

As Introduced

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Representatives Pryor, Phillips

Cosponsors: Representatives Amstutz, Balderson, Book, Boose, Brown,
Derickson, Evans, Fende, Garland, Hottinger, Murray, Newcomb, Patten,
Ruhl, Williams, B., Zehringer

—

A BILL

To amend sections 4503.04, 4510.037, and 4510.038 of
the Revised Code to exempt farm trucks and farm
buses from the vehicle registration late fee, to
establish a mandatory waiver of the registration
late fee for vehicles used on a seasonal basis,
and to allow the Director of Public Safety to
approve a course in remedial driving instruction
that is conducted entirely by video
teleconferencing or the internet under specified
circumstances.

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

Section 1. That sections 4503.04, 4510.037, and 4510.038 of
the Revised Code be amended to read as follows:

Sec. 4503.04. Except as provided in sections 4503.042 and
4503.65 of the Revised Code for the registration of commercial
cars, trailers, semitrailers, and certain buses, the rates of the
taxes imposed by section 4503.02 of the Revised Code shall be as
follows:

(A) For motor vehicles having three wheels or less, the license tax is:	18 19
(1) For each motorized bicycle, ten dollars;	20
(2) For each motorcycle, fourteen dollars.	21
(B) For each passenger car, twenty dollars;	22
(C) For each manufactured home, each mobile home, and each travel trailer, ten dollars;	23 24
(D) For each noncommercial motor vehicle designed by the manufacturer to carry a load of no more than three-quarters of one ton and for each motor home, thirty-five dollars; for each noncommercial motor vehicle designed by the manufacturer to carry a load of more than three-quarters of one ton, but not more than one ton, seventy dollars;	25 26 27 28 29 30
(E) For each noncommercial trailer, the license tax is:	31
(1) Eighty-five cents for each one hundred pounds or part thereof for the first two thousand pounds or part thereof of weight of vehicle fully equipped;	32 33 34
(2) One dollar and forty cents for each one hundred pounds or part thereof in excess of two thousand pounds up to and including three thousand pounds.	35 36 37
(F) Notwithstanding its weight, twelve dollars for any:	38
(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;	39 40 41
(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;	42 43 44 45
(3) Bus used principally for the transportation of	46

handicapped persons or persons sixty-five years of age or older+1 47

(G) Notwithstanding its weight, twenty dollars for any bus 48
used principally for the transportation of persons in a 49
ridesharing arrangement. 50

(H) For each transit bus having motor power the license tax 51
is twelve dollars. 52

"Transit bus" means either a motor vehicle having a seating 53
capacity of more than seven persons which is operated and used by 54
any person in the rendition of a public mass transportation 55
service primarily in a municipal corporation or municipal 56
corporations and provided at least seventy-five per cent of the 57
annual mileage of such service and use is within such municipal 58
corporation or municipal corporations or a motor vehicle having a 59
seating capacity of more than seven persons which is operated 60
solely for the transportation of persons associated with a 61
charitable or nonprofit corporation, but does not mean any motor 62
vehicle having a seating capacity of more than seven persons when 63
such vehicle is used in a ridesharing capacity or any bus 64
described by division (F)(3) of this section. 65

The application for registration of such transit bus shall be 66
accompanied by an affidavit prescribed by the registrar of motor 67
vehicles and signed by the person or an agent of the firm or 68
corporation operating such bus stating that the bus has a seating 69
capacity of more than seven persons, and that it is either to be 70
operated and used in the rendition of a public mass transportation 71
service and that at least seventy-five per cent of the annual 72
mileage of such operation and use shall be within one or more 73
municipal corporations or that it is to be operated solely for the 74
transportation of persons associated with a charitable or 75
nonprofit corporation. 76

The form of the license plate, and the manner of its 77

attachment to the vehicle, shall be prescribed by the registrar of 78
motor vehicles. 79

(I) The minimum tax for any vehicle having motor power other 80
than a farm truck, a motorized bicycle, or motorcycle is ten 81
dollars and eighty cents, and for each noncommercial trailer, five 82
dollars. 83

(J)(1) Except as otherwise provided in division (J) of this 84
section, for each farm truck, except a noncommercial motor 85
vehicle, that is owned, controlled, or operated by one or more 86
farmers exclusively in farm use as defined in this section, and 87
not for commercial purposes, and provided that at least 88
seventy-five per cent of such farm use is by or for the one or 89
more owners, controllers, or operators of the farm in the 90
operation of which a farm truck is used, the license tax is five 91
dollars plus: 92

(a) Fifty cents per one hundred pounds or part thereof for 93
the first three thousand pounds; 94

(b) Seventy cents per one hundred pounds or part thereof in 95
excess of three thousand pounds up to and including four thousand 96
pounds; 97

(c) Ninety cents per one hundred pounds or part thereof in 98
excess of four thousand pounds up to and including six thousand 99
pounds; 100

(d) Two dollars for each one hundred pounds or part thereof 101
in excess of six thousand pounds up to and including ten thousand 102
pounds; 103

(e) Two dollars and twenty-five cents for each one hundred 104
pounds or part thereof in excess of ten thousand pounds; 105

(f) The minimum license tax for any farm truck shall be 106
twelve dollars. 107

(2) The owner of a farm truck may register the truck for a 108
period of one-half year by paying one-half the registration tax 109
imposed on the truck under this chapter and one-half the amount of 110
any tax imposed on the truck under Chapter 4504. of the Revised 111
Code. 112

(3) A farm bus may be registered for a period of ninety days 113
from the date of issue of the license plates for the bus, for a 114
fee of ten dollars, provided such license plates shall not be 115
issued for more than any two ninety-day periods in any calendar 116
year. Such use does not include the operation of trucks by 117
commercial processors of agricultural products. 118

(4) License plates for farm trucks and for farm buses shall 119
have some distinguishing marks, letters, colors, or other 120
characteristics to be determined by the director of public safety. 121

(5) Every person registering a farm truck or bus under this 122
section shall furnish an affidavit certifying that the truck or 123
bus licensed to that person is to be so used as to meet the 124
requirements necessary for the farm truck or farm bus 125
classification. 126

Any farmer may use a truck owned by the farmer for commercial 127
purposes by paying the difference between the commercial truck 128
registration fee and the farm truck registration fee for the 129
remaining part of the registration period for which the truck is 130
registered. Such remainder shall be calculated from the beginning 131
of the semiannual period in which application for such commercial 132
license is made. 133

Taxes at the rates provided in this section are in lieu of 134
all taxes on or with respect to the ownership of such motor 135
vehicles, except as provided in section 4503.042 and section 136
4503.06 of the Revised Code. 137

(K) Other than trucks registered under the international 138

registration plan in another jurisdiction and for which this state 139
has received an apportioned registration fee, the license tax for 140
each truck which is owned, controlled, or operated by a 141
nonresident, and licensed in another state, and which is used 142
exclusively for the transportation of nonprocessed agricultural 143
products intrastate, from the place of production to the place of 144
processing, is twenty-four dollars. 145

"Truck," as used in this division, means any pickup truck, 146
straight truck, semitrailer, or trailer other than a travel 147
trailer. Nonprocessed agricultural products, as used in this 148
division, does not include livestock or grain. 149

A license issued under this division shall be issued for a 150
period of one hundred thirty days in the same manner in which all 151
other licenses are issued under this section, provided that no 152
truck shall be so licensed for more than one 153
one-hundred-thirty-day period during any calendar year. 154

The license issued pursuant to this division shall consist of 155
a windshield decal to be designed by the director of public 156
safety. 157

Every person registering a truck under this division shall 158
furnish an affidavit certifying that the truck licensed to the 159
person is to be used exclusively for the purposes specified in 160
this division. 161

(L) Every person registering a motor vehicle as a 162
noncommercial motor vehicle as defined in section 4501.01 of the 163
Revised Code, or registering a trailer as a noncommercial trailer 164
as defined in that section, shall furnish an affidavit certifying 165
that the motor vehicle or trailer so licensed to the person is to 166
be so used as to meet the requirements necessary for the 167
noncommercial vehicle classification. 168

(M) Every person registering a van or bus as provided in 169

divisions (F)(2) and (3) of this section shall furnish a notarized statement certifying that the van or bus licensed to the person is to be used for the purposes specified in those divisions. The form of the license plate issued for such motor vehicles shall be prescribed by the registrar.

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

(O)(1) Commencing on October 1, 2009, if an application for registration renewal is not applied for prior to the expiration date of the registration or within seven days after that date, the registrar or deputy registrar shall collect a fee of twenty dollars for the issuance of the vehicle registration, ~~but~~. For any motor vehicle that is used on a seasonal basis, whether used for general transportation or not, and that has not been used on the public roads or highways since the expiration of the registration, the registrar or deputy registrar shall waive the fee established under this division if the application is accompanied by supporting evidence of seasonal use as the registrar may require. The registrar or deputy registrar may waive the fee for other good cause shown if the application is accompanied by supporting evidence as the registrar may require. The fee shall be in addition to all other fees established by this section. A deputy

registrar shall retain fifty cents of the fee and shall transmit 202
the remaining amount to the registrar at the time and in the 203
manner provided by section 4503.10 of the Revised Code. The 204
registrar shall deposit all moneys received under this division 205
into the state highway safety fund established in section 4501.06 206
of the Revised Code. 207

(2) Division (O)(1) of this section does not apply to a farm 208
truck or farm bus registered under division (J) of this section. 209

(P) As used in this section: 210

(1) "Van" means any motor vehicle having a single rear axle 211
and an enclosed body without a second seat. 212

(2) "Handicapped person" means any person who has lost the 213
use of one or both legs, or one or both arms, or is blind, deaf, 214
or so severely disabled as to be unable to move about without the 215
aid of crutches or a wheelchair. 216

(3) "Farm truck" means a truck used in the transportation 217
from the farm of products of the farm, including livestock and its 218
products, poultry and its products, floricultural and 219
horticultural products, and in the transportation to the farm of 220
supplies for the farm, including tile, fence, and every other 221
thing or commodity used in agricultural, floricultural, 222
horticultural, livestock, and poultry production and livestock, 223
poultry, and other animals and things used for breeding, feeding, 224
or other purposes connected with the operation of the farm. 225

(4) "Farm bus" means a bus used only for the transportation 226
of agricultural employees and used only in the transportation of 227
such employees as are necessary in the operation of the farm. 228

(5) "Farm supplies" includes fuel used exclusively in the 229
operation of a farm, including one or more homes located on and 230
used in the operation of one or more farms, and furniture and 231
other things used in and around such homes. 232

Sec. 4510.037. (A) When the registrar of motor vehicles 233
determines that the total points charged against any person under 234
section 4510.036 of the Revised Code exceed five, the registrar 235
shall send a warning letter to the person at the person's last 236
known address by regular mail. The warning letter shall list the 237
reported violations that are the basis of the points charged, list 238
the number of points charged for each violation, and outline the 239
suspension provisions of this section. 240

(B) When the registrar determines that the total points 241
charged against any person under section 4510.036 of the Revised 242
Code within any two-year period beginning on the date of the first 243
conviction within the two-year period is equal to twelve or more, 244
the registrar shall send a written notice to the person at the 245
person's last known address by regular mail. The notice shall list 246
the reported violations that are the basis of the points charged, 247
list the number of points charged for each violation, and state 248
that, because the total number of points charged against the 249
person within the applicable two-year period is equal to twelve or 250
more, the registrar is imposing a class D suspension of the 251
person's driver's or commercial driver's license or permit or 252
nonresident operating privileges for the period of time specified 253
in division (B)(4) of section 4510.02 of the Revised Code. The 254
notice also shall state that the suspension is effective on the 255
twentieth day after the mailing of the notice, unless the person 256
files a petition appealing the determination and suspension in the 257
municipal court, county court, or, if the person is under the age 258
of eighteen, the juvenile division of the court of common pleas in 259
whose jurisdiction the person resides or, if the person is not a 260
resident of this state, in the Franklin county municipal court or 261
juvenile division of the Franklin county court of common pleas. By 262
filing the appeal of the determination and suspension, the person 263
agrees to pay the cost of the proceedings in the appeal of the 264

determination and suspension and alleges that the person can show 265
cause why the person's driver's or commercial driver's license or 266
permit or nonresident operating privileges should not be 267
suspended. 268

(C)(1) Any person against whom at least two but less than 269
twelve points have been charged under section 4510.036 of the 270
Revised Code may enroll in a course of remedial driving 271
instruction that is approved by the director of public safety. 272
Upon the person's completion of an approved course of remedial 273
driving instruction, the person may apply to the registrar on a 274
form prescribed by the registrar for a credit of two points on the 275
person's driving record. Upon receipt of the application and proof 276
of completion of the approved remedial driving course, the 277
registrar shall approve the two-point credit. The registrar shall 278
not approve any credits for a person who completes an approved 279
course of remedial driving instruction pursuant to a judge's order 280
under section 4510.02 of the Revised Code. 281

(2) In any three-year period, the registrar shall approve 282
only one two-point credit on a person's driving record under 283
division (C)(1) of this section. The registrar shall approve not 284
more than five two-point credits on a person's driving record 285
under division (C)(1) of this section during that person's 286
lifetime. 287

(D) When a judge of a court of record suspends a person's 288
driver's or commercial driver's license or permit or nonresident 289
operating privilege and charges points against the person under 290
section 4510.036 of the Revised Code for the offense that resulted 291
in the suspension, the registrar shall credit that period of 292
suspension against the time of any subsequent suspension imposed 293
under this section for which those points were used to impose the 294
subsequent suspension. When a United States district court that 295
has jurisdiction within this state suspends a person's driver's or 296

commercial driver's license or permit or nonresident operating 297
privileges pursuant to the "Assimilative Crimes Act," 102 Stat. 298
4381 (1988), 18 U.S.C.A. 13, as amended, the district court 299
prepares an abstract pursuant to section 4510.031 of the Revised 300
Code, and the district court charges points against the person 301
under section 4510.036 of the Revised Code for the offense that 302
resulted in the suspension, the registrar shall credit the period 303
of suspension imposed by the district court against the time of 304
any subsequent suspension imposed under this section for which the 305
points were used to impose the subsequent suspension. 306

(E) The registrar, upon the written request of a licensee who 307
files a petition under division (B) of this section, shall furnish 308
the licensee a certified copy of the registrar's record of the 309
convictions and bond forfeitures of the person. This record shall 310
include the name, address, and date of birth of the licensee; the 311
name of the court in which each conviction or bail forfeiture took 312
place; the nature of the offense that was the basis of the 313
conviction or bond forfeiture; and any other information that the 314
registrar considers necessary. If the record indicates that twelve 315
points or more have been charged against the person within a 316
two-year period, it is prima-facie evidence that the person is a 317
repeat traffic offender, and the registrar shall suspend the 318
person's driver's or commercial driver's license or permit or 319
nonresident operating privilege pursuant to division (B) of this 320
section. 321

In hearing the petition and determining whether the person 322
filing the petition has shown cause why the person's driver's or 323
commercial driver's license or permit or nonresident operating 324
privilege should not be suspended, the court shall decide the 325
issue on the record certified by the registrar and any additional 326
relevant, competent, and material evidence that either the 327
registrar or the person whose license is sought to be suspended 328

submits. 329

(F) If a petition is filed under division (B) of this section 330
in a county court, the prosecuting attorney of the county in which 331
the case is pending shall represent the registrar in the 332
proceedings, except that, if the petitioner resides in a municipal 333
corporation within the jurisdiction of the county court, the city 334
director of law, village solicitor, or other chief legal officer 335
of the municipal corporation shall represent the registrar in the 336
proceedings. If a petition is filed under division (B) of this 337
section in a municipal court, the registrar shall be represented 338
in the resulting proceedings as provided in section 1901.34 of the 339
Revised Code. 340

(G) If the court determines from the evidence submitted that 341
a person who filed a petition under division (B) of this section 342
has failed to show cause why the person's driver's or commercial 343
driver's license or permit or nonresident operating privileges 344
should not be suspended, the court shall assess against the person 345
the cost of the proceedings in the appeal of the determination and 346
suspension and shall impose the applicable suspension under this 347
section or suspend all or a portion of the suspension and impose 348
any conditions upon the person that the court considers proper or 349
impose upon the person a community control sanction pursuant to 350
section 2929.15 or 2929.25 of the Revised Code. If the court 351
determines from the evidence submitted that a person who filed a 352
petition under division (B) of this section has shown cause why 353
the person's driver's or commercial driver's license or permit or 354
nonresident operating privileges should not be suspended, the 355
costs of the appeal proceeding shall be paid out of the county 356
treasury of the county in which the proceedings were held. 357

(H) Any person whose driver's or commercial driver's license 358
or permit or nonresident operating privileges are suspended under 359
this section is not entitled to apply for or receive a new 360

driver's or commercial driver's license or permit or to request or 361
be granted nonresident operating privileges during the effective 362
period of the suspension. 363

(I) Upon the termination of any suspension or other penalty 364
imposed under this section involving the surrender of license or 365
permit and upon the request of the person whose license or permit 366
was suspended or surrendered, the registrar shall return the 367
license or permit to the person upon determining that the person 368
has complied with all provisions of section 4510.038 of the 369
Revised Code or, if the registrar destroyed the license or permit 370
pursuant to section 4510.52 of the Revised Code, shall reissue the 371
person's license or permit. 372

(J) Any person whose driver's or commercial driver's license 373
or permit or nonresident operating privileges are suspended as a 374
repeat traffic offender under this section and who, during the 375
suspension, operates any motor vehicle upon any public roads and 376
highways is guilty of a misdemeanor of the first degree, and the 377
court shall sentence the offender to a minimum term of three days 378
in jail. No court shall suspend the first three days of jail time 379
imposed pursuant to this division. 380

(K) The registrar, in accordance with specific statutory 381
authority, may suspend the privilege of driving a motor vehicle on 382
the public roads and highways of this state that is granted to 383
nonresidents by section 4507.04 of the Revised Code. 384

(L) ~~Any~~ (1) Except as provided in division (L)(2) of this 385
section, any course of remedial driving instruction the director 386
of public safety approves under this section shall require its 387
students to attend at least fifty per cent of the course in 388
person. ~~The~~ and the director shall not approve any course of 389
remedial driving instruction that permits its students to take 390
more than fifty per cent of the course in any other manner, 391
including via video teleconferencing or the internet. 392

(2) The director may approve a course of remedial instruction 393
that permits students to take the entire course via video 394
teleconferencing or the internet if the course is managed by a 395
person who is admitted to the practice of law in the state of Ohio 396
and whose principal place of business is in this state. In 397
accordance with division (C) of this section, upon receiving an 398
application with a certificate or other proof of completion of a 399
course approved under this division, the registrar shall approve 400
the two-point reduction. 401

Sec. 4510.038. (A) Any person whose driver's or commercial 402
driver's license or permit is suspended or who is granted limited 403
driving privileges under section 4510.037, under division (H) of 404
section 4511.19, or under section 4510.07 of the Revised Code for 405
a violation of a municipal ordinance that is substantially 406
equivalent to division (B) of section 4511.19 of the Revised Code 407
is not eligible to retain the license, or to have the driving 408
privileges reinstated, until each of the following has occurred: 409

(1) The person successfully completes a course of remedial 410
driving instruction approved by the director of public safety. A 411
minimum of twenty-five per cent of the number of hours of 412
instruction included in the course shall be devoted to instruction 413
on driver attitude. 414

The course also shall devote a number of hours to instruction 415
in the area of alcohol and drugs and the operation of vehicles. 416
The instruction shall include, but not be limited to, a review of 417
the laws governing the operation of a vehicle while under the 418
influence of alcohol, drugs, or a combination of them, the dangers 419
of operating a vehicle while under the influence of alcohol, 420
drugs, or a combination of them, and other information relating to 421
the operation of vehicles and the consumption of alcoholic 422
beverages and use of drugs. The director, in consultation with the 423

director of alcohol and drug addiction services, shall prescribe 424
the content of the instruction. The number of hours devoted to the 425
area of alcohol and drugs and the operation of vehicles shall 426
comprise a minimum of twenty-five per cent of the number of hours 427
of instruction included in the course. 428

(2) The person is examined in the manner provided for in 429
section 4507.20 of the Revised Code, and found by the registrar of 430
motor vehicles to be qualified to operate a motor vehicle; 431

(3) The person gives and maintains proof of financial 432
responsibility, in accordance with section 4509.45 of the Revised 433
Code. 434

(B) Any (1) Except as provided in division (B)(2) of this 435
section, any course of remedial driving instruction the director 436
of public safety approves under this section shall require its 437
students to attend at least fifty per cent of the course in 438
person. ~~The~~ and the director shall not approve any course of 439
remedial driving instruction that permits its students to take 440
more than fifty per cent of the course in any other manner, 441
including via video teleconferencing or the internet. 442

(2) The director may approve a course of remedial instruction 443
that permits students to take the entire course via video 444
teleconferencing or the internet if the course is managed by a 445
person who is admitted to the practice of law in the state of Ohio 446
and whose principal place of business is in this state. 447

Section 2. That existing sections 4503.04, 4510.037, and 448
4510.038 of the Revised Code are hereby repealed. 449