

**As Introduced**

**129th General Assembly  
Regular Session  
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**H. B. No. 269**

**Representative Dovilla**

**Cosponsors: Representatives Beck, Murray, Maag, Blair, McGregor,  
Stebelton, Reece, Adams, J., Letson, Mecklenborg**

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**A B I L L**

To amend section 4507.05 of the Revised Code to 1  
provide that a person who holds a current, valid 2  
driver's license from another state be required to 3  
pass only vision screening in order to be issued a 4  
driver's license. 5

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

**Section 1.** That section 4507.05 of the Revised Code be 6  
amended to read as follows: 7

**Sec. 4507.05.** (A) The registrar of motor vehicles, or a 8  
deputy registrar, upon receiving an application for a temporary 9  
instruction permit and a temporary instruction permit 10  
identification card for a driver's license from any person who is 11  
at least fifteen years six months of age, may issue such a permit 12  
and identification card entitling the applicant to drive a motor 13  
vehicle, other than a commercial motor vehicle, upon the highways 14  
under the following conditions: 15

(1) If the permit is issued to a person who is at least 16  
fifteen years six months of age, but less than sixteen years of 17  
age: 18

(a) The permit and identification card are in the holder's 19  
immediate possession; 20

(b) The holder is accompanied by an eligible adult who 21  
actually occupies the seat beside the permit holder and does not 22  
have a prohibited concentration of alcohol in the whole blood, 23  
blood serum or plasma, breath, or urine as provided in division 24  
(A) of section 4511.19 of the Revised Code; 25

(c) The total number of occupants of the vehicle does not 26  
exceed the total number of occupant restraining devices originally 27  
installed in the motor vehicle by its manufacturer, and each 28  
occupant of the vehicle is wearing all of the available elements 29  
of a properly adjusted occupant restraining device. 30

(2) If the permit is issued to a person who is at least 31  
sixteen years of age: 32

(a) The permit and identification card are in the holder's 33  
immediate possession; 34

(b) The holder is accompanied by a licensed operator who is 35  
at least twenty-one years of age, is actually occupying a seat 36  
beside the driver, and does not have a prohibited concentration of 37  
alcohol in the whole blood, blood serum or plasma, breath, or 38  
urine as provided in division (A) of section 4511.19 of the 39  
Revised Code; 40

(c) The total number of occupants of the vehicle does not 41  
exceed the total number of occupant restraining devices originally 42  
installed in the motor vehicle by its manufacturer, and each 43  
occupant of the vehicle is wearing all of the available elements 44  
of a properly adjusted occupant restraining device. 45

(B) The registrar or a deputy registrar, upon receiving from 46  
any person an application for a temporary instruction permit and 47  
temporary instruction permit identification card to operate a 48  
motorcycle or motorized bicycle, may issue such a permit and 49

identification card entitling the applicant, while having the 50  
permit and identification card in the applicant's immediate 51  
possession, to drive a motorcycle under the restrictions 52  
prescribed in section 4511.53 of the Revised Code, or to drive a 53  
motorized bicycle under restrictions determined by the registrar. 54  
A temporary instruction permit and temporary instruction permit 55  
identification card to operate a motorized bicycle may be issued 56  
to a person fourteen or fifteen years old. 57

(C) Any permit and identification card issued under this 58  
section shall be issued in the same manner as a driver's license, 59  
upon a form to be furnished by the registrar. A temporary 60  
instruction permit to drive a motor vehicle other than a 61  
commercial motor vehicle shall be valid for a period of one year. 62

(D) Any person having in the person's possession a valid and 63  
current driver's license or motorcycle operator's license or 64  
endorsement issued to the person by another jurisdiction 65  
recognized by this state is exempt from obtaining a temporary 66  
instruction permit for a driver's license, ~~but shall submit and~~ 67  
from submitting to the examination for a temporary instruction 68  
permit and the regular examination in for obtaining a driver's 69  
license or motorcycle operator's endorsement in this state if the 70  
person submits to and passes vision screening as provided in 71  
section 4507.12 of the Revised Code, the person surrenders to the 72  
registrar or deputy registrar the person's driver's license issued 73  
by the other jurisdiction, and the person complies with all other 74  
applicable requirements for issuance by this state of a driver's 75  
license, driver's license with a motorcycle operator's 76  
endorsement, or restricted license to operate a motorcycle. 77

(E) The registrar may adopt rules governing the use of 78  
temporary instruction permits and temporary instruction permit 79  
identification cards. 80

(F)(1) No holder of a permit issued under division (A) of 81

this section shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking in violation of the conditions established under division (A) of this section.

(2) Except as provided in division (F)(2) of this section, no holder of a permit that is issued under division (A) of this section and that is issued on or after July 1, 1998, and who has not attained the age of eighteen years, shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking between the hours of midnight and six a.m.

The holder of a permit issued under division (A) of this section on or after July 1, 1998, who has not attained the age of eighteen years, may operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking between the hours of midnight and six a.m. if, at the time of such operation, the holder is accompanied by the holder's parent, guardian, or custodian, and the parent, guardian, or custodian holds a current valid driver's or commercial driver's license issued by this state, is actually occupying a seat beside the permit holder, and does not have a prohibited concentration of alcohol in the whole blood, blood serum or plasma, breath, or urine as provided in division (A) of section 4511.19 of the Revised Code.

(G)(1) Notwithstanding any other provision of law to the contrary, no law enforcement officer shall cause the operator of a motor vehicle being operated on any street or highway to stop the motor vehicle for the sole purpose of determining whether each occupant of the motor vehicle is wearing all of the available elements of a properly adjusted occupant restraining device as required by division (A) of this section, or for the sole purpose of issuing a ticket, citation, or summons if the requirement in

that division has been or is being violated, or for causing the 114  
arrest of or commencing a prosecution of a person for a violation 115  
of that requirement. 116

(2) Notwithstanding any other provision of law to the 117  
contrary, no law enforcement officer shall cause the operator of a 118  
motor vehicle being operated on any street or highway to stop the 119  
motor vehicle for the sole purpose of determining whether a 120  
violation of division (F)(2) of this section has been or is being 121  
committed or for the sole purpose of issuing a ticket, citation, 122  
or summons for such a violation or for causing the arrest of or 123  
commencing a prosecution of a person for such violation. 124

(H) As used in this section: 125

(1) "Eligible adult" means any of the following: 126

(a) An instructor of a driver training course approved by the 127  
department of public safety; 128

(b) Any of the following persons who holds a current valid 129  
driver's or commercial driver's license issued by this state: 130

(i) A parent, guardian, or custodian of the permit holder; 131

(ii) A person twenty-one years of age or older who acts in 132  
loco parentis of the permit holder. 133

(2) "Occupant restraining device" has the same meaning as in 134  
section 4513.263 of the Revised Code. 135

(I) Whoever violates division (F)(1) or (2) of this section 136  
is guilty of a minor misdemeanor. 137

**Section 2.** That existing section 4507.05 of the Revised Code 138  
is hereby repealed. 139