted for the administration of this chapter shall include 8820
provisions to assure that any uniform or identification card shall 8821
be so designed as to avoid confusion of a private investigator, 8822
security guard provider, or registered employee with any law 8823
enforcement officer in this state. 8824

Sec. 4749.10. (A) No class A, B, or C licensee and no 8825
registered employee of a class A, B, or C licensee shall carry a 8826
firearm, as defined in section 2923.11 of the Revised Code, in the 8827
course of engaging in the business of private investigation, the 8828
business of security services, or both businesses, unless all of 8829
the following apply: 8830

(1) The licensee or employee either has successfully 8831
completed a basic firearm training program at a training school 8832
approved by the Ohio peace officer training commission, which 8833
program includes twenty hours of training in handgun use and, if 8834
any firearm other than a handgun is to be used, five hours of 8835
training in the use of other firearms, and has received a 8836
certificate of satisfactory completion of that program from the 8837
executive director of the commission; the licensee or employee 8838
has, within three years prior to November 27, 1985, satisfactorily 8839
completed firearms training that has been approved by the 8840
commission as being equivalent to such a program and has received 8841
written evidence of approval of that training from the executive 8842
director of the commission; or the licensee or employee is a 8843
former peace officer, as defined in section 109.71 of the Revised 8844
Code, who previously had successfully completed a firearms 8845
training course at a training school approved by the Ohio peace 8846
officer training commission and has received a certificate or 8847
other evidence of satisfactory completion of that course from the 8848
executive director of the commission. 8849

(2) The licensee or employee submits an application to the 8850
director of ~~commerce~~ public safety, on a form prescribed by the 8851
director, in which the licensee or employee requests registration 8852
as a class A, B, or C licensee or employee who may carry a 8853
firearm. The application shall be accompanied by a copy of the 8854
certificate or the written evidence or other evidence described in 8855
division (A)(1) of this section, the identification card issued 8856
pursuant to section 4749.03 or 4749.06 of the Revised Code if one 8857
has previously been issued, a statement of the duties that will be 8858
performed while the licensee or employee is armed, and a fee of 8859
ten dollars. In the case of a registered employee, the statement 8860
shall be prepared by the employing class A, B, or C licensee. 8861

(3) The licensee or employee receives a notation on the 8862
licensee's or employee's identification card that the licensee or 8863
employee is a firearm-bearer and carries the identification card 8864
whenever the licensee or employee carries a firearm in the course 8865
of engaging in the business of private investigation, the business 8866
of security services, or both businesses. 8867

(4) At any time within the immediately preceding twelve-month 8868
period, the licensee or employee has requalified in firearms use 8869
on a firearms training range at a firearms requalification program 8870
certified by the Ohio peace officer training commission or on a 8871
firearms training range under the supervision of an instructor 8872
certified by the commission and has received a certificate of 8873
satisfactory requalification from the certified program or 8874
certified instructor, provided that this division does not apply 8875
to any licensee or employee prior to the expiration of eighteen 8876
months after the licensee's or employee's completion of the 8877
program described in division (A)(1) of this section. A 8878
certificate of satisfactory requalification is valid and remains 8879
in effect for twelve months from the date of the requalification. 8880

(5) If division (A)(4) of this section applies to the 8881

licensee or employee, the licensee or employee carries the 8882
certificate of satisfactory requalification that then is in effect 8883
or any other evidence of requalification issued or provided by the 8884
director. 8885

(B)(1) The director of ~~commerce~~ public safety shall register 8886
an applicant under division (A) of this section who satisfies 8887
divisions (A)(1) and (2) of this section, and place a notation on 8888
the applicant's identification card indicating that the applicant 8889
is a firearm-bearer and the date on which the applicant completed 8890
the program described in division (A)(1) of this section. 8891

(2) A firearms requalification training program or instructor 8892
certified by the commission for the annual requalification of 8893
class A, B, or C licensees or employees who are authorized to 8894
carry a firearm under section 4749.10 of the Revised Code shall 8895
award a certificate of satisfactory requalification to each class 8896
A, B, or C licensee or registered employee of a class A, B, or C 8897
licensee who satisfactorily requalifies in firearms training. The 8898
certificate shall identify the licensee or employee and indicate 8899
the date of the requalification. A licensee or employee who 8900
receives such a certificate shall submit a copy of it to the 8901
director of ~~commerce~~ public safety. A licensee shall submit the 8902
copy of the requalification certificate at the same time that the 8903
licensee makes application for renewal of the licensee's class A, 8904
B, or C license. The director shall keep a record of all copies of 8905
requalification certificates the director receives under this 8906
division and shall establish a procedure for the updating of 8907
identification cards to provide evidence of compliance with the 8908
annual requalification requirement. The procedure for the updating 8909
of identification cards may provide for the issuance of a new card 8910
containing the evidence, the entry of a new notation containing 8911
the evidence on the existing card, the issuance of a separate card 8912
or paper containing the evidence, or any other procedure 8913

determined by the director to be reasonable. Each person who is 8914
issued a requalification certificate under this division promptly 8915
shall pay to the Ohio peace officer training commission 8916
established by section 109.71 of the Revised Code a fee of five 8917
dollars, which fee shall be transmitted to the treasurer of state 8918
for deposit in the peace officer private security fund established 8919
by section 109.78 of the Revised Code. 8920

(C) Nothing in this section prohibits a private investigator 8921
or a security guard provider from carrying a concealed handgun if 8922
the private investigator or security guard provider complies with 8923
sections 2923.124 to 2923.1213 of the Revised Code. 8924

Sec. 4749.11. (A) The director of ~~commerce~~ public safety may 8925
investigate any applicant for a class A, B, or C license, any 8926
principal officer or qualifying agent of a corporation who is 8927
specified in an application for licensure as satisfying the 8928
requirements of divisions (A)(1) and (F)(1) of section 4749.03 of 8929
the Revised Code, and any employee of a class A, B, or C licensee 8930
who seeks to be registered under section 4749.06 of the Revised 8931
Code to determine whether the individual satisfies the applicable 8932
requirements for licensure or registration. 8933

(B) The director ~~of commerce~~ may investigate, on ~~his~~ the 8934
director's own initiative, the actions or proposed actions of a 8935
class A, B, or C licensee, or registered employee of a class A, B, 8936
or C licensee to determine whether the person is, has been, or 8937
will be in violation of section 4749.13 of the Revised Code. The 8938
director shall investigate any of these persons if a verified 8939
written complaint is filed indicating that a person has violated, 8940
or is or will be violating, section 4749.13 of the Revised Code~~;~~i 8941
the complaint is supported by evidence submitted with it~~;~~i and the 8942
director determines that a prima-facie case exists that a 8943
violation of that section is being, has been, or will be committed 8944

by the person. 8945

(C) The director ~~of commerce~~ may investigate, on ~~his~~ the 8946
director's own initiative, the actions or proposed actions of a 8947
person who is not licensed or registered under this chapter and 8948
who appears to be acting as a class A, B, or C licensee, or 8949
employee of a class A, B, or C licensee. The director shall 8950
investigate such a person if a verified written complaint is filed 8951
indicating that a person was, is, or will be acting as a class A, 8952
B, or C licensee or employee of a class A, B, or C licensee but is 8953
not licensed or registered as such under this chapter; i the 8954
complaint is supported by evidence that is submitted with it; i and 8955
the director determines that a prima-facie case exists that the 8956
person was, is, or will be acting in the alleged manner. 8957

(D) In connection with investigations under divisions (B) and 8958
(C) of this section, the director ~~of commerce~~ may file an action 8959
with the court of common pleas of Franklin county or the court of 8960
common pleas of the county in which the person who is the subject 8961
of the investigation resides, is engaging in actions, or proposing 8962
to engage in actions, to obtain an injunction, restraining order, 8963
or other appropriate relief. 8964

(E) The director ~~of commerce~~ may compel by subpoena witnesses 8965
to appear and testify in relation to investigations under this 8966
chapter and may require by subpoena duces tecum the production of 8967
any book, paper, or document pertaining to an investigation. If a 8968
person does not comply with a subpoena or subpoena duces tecum, 8969
the director ~~of commerce~~ may apply to the court of common pleas of 8970
Franklin county for an order compelling the person to comply with 8971
the subpoena or subpoena duces tecum or, for failure to do so, to 8972
be held in contempt of court. 8973

(F) If, in an investigation under division (C) of this 8974
section, the director determines that a person is not a class A, 8975
B, or C licensee, or a registered employee of a class A, B, or C 8976

licensee, and that the person was, is, or will be acting in the 8977
alleged manner, the director may issue an order to the person to 8978
show cause why ~~he~~ the person should not be subject to licensing or 8979
registration under this chapter. The director shall hold a hearing 8980
on the order, and if following the hearing ~~he~~ the director 8981
determines that the person has engaged, or is or will be engaging, 8982
in activities requiring licensure or registration under this 8983
chapter, ~~he~~ the director may issue a cease and desist order that 8984
shall describe the person and the activities that are the subject 8985
of it. The cease and desist order is enforceable in and may be 8986
appealed to a court of common pleas pursuant to Chapter 119. of 8987
the Revised Code. 8988

(G) In any proceeding or action brought under this chapter, 8989
the burden of proving an exemption from the licensure requirements 8990
of this chapter is on the person claiming the benefit of the 8991
exemption. 8992

Sec. 4749.12. (A) A person who is a resident of another 8993
state~~;~~ is licensed as a private investigator, security guard 8994
provider, or as a private investigator and a security guard 8995
provider in another state~~;~~ and wishes to engage in the business 8996
of private investigation, the business of security services, or 8997
both businesses in this state, shall be licensed pursuant to 8998
section 4749.03 of the Revised Code, but the director of ~~commerce~~ 8999
public safety may waive the examination requirement of that 9000
section and issue a license to a nonresident under the 9001
circumstances described in division (B) of this section. 9002

(B) If a nonresident private investigator, security guard 9003
provider, or private investigator and security guard provider 9004
seeking licensure under this chapter submits with the application 9005
and accompanying matter specified in section 4749.03 of the 9006
Revised Code proof of licensure in another state, and if the 9007

requirements of divisions (A)(1)(a), (b), and (d) and, if 9008
applicable, (F)(1) of section 4749.03 of the Revised Code are 9009
satisfied and the nonresident meets all current requirements of 9010
the laws of the other state regulating the business of private 9011
investigation, the business of security services, or both 9012
businesses, the director ~~of commerce~~ may waive the examination 9013
requirement and fee of that section. This waiver authority may be 9014
exercised only if the director determines that the other state has 9015
a law similar to this division and extends to residents of this 9016
state a similar waiver of examination privilege. 9017

Sec. 4749.13. (A) No person shall engage in the business of 9018
private investigation, the business of security services, or both 9019
businesses in this state unless ~~he~~ the person is licensed pursuant 9020
to this chapter. Each day of continuing violation constitutes a 9021
separate offense. Nothing in this chapter shall be construed to 9022
require any employee of a class A, B, or C licensee to obtain a 9023
class A, B, or C license, provided that an employee shall be 9024
registered by a licensee when required by section 4749.06 of the 9025
Revised Code. Nothing in this chapter shall be construed to 9026
require a partner to be a class A, B, or C licensee except as 9027
provided in division (A)(3) of section 4749.03 of the Revised 9028
Code. Nothing in this chapter shall be construed to require a 9029
director, officer, or qualifying agent of a corporation to 9030
individually be a class A, B, or C licensee if the corporation is 9031
licensed pursuant to this chapter. 9032

(B) No class A, B, or C licensee, or registered employee of a 9033
class A, B, or C licensee shall: 9034

(1) Knowingly violate any provision of this chapter or any 9035
rule of the director of ~~commerce~~ public safety adopted for the 9036
administration of this chapter; 9037

(2) Knowingly make a false report with respect to any matter 9038

with which ~~he~~ the licensee or registered employee is employed; 9039

(3) Divulge any information acquired from or for a client to 9040
persons other than the client or ~~his~~ the client's authorized agent 9041
without express authorization to do so or unless required by law; 9042

(4) Knowingly accept employment which includes obtaining 9043
information intended for illegal purposes. 9044

(C) No person shall knowingly authorize or permit another 9045
person to violate any provision of this chapter or any rule of the 9046
director ~~of commerce~~ adopted for the administration of this 9047
chapter. 9048

(D) No person who is not licensed as a class A, B, or C 9049
licensee shall advertise that ~~he~~ the person is or otherwise hold 9050
~~himself~~ self out as a class A, B, or C licensee. This division 9051
does not prohibit registered employees from indicating in the 9052
course of authorized employment for a class A, B, or C licensee 9053
that they are authorized to engage in investigatory, security 9054
services activities, or both activities. 9055

Sec. 4749.14. On receipt of a notice pursuant to section 9056
3123.43 of the Revised Code, the director of ~~commerce~~ public 9057
safety shall comply with sections 3123.41 to 3123.50 of the 9058
Revised Code and any applicable rules adopted under section 9059
3123.63 of the Revised Code with respect to a license issued 9060
pursuant to this chapter. 9061

Sec. 4905.06. The public utilities commission has general 9062
supervision over all public utilities within its jurisdiction as 9063
defined in section 4905.05 of the Revised Code, and may examine 9064
such public utilities and keep informed as to their general 9065
condition, capitalization, and franchises, and as to the manner in 9066
which their properties are leased, operated, managed, and 9067
conducted with respect to the adequacy or accommodation afforded 9068

by their service, the safety and security of the public and their employees, and their compliance with all laws, orders of the commission, franchises, and charter requirements. The commission has general supervision over all other companies referred to in section 4905.05 of the Revised Code to the extent of its jurisdiction as defined in that section, and may examine such companies and keep informed as to their general condition and capitalization, and as to the manner in which their properties are leased, operated, managed, and conducted with respect to the adequacy or accommodation afforded by their service, and their compliance with all laws and orders of the commission, insofar as any of such matters may relate to the costs associated with the provision of electric utility service by public utilities in this state which are affiliated or associated with such companies. The commission, through the public utilities commissioners or inspectors or employees of the commission authorized by it, may enter in or upon, for purposes of inspection, any property, equipment, building, plant, factory, office, apparatus, machinery, device, and lines of any public utility. The power to inspect includes the power to prescribe any rule or order that the commission finds necessary for protection of the public safety. In order to assist the commission in the performance of its duties under this chapter, 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 inspection purposes, any motor vehicle of any motor transportation company or private motor carrier as defined in section 4923.02 of the Revised Code.

In order to inspect motor vehicles owned or operated by a motor transportation company 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 any 9102
property of any motor transportation company, as defined in 9103
section ~~4913.02~~ 4921.02 of the Revised Code, engaged in the 9104
intrastate transportation of persons. 9105

Sec. 4919.79. (A) The public utilities commission may adopt 9106
safety rules applicable to the highway transportation and offering 9107
for transportation of hazardous materials in interstate commerce, 9108
which highway transportation takes place into or through this 9109
state. 9110

(B) The commission may adopt safety rules applicable to the 9111
highway transportation of persons or property in interstate 9112
commerce, which transportation takes place into or through this 9113
state. 9114

(C) Rules adopted under divisions (A) and (B) of this section 9115
shall be consistent with, and equivalent in scope, coverage, and 9116
content to, the "Hazardous Materials Transportation Act," 88 Stat. 9117
2156 (1975), 49 U.S.C.A. 1801, as amended, and regulations adopted 9118
under it, and the "Motor Carrier Safety Act of 1984," 98 Stat. 9119
2832, 49 U.S.C.A. 2501, and regulations adopted under it, 9120
respectively. No person shall violate a rule adopted under 9121
division (A) or (B) of this section or any order of the commission 9122
issued to secure compliance with any such rule. 9123

(D) The commission shall cooperate with, and permit the use 9124
of, the services, records, and facilities of the commission as 9125
fully as practicable by appropriate officers of the interstate 9126
commerce commission, the United States department of 9127
transportation, and other federal agencies or commissions and 9128
appropriate commissions of other states in the enforcement and 9129
administration of state and federal laws relating to highway 9130
transportation by motor vehicles. The commission may enter into 9131
cooperative agreements with the interstate commerce commission, 9132

the United States department of transportation, and any other 9133
federal agency or commission to enforce the economic and safety 9134
laws and rules of this state and of the United States concerning 9135
highway transportation by motor vehicles. All grants-in-aid, cash, 9136
and reimbursements received by the commission pursuant to those 9137
cooperative agreements shall be deposited to the credit of the 9138
motor carrier safety fund, which is hereby created in the state 9139
treasury, to be used by the commission for the purpose of carrying 9140
out this section. 9141

(E) To achieve the purposes of this section, the commission 9142
~~may~~, through its inspectors or other authorized employees, may 9143
inspect any vehicles of carriers of persons or property in 9144
interstate commerce subject to the safety rules prescribed by this 9145
section and may enter upon the premises and vehicles of such 9146
carriers to examine any of the carriers' records or documents that 9147
relate to the safety of operation of such carriers. In order to 9148
assist the commission in the performance of its duties under this 9149
section, authorized employees of the ~~commercial motor vehicle~~ 9150
~~safety carrier~~ enforcement unit, created under section 5503.34 of 9151
the Revised Code in the division of state highway patrol, of the 9152
department of public safety may enter in or upon, for purposes of 9153
inspection, any vehicle of any such carrier. 9154

In order to inspect motor vehicles owned or operated by 9155
private motor carriers of persons, authorized employees of the 9156
~~commercial motor vehicle safety carrier~~ enforcement unit, division 9157
of state highway patrol, of the department of public safety may 9158
enter in or upon the premises of any private carrier of persons in 9159
interstate commerce, subject to the safety rules prescribed by 9160
this section. 9161

Sec. 4923.20. (A) As used in this section: 9162

(1) "Private motor carrier" has the same meaning as in 9163

section 4923.02 of the Revised Code, except that it includes only 9164
private motor carriers operating on a not-for-hire basis and 9165
excludes all private motor carriers operating on a for-hire basis. 9166

(2) "Commercial motor vehicle" has the same meaning as in the 9167
"Commercial Motor Vehicle Safety Act of 1986," 49 U.S.C.A. 2701, 9168
as amended, except that "commerce" means trade, traffic, and 9169
transportation solely within this state. 9170

(B) The public utilities commission may adopt and enforce 9171
rules concerning the safety of operation of commercial motor 9172
vehicles by private motor carriers, except that the rules shall 9173
not affect any rights or duties granted to or imposed upon the 9174
operator of such a motor vehicle by Chapter 4511. of the Revised 9175
Code. 9176

(C) The commission may adopt safety rules applicable to the 9177
transportation of hazardous materials by private motor carriers by 9178
means of commercial motor vehicles and applicable to the offering 9179
of hazardous materials for such transportation. The rules shall be 9180
consistent with, and equivalent in scope, coverage, and content 9181
to, the "Hazardous Materials Transportation Act," 88 Stat. 2156 9182
(1975), 49 U.S.C.A. 1801, as amended, and regulations adopted 9183
under it. 9184

(D) To achieve the purposes of this section, the commission 9185
may, through inspectors or other authorized employees, inspect any 9186
motor vehicles of such carriers and may enter upon the premises 9187
and vehicles of the carriers to examine any of the carriers' 9188
records or documents that relate to the safety of operation of 9189
private motor carriers. In order to assist the commission in 9190
performing its duties under this section, authorized employees of 9191
the ~~commercial~~ motor vehicle safety carrier enforcement unit, 9192
created under section 5503.34 of the Revised Code in the division 9193
of state highway patrol, of the department of public safety may 9194
enter in or upon, for purposes of inspection, any motor vehicle of 9195

any such carrier. 9196

In order to inspect motor vehicles owned or operated by 9197
private motor carriers engaged in the transportation of persons, 9198
authorized employees of the ~~commercial motor vehicle safety~~ 9199
carrier enforcement unit, division of state highway patrol, of the 9200
department of public safety may enter in or upon the premises of 9201
any private motor carrier engaged in the intrastate transportation 9202
of persons. 9203

(E) No private motor carrier or person offering hazardous 9204
materials for transportation by private motor carrier shall fail 9205
to comply with any order, decision, or rule adopted under this 9206
section or any order of the commission issued to secure compliance 9207
with any such rule. 9208

Sec. 5502.01. (A) The department of public safety shall 9209
administer and enforce the laws relating to the registration, 9210
licensing, sale, and operation of motor vehicles and the laws 9211
pertaining to the licensing of drivers of motor vehicles. 9212

The department shall compile, analyze, and publish statistics 9213
relative to motor vehicle accidents and the causes of them, 9214
prepare and conduct educational programs for the purpose of 9215
promoting safety in the operation of motor vehicles on the 9216
highways, and conduct research and studies for the purpose of 9217
promoting safety on the highways of this state. 9218

(B) The department shall administer the laws and rules 9219
relative to trauma and emergency medical services specified in 9220
Chapter 4765. of the Revised Code. 9221

(C) The department shall administer and enforce the laws 9222
contained in Chapters 4301. and 4303. of the Revised Code and 9223
enforce the rules and orders of the liquor control commission 9224
pertaining to retail liquor permit holders. 9225

(D) The department shall administer the laws governing the state emergency management agency and shall enforce all additional duties and responsibilities as prescribed in the Revised Code related to emergency management services.

(E) The department shall conduct investigations pursuant to Chapter 5101. of the Revised Code in support of the duty of the department of job and family services to administer food stamp programs throughout this state. The department of public safety shall conduct investigations necessary to protect the state's property rights and interests in the food stamp program.

(F) The department of public safety shall enforce compliance with orders and rules of the public utilities commission and applicable laws in accordance with Chapters 4919., 4921., and 4923. of the Revised Code regarding commercial motor vehicle transportation safety, economic, and hazardous materials requirements.

(G) Notwithstanding Chapter 4117. of the Revised Code, the department of public safety may establish requirements for its enforcement personnel, including its enforcement agents described in section 5502.14 of the Revised Code, that include standards of conduct, work rules and procedures, and criteria for eligibility as law enforcement personnel.

(H) The department shall administer, maintain, and operate the Ohio criminal justice network. The Ohio criminal justice network shall be a computer network that supports state and local criminal justice activities. The network shall be an electronic repository for various data, which may include arrest warrants, notices of persons wanted by law enforcement agencies, criminal records, prison inmate records, stolen vehicle records, vehicle operator's licenses, and vehicle registrations and titles.

(I) The department shall coordinate all homeland security

activities of all state agencies and shall be a liaison between 9257
state agencies and local entities for those activities and related 9258
purposes. 9259

(J) Beginning July 1, 2004, the department shall administer 9260
and enforce the laws relative to private investigators and 9261
security service providers specified in Chapter 4749. of the 9262
Revised Code. 9263

Sec. 5502.011. (A) As used in this section, "department of 9264
public safety" and "department" include all divisions within the 9265
department of public safety. 9266

(B) The director of the department of public safety is the 9267
chief executive and administrative officer of the department. The 9268
director may establish policies governing the department, the 9269
performance of its employees and officers, the conduct of its 9270
business, and the custody, use, and preservation of departmental 9271
records, papers, books, documents, and property. The director also 9272
may authorize and approve investigations to be conducted by any of 9273
the department's divisions. Whenever the Revised Code imposes a 9274
duty upon or requires an action of the department, the director 9275
may perform the action or duty in the name of the department or 9276
direct such performance to be performed by the director's 9277
designee. 9278

(C) In addition to any other duties enumerated in the Revised 9279
Code, the director or the director's designee shall do all of the 9280
following: 9281

(1) Administer and direct the performance of the duties of 9282
the department; 9283

(2) Pursuant to Chapter 119. of the Revised Code, approve, 9284
adopt, and prescribe such forms and rules as are necessary to 9285
carry out the duties of the department; 9286

<u>(3) On behalf of the department and in addition to any</u>	9287
<u>authority the Revised Code otherwise grants to the department,</u>	9288
<u>have the authority and responsibility for approving and entering</u>	9289
<u>into contracts, agreements, and other business arrangements;</u>	9290
<u>(4) Make appointments for the department as needed to comply</u>	9291
<u>with requirements of the Revised Code;</u>	9292
<u>(5) Approve employment actions of the department, including</u>	9293
<u>appointments, promotions, discipline, investigations, and</u>	9294
<u>terminations;</u>	9295
<u>(6) Accept, hold, and use, for the benefit of the department,</u>	9296
<u>any gift, donation, bequest, or devise, and may agree to and</u>	9297
<u>perform all conditions of the gift, donation, bequest, or devise,</u>	9298
<u>that are not contrary to law;</u>	9299
<u>(7) Do all other acts necessary or desirable to carry out</u>	9300
<u>this chapter.</u>	9301
<u>(D)(1) The director of public safety may assess a reasonable</u>	9302
<u>fee, plus the amount of any charge or fee passed on from a</u>	9303
<u>financial institution, on a drawer or indorser for each of the</u>	9304
<u>following:</u>	9305
<u>(a) A check, draft, or money order that is returned or</u>	9306
<u>dishonored;</u>	9307
<u>(b) An automatic bank transfer that is declined, due to</u>	9308
<u>insufficient funds or for any other reason;</u>	9309
<u>(c) Any financial transaction device that is returned or</u>	9310
<u>dishonored for any reason.</u>	9311
<u>(2) The director shall deposit any fee collected under this</u>	9312
<u>division in an appropriate fund as determined by the director</u>	9313
<u>based on the tax, fee, or fine being paid.</u>	9314
<u>(3) As used in this division, "financial transaction device"</u>	9315
<u>has the same meaning as in section 113.40 of the Revised Code.</u>	9316

Sec. 5502.11. Every law enforcement agency representing a 9317
township, county, municipal corporation, or other political 9318
subdivision investigating a motor vehicle accident involving a 9319
fatality, personal injury, or property damage in an amount ~~not~~ 9320
~~less~~ greater than ~~one hundred fifty~~ four hundred dollars shall, 9321
within five days, forward a written report of such accident to the 9322
director of public safety on a form which the director shall adopt 9323
subject to sections 119.01 to 119.13 of the Revised Code. 9324

Sec. 5503.34. There is hereby created in the department of 9325
public safety, division of state highway patrol, a ~~commercial~~ 9326
motor ~~vehicle safety~~ carrier enforcement unit, to be administered 9327
by the superintendent of the state highway patrol. This unit shall 9328
be responsible for enforcement of commercial motor vehicle 9329
transportation safety, economic, and hazardous materials 9330
requirements. 9331

The superintendent, with the approval of the director of 9332
public safety, may appoint and maintain necessary staff to carry 9333
out the duties assigned under this section. 9334

Employees of the ~~commercial~~ motor ~~vehicle safety~~ carrier 9335
enforcement unit shall cooperate with the public utilities 9336
commission to enforce compliance with orders and rules of the 9337
commission, applicable laws under Chapters 4919., 4921., and 4923. 9338
of the Revised Code, and any other applicable laws or rules. 9339

Uniformed employees of the ~~commercial~~ motor ~~vehicle safety~~ 9340
carrier enforcement unit may stop commercial motor vehicles for 9341
the exclusive purpose of inspecting such vehicles to enforce 9342
compliance with orders and rules of the public utilities 9343
commission as required by division (F) of section 5502.01 of the 9344
Revised Code. 9345

Sec. 5505.16. (A) A member of the state highway patrol 9346

retirement system who has been in the service of the state highway 9347
patrol for a period of twenty-five years as an employee according 9348
to the rules adopted by the state highway patrol retirement board 9349
may make application for a pension which, if the member is under 9350
age forty-eight, shall be deferred until age forty-eight. 9351

(B) A member of the retirement system who has been in the 9352
service of the highway patrol for a period of twenty years as an 9353
employee according to the rules adopted by the retirement board, 9354
may make application for a pension that, if the member is under 9355
age fifty-two, shall be deferred until age fifty-two, except that 9356
any such member who has attained twenty years of service may, on 9357
or after attaining age forty-eight but before attaining age 9358
fifty-two, elect to receive a reduced pension of the greater of 9359
nine hundred dollars or an amount computed as follows: 9360

Attained Age	Reduced Pension	
48	75% of normal service pension	9362
49	80% of normal service pension	9363
50	86% of normal service pension	9364
51	93% of normal service pension	9365

In the case of a member who elects to receive a reduced 9366
pension after attaining age forty-eight, the reduced pension is 9367
payable from the later of the date of the member's most recent 9368
birthday or the date the member becomes eligible to receive the 9369
reduced pension. 9370

A member who has elected to receive a reduced pension in 9371
accordance with the schedule provided in this division and has 9372
received a payment in connection therewith may not change the 9373
election. 9374

(C) Any member who attains the age of ~~fifty-five~~ sixty years 9375
and has been in the service of the patrol for a period of twenty 9376
years as a uniformed patrol officer according to the rules adopted 9377
by the board, shall file application for retirement with the 9378

board, and if the member refuses or neglects to do so, the board 9379
may deem the member's application to have been filed on the 9380
member's ~~fifty-fifth~~ sixtieth birthday. The member may, upon 9381
written application approved by the superintendent of the state 9382
highway patrol, be continued in service after attaining the age of 9383
~~fifty-five~~ sixty years, but only until the member has accumulated 9384
twenty years of service. 9385

(D)(1) As used in this division: 9386

(a) "Service in the uniformed services" means the performance 9387
of duty on a voluntary or involuntary basis in a uniformed service 9388
under competent authority and includes active duty, active duty 9389
for training, initial active duty for training, inactive duty 9390
training, full-time national guard duty, and a period for which a 9391
person is absent from a position of employment for the purpose of 9392
an examination to determine the fitness of the person to perform 9393
any such duty. 9394

(b) "Uniformed services" of the United States includes both: 9395

(i) Army, navy, air force, marine corps, coast guard, or any 9396
reserve components of these services; auxiliary corps as 9397
established by congress; army nurse corps; navy nurse corps; 9398
service as red cross nurse with the army, navy, air force, or 9399
hospital service of the United States, or serving full-time with 9400
the American red cross in a combat zone; and such other service as 9401
is designated by congress as included therein; 9402

(ii) Personnel of the Ohio national guard, the Ohio military 9403
reserve, the Ohio naval militia, and the reserve components of the 9404
armed forces enumerated in division (D)(1) of this section who are 9405
called to active duty pursuant to an executive order issued by the 9406
president of the United States or an act of congress. 9407

(2) A member's total service credit may include periods not 9408
to exceed a total of seven years, while the member's employment 9409

with the state highway patrol is or was interrupted due to service 9410
in the uniformed services of the United States. Such military 9411
service shall be credited to the member towards total service as 9412
provided by this chapter and to the extent approved by the board, 9413
provided that: 9414

(a) The member is or was honorably discharged from service in 9415
the uniformed services; 9416

(b) The member is or was re-employed by the state highway 9417
patrol within ninety days immediately following termination of 9418
service in the uniformed services; 9419

(c) The member, subject to board rules, pays into the 9420
retirement system to the member's credit in the employees' savings 9421
fund an amount equal to the total contributions the member would 9422
have paid had state highway patrol employment not been so 9423
interrupted. Such payment may be made at any time prior to receipt 9424
of a pension. 9425

(3) If the member meets the requirements of division (D)(2) 9426
of this section, on receipt of contributions from the member, the 9427
state highway patrol shall be billed for the employer contribution 9428
that would have been paid pursuant to section 5505.15 of the 9429
Revised Code if the member had not rendered service in the 9430
uniformed services, subject to board rules. 9431

(4) If under division (D)(2)(c) of this section a member pays 9432
all or any portion of the contributions later than the lesser of 9433
five years or a period that is three times the member's period of 9434
service in the uniformed services beginning from the later of the 9435
member's date of re-employment or October 29, 1996, an amount 9436
equal to compound interest at a rate established by the board from 9437
the later of the member's date of re-employment or October 29, 9438
1996, to the date of payment shall be added to the remaining 9439
amount to be paid by the member to purchase service credit under 9440

this section. 9441

(5) Credit purchased by a member under division (D)(2) of 9442
this section shall be used to determine the member's eligibility 9443
for retirement under this section and section 5505.17 of the 9444
Revised Code. 9445

Sec. 5516.01. As used in sections 5516.01 to 5516.14 of the 9446
Revised Code: 9447

(A) "Advertising device" includes any outdoor sign, display, 9448
device, figure, painting, drawing, message, placard, poster, 9449
billboard, or any other contrivance designed, intended, or used to 9450
advertise or to give information in the nature of advertising, or 9451
any part thereof, the advertising or informative contents of which 9452
are visible from the main traveled way of any highway on the 9453
interstate system or primary system in this state. 9454

(B) "Visible" means capable of being seen and comprehended 9455
without visual aid by a person traveling the posted speed limit on 9456
the main traveled way of the highway. 9457

(C) "Interstate system" means that portion of the interstate 9458
system, or the national highway system, located within this state, 9459
as designated by the director of transportation and approved by 9460
the secretary of transportation of the United States, pursuant to 9461
23 U.S.C.A. 103(b) and (e). 9462

(D) "Erect" means to construct or allow to be constructed, 9463
but it shall not include any activity when performed as an 9464
incident to the change of advertising message or normal 9465
maintenance of a sign or sign structure. 9466

(E) "Maintain" means to preserve, keep in repair, continue, 9467
allow to exist, or restore. 9468

(F) "National policy" means the provisions of 23 U.S.C.A. 131 9469
and the national standards, criteria, and rules promulgated 9470

pursuant to such provisions. 9471

(G) "Primary system" means that portion of the state highway 9472
system or national highway system located within this state as 9473
designated by the director and approved by the secretary of 9474
transportation of the United States, pursuant to 23 U.S.C.A. 9475
103(b). 9476

(H) "Zoned commercial or industrial areas" means those 9477
nonagricultural areas which are reserved for business, commerce, 9478
or trade, pursuant to local zoning laws, regulations, or state 9479
laws. 9480

(I) "Unzoned commercial or industrial area" means an area not 9481
zoned by state or local law, regulation, or ordinance, in which 9482
there is located one or more commercial or industrial activities. 9483
Such area may also include the lands along the highway for a 9484
distance of eight hundred fifty feet immediately adjacent to such 9485
activities. This distance shall be measured from the buildings, 9486
parking lots, storage or processing areas of the activities, and 9487
along or parallel to the near edge of the main traveled way of the 9488
highway. This distance shall not include land on the opposite side 9489
of the highway from such activities, nor land predominantly used 9490
for residential purposes. An area shall be considered 9491
predominately residential if fifty per cent or more of the eight 9492
hundred feet immediately adjacent to the activities contains land 9493
used as residential property. Each side of the highway will be 9494
considered separately in applying this definition. 9495

(J) "Commercial or industrial activities" means those 9496
activities generally recognized as commercial or industrial by 9497
zoning authorities of this state. The following activities shall 9498
not be considered commercial or industrial: 9499

(1) Activities relating to advertising structures; 9500

(2) Agricultural, forestry, ranching, grazing, farming, and 9501

related activities, including, but not limited to, activities	9502
relating to wayside fresh produce stands;	9503
(3) Transient or temporary activities;	9504
(4) Activities not visible from the main traveled way;	9505
(5) Activities located more than six hundred sixty feet from	9506
the nearest edge of the right-of-way;	9507
(6) Activities conducted in a building principally used as a	9508
residence;	9509
(7) Activities relating to railroad tracks and minor sidings;	9510
(8) Activities relating to highways, roads, and streets.	9511
(K) "Directional and official signs and notices" means those	9512
signs and notices that are required or authorized by law and	9513
conform to the rules for such signs and notices as adopted by the	9514
director in accordance with 23 C.F.R. 750.151 to 750.155.	9515
(L) "Nonconforming advertising device" means an advertising	9516
device that was:	9517
(1) Lawfully in existence prior to December 7, 1971;	9518
(2) Lawfully on any highway made a part of the interstate	9519
system or primary highway system on or after December 7, 1971;	9520
(3) Lawfully erected prior to any revision in the law	9521
effective December 7, 1971; or	9522
(4) Lawfully erected but:	9523
(a) No longer in compliance with the provisions of state law	9524
enacted or rules adopted at a later date; or	9525
(b) No longer in compliance with state laws or rules due to	9526
changed conditions, including, but not limited to, zoning changes,	9527
highway relocation, highway reclassification, or changes in	9528
restrictions on sizing, lighting, spacing, or distance of	9529
advertising devices.	9530

Illegally erected or maintained advertising devices are not 9531
nonconforming signs. 9532

(M) "Scenic byway" means any linear transportation corridor 9533
as designated or as may hereafter be so designated by the director 9534
under the Ohio scenic byways program as having outstanding scenic 9535
qualities. 9536

(N) "Director" means the director of the Ohio department of 9537
transportation. 9538

(O) "Commercial or industrial zone" means those areas 9539
established by any state, county, municipal, or other local zoning 9540
authority as being most appropriate for business, commerce, 9541
industry, or trade. Any action taken by a state, county, 9542
municipal, or other local zoning authority that is not part of 9543
comprehensive zoning and is created primarily to permit outdoor 9544
advertising devices shall not be considered a commercial or 9545
industrial zone for purposes of this chapter. 9546

(P) "Last permit holder" includes any of the following: 9547

(1) The most recent holder of the advertising device permit; 9548

(2) A business, cooperative, corporation, enterprise, joint 9549
venture, limited liability company, partnership, sole 9550
proprietorship or subsidiary, the viability of which is dependant 9551
on its relationship with the most recent holder of the advertising 9552
device permit; 9553

(3) Any person or entity that is closely related to or 9554
closely connected with the most recent holder of the advertising 9555
device permit. 9556

(O) "Professional sports facility" means all or a portion of 9557
a stadium, arena, motorsports complex, or other facility, 9558
including all parking facilities, walkways, and other auxiliary 9559
facilities that may be used for or in connection with the sports 9560

facility or its operation, the primary purpose of which is to 9561
provide a site or venue for the presentation to the public of 9562
either of the following: 9563

(1) Events of one or more major or minor league professional 9564
athletic or sports teams that are associated with the state or 9565
with a city or region of the state; 9566

(2) Motorsports events. 9567

Sec. 5516.04. (A) Any advertising device that violates 9568
section 5516.02, 5516.06, ~~or~~ 5516.061, or 5516.062 of the Revised 9569
Code or the rules adopted thereunder, or that is being maintained 9570
without a validly issued permit, is a public and private nuisance, 9571
and shall be removed. Immediately upon discovering the existence 9572
of such a nuisance, the director of transportation shall issue an 9573
order to the owner or lessee of the land on which such advertising 9574
device is located, and to the owner of such advertising device, if 9575
known, to remove the device or to initiate any remedial action 9576
specified in the order, within thirty days of the issuance of the 9577
order. The order shall be in writing and shall be sent by 9578
certified mail. If the owner of the advertising device is unknown, 9579
the director shall make a reasonable attempt to ascertain the 9580
identity of such owner. 9581

If such owner cannot be determined or the certified mail is 9582
not claimed, the director may post a copy of the order in a 9583
conspicuous place on the advertising device. 9584

If removal or remediation is not completed within thirty days 9585
of the date of the order, the director immediately may remove the 9586
sign without further notice or may file for an injunction or other 9587
appropriate relief in a civil action for abatement in the court of 9588
common pleas of the county in which the advertising device is 9589
located. A copy of the complaint shall be served upon the owner or 9590
lessee of the land and the owner of the device, if known, in 9591

accordance with the Rules of Civil Procedure. If certified mail 9592
service, personal service, or residence service of the complaint 9593
is refused, or certified mail service is not claimed and the 9594
director has made a request for ordinary mail service of the 9595
complaint, or has used publication service in accordance with the 9596
Rules of Civil Procedure, then a copy of the complaint shall be 9597
posted in a conspicuous place on the advertising device. 9598

The court in a civil action for abatement shall conduct a 9599
hearing at least twenty-eight days after service of the complaint 9600
on the owner of the advertising device and the owner or lessee of 9601
the land. If the court finds at the hearing that a violation of 9602
sections 5516.02 to 5516.04 of the Revised Code exists as alleged 9603
in the complaint and also finds that the owner of the advertising 9604
device or the owner or lessee of the land has been afforded an 9605
opportunity to abate the nuisance but has refused or failed to do 9606
so, the court may issue an injunction requiring the owner of the 9607
advertising device or the owner or lessee of the land to abate the 9608
nuisance or may issue any other order that it considers necessary 9609
or appropriate to cause the abatement of the public nuisance. If 9610
an injunction is issued pursuant to this section, the owner of the 9611
advertising device or the owner or lessee of the land shall be 9612
given no more than thirty days from the date of the entry of the 9613
court's order to comply with the injunction, unless the court, for 9614
good cause shown, extends the time for compliance. The judge in 9615
any civil action described in this section, or the judge's 9616
successor in office, has continuing jurisdiction to review the 9617
condition of any advertising device that was determined to be a 9618
public nuisance pursuant to this section. 9619

(B) If the department removes an advertising device pursuant 9620
to an order of the director, the cost or expense of such removal 9621
shall be paid by the director out of any appropriation of the 9622
department of transportation available for the establishment, use, 9623

maintenance, or repair of highways, and the amount thereof shall 9624
be certified to the attorney general for collection by civil 9625
action against the device owner or the owner or lessee of the land 9626
on which such advertising device is located. Such owners and 9627
lessees shall be jointly liable for such costs or expenses. 9628

(C) Employees, agents, or independent contractors of the 9629
department of transportation may enter upon private property for 9630
the purpose of removing advertising devices in accordance with 9631
this section, without incurring any liability for so entering. 9632

Sec. 5516.061. No advertising device shall be erected outside 9633
of urban areas ~~between~~ further than six hundred sixty feet ~~and~~ 9634
~~three thousand feet of~~ from the right-of-way of the main traveled 9635
way of a highway on the interstate or primary system if such 9636
device would be visible from such main traveled way, except the 9637
following: 9638

(A) Directional and official signs and notices that conform 9639
to rules adopted by the director of transportation; 9640

(B) Signs advertising the sale or lease of the property upon 9641
which they are located; 9642

(C) Advertising devices indicating the name of the business, 9643
activities, or profession conducted on such property or that 9644
identify the goods produced, sold, or services rendered on such 9645
property and that conform to rules adopted by the director; 9646

(D) Signs lawfully in existence on October 22, 1965, that the 9647
director, subject to the approval of the secretary of the United 9648
States department of transportation, has determined to be landmark 9649
signs, including signs on farm structures or natural surfaces, 9650
which are of historic or artistic significance. 9651

Any advertising device lawfully in existence prior to 9652
November 28, 1975, or lawfully on any highway made a part of the 9653

interstate or primary system on or after that date, the erection 9654
of which would be illegal under this section, is nonconforming, 9655
and may be maintained subject to the permit provisions of section 9656
5516.10 of the Revised Code. An advertising device existing prior 9657
to the effective date of this section which would be illegal under 9658
this section shall be considered a nonconforming advertising 9659
device and may be maintained subject to the permit provisions of 9660
section 5516.10 of the Revised Code. 9661

As used in this section, "urban area" means an urbanized area 9662
or an urban place as designated by the bureau of the census having 9663
a population of five thousand or more, and within boundaries 9664
approved by the United States secretary of transportation. 9665

Sec. 5516.062. (A) No person shall erect, use, maintain, 9666
operate, construct, or cause or permit to be erected, used, 9667
maintained, operated, or constructed any advertising device that 9668
is located both inside an urban area, as defined by section 9669
5516.061 of the Revised Code, and outside the boundaries of a 9670
municipal corporation as such boundaries existed on September 21, 9671
1959, without first obtaining a permit and permit plates from the 9672
director of transportation pursuant to section 5516.10 of the 9673
Revised Code. 9674

(B) An advertising device existing prior to the effective 9675
date of this section which would be illegal under this section 9676
shall be considered a nonconforming advertising device and may be 9677
maintained subject to the permit provisions of section 5516.10 of 9678
the Revised Code. 9679

Sec. 5516.10. (A) No person shall do either of the following 9680
without first obtaining a permit and permit plates from the 9681
director of transportation: 9682

(1) Erect, use, maintain, operate, construct, or cause or 9683

permit to be erected, used, maintained, operated, or constructed, 9684
any advertising device located in either of the following: 9685

(a) Commercial or industrial zones traversed by segments of 9686
the interstate system within the boundaries of a municipal 9687
corporation as such boundaries existed on September 21, 1959; 9688

(b) Zoned or unzoned industrial or commercial areas adjacent 9689
to highways on the primary system. 9690

(2) Maintain any nonconforming advertising device. 9691

(B) Applications for such a permit shall be made on forms 9692
prescribed by the director, and a separate application shall be 9693
submitted for each sign face. The director shall adopt rules 9694
setting forth the requirements for completion of the application 9695
process and the issuance of permits consistent with this section. 9696

(1) As part of the application process, the director may 9697
require an acknowledgment to be signed by the owner or person in 9698
lawful possession or control of the proposed location of the 9699
advertising device. Such acknowledgment may include, but shall not 9700
be limited to, a statement that the applicant has the right to 9701
occupy the land at the subject location, that if at any time 9702
removal is required, the owner or person in lawful possession or 9703
control of the location may be jointly liable, and that the 9704
applicant may only occupy the land for a specified time period. If 9705
legal use of the location is terminated at any time during the 9706
permit period, the permit is subject to cancellation pursuant to 9707
section 5516.12 of the Revised Code. 9708

(2) As part of the application process, the director may 9709
require an applicant or the applicant's authorized representative 9710
to certify in a notarized signed statement that the applicant has 9711
not knowingly provided materially false, misleading, or inaccurate 9712
information. 9713

(3) Each application shall be accompanied by the appropriate 9714

application fee as set forth in the fee schedule established by 9715
the director. Such fee schedule shall be based on the reasonable 9716
cost of administering and processing such permits. Application 9717
fees shall be nonrefundable. 9718

(4) Applications for permits shall be disapproved and permits 9719
shall not be issued under any of the following conditions: 9720

(a) The proposed location for an advertising device is not 9721
visible from the main traveled portion of the highway due to 9722
existing landscaping on the right-of-way of any highway. 9723

(b) The advertising device can be erected or maintained only 9724
from the right-of-way of an interstate or primary highway system. 9725

(c) The proposed location for the advertising device is on 9726
land that is used principally as a residence. 9727

(d) The advertising device is erected or maintained on trees, 9728
or painted or drawn upon rocks or other natural features. 9729

(e) The advertising device would be a traffic hazard or a 9730
danger to the safety of the traveling public. 9731

(f) The advertising device would prevent the driver of a 9732
motor vehicle from having a clear and unobstructed view of 9733
official signs and approaching or merging traffic. 9734

(g) The advertising device is illuminated so as to interfere 9735
with the effectiveness of an official sign, signal, or other 9736
traffic control device. 9737

(h) The advertising device attempts, or appears to attempt, 9738
to direct the movement of traffic, or interferes with, imitates, 9739
or resembles an official sign, signal, or other traffic control 9740
device. 9741

(C) The issuance of a permit under this section shall not be 9742
construed to invalidate municipal ordinances requiring a permit or 9743
license or providing for an inspection fee for advertising 9744

devices, or regulating such advertising devices. The cost of the 9745
application fee for such permits or licenses issued, or the cost 9746
of initial inspection fees charged under municipal ordinances 9747
shall be credited against and shall reduce the cost of the permit 9748
issued by the director under this section. If a permit is issued 9749
by a zoning authority pursuant to its ordinances, rules, or 9750
regulations controlling outdoor advertising devices, a copy 9751
thereof shall be furnished to the director with any application 9752
for a new permit required by this section or within thirty days of 9753
its issuance by a zoning authority. 9754

(D) Where an application is submitted for the erection, use, 9755
maintenance, operation, or construction of an advertising device, 9756
the director may conditionally approve such application as to 9757
location only, and final approval shall remain pending until the 9758
advertising device is erected, used, maintained, or constructed or 9759
becomes operational. Upon notification by the permit applicant 9760
that the erection, use, maintenance, construction, or operation of 9761
the advertising device is completed, the director shall verify 9762
that the advertising device complies with the terms and conditions 9763
of the conditional permit. Upon verification of compliance with 9764
the terms and conditions of the conditional permit, the director 9765
may approve and issue a permit and permit plates, which shall be 9766
securely and permanently attached in the corner of the face of the 9767
advertising device nearest to the highway in such a manner as to 9768
be visible from the main traveled way of the interstate or primary 9769
highway system. Replacement plates may be issued upon request and 9770
upon the payment of a replacement fee to be determined by the 9771
director. 9772

(E) All permits issued pursuant to this section shall be in 9773
effect for a period of two years. Permits may be renewed upon 9774
application made on forms designated by the director and upon the 9775
payment of a nonrefundable renewal fee in an amount to be 9776

determined by the director based on the reasonable cost of 9777
administering and processing such renewal permits. Any permits 9778
that are not renewed, and any permit plates issued in connection 9779
with such permits, shall be returned to the director for 9780
cancellation by the expiration date. The director may adopt rules 9781
for the reinstatement of permits canceled as a result of 9782
nonpayment of renewal fees, and shall develop a fee schedule for 9783
late renewals. 9784

(F)(1) Where the director conditionally approves the issuance 9785
of a permit as to location only and the permit applicant fails to 9786
~~exercise the privilege of constructing, erecting, using,~~ 9787
~~operating, or maintaining~~ construct, erect, use, operate, or 9788
maintain an advertising device within the period for which the 9789
permit was issued, such permit shall not be renewed unless a 9790
renewal fee is paid to extend the privilege for one additional 9791
permit period. No conditional permit shall be renewed and no 9792
extensions shall be granted after the second renewal period. 9793

(2) A last permit holder's application for a permit shall not 9794
be accepted until a permit issued pursuant to division (F)(1) of 9795
this section has expired for a period of six months, commencing 9796
from the expiration date, for any of the following locations: 9797

(a) The expired location; 9798

(b) A location within five hundred feet of the expired 9799
location on an interstate highway, a primary highway outside a 9800
municipal corporation, or a freeway inside a municipal 9801
corporation; 9802

(c) A location within two hundred fifty feet of the expired 9803
location on any other primary highway inside a municipal 9804
corporation. 9805

The director shall process written applications in the order 9806
in which they are received. 9807

(G) Permits for advertising devices erected and maintained 9808
with a valid permit issued before July 1, 1997, may be renewed 9809
unless the director finds that the permit application contains 9810
materially false, misleading, or inaccurate information or the 9811
sign has been erected or maintained contrary to this chapter or 9812
the rules adopted thereunder, and in such event the director may 9813
take appropriate action pursuant to section 5516.12 of the Revised 9814
Code. An applicant who has a conditional permit issued by the 9815
director before June 30, 1997, and who has not yet exercised the 9816
privilege of constructing, using, operating, erecting, or 9817
maintaining an advertising device at the proposed location as of 9818
that date, shall have until December 31, 1997, to comply with the 9819
terms and conditions of the conditional permit or such permit 9820
shall be canceled. However, the applicant may request that the 9821
conditional permit be renewed by submitting a renewal application 9822
and paying a nonrefundable renewal fee to extend the privilege for 9823
one additional permit period. 9824

(H) Permits may be transferred from one sign owner to another 9825
upon written acknowledgment from the current permittee and the 9826
payment of a transfer fee in an amount to be determined by the 9827
director for each permit to be transferred. The new permit holder 9828
is subject to all the terms and conditions of the prior permit 9829
holder and shall be subject to this chapter and the rules adopted 9830
thereunder. 9831

(I) No person shall submit an application for an advertising 9832
device permit where the proposed location is adjacent to a 9833
proposed project on the interstate or primary system and the 9834
proposed location for the device would be illegal under this 9835
chapter upon completion of the project. 9836

(J) Any permit issued by the director under this chapter or 9837
the rules adopted under it, is the property of the permit holder. 9838
Upon the sale of an advertising device, a permit issued under this 9839

section continues in effect for the period established under 9840
division (E) of this section. 9841

Sec. 5577.042. (A) As used in this section: 9842

(1) "Farm machinery" has the same meaning as in section 9843
4501.01 of the Revised Code. 9844

(2) "Farm commodities" includes livestock, bulk milk, corn, 9845
soybeans, tobacco, and wheat. 9846

(3) "Farm truck" means a truck used in the transportation 9847
from a farm of farm commodities when the truck is operated in 9848
accordance with this section. 9849

(4) "Log truck" means a truck used in the transportation of 9850
timber from the site of its cutting when the truck is operated in 9851
accordance with this section. 9852

(5) "Coal truck" means a truck transporting coal from the 9853
site where it is mined when the truck is operated in accordance 9854
with this section. 9855

(6) "Solid waste" has the same meaning as in section 3734.01 9856
of the Revised Code. 9857

(7) "Solid waste haul vehicle" means a vehicle hauling solid 9858
waste for which a bill of lading has not been issued. 9859

(B) Notwithstanding sections 5577.02 and 5577.04 of the 9860
Revised Code, a coal truck transporting coal, a farm truck or farm 9861
machinery transporting farm commodities, ~~or~~ a log truck 9862
transporting timber, or a solid waste haul vehicle hauling solid 9863
waste, from the place of production to the first point of delivery 9864
where the commodities are weighed and title to the commodities, 9865
coal, or timber is transferred, or, in the case of solid waste, 9866
from the place of production to the first point of delivery where 9867
the solid waste is disposed of or title to the solid waste is 9868
transferred, may exceed by no more than seven and one-half per 9869

cent the weight provisions of sections 5577.01 to 5577.09 of the Revised Code and no penalty prescribed in section 5577.99 of the Revised Code shall be imposed. If a coal truck so transporting coal, a farm truck or farm machinery so transporting commodities, ~~or~~ a timber truck so transporting timber, or a solid waste haul vehicle hauling solid waste, exceeds by more than seven and one-half per cent the weight provisions of those sections, both of the following apply without regard to the seven and one-half per cent allowance provided by this division:

(1) The applicable penalty prescribed in section 5577.99 of the Revised Code;

(2) The civil liability imposed by section 5577.12 of the Revised Code.

(C)(1) Division (B) of this section does not apply to the operation of a farm truck, log truck, or farm machinery transporting farm commodities during the months of February and March.

(2) Regardless of when the operation occurs, division (B) of this section does not apply to the operation of a coal truck, a farm truck, a log truck, a solid waste haul vehicle, or farm machinery transporting farm commodities on either of the following:

(a) A highway that is part of the interstate system;

(b) A highway, road, or bridge that is subject to reduced maximum weights under section 4513.33, 5577.07, 5577.071, 5577.08, 5577.09, or 5591.42 of the Revised Code.

Sec. 5577.05. (A) No vehicle shall be operated upon the public highways, streets, bridges, and culverts within the state, whose dimensions exceed those specified in this section.

~~(A)~~(B) No such vehicle shall have a width in excess of:

(1) One hundred four inches for passenger bus type vehicles 9900
operated exclusively within municipal corporations; 9901

(2) One hundred two inches, excluding such safety devices as 9902
are required by law, for passenger bus type vehicles operated over 9903
freeways, and such other state roads with minimum pavement widths 9904
of twenty-two feet, except those roads or portions thereof over 9905
which operation of one hundred two-inch buses is prohibited by 9906
order of the director of transportation; 9907

(3) One hundred thirty-two inches for traction engines; 9908

(4) One hundred two inches for recreational vehicles, 9909
excluding safety devices and retracted awnings and other 9910
appurtenances of six inches or less in width and except that the 9911
director may prohibit the operation of one hundred two inch 9912
recreational vehicles on designated state highways or portions of 9913
highways; 9914

(5) One hundred two inches, including load, for all other 9915
vehicles, except that the director may prohibit the operation of 9916
one hundred two-inch vehicles on such state highways or portions 9917
thereof as the director designates. 9918

~~(B)~~(C) No such vehicle shall have a length in excess of: 9919

(1) ~~Sixty~~ Sixty-six feet for passenger bus type vehicles and 9920
articulated passenger bus type vehicles operated by a regional 9921
transit authority pursuant to sections 306.30 to 306.54 of the 9922
Revised Code; 9923

(2) ~~Forty~~ Forty-five feet for all other passenger bus type 9924
vehicles; 9925

(3) Fifty-three feet for any semitrailer when operated in a 9926
commercial tractor-semitrailer combination, with or without load, 9927
except that the director may prohibit the operation of any such 9928
commercial tractor-semitrailer combination on such state highways 9929

or portions thereof as the director designates. 9930

(4) Twenty-eight and one-half feet for any semitrailer or 9931
trailer when operated in a commercial tractor-semitrailer-trailer 9932
or commercial tractor-semitrailer-semitrailer combination, except 9933
that the director may prohibit the operation of any such 9934
commercial tractor-semitrailer-trailer or commercial 9935
tractor-semitrailer-semitrailer combination on such state highways 9936
or portions thereof as the director designates; 9937

(5) Seventy-five feet for drive-away saddlemount vehicle 9938
transporter combinations and drive-away saddlemount with fullmount 9939
vehicle transporter combinations, not to exceed three 9940
saddlemounted vehicles, but which may include one fullmount. 9941

(6) Sixty-five feet for any other combination of vehicles 9942
coupled together, with or without load, except as provided in 9943
divisions ~~(B)~~(C)(3) and (4), and in division ~~(D)~~(E) of this 9944
section; 9945

(7) Forty-five feet for recreational vehicles; 9946

(8) Forty feet for all other vehicles except trailers and 9947
semitrailers, with or without load. 9948

~~(C)~~(D) No such vehicle shall have a height in excess of 9949
thirteen feet six inches, with or without load. 9950

~~(D)~~(E) An automobile transporter or boat transporter shall be 9951
allowed a length of sixty-five feet and a stinger-steered 9952
automobile transporter or stinger-steered boat transporter shall 9953
be allowed a length of seventy-five feet, except that the load 9954
thereon may extend no more than four feet beyond the rear of such 9955
vehicles and may extend no more than three feet beyond the front 9956
of such vehicles, and except further that the director may 9957
prohibit the operation of a stinger-steered automobile 9958
transporter, stinger-steered boat transporter, or a B-train 9959
assembly on any state highway or portion thereof that the director 9960

designates. 9961

(F) The widths prescribed in division (B) of this section shall not include side mirrors, turn signal lamps, marker lamps, handholds for cab entry and egress, flexible fender extensions, mud flaps, splash and spray suppressant devices, and load-induced tire bulge. 9962
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The width prescribed in division ~~(A)~~(B)(5) of this section shall not include automatic covering devices ~~used by a vehicle hauling solid waste, tarp and tarp hardware, and tiedown assemblies, provided these safety devices do not extend more than three inches from each side of the vehicle.~~ 9967
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The lengths prescribed in divisions ~~(B)~~(C)(2) to (7) of this section shall not include safety devices, bumpers attached to the front or rear of such bus or combination, B-train assembly used between the first and second semitrailer of a commercial tractor-semitrailer-semitrailer combination, energy conservation devices as provided in any regulations adopted by the secretary of the United States department of transportation, or any noncargo-carrying refrigeration equipment attached to the front of trailers and semitrailers. In special cases, vehicles whose dimensions exceed those prescribed by this section may operate in accordance with rules adopted by the director. 9972
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~~(E)~~(G) This section does not apply to fire engines, fire trucks, or other vehicles or apparatus belonging to any municipal corporation or to the volunteer fire department of any municipal corporation or used by such department in the discharge of its functions. This section does not apply to vehicles and pole trailers used in the transportation of wooden and metal poles, nor to the transportation of pipes or well-drilling equipment, nor to farm machinery and equipment. The owner or operator of any vehicle, machinery, or equipment not specifically enumerated in this section but the dimensions of which exceed the dimensions 9983
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provided by this section, when operating the same on the highways 9993
and streets of this state, shall comply with the rules of the 9994
director governing such movement, which the director may adopt. 9995
Sections 119.01 to 119.13 of the Revised Code apply to any rules 9996
the director adopts under this section, or the amendment or 9997
rescission thereof, and any person adversely affected shall have 9998
the same right of appeal as provided in those sections. 9999

This section does not require the state, a municipal 10000
corporation, county, township, or any railroad or other private 10001
corporation to provide sufficient vertical clearance to permit the 10002
operation of such vehicle, or to make any changes in or about 10003
existing structures now crossing streets, roads, and other public 10004
thoroughfares in this state. 10005

~~(F)~~(H) As used in this section, "recreational vehicle" has 10006
the same meaning as in section 4501.01 of the Revised Code. 10007

Sec. 5577.15. (A) The size and weight provisions of this 10008
chapter do not apply to a person who is engaged in the initial 10009
towing or removal of a wrecked or disabled motor vehicle from the 10010
site of an emergency on a public highway where the vehicle became 10011
wrecked or disabled to the nearest site where the vehicle can be 10012
brought into conformance with the requirements of this chapter or 10013
to the nearest qualified repair facility. 10014

(B) Any subsequent towing of a wrecked or disabled vehicle 10015
shall comply with the size and weight provisions of this chapter. 10016

(C) No court shall impose any penalty prescribed in section 10017
5577.99 of the Revised Code or the civil liability established in 10018
section 5577.12 of the Revised Code upon a person towing or 10019
removing a vehicle in the manner described in division (A) of this 10020
section. 10021

Sec. 5577.99. (A) Whoever violates the weight provisions of 10022

sections 5577.01 to 5577.07 or the weight provisions in regard to 10023
highways under section 5577.04 of the Revised Code shall be fined 10024
eighty dollars for the first two thousand pounds, or fraction 10025
thereof, of overload; for overloads in excess of two thousand 10026
pounds, but not in excess of five thousand pounds, such person 10027
shall be fined one hundred dollars, and in addition thereto one 10028
dollar per one hundred pounds of overload; for overloads in excess 10029
of five thousand pounds, but not in excess of ten thousand pounds, 10030
such person shall be fined one hundred thirty dollars and in 10031
addition thereto two dollars per one hundred pounds of overload, 10032
or imprisoned not more than thirty days, or both. For all 10033
overloads in excess of ten thousand pounds such person shall be 10034
fined one hundred sixty dollars, and in addition thereto three 10035
dollars per one hundred pounds of overload, or imprisoned not more 10036
than thirty days, or both. Whoever violates the weight provisions 10037
of vehicle and load relating to gross load limits shall be fined 10038
not less than one hundred dollars. No penalty prescribed in this 10039
division shall be imposed on any vehicle combination if the 10040
overload on any axle does not exceed one thousand pounds, and if 10041
the immediately preceding or following axle, excepting the front 10042
axle of the vehicle combination, is underloaded by the same or a 10043
greater amount. For purposes of this division, two axles on one 10044
vehicle less than eight feet apart, shall be considered as one 10045
axle. 10046

(B) Whoever violates the weight provisions of section 10047
5571.071 or 5577.08 or the weight provisions in regard to bridges 10048
under section 5577.09, and whoever exceeds the carrying capacity 10049
specified under section 5591.42 of the Revised Code, shall be 10050
fined eighty dollars for the first two thousand pounds, or 10051
fraction thereof, of overload; for overloads in excess of two 10052
thousand pounds, but not in excess of five thousand pounds, the 10053
person shall be fined one hundred dollars, and in addition thereto 10054
one dollar per one hundred pounds of overload; for overloads in 10055

excess of five thousand pounds, but not in excess of ten thousand 10056
pounds, the person shall be fined one hundred thirty dollars, and 10057
in addition thereto two dollars per one hundred pounds of 10058
overload, or imprisoned not more than thirty days, or both. For 10059
all overloads in excess of ten thousand pounds, the person shall 10060
be fined one hundred sixty dollars, and in addition thereto three 10061
dollars per one hundred pounds of overload, or imprisoned not more 10062
than thirty days, or both. 10063

Notwithstanding any other provision of the Revised Code that 10064
specifies a procedure for the distribution of fines, all fines 10065
collected pursuant to this section shall be paid into the treasury 10066
of the county and credited to any fund for the maintenance and 10067
repair of roads, highways, bridges, or culverts. 10068

(C) Whoever violates any other provision of sections 5577.01 10069
to 5577.09 of the Revised Code ~~shall be fined not more than~~ 10070
~~twenty five dollars for~~ is guilty of a minor misdemeanor on a 10071
~~first offense; for a second offense within one year thereafter,~~ 10072
~~such person shall be fined not less than ten nor more than one~~ 10073
~~hundred dollars, or imprisoned not more than ten days, or both;~~ 10074
~~for~~ on a second or subsequent offense within one year after the 10075
~~first offense, such person shall be fined not less than~~ 10076
~~twenty five nor more than two hundred dollars, or imprisoned not~~ 10077
~~more than thirty days, or both~~ is guilty of a misdemeanor of the 10078
fourth degree. 10079

(D) Whoever violates section 5577.10 of the Revised Code 10080
shall be fined not more than five thousand dollars or imprisoned 10081
for not less than thirty days nor more than six months, or both. 10082

(E) Whoever violates section 5577.11 of the Revised Code 10083
shall be fined not more than twenty-five dollars. 10084

Section 2. That existing sections 109.801, 121.08, 306.351, 10085
307.05, 307.055, 307.86, 1548.08, 1548.09, 1548.11, 1548.13, 10086

1548.141, 1548.20, 2935.27, 2937.221, 3937.41, 3937.43, 3937.45, 10087
4501.01, 4501.02, 4501.021, 4501.11, 4503.01, 4503.03, 4503.034, 10088
4503.04, 4503.041, 4503.042, 4503.10, 4503.12, 4503.13, 4503.182, 10089
4503.231, 4503.24, 4503.44, 4504.01, 4505.032, 4505.06, 4505.07, 10090
4505.08, 4505.09, 4505.10, 4505.11, 4505.13, 4505.141, 4506.01, 10091
4506.08, 4506.09, 4506.11, 4506.12, 4507.13, 4507.141, 4507.19, 10092
4507.20, 4507.50, 4507.51, 4507.53, 4507.99, 4509.05, 4509.101, 10093
4509.79, 4510.10, 4510.22, 4510.31, 4510.43, 4511.01, 4513.61, 10094
4513.63, 4517.01, 4517.03, 4517.10, 4517.14, 4519.03, 4519.05, 10095
4519.56, 4519.57, 4519.58, 4519.61, 4519.631, 4519.68, 4738.05, 10096
4738.18, 4749.02, 4749.03, 4749.04, 4749.05, 4749.06, 4749.07, 10097
4749.08, 4749.10, 4749.11, 4749.12, 4749.13, 4749.14, 4905.06, 10098
4919.79, 4923.20, 5502.01, 5502.11, 5503.34, 5505.16, 5516.01, 10099
5516.04, 5516.061, 5516.10, 5577.042, 5577.05, and 5577.99 of the 10100
Revised Code are hereby repealed. 10101

Section 3. Notwithstanding the amendments to sections 4517.10 10102
and 4738.05 of the Revised Code contained in Section 1 of this 10103
act, when the Registrar of Motor Vehicles first renews the 10104
licenses for motor vehicle dealers, motor vehicle leasing dealers, 10105
manufactured home brokers, distributors, motor vehicle auction 10106
owners, motor vehicle salespersons, motor vehicle salvage dealers, 10107
salvage motor vehicle auctions, and salvage motor vehicle pools, 10108
following the effective date of this act, the Registrar may renew 10109
some of those licenses for one year and others for two years. In 10110
the case of those licenses that the Registrar specifies be renewed 10111
for one year, the fee that was applicable to that particular 10112
license prior to the effective date of this act shall apply. In 10113
the case of those licenses that the Registrar specifies be renewed 10114
for two years, the fee that is specified in section 4517.10 of the 10115
Revised Code as amended by this act shall apply. Thereafter, all 10116
such licenses shall be issued and renewed in accordance with 10117

applicable law. 10118

Section 4. That Sections 29 and 85 of Am. Sub. H.B. 95 of the 10119
125th General Assembly be amended to read as follows: 10120

Sec. 29. COM DEPARTMENT OF COMMERCE 10121

General Revenue Fund 10122

GRF 800-402 Grants-Volunteer Fire \$ 647,953 \$ 647,953 10123

Departments

GRF 800-410 Labor and Worker \$ 3,700,040 \$ 3,725,040 10124

Safety

Total GRF General Revenue Fund \$ 4,347,993 \$ 4,372,993 10125

General Services Fund Group 10126

163 800-620 Division of \$ 3,385,803 \$ 3,490,056 10127

Administration

163 800-637 Information Technology \$ 2,753,299 \$ 2,772,924 10128

5F1 800-635 Small Government Fire \$ 250,000 \$ 250,000 10129

Departments

TOTAL GSF General Services Fund 10130

Group \$ 6,389,102 \$ 6,512,980 10131

Federal Special Revenue Fund Group 10132

348 800-622 Underground Storage \$ 195,008 \$ 195,008 10133

Tanks

348 800-624 Leaking Underground \$ 1,850,000 \$ 1,850,000 10134

Storage Tanks

349 800-626 OSHA Enforcement \$ 1,527,750 \$ 1,604,140 10135

TOTAL FED Federal Special Revenue 10136

Fund Group \$ 3,572,758 \$ 3,649,148 10137

State Special Revenue Fund Group 10138

4B2 800-631 Real Estate Appraisal \$ 60,000 \$ 60,000 10139

Recovery

4H9 800-608 Cemeteries \$ 273,465 \$ 273,465 10140

4L5 800-609	Fireworks Training and Education	\$	10,976	\$	10,976	10141
4X2 800-619	Financial Institutions	\$	2,020,798	\$	2,200,843	10142
5B9 800-632	PI & Security Guard Provider	\$	1,188,716	\$	1,188,716 0	10143 10144
5K7 800-621	Penalty Enforcement	\$	50,000	\$	50,000	10145
543 800-602	Unclaimed Funds-Operating	\$	7,051,051	\$	7,051,051	10146
543 800-625	Unclaimed Funds-Claims	\$	25,512,867	\$	25,512,867	10147
544 800-612	Banks	\$	6,657,997	\$	6,657,997	10148
545 800-613	Savings Institutions	\$	2,765,618	\$	2,894,330	10149
546 800-610	Fire Marshal	\$	7,855,076	\$	11,787,994	10150
547 800-603	Real Estate Education/Research	\$	250,000	\$	250,000	10151
548 800-611	Real Estate Recovery	\$	100,000	\$	100,000	10152
549 800-614	Real Estate	\$	3,586,754	\$	3,705,892	10153
550 800-617	Securities	\$	4,600,000	\$	4,800,000	10154
552 800-604	Credit Union	\$	2,613,356	\$	2,751,852	10155
553 800-607	Consumer Finance	\$	3,764,279	\$	3,735,445	10156
556 800-615	Industrial Compliance	\$	24,627,687	\$	25,037,257	10157
6A4 800-630	Real Estate Appraiser-Operating	\$	658,506	\$	664,006	10158
653 800-629	UST Registration/Permit Fee	\$	1,353,632	\$	1,249,632	10159
TOTAL SSR State Special Revenue						10160
Fund Group		\$	95,000,778	\$	99,982,323 <u>98,793,607</u>	10161 10162
Liquor Control Fund Group						10163
043 800-601	Merchandising	\$	341,079,554	\$	353,892,432	10164
043 800-627	Liquor Control Operating	\$	17,248,488	\$	15,981,346	10165
043 800-633	Economic Development Debt Service	\$	23,277,500	\$	29,029,500	10166

043 800-636 Revitalization Debt	\$	4,747,800	\$	9,736,300	10167
Service					
TOTAL LCF Liquor Control					10168
Fund Group	\$	386,353,342	\$	408,639,578	10169
TOTAL ALL BUDGET FUND GROUPS	\$	495,663,973	\$	523,157,022	10170
				<u>521,968,306</u>	10171

GRANTS-VOLUNTEER FIRE DEPARTMENTS 10172

The foregoing appropriation item 800-402, Grants-Volunteer 10173
 Fire Departments, shall be used to make annual grants to volunteer 10174
 fire departments of up to \$10,000, or up to \$25,000 if the 10175
 volunteer fire department provides service for an area affected by 10176
 a natural disaster. The grant program shall be administered by the 10177
 Fire Marshal under the Department of Commerce. The Fire Marshal 10178
 shall adopt rules necessary for the administration and operation 10179
 of the grant program. 10180

SMALL GOVERNMENT FIRE DEPARTMENTS 10181

Upon the request of the Director of Commerce, the Director of 10182
 Budget and Management shall transfer \$250,000 cash in each fiscal 10183
 year from the State Fire Marshal Fund (Fund 546) within the State 10184
 Special Revenue Fund Group to the Small Government Fire 10185
 Departments Fund (Fund 5F1) within the General Services Fund 10186
 Group. 10187

Notwithstanding section 3737.17 of the Revised Code, the 10188
 foregoing appropriation item 800-635, Small Government Fire 10189
 Departments, may be used to provide loans to private fire 10190
 departments. 10191

LABOR AND WORKER SAFETY 10192

The Department of Commerce may designate a portion of 10193
 appropriation item 800-410, Labor and Worker Safety, to be used to 10194
 match federal funding for the OSHA on-site consultation program. 10195

PENALTY ENFORCEMENT 10196

The foregoing appropriation item 800-621, Penalty Enforcement, shall be used to enforce sections 4115.03 to 4115.16 of the Revised Code.	10197 10198 10199
UNCLAIMED FUNDS PAYMENTS	10200
The foregoing appropriation item 800-625, Unclaimed Funds-Claims, shall be used to pay claims pursuant to section 169.08 of the Revised Code. If it is determined that additional amounts are necessary, the amounts are hereby appropriated.	10201 10202 10203 10204
BANKS FUND (FUND 544) TRANSFER TO THE GRF	10205
On July 31, 2003, or as soon as possible thereafter, the Director of Budget and Management may transfer up to \$2,000,000 cash from the Banks Fund (Fund 544) to the General Revenue Fund.	10206 10207 10208
FIRE MARSHAL FUND (FUND 546) TRANSFER TO THE GRF	10209
On July 31, 2003, or as soon as possible thereafter, the Director of Budget and Management may transfer up to \$10,000,000 cash from the Fire Marshal Fund (Fund 546) to the General Revenue Fund.	10210 10211 10212 10213
REAL ESTATE FUND (FUND 549) TRANSFER TO THE GRF	10214
On July 31, 2003, or as soon as possible thereafter, the Director of Budget and Management may transfer up to \$1,000,000 cash from the Real Estate Fund (Fund 549) to the General Revenue Fund.	10215 10216 10217 10218
INDUSTRIAL COMPLIANCE FUND (FUND 556) TRANSFER TO THE GRF	10219
On July 31, 2003, or as soon as possible thereafter, the Director of Budget and Management may transfer up to \$1,000,000 cash from the Industrial Compliance Fund (Fund 556), to the General Revenue Fund.	10220 10221 10222 10223
INCREASED APPROPRIATION AUTHORITY - MERCHANDISING	10224
The foregoing appropriation item 800-601, Merchandising,	10225

shall be used pursuant to section 4301.12 of the Revised Code. If 10226
it is determined that additional amounts are necessary, the 10227
amounts are hereby appropriated. 10228

ECONOMIC DEVELOPMENT DEBT SERVICE 10229

The foregoing appropriation item 800-633, Economic 10230
Development Debt Service, shall be used to meet all payments at 10231
the times they are required to be made during the period from July 10232
1, 2003, to June 30, 2005, for bond service charges on obligations 10233
issued under Chapter 166. of the Revised Code. If it is determined 10234
that additional appropriations are necessary for this purpose, 10235
such amounts are hereby appropriated, subject to the limitations 10236
set forth in section 166.11 of the Revised Code. The General 10237
Assembly acknowledges that an appropriation for this purpose is 10238
not required, but is made in this form and in this act for record 10239
purposes only. 10240

REVITALIZATION DEBT SERVICE 10241

The foregoing appropriation item 800-636, Revitalization Debt 10242
Service, shall be used to pay debt service and related financing 10243
costs under sections 151.01 and 151.40 of the Revised Code during 10244
the period from July 1, 2003, to June 30, 2005. If it is 10245
determined that additional appropriations are necessary for this 10246
purpose, such amounts are hereby appropriated. The General 10247
Assembly acknowledges the priority of the pledge of a portion of 10248
receipts from that source to obligations issued and to be issued 10249
under Chapter 166. of the Revised Code. 10250

ADMINISTRATIVE ASSESSMENTS 10251

Notwithstanding any other provision of law to the contrary, 10252
Fund 163, Division of Administration, shall receive assessments 10253
from all operating funds of the department in accordance with 10254
procedures prescribed by the Director of Commerce and approved by 10255
the Director of Budget and Management. 10256

Sec. 85. DHS DEPARTMENT OF PUBLIC SAFETY				10257
General Revenue Fund				10258
GRF 763-403 Operating Expenses -	\$	4,058,188	\$ 4,058,188	10259
EMA				
GRF 763-507 Individual and	\$	48,750	\$ 48,750	10260
Households Grants				
GRF 769-321 Food Stamp Trafficking	\$	800,000	\$ 800,000	10261
Enforcement Operations				
TOTAL GRF General Revenue Fund	\$	4,906,938	\$ 4,906,938	10262
<u>State Special Revenue Fund Group</u>				10263
<u>5B9 766-632 PI & Security Guard</u>	\$	0	\$ <u>1,188,716</u>	10264
<u>Provider</u>				
<u>TOTAL SSR State Special Revenue</u>	\$	0	\$ <u>1,188,716</u>	10265
<u>Fund Group</u>				
TOTAL ALL BUDGET FUND GROUPS	\$	4,906,938	\$ 4,906,938	10266
			<u>6,095,654</u>	10267
OHIO TASK FORCE ONE - URBAN SEARCH AND RESCUE UNIT				10268
Of the foregoing appropriation item 763-403, Operating				10269
Expenses - EMA, \$200,000 in each fiscal year shall be used to fund				10270
the Ohio Task Force One - Urban Search and Rescue Unit and other				10271
urban search and rescue programs around the state to create a				10272
stronger search and rescue capability statewide.				10273
INDIVIDUAL AND HOUSEHOLDS GRANTS STATE MATCH				10274
The foregoing appropriation item 763-507, Individual and				10275
Households Grants, shall be used to fund the state share of costs				10276
to provide grants to individuals and households in cases of				10277
disaster.				10278
<u>PI & SECURITY GUARD PROVIDER FUND</u>				10279
<u>On July 1, 2004, the PI & Security Guard Provider Fund (Fund</u>				10280
<u>5B9) shall be transferred from the Department of Commerce to the</u>				10281

Department of Public Safety. At the request of the Director of 10282
Commerce, the Director of Budget and Management may cancel 10283
encumbrances in these funds from the Department of Commerce's 10284
appropriation item 800-632, PI & Security Guard Provider, and 10285
reestablish such encumbrances or parts of encumbrances in fiscal 10286
year 2005 for the same purpose and to the same vendor in the 10287
Department of Public Safety's appropriation item 766-632, PI & 10288
Security Guard Provider. As determined by the Director of Budget 10289
and Management, the appropriation authority necessary to 10290
re-establish such encumbrances or parts of encumbrances in fiscal 10291
year 2005 for the Department of Public Safety is hereby granted. 10292

PI & SECURITY GUARD TRANSFER FROM COMMERCE TO PUBLIC SAFETY 10293

Notwithstanding any provision of law to the contrary, the 10294
Director of Budget and Management is authorized to take the 10295
actions described in this section. This section applies to budget 10296
changes made necessary by administrative reorganization, program 10297
transfers, the creation of new funds, and the consolidation of 10298
funds as authorized by this act. The Director of Budget and 10299
Management may make any transfers of cash balances between funds. 10300
At the request of the Office of Budget and Management, the 10301
administering agency head shall certify to the Director the amount 10302
or an estimate of the amount of the cash balance to be transferred 10303
to the receiving fund. The Director may transfer the amount or the 10304
estimate of the amount when needed to make payments. Not more than 10305
thirty days after certifying the estimated amount the 10306
administering agency head shall certify the final amount to the 10307
Director. The Director shall transfer the difference between any 10308
estimated amount previously transferred and the certified final 10309
amount. 10310

Any fiscal year 2004 unencumbered or unallotted appropriation 10311
balances may be transferred to the appropriate appropriation item 10312
to be used for the same purposes, as determined by the Director of 10313

Budget and Management. 10314

On July 1, 2004, the licensing and enforcement functions of 10315
the Department of Commerce, Division of Real Estate and 10316
Professional Licensing conducted pursuant to Chapter 4749. of the 10317
Revised Code and the assets, liabilities, any capital spending 10318
authority related thereto, equipment, and records, regardless of 10319
form or medium, relating to those functions are transferred to the 10320
Department of Public Safety. The Department of Public Safety 10321
thereupon assumes these functions. 10322

Any business commenced but not completed by the Director or 10323
Department of Commerce, Division of Real Estate and Professional 10324
Licensing pursuant to Chapter 4749. of the Revised Code on the 10325
effective date of this section relating to the functions 10326
transferred under this section shall be completed by the Director 10327
or Department of Public Safety in the same manner, and with the 10328
same effect, as if completed by the Director or Department of 10329
Commerce, Division of Real Estate and Professional Licensing. No 10330
validation, cure, right, privilege, remedy, obligation, or 10331
liability is lost or impaired by reason of the transfer of 10332
functions required by this section and shall be administered by 10333
the Department of Public Safety. All of the rules, orders, and 10334
determinations enacted or adopted by the Department of Commerce, 10335
Division of Real Estate and Professional Licensing relating to the 10336
transfer of these functions continue in effect as rules, orders, 10337
and determinations of the Department of Public Safety until 10338
modified or rescinded by the Department of Public Safety. If 10339
necessary to ensure the integrity of the numbering of the 10340
Administrative Code, the Director of the Legislative Service 10341
Commission shall renumber the rules of the Department of Commerce, 10342
Division of Real Estate and Professional Licensing enacted or 10343
adopted pursuant to Chapter 4749. of the Revised Code to reflect 10344
their transfer to the Department of Public Safety. 10345

Subject to the layoff provisions of sections 124.321 to 10346
124.328 of the Revised Code, all employees of the Department of 10347
Commerce, Division of Real Estate and Professional Licensing who 10348
perform functions pursuant to Chapter 4749. of the Revised Code 10349
that are transferred under this section are transferred to the 10350
Department of Public Safety. The vehicles and equipment assigned 10351
to such employees are also transferred to the Department of Public 10352
Safety. 10353

Whenever the Director or the Department of Commerce, or the 10354
Superintendent or the Division of Real Estate and Professional 10355
Licensing is referred to in any law, contract, or other document 10356
relating to the functions transferred under this section, the 10357
reference shall be deemed to refer to the Director or Department 10358
of Public Safety, whichever is appropriate. 10359

No action or proceeding pending and no license or 10360
registration issued as of the effective date of this section is 10361
affected by the transfer, and shall be recognized, prosecuted, or 10362
defended in the name of the Director of the Department of Public 10363
Safety. In all such actions, the Director or Department of Public 10364
Safety, upon application to the court, shall be substituted as a 10365
party. 10366

Section 5. That existing Sections 29 and 85 of Am. Sub. H.B. 10367
95 of the 125th General Assembly are hereby repealed. 10368

Section 6. That Section 6 of Sub. S.B. 59 of the 124th 10369
General Assembly be amended to read as follows: 10370

Sec. 6. (A) The Registrar of Motor Vehicles shall implement 10371
~~to the maximum extent practicable and have operational~~ all 10372
provisions of sections 4501.01, 4503.03, 4503.035, 4503.10, 10373
4503.182, 4505.021, 4505.03, 4505.032, 4505.04, 4505.06, 4505.062, 10374
4505.08, 4505.09, 4505.10, 4505.102, 4505.11, 4505.12, 4505.13, 10375

4505.141, 4505.18, 4505.181, 4505.19, 4505.20, 4505.25, 4519.01, 10376
4519.03, 4519.51, 4519.511, 4519.512, 4519.52, 4519.521, 4519.53, 10377
4519.55, 4519.551, 4519.57, 4519.58, 4519.59, 4519.60, 4519.62, 10378
4519.631, 4519.66, 4519.67, and 4519.68 of the Revised Code as 10379
amended or enacted by ~~this act~~ Sub. S.B. 59 of the 124th General 10380
Assembly, including especially all electronic titling provisions, 10381
and the provisions of Section 3 of ~~this act~~ Sub. S.B. 59 of the 10382
124th General Assembly, by no later than ~~nine months after the~~ 10383
~~effective date of this section~~ December 31, 2005. 10384

The Chief of the Division of Watercraft in the Division of 10385
Natural Resources shall implement ~~to the maximum extent~~ 10386
~~practicable~~ and have operational all provisions of sections 10387
1548.02, 1548.021, 1548.03, 1548.06, 1548.061, 1548.08, 1548.09, 10388
1548.10, 1548.11, 1548.12, 1548.13, 1548.141, 1548.17, 1548.18, 10389
1548.19, and 1548.20 of the Revised Code as amended or enacted by 10390
~~this act~~ Sub. S.B. 59 of the 124th General Assembly by no later 10391
than ~~nine months after the effective date of this section~~ December 10392
31, 2005. 10393

(B) The Registrar shall prepare a written report describing 10394
the efforts of the Bureau of Motor Vehicles to fully implement the 10395
electronic titling provisions of Sub. S.B. 59 of the 124th General 10396
Assembly. The report shall include specific implementation dates 10397
and a timeline of actions the Bureau of Motor Vehicles will 10398
undertake to comply with the requirement of division (A) of this 10399
section that electronic titling be fully implemented and 10400
operational by December 31, 2005. Not later than December 1, 2004, 10401
the Registrar shall present the report to the Governor, the 10402
President of the Senate, the Speaker of the House of 10403
Representatives, and the chair and minority leaders of the 10404
standing committees of the Senate and the House of Representatives 10405
dealing primarily with motor vehicle issues. 10406

Section 7. That existing Section 6 of Sub. S.B. 59 of the 124th General Assembly is hereby repealed. 10407
10408

Section 8. The amendment by this act of sections 121.08, 10409
4749.02, 4749.03, 4749.04, 4749.05, 4749.06, 4749.07, 4749.08, 10410
4749.10, 4749.11, 4749.12, 4749.13, 4749.14, and 5502.01 of the 10411
Revised Code and Sections 29 and 85 of Am. Sub. H.B. 95 of the 10412
125th General Assembly is not subject to the referendum and, under 10413
Ohio Constitution, Article II, Section 1d and section 1.471 of the 10414
Revised Code, goes into effect on the day this act becomes law or 10415
on July 1, 2004, whichever is later. 10416

Section 9. The citizens advisory committee created within the 10417
Bureau of Motor Vehicles pursuant to section 4501.025 of the 10418
Revised Code, by December 31, 2004, shall make a written 10419
recommendation to the majority and minority leaders of the Senate 10420
and House of Representatives concerning whether the payments to 10421
clerks of the courts of common pleas established in Section 5 of 10422
Sub. S.B. 59 of the 124th General Assembly should be continued 10423
beyond March 31, 2005, the scheduled expiration. The committee 10424
shall consider all aspects of the revenue loss incurred by the 10425
clerks that is attributable to the implementation of Sub. S.B. 59 10426
of the 124th General Assembly and may make any recommendations to 10427
address any continuing revenue loss. 10428

Section 10. Section 4501.01 of the Revised Code is presented 10429
in this act as a composite of the section as amended by both Am. 10430
Sub. S.B. 123 and Am. Sub. S.B. 231 of the 124th General Assembly. 10431
Section 4503.03 of the Revised Code is presented in this act as a 10432
composite of the section as amended by both Sub. S.B. 59 and S.B. 10433
99 of the 124th General Assembly. Section 4505.06 of the Revised 10434
Code is presented in this act as a composite of the section as 10435
amended by both Am. Sub. H.B. 95 and Am. Sub. S.B. 37 of the 125th 10436

General Assembly. Sections 4505.13 and 4519.68 of the Revised Code 10437
are presented in this act as composites of the sections as amended 10438
by both Sub. S.B. 59 and Am. Sub. S.B. 74 of the 124th General 10439
Assembly. Section 4507.51 of the Revised Code is presented in this 10440
act as a composite of the section as amended by both Sub. H.B. 354 10441
and Am. Sub. S.B. 213 of the 122nd General Assembly. Section 10442
4511.01 of the Revised Code is presented in this act as a 10443
composite of the section as amended by both Am. Sub. S.B. 123 and 10444
Am. Sub. S.B. 231 of the 124th General Assembly. The General 10445
Assembly, applying the principle stated in division (B) of section 10446
1.52 of the Revised Code that amendments are to be harmonized if 10447
reasonably capable of simultaneous operation, finds that each 10448
composite is the resulting version of the section in effect prior 10449
to the effective date of the section as presented in this act. 10450