

As Passed by the House

**129th General Assembly
Regular Session
2011-2012**

Sub. S. B. No. 114

Senator Seitz

**Cosponsors: Senators Kearney, Patton, Wilson, Bacon, Beagle, Burke,
Daniels, Hite, Hughes, LaRose, Sawyer, Schiavoni, Smith, Tavares, Turner
Representatives Ruhl, Kozlowski, Letson, Murray, Phillips, Rosenberger,
Uecker, Winburn Speaker Batchelder**

—

A B I L L

To amend sections 2744.081, 2744.082, 4501.01, 1
4501.13, 4503.04, 4503.21, 4503.22, 4503.544, 2
4507.01, 4507.05, 4507.06, 4507.11, 4511.01, 3
4511.53, 4513.241, 4517.33, 4519.01, 4519.02, 4
4775.01, 4775.02, 4775.03, 4775.04, 4775.05, 5
4775.06, 4775.07, 4775.08, 4775.09, 4775.10, 6
4775.11, 4775.99, and 5703.21 and to enact 7
sections 4511.214, 4511.215, and 4519.401 of the 8
Revised Code to establish conditions for the 9
operation of certain specialized motor vehicles, 10
including low-speed and under-speed vehicles, 11
scooters, cab-enclosed motorcycles, and 12
mini-trucks; to establish conditions for operation 13
of a motorcycle with a temporary instruction 14
permit; to prohibit motorcycle handlebars from 15
being higher than the shoulders of the operator 16
when the operator is seated in the operator's seat 17
or saddle; to establish a motor scooter temporary 18
instruction permit and license or endorsement; to 19
prohibit a motor vehicle manufacturer, 20

remanufacturer, or distributor from providing to a 21
licensed motor vehicle dealer a motor vehicle that 22
violates window tinting standards; to increase the 23
penalty for installing nonconforming glass or 24
other material; to establish civil liability for 25
installing nonconforming glass or other material, 26
including costs and attorney fees; to rename the 27
Board of Motor Vehicle Collision Repair 28
Registration as the Motor Vehicle Repair Board and 29
to expand the jurisdiction of the Board to require 30
persons who install motor vehicle window tint to 31
register with the Board; to give the Franklin 32
County Court of Common Pleas exclusive 33
jurisdiction over motor vehicle repair 34
registration violations; to impose a registration 35
or license suspension up to 180 days on a 36
registered motor vehicle repair facility or 37
licensed motor vehicle dealer upon a second or 38
subsequent violation for installing nonconforming 39
glass or other material; to establish an exemption 40
from the motor vehicle window tinting standards 41
for vehicles used by law enforcement agencies 42
under specified circumstances; and to make certain 43
changes associated with the Political Subdivision 44
Tort Liability Law. 45

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

Section 1. That sections 2744.081, 2744.082, 4501.01, 46
4501.13, 4503.04, 4503.21, 4503.22, 4503.544, 4507.01, 4507.05, 47
4507.06, 4507.11, 4511.01, 4511.53, 4513.241, 4517.33, 4519.01, 48
4519.02, 4775.01, 4775.02, 4775.03, 4775.04, 4775.05, 4775.06, 49
4775.07, 4775.08, 4775.09, 4775.10, 4775.11, 4775.99, and 5703.21 50

be amended and sections 4511.214, 4511.215, and 4519.401 of the Revised Code be enacted to read as follows:

Sec. 2744.081. (A) Regardless of whether a political subdivision, under section 2744.08 of the Revised Code, secures a policy or policies of liability insurance, establishes and maintains a self-insurance program, or enters into an agreement for the joint administration of a self-insurance program, the political subdivision may, pursuant to a written agreement and to the extent that it considers necessary, join with other political subdivisions in establishing and maintaining a joint self-insurance pool to provide for the payment of judgments, settlement of claims, expense, loss, and damage that arises, or is claimed to have arisen, from an act or omission of the political subdivision or any of its employees in connection with a governmental or proprietary function and to indemnify or hold harmless the subdivision's employees against such loss or damage.

All of the following apply to a joint self-insurance pool under this section:

(1) Such funds shall be reserved as are necessary, in the exercise of sound and prudent actuarial judgment, to cover potential political subdivision and employee liability, expense, loss, and damage. A report of amounts so reserved and disbursements made from such funds, together with a written report of a member of the American academy of actuaries certifying whether the amounts reserved conform to the requirements of this division, are computed in accordance with accepted loss reserving standards, and are fairly stated in accordance with sound loss reserving principles, shall be prepared and maintained in the office of the pool administrator described in division (A)(2) of this section. The report shall be prepared and maintained on or before the last day of March for the preceding calendar year or,

if the joint self-insurance pool's fiscal year is other than a 82
calendar year, not later than ninety days after the close of the 83
pool's fiscal year. 84

The report required by this division shall include, but not 85
be limited to, disbursements made for the administration of the 86
pool, including claims paid, costs of the legal representation of 87
political subdivisions and employees, and fees paid to 88
consultants. 89

The pool administrator described in division (A)(2) of this 90
section shall make the report required by this division available 91
for inspection by any person at all reasonable times during 92
regular business hours, and, upon the request of such person, 93
shall make copies of the report available at cost within a 94
reasonable period of time. 95

(2) A contract may be awarded, without the necessity of 96
competitive bidding, to any person, political subdivision, 97
nonprofit corporation organized under Chapter 1702. of the Revised 98
Code, or regional council of governments created under Chapter 99
167. of the Revised Code for purposes of administration of a joint 100
self-insurance pool. No such contract shall be entered into 101
without full, prior, public disclosure of all terms and 102
conditions. Such disclosure shall include, at a minimum, a 103
statement listing all representations made in connection with any 104
possible savings and losses resulting from such contract, and 105
potential liability of any political subdivision or employee. The 106
proposed contract and statement shall be disclosed and presented 107
at a meeting of the political subdivision not less than one week 108
prior to the meeting at which the political subdivision authorizes 109
the contract. 110

(3) A joint self-insurance pool shall include a contract with 111
a member of the American academy of actuaries for the preparation 112
of the written evaluation of the reserve funds required under 113

division (A)(1) of this section. 114

(4) A joint self-insurance pool may allocate the costs of 115
funding the pool among the funds or accounts in the treasuries of 116
the political subdivisions on the basis of their relative exposure 117
and loss experience. A joint self-insurance program may require 118
any deductible under the program to be paid from funds or accounts 119
in the treasury of the political subdivision from which a loss was 120
directly attributable. 121

(B) Two or more political subdivisions may also authorize the 122
establishment and maintenance of a joint risk-management program, 123
including but not limited to the employment of risk managers and 124
consultants, for the purpose of preventing and reducing the risks 125
covered by insurance, self-insurance, or joint self-insurance 126
programs. 127

(C) A political subdivision is not liable under a joint 128
self-insurance pool for any amount in excess of amounts payable 129
pursuant to the written agreement for the participation of the 130
political subdivision in the joint self-insurance pool. Under a 131
joint self-insurance pool agreement a political subdivision may, 132
to the extent permitted under the written agreement, assume the 133
risks of any other political subdivision, including the 134
indemnification of its employees. A joint self-insurance pool, 135
established under this section, is deemed a separate legal entity 136
for the public purpose of enabling the members of the joint 137
self-insurance pool to obtain insurance or to provide for a 138
formalized, jointly administered self-insurance fund for its 139
members. An entity created pursuant to this section is exempt from 140
all state and local taxes. 141

(D) Any political subdivision may issue general obligation 142
bonds, or special obligation bonds which are not payable from real 143
or personal property taxes, and may also issue notes in 144
anticipation of such bonds, pursuant to an ordinance or resolution 145

of its legislative authority or other governing body for the 146
purpose of providing funds to pay judgments, losses, damages, and 147
the expenses of litigation or settlement of claims, whether by way 148
of a reserve or otherwise, and to pay the political subdivision's 149
portion of the cost of establishing and maintaining a joint 150
self-insurance pool or to provide for the reserve in the special 151
fund authorized by division (A)(2)(a) of section 2744.08 of the 152
Revised Code. 153

In its ordinance or resolution authorizing bonds or notes 154
under this section, a political subdivision may elect to issue 155
such bonds or notes under the procedures set forth in Chapter 133. 156
of the Revised Code. In the event of such an election, 157
notwithstanding Chapter 133. of the Revised Code, the maturity of 158
the bonds may be for any period authorized in the ordinance or 159
resolution not exceeding twenty years, which period shall be the 160
maximum maturity of the bonds for purposes of section 133.22 of 161
the Revised Code. 162

Bonds and notes issued under this section shall not be 163
considered in calculating the net indebtedness of the political 164
subdivision under sections 133.04, 133.05, 133.06, and 133.07 of 165
the Revised Code. Sections 9.98 to 9.983 of the Revised Code apply 166
to bonds or notes authorized under this section. 167

(E)(1) A joint self-insurance pool, in addition to its powers 168
to provide self-insurance against any and all liabilities under 169
this chapter, may also include any one or more of the following 170
forms of property or casualty self-insurance for the purpose of 171
covering any other liabilities or risks of the members of the 172
pool: 173

(a) Public general liability, professional liability, or 174
employees liability; 175

(b) Individual or fleet motor vehicle or automobile liability 176

and protection against other liability and loss associated with	177
the ownership, maintenance, and use of motor vehicles;	178
(c) Aircraft liability and protection against other liability	179
and loss associated with the ownership, maintenance, and use of	180
aircraft;	181
(d) Fidelity, surety, and guarantee;	182
(e) Loss or damage to property and loss of use and occupancy	183
of property by fire, lightning, hail, tempest, flood, earthquake,	184
or snow, explosion, accident, or other risk;	185
(f) Marine, inland transportation and navigation, boiler,	186
containers, pipes, engines, flywheels, elevators, and machinery;	187
(g) Environmental impairment;	188
(h) Loss or damage by any hazard upon any other risk to which	189
political subdivisions are subject, which is not prohibited by	190
statute or at common law from being the subject of casualty or	191
property insurance.	192
(2) A joint self-insurance pool is not an insurance company.	193
Its operation does not constitute doing an insurance business and	194
is not subject to the insurance laws of this state.	195
(F) A public official or employee of a political subdivision	196
who is or becomes a member of the governing body of a joint	197
self-insurance pool in which the political subdivision	198
participates is not in violation of division (D) or (E) of section	199
102.03, division (C) of section 102.04, or section 2921.42 of the	200
Revised Code as a result of the political subdivision's entering	201
under this section into the written agreement to participate in	202
the pool or into any contract with the pool.	203
(G) This section shall not be construed to affect the ability	204
of any political subdivision to self-insure under the authority	205
conferred by any other section of the Revised Code.	206

Sec. 2744.082. (A) If a political subdivision, pursuant to 207
division (A)(2)(a) of section 2744.08 of the Revised Code or a 208
joint self-insurance pool pursuant to section 2744.081 of the 209
Revised Code, has allocated costs to, or required the payment of 210
deductibles from, funds or accounts in the subdivision's treasury, 211
the subdivision's fiscal officer, pursuant to an ordinance or 212
resolution of the subdivision's legislative authority, shall 213
transfer amounts equal to those costs or deductibles from the 214
funds or accounts to the subdivision's general fund if both of the 215
following occur: 216

(1) The subdivision requests payment from the employee 217
responsible for the funds or accounts for those costs or 218
deductibles; 219

(2) The employee receiving the request fails to remit payment 220
within forty-five days after the date of receipt of the request. 221

(B) Sections 5705.14, 5705.15, and 5705.16 of the Revised 222
Code do not apply to transfers made pursuant to this section. 223

Sec. 4501.01. As used in this chapter and Chapters 4503., 224
4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of the 225
Revised Code, and in the penal laws, except as otherwise provided: 226

(A) "Vehicles" means everything on wheels or runners, 227
including motorized bicycles, but does not mean electric personal 228
assistive mobility devices, vehicles that are operated exclusively 229
on rails or tracks or from overhead electric trolley wires, and 230
vehicles that belong to any police department, municipal fire 231
department, or volunteer fire department, or that are used by such 232
a department in the discharge of its functions. 233

(B) "Motor vehicle" means any vehicle, including mobile homes 234
and recreational vehicles, that is propelled or drawn by power 235
other than muscular power or power collected from overhead 236

electric trolley wires. "Motor vehicle" does not include utility 237
vehicles as defined in division (VV) of this section, under-speed 238
vehicles as defined in division (XX) of this section, mini-trucks 239
as defined in division (BBB) of this section, motorized bicycles, 240
road rollers, traction engines, power shovels, power cranes, and 241
other equipment used in construction work and not designed for or 242
employed in general highway transportation, well-drilling 243
machinery, ditch-digging machinery, farm machinery, and trailers 244
that are designed and used exclusively to transport a boat between 245
a place of storage and a marina, or in and around a marina, when 246
drawn or towed on a public road or highway for a distance of no 247
more than ten miles and at a speed of twenty-five miles per hour 248
or less. 249

(C) "Agricultural tractor" and "traction engine" mean any 250
self-propelling vehicle that is designed or used for drawing other 251
vehicles or wheeled machinery, but has no provisions for carrying 252
loads independently of such other vehicles, and that is used 253
principally for agricultural purposes. 254

(D) "Commercial tractor," except as defined in division (C) 255
of this section, means any motor vehicle that has motive power and 256
either is designed or used for drawing other motor vehicles, or is 257
designed or used for drawing another motor vehicle while carrying 258
a portion of the other motor vehicle or its load, or both. 259

(E) "Passenger car" means any motor vehicle that is designed 260
and used for carrying not more than nine persons and includes any 261
motor vehicle that is designed and used for carrying not more than 262
fifteen persons in a ridesharing arrangement. 263

(F) "Collector's vehicle" means any motor vehicle or 264
agricultural tractor or traction engine that is of special 265
interest, that has a fair market value of one hundred dollars or 266
more, whether operable or not, and that is owned, operated, 267
collected, preserved, restored, maintained, or used essentially as 268

a collector's item, leisure pursuit, or investment, but not as the 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 two tandem wheels, or one wheel in front and two wheels in the rear, or two wheels in the front and one wheel in the rear, any of which is more than fourteen inches in diameter.

(L) "Motorized bicycle" or "moped" means any vehicle that 300
either has two tandem wheels or one wheel in the front and two 301
wheels in the rear, that ~~is capable of being~~ may be pedaled, and 302
that is equipped with a helper motor of not more than fifty cubic 303
centimeters piston displacement that produces no more than one 304
brake horsepower and is capable of propelling the vehicle at a 305
speed of no greater than twenty miles per hour on a level surface. 306

(M) "Trailer" means any vehicle without motive power that is 307
designed or used for carrying property or persons wholly on its 308
own structure and for being drawn by a motor vehicle, and includes 309
any such vehicle that is formed by or operated as a combination of 310
a semitrailer and a vehicle of the dolly type such as that 311
commonly known as a trailer dolly, a vehicle used to transport 312
agricultural produce or agricultural production materials between 313
a local place of storage or supply and the farm when drawn or 314
towed on a public road or highway at a speed greater than 315
twenty-five miles per hour, and a vehicle that is designed and 316
used exclusively to transport a boat between a place of storage 317
and a marina, or in and around a marina, when drawn or towed on a 318
public road or highway for a distance of more than ten miles or at 319
a speed of more than twenty-five miles per hour. "Trailer" does 320
not include a manufactured home or travel trailer. 321

(N) "Noncommercial trailer" means any trailer, except a 322
travel trailer or trailer that is used to transport a boat as 323
described in division (B) of this section, but, where applicable, 324
includes a vehicle that is used to transport a boat as described 325
in division (M) of this section, that has a gross weight of no 326
more than ten thousand pounds, and that is used exclusively for 327
purposes other than engaging in business for a profit, such as the 328
transportation of personal items for personal or recreational 329
purposes. 330

(O) "Mobile home" means a building unit or assembly of closed 331

construction that is fabricated in an off-site facility, is more 332
than thirty-five body feet in length or, when erected on site, is 333
three hundred twenty or more square feet, is built on a permanent 334
chassis, is transportable in one or more sections, and does not 335
qualify as a manufactured home as defined in division (C)(4) of 336
section 3781.06 of the Revised Code or as an industrialized unit 337
as defined in division (C)(3) of section 3781.06 of the Revised 338
Code. 339

(P) "Semitrailer" means any vehicle of the trailer type that 340
does not have motive power and is so designed or used with another 341
and separate motor vehicle that in operation a part of its own 342
weight or that of its load, or both, rests upon and is carried by 343
the other vehicle furnishing the motive power for propelling 344
itself and the vehicle referred to in this division, and includes, 345
for the purpose only of registration and taxation under those 346
chapters, any vehicle of the dolly type, such as a trailer dolly, 347
that is designed or used for the conversion of a semitrailer into 348
a trailer. 349

(Q) "Recreational vehicle" means a vehicular portable 350
structure that meets all of the following conditions: 351

(1) It is designed for the sole purpose of recreational 352
travel. 353

(2) It is not used for the purpose of engaging in business 354
for profit. 355

(3) It is not used for the purpose of engaging in intrastate 356
commerce. 357

(4) It is not used for the purpose of commerce as defined in 358
49 C.F.R. 383.5, as amended. 359

(5) It is not regulated by the public utilities commission 360
pursuant to Chapter 4905., 4921., or 4923. of the Revised Code. 361

(6) It is classed as one of the following: 362

(a) "Travel trailer" or "house vehicle" means a 363
nonselved-propelled recreational vehicle that does not exceed an 364
overall length of ~~thirty-five~~ forty feet, exclusive of bumper and 365
tongue or coupling, ~~and contains less than three hundred twenty~~ 366
~~square feet of space when erected on site.~~ "Travel trailer" 367
includes a tent-type fold-out camping trailer as defined in 368
section 4517.01 of the Revised Code. 369

(b) "Motor home" means a self-propelled recreational vehicle 370
that has no fifth wheel and is constructed with permanently 371
installed facilities for cold storage, cooking and consuming of 372
food, and for sleeping. 373

(c) "Truck camper" means aonselved-propelled recreational 374
vehicle that does not have wheels for road use and is designed to 375
be placed upon and attached to a motor vehicle. "Truck camper" 376
does not include truck covers that consist of walls and a roof, 377
but do not have floors and facilities enabling them to be used as 378
a dwelling. 379

(d) "Fifth wheel trailer" means a vehicle that is of such 380
size and weight as to be movable without a special highway permit, 381
~~that has a gross trailer area of four hundred square feet or less,~~ 382
that is constructed with a raised forward section that allows a 383
bi-level floor plan, and that is designed to be towed by a vehicle 384
equipped with a fifth-wheel hitch ordinarily installed in the bed 385
of a truck. 386

(e) "Park trailer" means a vehicle that is commonly known as 387
a park model recreational vehicle, meets the American national 388
standard institute standard A119.5 (1988) for park trailers, is 389
built on a single chassis, has a gross trailer area of four 390
hundred square feet or less when set up, is designed for seasonal 391
or temporary living quarters, and may be connected to utilities 392

necessary for the operation of installed features and appliances.	393
(R) "Pneumatic tires" means tires of rubber and fabric or	394
tires of similar material, that are inflated with air.	395
(S) "Solid tires" means tires of rubber or similar elastic	396
material that are not dependent upon confined air for support of	397
the load.	398
(T) "Solid tire vehicle" means any vehicle that is equipped	399
with two or more solid tires.	400
(U) "Farm machinery" means all machines and tools that are	401
used in the production, harvesting, and care of farm products, and	402
includes trailers that are used to transport agricultural produce	403
or agricultural production materials between a local place of	404
storage or supply and the farm, agricultural tractors, threshing	405
machinery, hay-baling machinery, corn shellers, hammermills, and	406
machinery used in the production of horticultural, agricultural,	407
and vegetable products.	408
(V) "Owner" includes any person or firm, other than a	409
manufacturer or dealer, that has title to a motor vehicle, except	410
that, in sections 4505.01 to 4505.19 of the Revised Code, "owner"	411
includes in addition manufacturers and dealers.	412
(W) "Manufacturer" and "dealer" include all persons and firms	413
that are regularly engaged in the business of manufacturing,	414
selling, displaying, offering for sale, or dealing in motor	415
vehicles, at an established place of business that is used	416
exclusively for the purpose of manufacturing, selling, displaying,	417
offering for sale, or dealing in motor vehicles. A place of	418
business that is used for manufacturing, selling, displaying,	419
offering for sale, or dealing in motor vehicles shall be deemed to	420
be used exclusively for those purposes even though snowmobiles or	421
all-purpose vehicles are sold or displayed for sale thereat, even	422
though farm machinery is sold or displayed for sale thereat, or	423

even though repair, accessory, gasoline and oil, storage, parts, 424
service, or paint departments are maintained thereat, or, in any 425
county having a population of less than seventy-five thousand at 426
the last federal census, even though a department in a place of 427
business is used to dismantle, salvage, or rebuild motor vehicles 428
by means of used parts, if such departments are operated for the 429
purpose of furthering and assisting in the business of 430
manufacturing, selling, displaying, offering for sale, or dealing 431
in motor vehicles. Places of business or departments in a place of 432
business used to dismantle, salvage, or rebuild motor vehicles by 433
means of using used parts are not considered as being maintained 434
for the purpose of assisting or furthering the manufacturing, 435
selling, displaying, and offering for sale or dealing in motor 436
vehicles. 437

(X) "Operator" includes any person who drives or operates a 438
motor vehicle upon the public highways. 439

(Y) "Chauffeur" means any operator who operates a motor 440
vehicle, other than a taxicab, as an employee for hire; or any 441
operator whether or not the owner of a motor vehicle, other than a 442
taxicab, who operates such vehicle for transporting, for gain, 443
compensation, or profit, either persons or property owned by 444
another. Any operator of a motor vehicle who is voluntarily 445
involved in a ridesharing arrangement is not considered an 446
employee for hire or operating such vehicle for gain, 447
compensation, or profit. 448

(Z) "State" includes the territories and federal districts of 449
the United States, and the provinces of Canada. 450

(AA) "Public roads and highways" for vehicles includes all 451
public thoroughfares, bridges, and culverts. 452

(BB) "Manufacturer's number" means the manufacturer's 453
original serial number that is affixed to or imprinted upon the 454

chassis or other part of the motor vehicle. 455

(CC) "Motor number" means the manufacturer's original number 456
that is affixed to or imprinted upon the engine or motor of the 457
vehicle. 458

(DD) "Distributor" means any person who is authorized by a 459
motor vehicle manufacturer to distribute new motor vehicles to 460
licensed motor vehicle dealers at an established place of business 461
that is used exclusively for the purpose of distributing new motor 462
vehicles to licensed motor vehicle dealers, except when the 463
distributor also is a new motor vehicle dealer, in which case the 464
distributor may distribute at the location of the distributor's 465
licensed dealership. 466

(EE) "Ridesharing arrangement" means the transportation of 467
persons in a motor vehicle where the transportation is incidental 468
to another purpose of a volunteer driver and includes ridesharing 469
arrangements known as carpools, vanpools, and buspools. 470

(FF) "Apportionable vehicle" means any vehicle that is used 471
or intended for use in two or more international registration plan 472
member jurisdictions that allocate or proportionally register 473
vehicles, that is used for the transportation of persons for hire 474
or designed, used, or maintained primarily for the transportation 475
of property, and that meets any of the following qualifications: 476

(1) Is a power unit having a gross vehicle weight in excess 477
of twenty-six thousand pounds; 478

(2) Is a power unit having three or more axles, regardless of 479
the gross vehicle weight; 480

(3) Is a combination vehicle with a gross vehicle weight in 481
excess of twenty-six thousand pounds. 482

"Apportionable vehicle" does not include recreational 483
vehicles, vehicles displaying restricted plates, city pick-up and 484

delivery vehicles, buses used for the transportation of chartered 485
parties, or vehicles owned and operated by the United States, this 486
state, or any political subdivisions thereof. 487

(GG) "Chartered party" means a group of persons who contract 488
as a group to acquire the exclusive use of a passenger-carrying 489
motor vehicle at a fixed charge for the vehicle in accordance with 490
the carrier's tariff, lawfully on file with the United States 491
department of transportation, for the purpose of group travel to a 492
specified destination or for a particular itinerary, either agreed 493
upon in advance or modified by the chartered group after having 494
left the place of origin. 495

(HH) "International registration plan" means a reciprocal 496
agreement of member jurisdictions that is endorsed by the American 497
association of motor vehicle administrators, and that promotes and 498
encourages the fullest possible use of the highway system by 499
authorizing apportioned registration of fleets of vehicles and 500
recognizing registration of vehicles apportioned in member 501
jurisdictions. 502

(II) "Restricted plate" means a license plate that has a 503
restriction of time, geographic area, mileage, or commodity, and 504
includes license plates issued to farm trucks under division (J) 505
of section 4503.04 of the Revised Code. 506

(JJ) "Gross vehicle weight," with regard to any commercial 507
car, trailer, semitrailer, or bus that is taxed at the rates 508
established under section 4503.042 or 4503.65 of the Revised Code, 509
means the unladen weight of the vehicle fully equipped plus the 510
maximum weight of the load to be carried on the vehicle. 511

(KK) "Combined gross vehicle weight" with regard to any 512
combination of a commercial car, trailer, and semitrailer, that is 513
taxed at the rates established under section 4503.042 or 4503.65 514
of the Revised Code, means the total unladen weight of the 515

combination of vehicles fully equipped plus the maximum weight of 516
the load to be carried on that combination of vehicles. 517

(LL) "Chauffeured limousine" means a motor vehicle that is 518
designed to carry nine or fewer passengers and is operated for 519
hire on an hourly basis pursuant to a prearranged contract for the 520
transportation of passengers on public roads and highways along a 521
route under the control of the person hiring the vehicle and not 522
over a defined and regular route. "Prearranged contract" means an 523
agreement, made in advance of boarding, to provide transportation 524
from a specific location in a chauffeured limousine at a fixed 525
rate per hour or trip. "Chauffeured limousine" does not include 526
any vehicle that is used exclusively in the business of funeral 527
directing. 528

(MM) "Manufactured home" has the same meaning as in division 529
(C)(4) of section 3781.06 of the Revised Code. 530

(NN) "Acquired situs," with respect to a manufactured home or 531
a mobile home, means to become located in this state by the 532
placement of the home on real property, but does not include the 533
placement of a manufactured home or a mobile home in the inventory 534
of a new motor vehicle dealer or the inventory of a manufacturer, 535
remanufacturer, or distributor of manufactured or mobile homes. 536

(OO) "Electronic" includes electrical, digital, magnetic, 537
optical, electromagnetic, or any other form of technology that 538
entails capabilities similar to these technologies. 539

(PP) "Electronic record" means a record generated, 540
communicated, received, or stored by electronic means for use in 541
an information system or for transmission from one information 542
system to another. 543

(QQ) "Electronic signature" means a signature in electronic 544
form attached to or logically associated with an electronic 545
record. 546

(RR) "Financial transaction device" has the same meaning as 547
in division (A) of section 113.40 of the Revised Code. 548

(SS) "Electronic motor vehicle dealer" means a motor vehicle 549
dealer licensed under Chapter 4517. of the Revised Code whom the 550
registrar of motor vehicles determines meets the criteria 551
designated in section 4503.035 of the Revised Code for electronic 552
motor vehicle dealers and designates as an electronic motor 553
vehicle dealer under that section. 554

(TT) "Electric personal assistive mobility device" means a 555
self-balancing two non-tandem wheeled device that is designed to 556
transport only one person, has an electric propulsion system of an 557
average of seven hundred fifty watts, and when ridden on a paved 558
level surface by an operator who weighs one hundred seventy pounds 559
has a maximum speed of less than twenty miles per hour. 560

(UU) "Limited driving privileges" means the privilege to 561
operate a motor vehicle that a court grants under section 4510.021 562
of the Revised Code to a person whose driver's or commercial 563
driver's license or permit or nonresident operating privilege has 564
been suspended. 565

(VV) "Utility vehicle" means a self-propelled vehicle 566
designed with a bed, principally for the purpose of transporting 567
material or cargo in connection with construction, agricultural, 568
forestry, grounds maintenance, lawn and garden, materials 569
handling, or similar activities. ~~"Utility vehicle" includes a 570
vehicle with a maximum attainable speed of twenty miles per hour 571
or less that is used exclusively within the boundaries of state 572
parks by state park employees or volunteers for the operation or 573
maintenance of state park facilities.~~ 574

(WW) "Low-speed vehicle" means a three- or four-wheeled motor 575
vehicle with an attainable speed in one mile on a paved level 576
surface of more than twenty miles per hour but not more than 577

twenty-five miles per hour and with a gross vehicle weight rating 578
less than three thousand pounds. 579

(XX) "Under-speed vehicle" means a three- or four-wheeled 580
vehicle, including a vehicle commonly known as a golf cart, with 581
an attainable speed on a paved level surface of not more than 582
twenty miles per hour and with a gross vehicle weight rating less 583
than three thousand pounds. 584

(YY) "Motor-driven cycle or motor scooter" means any vehicle 585
designed to travel on not more than three wheels in contact with 586
the ground, with a seat for the driver and floor pad for the 587
driver's feet, and is equipped with a motor with a piston 588
displacement between fifty and one hundred fifty cubic centimeters 589
piston displacement that produces not more than five brake 590
horsepower and is capable of propelling the vehicle at a speed 591
greater than twenty miles per hour on a level surface. 592

(ZZ) "Motorcycle" means a motor vehicle with motive power 593
having a seat or saddle for the use of the operator, designed to 594
travel on not more than three wheels in contact with the ground, 595
and having no occupant compartment top or occupant compartment top 596
that can be installed or removed by the user. 597

(AAA) "Cab-enclosed motorcycle" means a motor vehicle with 598
motive power having a seat or saddle for the use of the operator, 599
designed to travel on not more than three wheels in contact with 600
the ground, and having an occupant compartment top or an occupant 601
compartment top that can be installed or removed by the user. 602

(BBB) "Mini-truck" means a vehicle that has four wheels, is 603
propelled by an electric motor with a rated power of seven 604
thousand five hundred watts or less or an internal combustion 605
engine with a piston displacement capacity of six hundred sixty 606
cubic centimeters or less, has a total dry weight of nine hundred 607
to two thousand two hundred pounds, contains an enclosed cabin and 608

a seat for the vehicle operator, resembles a pickup truck or van 609
with a cargo area or bed located at the rear of the vehicle, and 610
was not originally manufactured to meet federal motor vehicle 611
safety standards. 612

Sec. 4501.13. Six dollars of each registration fee designated 613
for payment to the registrar of motor vehicles in division 614
(A)~~(2)~~(1)~~(b)~~ of section 4503.04 of the Revised Code shall be 615
deposited in the motorcycle safety and education fund, which is 616
hereby created in the state treasury and, unless otherwise 617
provided by law, shall be used solely to pay part or all of the 618
costs of conducting the motorcycle safety and education program 619
created by section 4508.08 of the Revised Code. 620

Sec. 4503.04. Except as provided in sections 4503.042 and 621
4503.65 of the Revised Code for the registration of commercial 622
cars, trailers, semitrailers, and certain buses, the rates of the 623
taxes imposed by section 4503.02 of the Revised Code shall be as 624
follows: 625

(A)(1) For motor vehicles having three wheels or less, the 626
license tax is: 627

~~(1)~~(a) For each motorized bicycle or moped, ten dollars; 628

~~(2)~~(b) For each motorcycle, cab-enclosed motorcycle, 629
motor-driven cycle, or motor scooter, fourteen dollars. 630

(2) For each low-speed, under-speed, and utility vehicle, and 631
each mini-truck, ten dollars. 632

(B) For each passenger car, twenty dollars; 633

(C) For each manufactured home, each mobile home, and each 634
travel trailer or house vehicle, ten dollars; 635

(D) For each noncommercial motor vehicle designed by the 636
manufacturer to carry a load of no more than three-quarters of one 637

ton and for each motor home, thirty-five dollars; for each 638
noncommercial motor vehicle designed by the manufacturer to carry 639
a load of more than three-quarters of one ton, but not more than 640
one ton, seventy dollars; 641

(E) For each noncommercial trailer, the license tax is: 642

(1) Eighty-five cents for each one hundred pounds or part 643
thereof for the first two thousand pounds or part thereof of 644
weight of vehicle fully equipped; 645

(2) One dollar and forty cents for each one hundred pounds or 646
part thereof in excess of two thousand pounds up to and including 647
ten thousand pounds. 648

(F) Notwithstanding its weight, twelve dollars for any: 649

(1) Vehicle equipped, owned, and used by a charitable or 650
nonprofit corporation exclusively for the purpose of administering 651
chest x-rays or receiving blood donations; 652

(2) Van used principally for the transportation of 653
handicapped persons that has been modified by being equipped with 654
adaptive equipment to facilitate the movement of such persons into 655
and out of the van; 656

(3) Bus used principally for the transportation of 657
handicapped persons or persons sixty-five years of age or older. 658

(G) Notwithstanding its weight, twenty dollars for any bus 659
used principally for the transportation of persons in a 660
ridesharing arrangement. 661

(H) For each transit bus having motor power the license tax 662
is twelve dollars. 663

"Transit bus" means either a motor vehicle having a seating 664
capacity of more than seven persons which is operated and used by 665
any person in the rendition of a public mass transportation 666
service primarily in a municipal corporation or municipal 667

corporations and provided at least seventy-five per cent of the 668
annual mileage of such service and use is within such municipal 669
corporation or municipal corporations or a motor vehicle having a 670
seating capacity of more than seven persons which is operated 671
solely for the transportation of persons associated with a 672
charitable or nonprofit corporation, but does not mean any motor 673
vehicle having a seating capacity of more than seven persons when 674
such vehicle is used in a ridesharing capacity or any bus 675
described by division (F)(3) of this section. 676

The application for registration of such transit bus shall be 677
accompanied by an affidavit prescribed by the registrar of motor 678
vehicles and signed by the person or an agent of the firm or 679
corporation operating such bus stating that the bus has a seating 680
capacity of more than seven persons, and that it is either to be 681
operated and used in the rendition of a public mass transportation 682
service and that at least seventy-five per cent of the annual 683
mileage of such operation and use shall be within one or more 684
municipal corporations or that it is to be operated solely for the 685
transportation of persons associated with a charitable or 686
nonprofit corporation. 687

The form of the license plate, and the manner of its 688
attachment to the vehicle, shall be prescribed by the registrar of 689
motor vehicles. 690

(I) ~~The Except as otherwise provided in division (A) or (J)~~ 691
~~of this section, the~~ minimum tax for any vehicle having motor 692
power ~~other than a farm truck, a motorized bicycle, or motoreycle~~ 693
is ten dollars and eighty cents, and for each noncommercial 694
trailer, five dollars. 695

(J)(1) Except as otherwise provided in division (J) of this 696
section, for each farm truck, except a noncommercial motor 697
vehicle, that is owned, controlled, or operated by one or more 698
farmers exclusively in farm use as defined in this section, and 699

not for commercial purposes, and provided that at least 700
seventy-five per cent of such farm use is by or for the one or 701
more owners, controllers, or operators of the farm in the 702
operation of which a farm truck is used, the license tax is five 703
dollars plus: 704

(a) Fifty cents per one hundred pounds or part thereof for 705
the first three thousand pounds; 706

(b) Seventy cents per one hundred pounds or part thereof in 707
excess of three thousand pounds up to and including four thousand 708
pounds; 709

(c) Ninety cents per one hundred pounds or part thereof in 710
excess of four thousand pounds up to and including six thousand 711
pounds; 712

(d) Two dollars for each one hundred pounds or part thereof 713
in excess of six thousand pounds up to and including ten thousand 714
pounds; 715

(e) Two dollars and twenty-five cents for each one hundred 716
pounds or part thereof in excess of ten thousand pounds; 717

(f) The minimum license tax for any farm truck shall be 718
twelve dollars. 719

(2) The owner of a farm truck may register the truck for a 720
period of one-half year by paying one-half the registration tax 721
imposed on the truck under this chapter and one-half the amount of 722
any tax imposed on the truck under Chapter 4504. of the Revised 723
Code. 724

(3) A farm bus may be registered for a period of ninety days 725
from the date of issue of the license plates for the bus, for a 726
fee of ten dollars, provided such license plates shall not be 727
issued for more than any two ninety-day periods in any calendar 728
year. Such use does not include the operation of trucks by 729

commercial processors of agricultural products. 730

(4) License plates for farm trucks and for farm buses shall 731
have some distinguishing marks, letters, colors, or other 732
characteristics to be determined by the director of public safety. 733

(5) Every person registering a farm truck or bus under this 734
section shall furnish an affidavit certifying that the truck or 735
bus licensed to that person is to be so used as to meet the 736
requirements necessary for the farm truck or farm bus 737
classification. 738

Any farmer may use a truck owned by the farmer for commercial 739
purposes by paying the difference between the commercial truck 740
registration fee and the farm truck registration fee for the 741
remaining part of the registration period for which the truck is 742
registered. Such remainder shall be calculated from the beginning 743
of the semiannual period in which application for such commercial 744
license is made. 745

Taxes at the rates provided in this section are in lieu of 746
all taxes on or with respect to the ownership of such motor 747
vehicles, except as provided in section 4503.042 and section 748
4503.06 of the Revised Code. 749

(K) Other than trucks registered under the international 750
registration plan in another jurisdiction and for which this state 751
has received an apportioned registration fee, the license tax for 752
each truck which is owned, controlled, or operated by a 753
nonresident, and licensed in another state, and which is used 754
exclusively for the transportation of nonprocessed agricultural 755
products intrastate, from the place of production to the place of 756
processing, is twenty-four dollars. 757

"Truck," as used in this division, means any pickup truck, 758
straight truck, semitrailer, or trailer other than a travel 759
trailer. Nonprocessed agricultural products, as used in this 760

division, does not include livestock or grain. 761

A license issued under this division shall be issued for a 762
period of one hundred thirty days in the same manner in which all 763
other licenses are issued under this section, provided that no 764
truck shall be so licensed for more than one 765
one-hundred-thirty-day period during any calendar year. 766

The license issued pursuant to this division shall consist of 767
a windshield decal to be designed by the director of public 768
safety. 769

Every person registering a truck under this division shall 770
furnish an affidavit certifying that the truck licensed to the 771
person is to be used exclusively for the purposes specified in 772
this division. 773

(L) Every person registering a motor vehicle as a 774
noncommercial motor vehicle as defined in section 4501.01 of the 775
Revised Code, or registering a trailer as a noncommercial trailer 776
as defined in that section, shall furnish an affidavit certifying 777
that the motor vehicle or trailer so licensed to the person is to 778
be so used as to meet the requirements necessary for the 779
noncommercial vehicle classification. 780

(M) Every person registering a van or bus as provided in 781
divisions (F)(2) and (3) of this section shall furnish a notarized 782
statement certifying that the van or bus licensed to the person is 783
to be used for the purposes specified in those divisions. The form 784
of the license plate issued for such motor vehicles shall be 785
prescribed by the registrar. 786

(N) Every person registering as a passenger car a motor 787
vehicle designed and used for carrying more than nine but not more 788
than fifteen passengers, and every person registering a bus as 789
provided in division (G) of this section, shall furnish an 790
affidavit certifying that the vehicle so licensed to the person is 791

to be used in a ridesharing arrangement and that the person will 792
have in effect whenever the vehicle is used in a ridesharing 793
arrangement a policy of liability insurance with respect to the 794
motor vehicle in amounts and coverages no less than those required 795
by section 4509.79 of the Revised Code. The form of the license 796
plate issued for such a motor vehicle shall be prescribed by the 797
registrar. 798

(O)(1) Commencing on October 1, 2009, if an application for 799
registration renewal is not applied for prior to the expiration 800
date of the registration or within seven days after that date, the 801
registrar or deputy registrar shall collect a fee of twenty 802
dollars for the issuance of the vehicle registration. For any 803
motor vehicle that is used on a seasonal basis, whether used for 804
general transportation or not, and that has not been used on the 805
public roads or highways since the expiration of the registration, 806
the registrar or deputy registrar shall waive the fee established 807
under this division if the application is accompanied by 808
supporting evidence of seasonal use as the registrar may require. 809
The registrar or deputy registrar may waive the fee for other good 810
cause shown if the application is accompanied by supporting 811
evidence as the registrar may require. The fee shall be in 812
addition to all other fees established by this section. A deputy 813
registrar shall retain fifty cents of the fee and shall transmit 814
the remaining amount to the registrar at the time and in the 815
manner provided by section 4503.10 of the Revised Code. The 816
registrar shall deposit all moneys received under this division 817
into the state highway safety fund established in section 4501.06 818
of the Revised Code. 819

(2) Division (O)(1) of this section does not apply to a farm 820
truck or farm bus registered under division (J) of this section. 821

(P) As used in this section: 822

(1) "Van" means any motor vehicle having a single rear axle 823

and an enclosed body without a second seat. 824

(2) "Handicapped person" means any person who has lost the 825
use of one or both legs, or one or both arms, or is blind, deaf, 826
or so severely disabled as to be unable to move about without the 827
aid of crutches or a wheelchair. 828

(3) "Farm truck" means a truck used in the transportation 829
from the farm of products of the farm, including livestock and its 830
products, poultry and its products, floricultural and 831
horticultural products, and in the transportation to the farm of 832
supplies for the farm, including tile, fence, and every other 833
thing or commodity used in agricultural, floricultural, 834
horticultural, livestock, and poultry production and livestock, 835
poultry, and other animals and things used for breeding, feeding, 836
or other purposes connected with the operation of the farm. 837

(4) "Farm bus" means a bus used only for the transportation 838
of agricultural employees and used only in the transportation of 839
such employees as are necessary in the operation of the farm. 840

(5) "Farm supplies" includes fuel used exclusively in the 841
operation of a farm, including one or more homes located on and 842
used in the operation of one or more farms, and furniture and 843
other things used in and around such homes. 844

Sec. 4503.21. (A) No person who is the owner or operator of a 845
motor vehicle shall fail to display in plain view on the front and 846
rear of the motor vehicle the distinctive number and registration 847
mark, including any county identification sticker and any 848
validation sticker issued under sections 4503.19 and 4503.191 of 849
the Revised Code, furnished by the director of public safety, 850
except that a manufacturer of motor vehicles or dealer therein, 851
the holder of an in transit permit, and the owner or operator of a 852
motorcycle, motorized bicycle or moped, motor-driven cycle or 853
motor scooter, cab-enclosed motorcycle, manufactured home, mobile 854

home, trailer, or semitrailer shall display on the rear only. A 855
motor vehicle that is issued two license plates shall display the 856
validation sticker only on the rear license plate, except that a 857
commercial tractor that does not receive an apportioned license 858
plate under the international registration plan shall display the 859
validation sticker on the front of the commercial tractor. An 860
apportioned vehicle receiving an apportioned license plate under 861
the international registration plan shall display the license 862
plate only on the front of a commercial tractor and on the rear of 863
all other vehicles. All license plates shall be securely fastened 864
so as not to swing, and shall not be covered by any material that 865
obstructs their visibility. 866

No person to whom a temporary license placard or windshield 867
sticker has been issued for the use of a motor vehicle under 868
section 4503.182 of the Revised Code, and no operator of that 869
motor vehicle, shall fail to display the temporary license placard 870
in plain view from the rear of the vehicle either in the rear 871
window or on an external rear surface of the motor vehicle, or 872
fail to display the windshield sticker in plain view on the rear 873
window of the motor vehicle. No temporary license placard or 874
windshield sticker shall be covered by any material that obstructs 875
its visibility. 876

(B) Whoever violates this section is guilty of a minor 877
misdemeanor. 878

Sec. 4503.22. The identification license plate shall consist 879
of a placard upon the face of which shall appear the distinctive 880
number assigned to the motor vehicle as provided in section 881
4503.19 of the Revised Code, in Arabic numerals or letters, or 882
both. The dimensions of the numerals or letters and of each stroke 883
shall be determined by the director of public safety. The license 884
placard also shall contain the name of this state and the slogan 885

"BIRTHPLACE OF AVIATION." The placard shall be made of steel and 886
the background shall be treated with a reflective material that 887
shall provide effective and dependable reflective brightness 888
during the service period required of the placard. Specifications 889
for the reflective and other materials and the design of the 890
placard, the county identification stickers as provided by section 891
4503.19 of the Revised Code, and validation stickers as provided 892
by section 4503.191 of the Revised Code, shall be adopted by the 893
director as rules under sections 119.01 to 119.13 of the Revised 894
Code. The identification license plate of motorized bicycles or 895
mopeds, motor-driven cycles or motor scooters, cab-enclosed 896
motorcycles, and ~~of motor vehicles of the type commonly called~~ 897
~~"motorcycles"~~ shall consist of a single placard, the size of which 898
shall be prescribed by the director. The identification plate of a 899
vehicle registered in accordance with the international 900
registration plan shall contain the word "apportioned." The 901
director may prescribe the type of placard, or means of fastening 902
the placard, or both; the placard or means of fastening may be so 903
designed and constructed as to render difficult the removal of the 904
placard after it has been fastened to a motor vehicle. 905

Sec. 4503.544. (A) Any person who is a retired or honorably 906
discharged veteran of any branch of the armed forces of the United 907
States may apply to the registrar of motor vehicles for the 908
registration of any motorcycle, motorized bicycle or moped, 909
motor-driven cycle or motor scooter, or cab-enclosed motorcycle 910
that the person owns or leases. The application shall be 911
accompanied by written evidence that the applicant is a retired or 912
honorably discharged veteran of a branch of the armed forces of 913
the United States that the registrar shall require by rule. 914

Upon receipt of an application for registration of a 915
motorcycle under this section, presentation of satisfactory 916
evidence documenting that the applicant is a retired or honorably 917

discharged veteran of a branch of the armed forces of the United States, and payment of the ~~regular motorcycle~~ applicable license fee prescribed in section 4503.04 of the Revised Code and any local motor vehicle license tax levied under Chapter 4504. of the Revised Code, the registrar shall issue to the applicant the appropriate motor vehicle registration and a license plate and a validation sticker or a validation sticker alone when required by section 4503.191 of the Revised Code.

(B) License plates issued under this section shall be inscribed with the letters and numbers ordinarily inscribed on motorcycle license plates, except that the registrar shall provide for one of the following:

(1) The license plates to contain an inscription or symbol representing veterans of the armed forces of the United States;

(2) The plates to include the word "veteran" or "vet";

(3) The plates to be designed to display a sticker bearing the word "veteran."

(C) Sections 4503.77 and 4503.78 of the Revised Code do not apply to license plates issued under this section.

Sec. 4507.01. (A) As used in this chapter, "motor vehicle," "motorized bicycle," "state," "owner," "operator," "chauffeur," and "highways" have the same meanings as in section 4501.01 of the Revised Code.

"Driver's license" means a class D license issued to any person to operate a motor vehicle or motor-driven cycle, other than a commercial motor vehicle, and includes "probationary license," "restricted license," and any operator's or chauffeur's license issued before January 1, 1990.

"Probationary license" means the license issued to any person between sixteen and eighteen years of age to operate a motor

vehicle.	948
"Restricted license" means the license issued to any person	949
to operate a motor vehicle subject to conditions or restrictions	950
imposed by the registrar of motor vehicles.	951
"Commercial driver's license" means the license issued to a	952
person under Chapter 4506. of the Revised Code to operate a	953
commercial motor vehicle.	954
"Commercial motor vehicle" has the same meaning as in section	955
4506.01 of the Revised Code.	956
<u>"Motorcycle operator's temporary instruction permit, license,</u>	957
<u>or endorsement" includes a temporary instruction permit, license,</u>	958
<u>or endorsement for a motor-driven cycle or motor scooter unless</u>	959
<u>otherwise specified.</u>	960
"Motorized bicycle license" means the license issued under	961
section 4511.521 of the Revised Code to any person to operate a	962
motorized bicycle including a "probationary motorized bicycle	963
license."	964
"Probationary motorized bicycle license" means the license	965
issued under section 4511.521 of the Revised Code to any person	966
between fourteen and sixteen years of age to operate a motorized	967
bicycle.	968
"Identification card" means a card issued under sections	969
4507.50 and 4507.51 of the Revised Code.	970
"Resident" means a person who, in accordance with standards	971
prescribed in rules adopted by the registrar, resides in this	972
state on a permanent basis.	973
"Temporary resident" means a person who, in accordance with	974
standards prescribed in rules adopted by the registrar, resides in	975
this state on a temporary basis.	976
(B) In the administration of this chapter and Chapter 4506.	977

of the Revised Code, the registrar has the same authority as is 978
conferred on the registrar by section 4501.02 of the Revised Code. 979
Any act of an authorized deputy registrar of motor vehicles under 980
direction of the registrar is deemed the act of the registrar. 981

To carry out this chapter, the registrar shall appoint such 982
deputy registrars in each county as are necessary. 983

The registrar also shall provide at each place where an 984
application for a driver's or commercial driver's license or 985
identification card may be made the necessary equipment to take a 986
color photograph of the applicant for such license or card as 987
required under section 4506.11 or 4507.06 of the Revised Code, and 988
to conduct the vision screenings required by section 4507.12 of 989
the Revised Code, and equipment to laminate licenses, motorized 990
bicycle licenses, and identification cards as required by sections 991
4507.13, 4507.52, and 4511.521 of the Revised Code. 992

The registrar shall assign one or more deputy registrars to 993
any driver's license examining station operated under the 994
supervision of the director of public safety, whenever the 995
registrar considers such assignment possible. Space shall be 996
provided in the driver's license examining station for any such 997
deputy registrar so assigned. The deputy registrars shall not 998
exercise the powers conferred by such sections upon the registrar, 999
unless they are specifically authorized to exercise such powers by 1000
such sections. 1001

(C) No agent for any insurance company, writing automobile 1002
insurance, shall be appointed deputy registrar, and any such 1003
appointment is void. No deputy registrar shall in any manner 1004
solicit any form of automobile insurance, nor in any manner 1005
advise, suggest, or influence any licensee or applicant for 1006
license for or against any kind or type of automobile insurance, 1007
insurance company, or agent, nor have the deputy registrar's 1008
office directly connected with the office of any automobile 1009

insurance agent, nor impart any information furnished by any 1010
applicant for a license or identification card to any person, 1011
except the registrar. This division shall not apply to any 1012
nonprofit corporation appointed deputy registrar. 1013

(D) The registrar shall immediately remove a deputy registrar 1014
who violates the requirements of this chapter. 1015

(E) The registrar shall periodically solicit bids and enter 1016
into a contract for the provision of laminating equipment and 1017
laminating materials to the registrar and all deputy registrars. 1018
The registrar shall not consider any bid that does not provide for 1019
the supplying of both laminating equipment and laminating 1020
materials. The laminating materials selected shall contain a 1021
security feature so that any tampering with the laminating 1022
material covering a license or identification card is readily 1023
apparent. In soliciting bids and entering into a contract for the 1024
provision of laminating equipment and laminating materials, the 1025
registrar shall observe all procedures required by law. 1026

Sec. 4507.05. (A) The registrar of motor vehicles, or a 1027
deputy registrar, upon receiving an application for a temporary 1028
instruction permit and a temporary instruction permit 1029
identification card for a driver's license from any person who is 1030
at least fifteen years six months of age, may issue such a permit 1031
and identification card entitling the applicant to drive a motor 1032
vehicle, other than a commercial motor vehicle, upon the highways 1033
under the following conditions: 1034

(1) If the permit is issued to a person who is at least 1035
fifteen years six months of age, but less than sixteen years of 1036
age: 1037

(a) The permit and identification card are in the holder's 1038
immediate possession; 1039

(b) The holder is accompanied by an eligible adult who 1040
actually occupies the seat beside the permit holder and does not 1041
have a prohibited concentration of alcohol in the whole blood, 1042
blood serum or plasma, breath, or urine as provided in division 1043
(A) of section 4511.19 of the Revised Code; 1044

(c) The total number of occupants of the vehicle does not 1045
exceed the total number of occupant restraining devices originally 1046
installed in the motor vehicle by its manufacturer, and each 1047
occupant of the vehicle is wearing all of the available elements 1048
of a properly adjusted occupant restraining device. 1049

(2) If the permit is issued to a person who is at least 1050
sixteen years of age: 1051

(a) The permit and identification card are in the holder's 1052
immediate possession; 1053

(b) The holder is accompanied by a licensed operator who is 1054
at least twenty-one years of age, is actually occupying a seat 1055
beside the driver, and does not have a prohibited concentration of 1056
alcohol in the whole blood, blood serum or plasma, breath, or 1057
urine as provided in division (A) of section 4511.19 of the 1058
Revised Code; 1059

(c) The total number of occupants of the vehicle does not 1060
exceed the total number of occupant restraining devices originally 1061
installed in the motor vehicle by its manufacturer, and each 1062
occupant of the vehicle is wearing all of the available elements 1063
of a properly adjusted occupant restraining device. 1064

(B) The registrar or a deputy registrar, upon receiving from 1065
any person an application for a temporary instruction permit and 1066
temporary instruction permit identification card to operate a 1067
motorcycle, motor-driven cycle or motor scooter, or motorized 1068
bicycle, may issue such a permit and identification card entitling 1069
the applicant, while having the permit and identification card in 1070

the applicant's immediate possession, to drive a motorcycle or 1071
motor-driven cycle or motor scooter, under the restrictions 1072
prescribed in section 4511.53 of the Revised Code, or to drive a 1073
motorized bicycle under restrictions determined by the registrar. 1074
A temporary instruction permit and temporary instruction permit 1075
identification card to operate a motorized bicycle may be issued 1076
to a person fourteen or fifteen years old. 1077

(C) Any permit and identification card issued under this 1078
section shall be issued in the same manner as a driver's license, 1079
upon a form to be furnished by the registrar. A temporary 1080
instruction permit to drive a motor vehicle other than a 1081
commercial motor vehicle shall be valid for a period of one year. 1082

(D) Any person having in the person's possession a valid and 1083
current driver's license or motorcycle operator's license or 1084
endorsement issued to the person by another jurisdiction 1085
recognized by this state is exempt from obtaining a temporary 1086
instruction permit for a driver's license, but shall submit to the 1087
regular examination in obtaining a driver's license or motorcycle 1088
operator's endorsement in this state. 1089

(E) The registrar may adopt rules governing the use of 1090
temporary instruction permits and temporary instruction permit 1091
identification cards. 1092

(F)(1) No holder of a permit issued under division (A) of 1093
this section shall operate a motor vehicle upon a highway or any 1094
public or private property used by the public for purposes of 1095
vehicular travel or parking in violation of the conditions 1096
established under division (A) of this section. 1097

(2) Except as provided in division (F)(2) of this section, no 1098
holder of a permit that is issued under division (A) of this 1099
section and that is issued on or after July 1, 1998, and who has 1100
not attained the age of eighteen years, shall operate a motor 1101

vehicle upon a highway or any public or private property used by 1102
the public for purposes of vehicular travel or parking between the 1103
hours of midnight and six a.m. 1104

The holder of a permit issued under division (A) of this 1105
section on or after July 1, 1998, who has not attained the age of 1106
eighteen years, may operate a motor vehicle upon a highway or any 1107
public or private property used by the public for purposes of 1108
vehicular travel or parking between the hours of midnight and six 1109
a.m. if, at the time of such operation, the holder is accompanied 1110
by the holder's parent, guardian, or custodian, and the parent, 1111
guardian, or custodian holds a current valid driver's or 1112
commercial driver's license issued by this state, is actually 1113
occupying a seat beside the permit holder, and does not have a 1114
prohibited concentration of alcohol in the whole blood, blood 1115
serum or plasma, breath, or urine as provided in division (A) of 1116
section 4511.19 of the Revised Code. 1117

(G)(1) Notwithstanding any other provision of law to the 1118
contrary, no law enforcement officer shall cause the operator of a 1119
motor vehicle being operated on any street or highway to stop the 1120
motor vehicle for the sole purpose of determining whether each 1121
occupant of the motor vehicle is wearing all of the available 1122
elements of a properly adjusted occupant restraining device as 1123
required by division (A) of this section, or for the sole purpose 1124
of issuing a ticket, citation, or summons if the requirement in 1125
that division has been or is being violated, or for causing the 1126
arrest of or commencing a prosecution of a person for a violation 1127
of that requirement. 1128

(2) Notwithstanding any other provision of law to the 1129
contrary, no law enforcement officer shall cause the operator of a 1130
motor vehicle being operated on any street or highway to stop the 1131
motor vehicle for the sole purpose of determining whether a 1132
violation of division (F)(2) of this section has been or is being 1133

committed or for the sole purpose of issuing a ticket, citation, 1134
or summons for such a violation or for causing the arrest of or 1135
commencing a prosecution of a person for such violation. 1136

(H) As used in this section: 1137

(1) "Eligible adult" means any of the following: 1138

(a) An instructor of a driver training course approved by the 1139
department of public safety; 1140

(b) Any of the following persons who holds a current valid 1141
driver's or commercial driver's license issued by this state: 1142

(i) A parent, guardian, or custodian of the permit holder; 1143

(ii) A person twenty-one years of age or older who acts in 1144
loco parentis of the permit holder. 1145

(2) "Occupant restraining device" has the same meaning as in 1146
section 4513.263 of the Revised Code. 1147

(I) Whoever violates division (F)(1) or (2) of this section 1148
is guilty of a minor misdemeanor. 1149

Sec. 4507.06. (A)(1) Every application for a driver's license 1150
~~or~~ motorcycle operator's license or endorsement, or motor-driven 1151
cycle or motor scooter license or endorsement, or duplicate of any 1152
such license or endorsement, shall be made upon the approved form 1153
furnished by the registrar of motor vehicles and shall be signed 1154
by the applicant. 1155

Every application shall state the following: 1156

(a) The applicant's name, date of birth, social security 1157
number if such has been assigned, sex, general description, 1158
including height, weight, color of hair, and eyes, residence 1159
address, including county of residence, duration of residence in 1160
this state, and country of citizenship; 1161

(b) Whether the applicant previously has been licensed as an 1162

operator, chauffeur, driver, commercial driver, or motorcycle 1163
operator and, if so, when, by what state, and whether such license 1164
is suspended or canceled at the present time and, if so, the date 1165
of and reason for the suspension or cancellation; 1166

(c) Whether the applicant is now or ever has been afflicted 1167
with epilepsy, or whether the applicant now is suffering from any 1168
physical or mental disability or disease and, if so, the nature 1169
and extent of the disability or disease, giving the names and 1170
addresses of physicians then or previously in attendance upon the 1171
applicant; 1172

(d) Whether an applicant for a duplicate driver's license, ~~or~~ 1173
duplicate license containing a motorcycle operator endorsement, or 1174
duplicate license containing a motor-driven cycle or motor scooter 1175
endorsement has pending a citation for violation of any motor 1176
vehicle law or ordinance, a description of any such citation 1177
pending, and the date of the citation; 1178

(e) Whether the applicant wishes to certify willingness to 1179
make an anatomical gift under section 2108.05 of the Revised Code, 1180
which shall be given no consideration in the issuance of a license 1181
or endorsement; 1182

(f) Whether the applicant has executed a valid durable power 1183
of attorney for health care pursuant to sections 1337.11 to 1184
1337.17 of the Revised Code or has executed a declaration 1185
governing the use or continuation, or the withholding or 1186
withdrawal, of life-sustaining treatment pursuant to sections 1187
2133.01 to 2133.15 of the Revised Code and, if the applicant has 1188
executed either type of instrument, whether the applicant wishes 1189
the applicant's license to indicate that the applicant has 1190
executed the instrument; 1191

(g) On and after October 7, 2009, whether the applicant is a 1192
veteran, active duty, or reservist of the armed forces of the 1193

United States and, if the applicant is such, whether the applicant 1194
wishes the applicant's license to indicate that the applicant is a 1195
veteran, active duty, or reservist of the armed forces of the 1196
United States by a military designation on the license. 1197

(2) Every applicant for a driver's license shall be 1198
photographed in color at the time the application for the license 1199
is made. The application shall state any additional information 1200
that the registrar requires. 1201

(B) The registrar or a deputy registrar, in accordance with 1202
section 3503.11 of the Revised Code, shall register as an elector 1203
any person who applies for a ~~driver's~~ license or ~~motorcycle~~
~~operator's license or~~ endorsement under division (A) of this 1204
section, or for a renewal or duplicate of the license or 1205
endorsement, if the applicant is eligible and wishes to be 1206
registered as an elector. The decision of an applicant whether to 1207
register as an elector shall be given no consideration in the 1208
decision of whether to issue the applicant a license or 1209
endorsement, or a renewal or duplicate. 1210
1211

(C) The registrar or a deputy registrar, in accordance with 1212
section 3503.11 of the Revised Code, shall offer the opportunity 1213
of completing a notice of change of residence or change of name to 1214
any applicant for a driver's license or endorsement under division 1215
(A) of this section, or for a renewal or duplicate of the license 1216
or endorsement, if the applicant is a registered elector who has 1217
changed the applicant's residence or name and has not filed such a 1218
notice. 1219

(D) In addition to any other information it contains, on and 1220
after October 7, 2009, the approved form furnished by the 1221
registrar of motor vehicles for an application for a ~~driver's~~
license or ~~motorcycle operator's license or~~ endorsement or an 1222
application for a duplicate of any such license or endorsement 1223
shall inform applicants that the applicant must present a copy of 1224
1225

the applicant's DD-214 or an equivalent document in order to 1226
qualify to have the license or duplicate indicate that the 1227
applicant is a veteran, active duty, or reservist of the armed 1228
forces of the United States based on a request made pursuant to 1229
division (A)(1)(g) of this section. 1230

Sec. 4507.11. (A) The registrar of motor vehicles shall 1231
conduct all necessary examinations of applicants for temporary 1232
instruction permits, drivers' licenses, ~~or~~ motorcycle operators' 1233
endorsements, or motor-driven cycle or motor scooter endorsements. 1234
The examination shall include a test of the applicant's knowledge 1235
of motor vehicle laws, including the laws on stopping for school 1236
buses, a test of the applicant's physical fitness to drive, and a 1237
test of the applicant's ability to understand highway traffic 1238
control devices. The examination may be conducted in such a manner 1239
that applicants who are illiterate or limited in their knowledge 1240
of the English language may be tested by methods that would 1241
indicate to the examining officer that the applicant has a 1242
reasonable knowledge of motor vehicle laws and understands highway 1243
traffic control devices. An applicant for a driver's license shall 1244
give an actual demonstration of the ability to exercise ordinary 1245
and reasonable control in the operation of a motor vehicle by 1246
driving the same under the supervision of an examining officer; 1247
however, no applicant for a driver's license shall use a low-speed 1248
or under-speed vehicle or a mini-truck for the purpose of 1249
demonstrating ability to exercise ordinary and reasonable control 1250
over a vehicle. Except as provided in division (B) of this 1251
section, an applicant for a motorcycle operator's endorsement or a 1252
restricted license that permits only the operation of a motorcycle 1253
shall give an actual demonstration of the ability to exercise 1254
ordinary and reasonable control in the operation of a motorcycle 1255
by driving the same under the supervision of an examining officer; 1256
however, no applicant for such an endorsement or restricted 1257

license shall use a motor-driven cycle or motor scooter for the 1258
purpose of demonstrating ability to exercise ordinary and 1259
reasonable control in the operation of a motorcycle. Except as 1260
provided in division (B) of this section, an applicant for a 1261
motor-driven cycle or motor scooter operator's endorsement or a 1262
restricted license that permits only the operation of a 1263
motor-driven cycle or motor scooter shall give an actual 1264
demonstration of the ability to exercise ordinary and reasonable 1265
control in the operation of a motor-driven cycle or motor scooter 1266
by driving a motor-driven cycle or motor scooter under the 1267
supervision of an examining officer. Except as provided in section 1268
4507.12 of the Revised Code, the registrar shall designate the 1269
highway patrol, any law enforcement body, or any other employee of 1270
the department of public safety to supervise and conduct 1271
examinations for temporary instruction permits, drivers' licenses, 1272
and motorcycle operators' endorsements and shall provide the 1273
necessary rules and forms to properly conduct the examinations. 1274
The records of the examinations, together with the application for 1275
a temporary instruction permit, driver's license, or motorcycle 1276
operator's endorsement, shall be forwarded to the registrar by the 1277
deputy registrar, and, if in the opinion of the registrar the 1278
applicant is qualified to operate a motor vehicle, the registrar 1279
shall issue the permit, license, or endorsement. 1280

The registrar may authorize the highway patrol, other 1281
designated law enforcement body, or other designated employee of 1282
the department of public safety to issue an examiner's driving 1283
permit to an applicant who has passed the required examination, 1284
authorizing that applicant to operate a motor vehicle while the 1285
registrar is completing an investigation relative to that 1286
applicant's qualifications to receive a temporary instruction 1287
permit, driver's license, or motorcycle operator's endorsement. 1288
The examiner's driving permit shall be in the immediate possession 1289
of the applicant while operating a motor vehicle and shall be 1290

effective until final action and notification has been given by 1291
the registrar, but in no event longer than sixty days from its 1292
date of issuance. 1293

(B)(1) An applicant for a motorcycle operator's endorsement 1294
or a restricted license that permits only the operation of a 1295
motorcycle who presents to the registrar of motor vehicles or a 1296
deputy registrar a form approved by the director of public safety 1297
attesting to the applicant's successful completion within the 1298
preceding sixty days of a course of basic instruction provided by 1299
the motorcycle safety and education program approved by the 1300
director pursuant to section 4508.08 of the Revised Code shall not 1301
be required to give an actual demonstration of the ability to 1302
operate a motorcycle by driving a motorcycle under the supervision 1303
of an examining officer, as described in division (A) of this 1304
section. An applicant for a motor-driven cycle or motor scooter 1305
operator's endorsement or a restricted license that permits only 1306
the operation of a motor-driven cycle or motor scooter who 1307
presents to the registrar of motor vehicles or a deputy registrar 1308
a form approved by the director of public safety attesting to the 1309
applicant's successful completion within the preceding sixty days 1310
of a course of basic instruction provided by the motorcycle safety 1311
and education program approved by the director pursuant to section 1312
4508.08 of the Revised Code shall not be required to give an 1313
actual demonstration of the ability to operate a motor-driven 1314
cycle or motor scooter by driving a motor-driven cycle or motor 1315
scooter under the supervision of an examining officer, as 1316
described in division (A) of this section. Upon presentation of 1317
the form described in division (B)(1) of this section and 1318
compliance with all other requirements relating to the issuance of 1319
a motorcycle operator's endorsement or a restricted license that 1320
permits only the operation of a motorcycle, the registrar or 1321
deputy registrar shall issue to the applicant the endorsement or 1322
restricted license, as the case may be. 1323

(2) A person who has not attained eighteen years of age and presents an application for a motorcycle operator's endorsement or a restricted license under division (B)(1) of this section also shall comply with the requirements of section 4507.21 of the Revised Code.

(C) A person who holds a valid motorcycle endorsement or restricted license that permits only the operation of a motorcycle may operate a motor-driven cycle or motor scooter with that endorsement or restricted license.

Sec. 4511.01. As used in this chapter and in Chapter 4513. of the Revised Code:

(A) "Vehicle" means every device, including a motorized bicycle, in, upon, or by which any person or property may be transported or drawn upon a highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, any device that is moved by power collected from overhead electric trolley wires or that is used exclusively upon stationary rails or tracks, or any device, other than a bicycle, that is moved by human power.

(B) "Motor vehicle" means every vehicle propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires, except 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, hole-digging machinery, well-drilling machinery, ditch-digging machinery, farm machinery, and trailers 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 street or highway for a distance of no more than ten miles and at a speed of twenty-five miles per hour or less.

(C) "Motorcycle" means every motor vehicle, other than a tractor, having a seat or saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, including, but not limited to, motor vehicles known as "motor-driven cycle," "motor scooter," "cab-enclosed motorcycle," or "motorcycle" without regard to weight or brake horsepower.

(D) "Emergency vehicle" means emergency vehicles of municipal, township, or county departments or public utility corporations when identified as such as required by law, the director of public safety, or local authorities, and motor vehicles when commandeered by a police officer.

(E) "Public safety vehicle" means any of the following:

(1) Ambulances, including private ambulance companies under contract to a municipal corporation, township, or county, and private ambulances and nontransport vehicles bearing license plates issued under section 4503.49 of the Revised Code;

(2) Motor vehicles used by public law enforcement officers or other persons sworn to enforce the criminal and traffic laws of the state;

(3) Any motor vehicle when properly identified as required by the director of public safety, when used in response to fire emergency calls or to provide emergency medical service to ill or injured persons, and when operated by a duly qualified person who is a member of a volunteer rescue service or a volunteer fire department, and who is on duty pursuant to the rules or directives of that service. The state fire marshal shall be designated by the director of public safety as the certifying agency for all public safety vehicles described in division (E)(3) of this section.

(4) Vehicles used by fire departments, including motor vehicles when used by volunteer fire fighters responding to emergency calls in the fire department service when identified as

required by the director of public safety. 1386

Any vehicle used to transport or provide emergency medical 1387
service to an ill or injured person, when certified as a public 1388
safety vehicle, shall be considered a public safety vehicle when 1389
transporting an ill or injured person to a hospital regardless of 1390
whether such vehicle has already passed a hospital. 1391

(5) Vehicles used by the motor carrier enforcement unit for 1392
the enforcement of orders and rules of the public utilities 1393
commission as specified in section 5503.34 of the Revised Code. 1394

(F) "School bus" means every bus designed for carrying more 1395
than nine passengers that is owned by a public, private, or 1396
governmental agency or institution of learning and operated for 1397
the transportation of children to or from a school session or a 1398
school function, or owned by a private person and operated for 1399
compensation for the transportation of children to or from a 1400
school session or a school function, provided "school bus" does 1401
not include a bus operated by a municipally owned transportation 1402
system, a mass transit company operating exclusively within the 1403
territorial limits of a municipal corporation, or within such 1404
limits and the territorial limits of municipal corporations 1405
immediately contiguous to such municipal corporation, nor a common 1406
passenger carrier certified by the public utilities commission 1407
unless such bus is devoted exclusively to the transportation of 1408
children to and from a school session or a school function, and 1409
"school bus" does not include a van or bus used by a licensed 1410
child day-care center or type A family day-care home to transport 1411
children from the child day-care center or type A family day-care 1412
home to a school if the van or bus does not have more than fifteen 1413
children in the van or bus at any time. 1414

(G) "Bicycle" means every device, other than a tricycle 1415
designed solely for use as a play vehicle by a child, propelled 1416
solely by human power upon which any person may ride having two 1417

tandem wheels, or one wheel in the front and two wheels in the rear, or two wheels in the front and one wheel in the rear, any of which is more than fourteen inches in diameter.

(H) "Motorized bicycle" or "moped" means any vehicle having either two tandem wheels or one wheel in the front and two wheels in the rear, that ~~is capable of being~~ may be 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.

(I) "Commercial tractor" means every motor vehicle having motive power designed or used for drawing other vehicles and not so constructed as to carry any load thereon, or designed or used for drawing other vehicles while carrying a portion of such other vehicles, or load thereon, or both.

(J) "Agricultural tractor" means every self-propelling vehicle designed or used for drawing other vehicles or wheeled machinery but having no provision for carrying loads independently of such other vehicles, and used principally for agricultural purposes.

(K) "Truck" means every motor vehicle, except trailers and semitrailers, designed and used to carry property.

(L) "Bus" means every motor vehicle designed for carrying more than nine passengers and used for the transportation of persons other than in a ridesharing arrangement, and every motor vehicle, automobile for hire, or funeral car, other than a taxicab or motor vehicle used in a ridesharing arrangement, designed and used for the transportation of persons for compensation.

(M) "Trailer" means every vehicle designed or used for carrying persons or property wholly on its own structure and for being drawn by a motor vehicle, including any such vehicle when

formed by or operated as a combination of a "semitrailer" and a 1449
vehicle of the dolly type, such as that commonly known as a 1450
"trailer dolly," a vehicle used to transport agricultural produce 1451
or agricultural production materials between a local place of 1452
storage or supply and the farm when drawn or towed on a street or 1453
highway at a speed greater than twenty-five miles per hour, and a 1454
vehicle designed and used exclusively to transport a boat between 1455
a place of storage and a marina, or in and around a marina, when 1456
drawn or towed on a street or highway for a distance of more than 1457
ten miles or at a speed of more than twenty-five miles per hour. 1458

(N) "Semitrailer" means every vehicle designed or used for 1459
carrying persons or property with another and separate motor 1460
vehicle so that in operation a part of its own weight or that of 1461
its load, or both, rests upon and is carried by another vehicle. 1462

(O) "Pole trailer" means every trailer or semitrailer 1463
attached to the towing vehicle by means of a reach, pole, or by 1464
being boomed or otherwise secured to the towing vehicle, and 1465
ordinarily used for transporting long or irregular shaped loads 1466
such as poles, pipes, or structural members capable, generally, of 1467
sustaining themselves as beams between the supporting connections. 1468

(P) "Railroad" means a carrier of persons or property 1469
operating upon rails placed principally on a private right-of-way. 1470

(Q) "Railroad train" means a steam engine or an electric or 1471
other motor, with or without cars coupled thereto, operated by a 1472
railroad. 1473

(R) "Streetcar" means a car, other than a railroad train, for 1474
transporting persons or property, operated upon rails principally 1475
within a street or highway. 1476

(S) "Trackless trolley" means every car that collects its 1477
power from overhead electric trolley wires and that is not 1478
operated upon rails or tracks. 1479

(T) "Explosives" means any chemical compound or mechanical mixture that is intended for the purpose of producing an explosion that contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by a detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects, or of destroying life or limb. Manufactured articles shall not be held to be explosives when the individual units contain explosives in such limited quantities, of such nature, or in such packing, that it is impossible to procure a simultaneous or a destructive explosion of such units, to the injury of life, limb, or property by fire, by friction, by concussion, by percussion, or by a detonator, such as fixed ammunition for small arms, firecrackers, or safety fuse matches.	1480 1481 1482 1483 1484 1485 1486 1487 1488 1489 1490 1491 1492 1493 1494 1495
(U) "Flammable liquid" means any liquid that has a flash point of seventy degrees fahrenheit, or less, as determined by a tagliabue or equivalent closed cup test device.	1496 1497 1498
(V) "Gross weight" means the weight of a vehicle plus the weight of any load thereon.	1499 1500
(W) "Person" means every natural person, firm, co-partnership, association, or corporation.	1501 1502
(X) "Pedestrian" means any natural person afoot.	1503
(Y) "Driver or operator" means every person who drives or is in actual physical control of a vehicle, trackless trolley, or streetcar.	1504 1505 1506
(Z) "Police officer" means every officer authorized to direct or regulate traffic, or to make arrests for violations of traffic regulations.	1507 1508 1509
(AA) "Local authorities" means every county, municipal, and	1510

other local board or body having authority to adopt police 1511
regulations under the constitution and laws of this state. 1512

(BB) "Street" or "highway" means the entire width between the 1513
boundary lines of every way open to the use of the public as a 1514
thoroughfare for purposes of vehicular travel. 1515

(CC) "Controlled-access highway" means every street or 1516
highway in respect to which owners or occupants of abutting lands 1517
and other persons have no legal right of access to or from the 1518
same except at such points only and in such manner as may be 1519
determined by the public authority having jurisdiction over such 1520
street or highway. 1521

(DD) "Private road or driveway" means every way or place in 1522
private ownership used for vehicular travel by the owner and those 1523
having express or implied permission from the owner but not by 1524
other persons. 1525

(EE) "Roadway" means that portion of a highway improved, 1526
designed, or ordinarily used for vehicular travel, except the berm 1527
or shoulder. If a highway includes two or more separate roadways 1528
the term "roadway" means any such roadway separately but not all 1529
such roadways collectively. 1530

(FF) "Sidewalk" means that portion of a street between the 1531
curb lines, or the lateral lines of a roadway, and the adjacent 1532
property lines, intended for the use of pedestrians. 1533

(GG) "Laned highway" means a highway the roadway of which is 1534
divided into two or more clearly marked lanes for vehicular 1535
traffic. 1536

(HH) "Through highway" means every street or highway as 1537
provided in section 4511.65 of the Revised Code. 1538

(II) "State highway" means a highway under the jurisdiction 1539
of the department of transportation, outside the limits of 1540

municipal corporations, provided that the authority conferred upon 1541
the director of transportation in section 5511.01 of the Revised 1542
Code to erect state highway route markers and signs directing 1543
traffic shall not be modified by sections 4511.01 to 4511.79 and 1544
4511.99 of the Revised Code. 1545

(JJ) "State route" means every highway that is designated 1546
with an official state route number and so marked. 1547

(KK) "Intersection" means: 1548

(1) The area embraced within the prolongation or connection 1549
of the lateral curb lines, or, if none, the lateral boundary lines 1550
of the roadways of two highways that join one another at, or 1551
approximately at, right angles, or the area within which vehicles 1552
traveling upon different highways that join at any other angle 1553
might come into conflict. The junction of an alley or driveway 1554
with a roadway or highway does not constitute an intersection 1555
unless the roadway or highway at the junction is controlled by a 1556
traffic control device. 1557

(2) If a highway includes two roadways that are thirty feet 1558
or more apart, then every crossing of each roadway of such divided 1559
highway by an intersecting highway constitutes a separate 1560
intersection. If both intersecting highways include two roadways 1561
thirty feet or more apart, then every crossing of any two roadways 1562
of such highways constitutes a separate intersection. 1563

(3) At a location controlled by a traffic control signal, 1564
regardless of the distance between the separate intersections as 1565
described in division (KK)(2) of this section: 1566

(a) If a stop line, yield line, or crosswalk has not been 1567
designated on the roadway within the median between the separate 1568
intersections, the two intersections and the roadway and median 1569
constitute one intersection. 1570

(b) Where a stop line, yield line, or crosswalk line is 1571

designated on the roadway on the intersection approach, the area 1572
within the crosswalk and any area beyond the designated stop line 1573
or yield line constitute part of the intersection. 1574

(c) Where a crosswalk is designated on a roadway on the 1575
departure from the intersection, the intersection includes the 1576
area that extends to the far side of the crosswalk. 1577

(LL) "Crosswalk" means: 1578

(1) That part of a roadway at intersections ordinarily 1579
included within the real or projected prolongation of property 1580
lines and curb lines or, in the absence of curbs, the edges of the 1581
traversable roadway; 1582

(2) Any portion of a roadway at an intersection or elsewhere, 1583
distinctly indicated for pedestrian crossing by lines or other 1584
markings on the surface; 1585

(3) Notwithstanding divisions (LL)(1) and (2) of this 1586
section, there shall not be a crosswalk where local authorities 1587
have placed signs indicating no crossing. 1588

(MM) "Safety zone" means the area or space officially set 1589
apart within a roadway for the exclusive use of pedestrians and 1590
protected or marked or indicated by adequate signs as to be 1591
plainly visible at all times. 1592

(NN) "Business district" means the territory fronting upon a 1593
street or highway, including the street or highway, between 1594
successive intersections within municipal corporations where fifty 1595
per cent or more of the frontage between such successive 1596
intersections is occupied by buildings in use for business, or 1597
within or outside municipal corporations where fifty per cent or 1598
more of the frontage for a distance of three hundred feet or more 1599
is occupied by buildings in use for business, and the character of 1600
such territory is indicated by official traffic control devices. 1601

(OO) "Residence district" means the territory, not comprising 1602
a business district, fronting on a street or highway, including 1603
the street or highway, where, for a distance of three hundred feet 1604
or more, the frontage is improved with residences or residences 1605
and buildings in use for business. 1606

(PP) "Urban district" means the territory contiguous to and 1607
including any street or highway which is built up with structures 1608
devoted to business, industry, or dwelling houses situated at 1609
intervals of less than one hundred feet for a distance of a 1610
quarter of a mile or more, and the character of such territory is 1611
indicated by official traffic control devices. 1612

(QQ) "Traffic control device" means a flagger, sign, signal, 1613
marking, or other device used to regulate, warn, or guide traffic, 1614
placed on, over, or adjacent to a street, highway, private road 1615
open to public travel, pedestrian facility, or shared-use path by 1616
authority of a public agency or official having jurisdiction, or, 1617
in the case of a private road open to public travel, by authority 1618
of the private owner or private official having jurisdiction. 1619

(RR) "Traffic control signal" means any highway traffic 1620
signal by which traffic is alternately directed to stop and 1621
permitted to proceed. 1622

(SS) "Railroad sign or signal" means any sign, signal, or 1623
device erected by authority of a public body or official or by a 1624
railroad and intended to give notice of the presence of railroad 1625
tracks or the approach of a railroad train. 1626

(TT) "Traffic" means pedestrians, ridden or herded animals, 1627
vehicles, streetcars, trackless trolleys, and other devices, 1628
either singly or together, while using for purposes of travel any 1629
highway or private road open to public travel. 1630

(UU) "Right-of-way" means either of the following, as the 1631
context requires: 1632

(1) The right of a vehicle, streetcar, trackless trolley, or pedestrian to proceed uninterruptedly in a lawful manner in the direction in which it or the individual is moving in preference to another vehicle, streetcar, trackless trolley, or pedestrian approaching from a different direction into its or the individual's path;

(2) A general term denoting land, property, or the interest therein, usually in the configuration of a strip, acquired for or devoted to transportation purposes. When used in this context, right-of-way includes the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the state or local authority.

(VV) "Rural mail delivery vehicle" means every vehicle used to deliver United States mail on a rural mail delivery route.

(WW) "Funeral escort vehicle" means any motor vehicle, including a funeral hearse, while used to facilitate the movement of a funeral procession.

(XX) "Alley" means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic, and includes any street or highway that has been declared an "alley" by the legislative authority of the municipal corporation in which such street or highway is located.

(YY) "Freeway" means a divided multi-lane highway for through traffic with all crossroads separated in grade and with full control of access.

(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.

(AAA) "Thruway" means a through highway whose entire roadway is reserved for through traffic and on which roadway parking is

prohibited. 1664

(BBB) "Stop intersection" means any intersection at one or 1665
more entrances of which stop signs are erected. 1666

(CCC) "Arterial street" means any United States or state 1667
numbered route, controlled access highway, or other major radial 1668
or circumferential street or highway designated by local 1669
authorities within their respective jurisdictions as part of a 1670
major arterial system of streets or highways. 1671

(DDD) "Ridesharing arrangement" means the transportation of 1672
persons in a motor vehicle where such transportation is incidental 1673
to another purpose of a volunteer driver and includes ridesharing 1674
arrangements known as carpools, vanpools, and buspools. 1675

(EEE) "Motorized wheelchair" means any self-propelled vehicle 1676
designed for, and used by, a handicapped person and that is 1677
incapable of a speed in excess of eight miles per hour. 1678

(FFF) "Child day-care center" and "type A family day-care 1679
home" have the same meanings as in section 5104.01 of the Revised 1680
Code. 1681

(GGG) "Multi-wheel agricultural tractor" means a type of 1682
agricultural tractor that has two or more wheels or tires on each 1683
side of one axle at the rear of the tractor, is designed or used 1684
for drawing other vehicles or wheeled machinery, has no provision 1685
for carrying loads independently of the drawn vehicles or 1686
machinery, and is used principally for agricultural purposes. 1687

(HHH) "Operate" means to cause or have caused movement of a 1688
vehicle, streetcar, or trackless trolley. 1689

(III) "Predicate motor vehicle or traffic offense" means any 1690
of the following: 1691

(1) A violation of section 4511.03, 4511.051, 4511.12, 1692
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 1693

4511.214, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 1694
4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 1695
4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 1696
4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 1697
4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 1698
4511.511, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 1699
4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 1700
4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 1701
4511.73, 4511.763, 4511.771, 4511.78, or 4511.84 of the Revised 1702
Code; 1703

(2) A violation of division (A)(2) of section 4511.17, 1704
divisions (A) to (D) of section 4511.51, or division (A) of 1705
section 4511.74 of the Revised Code; 1706

(3) A violation of any provision of sections 4511.01 to 1707
4511.76 of the Revised Code for which no penalty otherwise is 1708
provided in the section that contains the provision violated; 1709

(4) A violation of a municipal ordinance that is 1710
substantially similar to any section or provision set forth or 1711
described in division (III)(1), (2), or (3) of this section. 1712

(JJJ) "Road service vehicle" means wreckers, utility repair 1713
vehicles, and state, county, and municipal service vehicles 1714
equipped with visual signals by means of flashing, rotating, or 1715
oscillating lights. 1716

(KKK) "Beacon" means a highway traffic signal with one or 1717
more signal sections that operate in a flashing mode. 1718

(LLL) "Hybrid beacon" means a type of beacon that is 1719
intentionally placed in a dark mode between periods of operation 1720
where no indications are displayed and, when in operation, 1721
displays both steady and flashing traffic control signal 1722
indications. 1723

(MMM) "Highway traffic signal" means a power-operated traffic 1724

control device by which traffic is warned or directed to take some 1725
specific action. "Highway traffic signal" does not include a 1726
power-operated sign, steadily illuminated pavement marker, warning 1727
light, or steady burning electric lamp. 1728

(NNN) "Median" means the area between two roadways of a 1729
divided highway, measured from edge of traveled way to edge of 1730
traveled way, but excluding turn lanes. The width of a median may 1731
be different between intersections, between interchanges, and at 1732
opposite approaches of the same intersection. 1733

(OOO) "Private road open to public travel" means a private 1734
toll road or road, including any adjacent sidewalks that generally 1735
run parallel to the road, within a shopping center, airport, 1736
sports arena, or other similar business or recreation facility 1737
that is privately owned but where the public is allowed to travel 1738
without access restrictions. "Private road open to public travel" 1739
includes a gated toll road but does not include a road within a 1740
private gated property where access is restricted at all times, a 1741
parking area, a driving aisle within a parking area, or a private 1742
grade crossing. 1743

(PPP) "Shared-use path" means a bikeway outside the traveled 1744
way and physically separated from motorized vehicular traffic by 1745
an open space or barrier and either within the highway 1746
right-of-way or within an independent alignment. A shared-use path 1747
also may be used by pedestrians, including skaters, joggers, users 1748
of manual and motorized wheelchairs, and other authorized 1749
motorized and non-motorized users. 1750

Sec. 4511.214. (A)(1) No person shall operate a low-speed 1751
vehicle upon any street or highway having an established speed 1752
limit greater than thirty-five miles per hour. 1753

(2) No person shall operate an under-speed or utility vehicle 1754
or a mini-truck upon any street or highway except as follows: 1755

(a) Upon a street or highway having an established speed limit not greater than thirty-five miles per hour and only upon such streets or highways where a local authority has granted permission for such operation in accordance with section 4511.215 of the Revised Code; 1756
1757
1758
1759
1760

(b) A state park or political subdivision employee or volunteer operating a utility vehicle exclusively within the boundaries of state parks or political subdivision parks for the operation or maintenance of state or political subdivision park facilities. 1761
1762
1763
1764
1765

(3) No person shall operate a motor-driven cycle or motor scooter upon any street or highway having an established speed limit greater than forty-five miles per hour. 1766
1767
1768

(B) This section does not prohibit either of the following: 1769

(1) A person operating a low-speed vehicle, under-speed, or utility vehicle or a mini-truck from proceeding across an intersection of a street or highway having a speed limit greater than thirty-five miles per hour; 1770
1771
1772
1773

(2) A person operating a motor-driven cycle or motor scooter from proceeding across an intersection of a street or highway having a speed limit greater than forty-five miles per hour. 1774
1775
1776

(C) Nothing in this section shall prevent a local authority from adopting more stringent local ordinances, resolutions, or regulations governing the operation of a low-speed vehicle or a mini-truck, or a motor-driven cycle or motor scooter. 1777
1778
1779
1780

(D) Except as otherwise provided in this division, whoever violates division (A) of this section is guilty of a minor misdemeanor. If within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If within 1781
1782
1783
1784
1785
1786

one year of the offense, the offender previously has been 1787
convicted of two or more predicate motor vehicle or traffic 1788
offenses, whoever violates this section is guilty of a misdemeanor 1789
of the third degree. 1790

Sec. 4511.215. (A) By ordinance or resolution, a local 1791
authority may authorize the operation of under-speed or utility 1792
vehicles or mini-trucks on a public street or highway under its 1793
jurisdiction. A local authority that authorizes the operation of 1794
under-speed or utility vehicles or mini-trucks shall do all of the 1795
following: 1796

(1) Limit the operation of those vehicles to streets and 1797
highways having an established speed limit not greater than 1798
thirty-five miles per hour; 1799

(2) Require the vehicle owner who wishes to operate an 1800
under-speed or utility vehicle or a mini-truck on the public 1801
streets or highways to submit the vehicle to an inspection 1802
conducted by a local law enforcement agency that complies with 1803
inspection requirements established by the department of public 1804
safety under section 4513.02 of the Revised Code; 1805

(3) Permit the operation on public streets or highways of 1806
only those vehicles that successfully pass the required vehicle 1807
inspection, are registered in accordance with Chapter 4503. of the 1808
Revised Code, and are titled in accordance with Chapter 4505. of 1809
the Revised Code; 1810

(4) Notify the director of public safety, in a manner the 1811
director determines, of the authorization for the operation of 1812
under-speed or utility vehicles or mini-trucks. 1813

(B) A local authority may establish additional requirements 1814
for the operation of under-speed or utility vehicles or 1815
mini-trucks on its streets and highways. 1816

Sec. 4511.53. (A) For purposes of this section, "snowmobile" 1817
has the same meaning as given that term in section 4519.01 of the 1818
Revised Code. 1819

(B) No person operating a bicycle shall ride other than upon 1820
or astride the permanent and regular seat attached thereto or 1821
carry any other person upon such bicycle other than upon a firmly 1822
attached and regular seat thereon, and no person shall ride upon a 1823
bicycle other than upon such a firmly attached and regular seat. 1824

No person operating a motorcycle shall ride other than upon 1825
or astride the permanent and regular seat or saddle attached 1826
thereto, or carry any other person upon such motorcycle other than 1827
upon a firmly attached and regular seat or saddle thereon, and no 1828
person shall ride upon a motorcycle other than upon such a firmly 1829
attached and regular seat or saddle. 1830

No person shall ride upon a motorcycle that is equipped with 1831
a saddle other than while sitting astride the saddle, facing 1832
forward, with one leg on each side of the motorcycle. 1833

No person shall ride upon a motorcycle that is equipped with 1834
a seat other than while sitting upon the seat. 1835

No person operating a bicycle shall carry any package, 1836
bundle, or article that prevents the driver from keeping at least 1837
one hand upon the ~~handle bars~~ handlebars. 1838

No bicycle or motorcycle shall be used to carry more persons 1839
at one time than the number for which it is designed and equipped, 1840
~~nor shall any.~~ No motorcycle shall be operated on a highway when 1841
the ~~handle bars or grips are more than fifteen inches~~ handlebars 1842
rise higher than the shoulders of the operator when the operator 1843
is seated in the operator's seat or saddle for the operator. 1844

~~No~~ (C)(1) Except as provided in division (C)(2) of this 1845
section, no person shall operate or be a passenger on a snowmobile 1846

or motorcycle without using safety glasses or other protective eye 1847
device. ~~Ne~~ Except as provided in division (C)(2) of this section, 1848
no person who is under the age of eighteen years, or who holds a 1849
motorcycle operator's endorsement or license bearing a "novice" 1850
designation that is currently in effect as provided in section 1851
4507.13 of the Revised Code, shall operate a motorcycle on a 1852
highway, or be a passenger on a motorcycle, unless wearing a 1853
United States department of transportation-approved protective 1854
helmet on the person's head, and no other person shall be a 1855
passenger on a motorcycle operated by such a person unless 1856
similarly wearing a protective helmet. The helmet, safety glasses, 1857
or other protective eye device shall conform with rules adopted by 1858
the director of public safety. The provisions of this paragraph or 1859
a violation thereof shall not be used in the trial of any civil 1860
action. 1861

~~(C)(1)(2)~~ Division (C)(1) of this section does not apply to a 1862
person operating a cab-enclosed motorcycle when the occupant 1863
compartment top is in place enclosing the occupants. 1864

(3)(a) No person shall operate a motorcycle with a valid 1865
temporary instruction permit and temporary instruction permit 1866
identification card issued by the registrar of motor vehicles 1867
pursuant to section 4507.05 of the Revised Code unless the person, 1868
at the time of such operation, is wearing on the person's head a 1869
protective helmet that has been approved by the United States 1870
department of transportation that conforms with rules adopted by 1871
the director. 1872

~~(2)(b)~~ No person shall operate a motorcycle with a valid 1873
temporary instruction permit and temporary instruction permit 1874
identification card issued by the registrar pursuant to section 1875
4507.05 of the Revised Code in any of the following circumstances: 1876

~~(a)(i)~~ At any time when lighted lights are required by 1877
division (A)(1) of section 4513.03 of the Revised Code; 1878

~~(b)~~(ii) While carrying a passenger; 1879

~~(e)~~(iii) On any limited access highway or heavily congested roadway. 1880
1881

(D) Nothing in this section shall be construed as prohibiting 1882
the carrying of a child in a seat or trailer that is designed for 1883
carrying children and is firmly attached to the bicycle. 1884

(E) Except as otherwise provided in this division, whoever 1885
violates division (B) or (C)(1) or (3) of this section is guilty 1886
of a minor misdemeanor. If, within one year of the offense, the 1887
offender previously has been convicted of or pleaded guilty to one 1888
predicate motor vehicle or traffic offense, whoever violates 1889
division (B) or (C)(1) or (3) of this section is guilty of a 1890
misdemeanor of the fourth degree. If, within one year of the 1891
offense, the offender previously has been convicted of two or more 1892
predicate motor vehicle or traffic offenses, whoever violates 1893
division (B) or (C)(1) or (3) of this section is guilty of a 1894
misdemeanor of the third degree. 1895

Sec. 4513.241. (A) The director of public safety, in 1896
accordance with Chapter 119. of the Revised Code, shall adopt 1897
rules governing the use of tinted glass, and the use of 1898
transparent, nontransparent, translucent, and reflectorized 1899
materials in or on motor vehicle windshields, side windows, 1900
sidewings, and rear windows that prevent a person of normal vision 1901
looking into the motor vehicle from seeing or identifying persons 1902
or objects inside the motor vehicle. 1903

(B) The rules adopted under this section may provide for 1904
persons who meet either of the following qualifications: 1905

(1) On November 11, 1994, or the effective date of any rule 1906
adopted under this section, own a motor vehicle that does not 1907
conform to the requirements of this section or of any rule adopted 1908

under this section; 1909

(2) Establish residency in this state and are required to 1910
register a motor vehicle that does not conform to the requirements 1911
of this section or of any rule adopted under this section. 1912

(C) No person shall operate, on any highway or other public 1913
or private property open to the public for vehicular travel or 1914
parking, lease, or rent any motor vehicle that is registered in 1915
this state unless the motor vehicle conforms to the requirements 1916
of this section and of any applicable rule adopted under this 1917
section. 1918

(D) No person shall install in or on any motor vehicle, any 1919
glass or other material that fails to conform to the requirements 1920
of this section or of any rule adopted under this section. 1921

(E)(1) No used motor vehicle dealer or new motor vehicle 1922
dealer, as defined in section 4517.01 of the Revised Code, shall 1923
sell any motor vehicle that fails to conform to the requirements 1924
of this section or of any rule adopted under this section. 1925

(2) No manufacturer, remanufacturer, or distributor, as 1926
defined in section 4517.01 of the Revised Code, shall provide to a 1927
motor vehicle dealer licensed under Chapter 4517. of the Revised 1928
Code or to any other person, a motor vehicle that fails to conform 1929
to the requirements of this section or of any rule adopted under 1930
this section. 1931

(F) No reflectorized materials shall be permitted upon or in 1932
any front windshield, side windows, sidewings, or rear window. 1933

(G) This section does not apply to the manufacturer's tinting 1934
or glazing of motor vehicle windows or windshields that is 1935
otherwise in compliance with or permitted by federal motor vehicle 1936
safety standard number two hundred five. 1937

(H) With regard to any side window behind a driver's seat or 1938

any rear window other than any window on an emergency door, this 1939
section does not apply to any school bus used to transport a child 1940
with disabilities pursuant to Chapter 3323. of the Revised Code, 1941
whom it is impossible or impractical to transport by regular 1942
school bus in the course of regular route transportation provided 1943
by a school district. As used in this division, "child with 1944
disabilities" has the same meaning as in section 3323.01 of the 1945
Revised Code. 1946

(I) This section does not apply to any school bus that is to 1947
be sold and operated outside this state. 1948

(J)(1) This section and the rules adopted under it do not 1949
apply to a motor vehicle used by a law enforcement agency under 1950
either of the following circumstances: 1951

(a) The vehicle does not have distinctive markings of a law 1952
enforcement vehicle but is operated by or on behalf of the law 1953
enforcement agency in an authorized investigation or other 1954
activity requiring that the presence and identity of the vehicle 1955
occupants be undisclosed. 1956

(b) The vehicle primarily is used by the law enforcement 1957
canine unit for transporting a police dog. 1958

(2) As used in this division, "law enforcement agency" means 1959
a police department, the office of a sheriff, the state highway 1960
patrol, a county prosecuting attorney, or a federal, state, or 1961
local governmental body that enforces criminal laws and that has 1962
employees who have a statutory power of arrest. 1963

(K)(1) Whoever violates division (C), ~~(D)~~, (E)(2), or (F) of 1964
this section is guilty of a minor misdemeanor. 1965

(2) Whoever violates division (E)(1) of this section is 1966
guilty of a minor misdemeanor if the dealer or the dealer's agent 1967
knew of the nonconformity at the time of sale. 1968

(3)(a) Whoever violates division (D) of this section is 1969
guilty of a misdemeanor of the fourth degree, except that an 1970
organization may not be convicted unless the act of installation 1971
was authorized by the board of directors, trustees, partners, or 1972
by a high managerial officer acting on behalf of the organization, 1973
and installation was performed by an employee of the organization 1974
acting within the scope of the person's employment. 1975

(b) In addition to any other penalty imposed under this 1976
section, whoever violates division (D) of this section is liable 1977
in a civil action to the owner of a motor vehicle on which was 1978
installed the nonconforming glass or material for any damages 1979
incurred by that person as a result of the installation of the 1980
nonconforming glass or material, costs of maintaining the civil 1981
action, and attorney fees. 1982

(c) In addition to any other penalty imposed under this 1983
section, if the offender previously has been convicted of or 1984
pleaded guilty to a violation of division (D) of this section and 1985
the offender is a motor vehicle repair operator registered under 1986
Chapter 4775. of the Revised Code or a motor vehicle dealer 1987
licensed under Chapter 4517. of the Revised Code, whoever violates 1988
division (D) of this section is subject to a registration or 1989
license suspension, as applicable, for a period of not more than 1990
one hundred eighty days. 1991

(L)(1) Every county court judge, mayor of a mayor's court, 1992
and clerk of a court of record shall keep a full record of every 1993
case in which a person is charged with any violation of this 1994
section. If a person is convicted of or forfeits bail in relation 1995
to a violation of division (D) of this section, the county court 1996
judge, mayor of a mayor's court, or clerk, within ten days after 1997
the conviction or bail forfeiture, shall prepare and immediately 1998
forward to the motor vehicle repair board and the motor vehicle 1999
dealers board, an abstract, certified by the preparer to be true 2000

and correct, of the court record covering the case in which the 2001
person was convicted or forfeited bail. 2002

(2) The motor vehicle repair board and the motor vehicle 2003
dealers board each shall keep and maintain all abstracts received 2004
under this section. Within ten days after receipt of an abstract, 2005
each board, respectively, shall determine whether the person named 2006
in the abstract is registered or licensed with the board and, if 2007
the person is so registered or licensed, shall proceed in 2008
accordance with section 4775.09 or 4517.33 of the Revised Code, as 2009
applicable, and determine whether the person's registration or 2010
license is to be suspended for a period of not more than one 2011
hundred eighty days. 2012

Sec. 4517.33. The motor vehicle dealers board shall hear 2013
appeals which may be taken from an order of the registrar of motor 2014
vehicles, refusing to issue a license. All appeals from any order 2015
of the registrar refusing to issue any license upon proper 2016
application must be taken within thirty days from the date of the 2017
order, or the order is final and conclusive. All appeals from 2018
orders of the registrar must be by petition in writing and 2019
verified under oath by the applicant whose application for license 2020
has been denied, and must set forth the reason for the appeal and 2021
the reason why, in the petitioner's opinion, the order of the 2022
registrar is not correct. In such appeals the board may make 2023
investigation to determine the correctness and legality of the 2024
order of the registrar. 2025

The board may make rules governing its actions relative to 2026
the suspension and revocation of dealers', motor vehicle leasing 2027
dealers', distributors', auction owners', salespersons', and 2028
construction equipment auction licenses, and may, upon its own 2029
motion, and shall, upon the verified complaint in writing of any 2030
person, investigate the conduct of any licensee under sections 2031

4517.01 to 4517.65 of the Revised Code. The board shall suspend or
revoke or notify the registrar to refuse to renew any dealer's,
motor vehicle leasing dealer's, distributor's, auction owner's,
salesperson's, or construction equipment auction license, if any
ground existed upon which the license might have been refused, or
if a ground exists that would be cause for refusal to issue a
license.

The board may suspend or revoke any license if the licensee
has in any manner violated the rules issued pursuant to sections
4517.01 to 4517.65 of the Revised Code, or has violated section
4501.02 of the Revised Code, or has been convicted of committing a
felony or violating any law that in any way relates to the
selling, taxing, licensing, or regulation of sales of motor
vehicles.

Within ten days after receipt of an abstract from a county
court judge, mayor of a mayor's court, or clerk of a court of
record indicating a violation of division (D) of section 4513.241
of the Revised Code, the board shall determine whether the person
named in the abstract is licensed under this chapter and, if the
person is so licensed, shall further determine whether the person
previously has been convicted of or pleaded guilty to a violation
of that section. If the person previously has been convicted of or
pleaded guilty to a violation of that section, the board, in
accordance with Chapter 119. of the Revised Code but without a
prior hearing, shall suspend the person's license for a period of
not more than one hundred eighty days.

Sec. 4519.01. As used in this chapter:

(A) "Snowmobile" means any self-propelled vehicle designed
primarily for use on snow or ice, and steered by skis, runners, or
caterpillar treads.

(B) "All-purpose vehicle" means any self-propelled vehicle

designed primarily for cross-country travel on land and water, or 2063
on more than one type of terrain, and steered by wheels or 2064
caterpillar treads, or any combination thereof, including vehicles 2065
that operate on a cushion of air, vehicles commonly known as 2066
all-terrain vehicles, all-season vehicles, mini-bikes, and trail 2067
bikes. "All-purpose vehicle" does not include a utility vehicle as 2068
defined in section 4501.01 of the Revised Code or any vehicle 2069
principally used in playing golf, any motor vehicle or aircraft 2070
required to be registered under Chapter 4503. or 4561. of the 2071
Revised Code, and any vehicle excepted from definition as a motor 2072
vehicle by division (B) of section 4501.01 of the Revised Code. 2073

(C) "Owner" means any person or firm, other than a lienholder 2074
or dealer, having title to a snowmobile, off-highway motorcycle, 2075
or all-purpose vehicle, or other right to the possession thereof. 2076

(D) "Operator" means any person who operates or is in actual 2077
physical control of a snowmobile, off-highway motorcycle, or 2078
all-purpose vehicle. 2079

(E) "Dealer" means any person or firm engaged in the business 2080
of manufacturing or selling snowmobiles, off-highway motorcycles, 2081
or all-purpose vehicles at wholesale or retail, or who rents, 2082
leases, or otherwise furnishes snowmobiles, off-highway 2083
motorcycles, or all-purpose vehicles for hire. 2084

(F) "Street or highway" has the same meaning as in section 2085
4511.01 of the Revised Code. 2086

(G) "Limited access highway" and "freeway" have the same 2087
meanings as in section 5511.02 of the Revised Code. 2088

(H) "Interstate highway" means any part of the interstate 2089
system of highways as defined in subsection (e), 90 Stat. 431 2090
(1976), 23 U.S.C.A. 103, as amended. 2091

(I) "Off-highway motorcycle" means every motorcycle, as 2092
defined in section 4511.01 of the Revised Code, that is designed 2093

to be operated primarily on lands other than a street or highway. 2094

(J) "Electronic" and "electronic record" have the same 2095
meanings as in section 4501.01 of the Revised Code. 2096

(K) "Electronic dealer" means a dealer whom the registrar of 2097
motor vehicles designates under section 4519.511 of the Revised 2098
Code. 2099

(L) "Mini-truck" means a vehicle that has four wheels, is 2100
propelled by an electric motor with a rated power of seven 2101
thousand five hundred watts or less or an internal combustion 2102
engine with a piston displacement capacity of six hundred sixty 2103
cubic centimeters or less, has a total dry weight of nine hundred 2104
to two thousand two hundred pounds, contains an enclosed cabin and 2105
a seat for the vehicle operator, resembles a pickup truck or van 2106
with a cargo area or bed located at the rear of the vehicle, and 2107
was not originally manufactured to meet federal motor vehicle 2108
safety standards. 2109

Sec. 4519.02. (A)(1) Except as provided in divisions (B), 2110
(C), and (D) of this section, no person shall operate any 2111
snowmobile, off-highway motorcycle, or all-purpose vehicle within 2112
this state unless the snowmobile, off-highway motorcycle, or 2113
all-purpose vehicle is registered and numbered in accordance with 2114
sections 4519.03 and 4519.04 of the Revised Code. 2115

(2) Except as provided in section 4511.215 of the Revised 2116
Code, no registration is required for a mini-truck that is 2117
operated within this state. A mini-truck may be operated only in 2118
accordance with that section and section 4519.401 of the Revised 2119
Code. 2120

(B)(1) No registration is required for a snowmobile or 2121
off-highway motorcycle that is operated exclusively upon lands 2122
owned by the owner of the snowmobile or off-highway motorcycle, or 2123

on lands to which the owner of the snowmobile or off-highway motorcycle has a contractual right. 2124
2125

(2) No registration is required for an all-purpose vehicle that is used primarily for agricultural purposes when the owner qualifies for the current agricultural use valuation tax credit, unless it is to be used on any public land, trail, or right-of-way. 2126
2127
2128
2129
2130

(3) Any all-purpose vehicle exempted from registration under division (B)(2) of this section and operated for agricultural purposes may use public roads and rights-of-way when traveling from one farm field to another, when such use does not violate section 4519.41 of the Revised Code. 2131
2132
2133
2134
2135

(C) No registration is required for a snowmobile, off-highway motorcycle, or all-purpose vehicle owned and used in this state by a resident of another state whenever that state has in effect a registration law similar to this chapter and the snowmobile, off-highway motorcycle, or all-purpose vehicle is properly registered under that state's law. Any snowmobile, off-highway motorcycle, or all-purpose vehicle owned and used in this state by a resident of a state not having a registration law similar to this chapter shall comply with section 4519.09 of the Revised Code. 2136
2137
2138
2139
2140
2141
2142
2143
2144
2145

(D) No registration is required for a snowmobile, off-highway motorcycle, or all-purpose vehicle owned and used in this state by the United States, another state, or a political subdivision thereof, but the snowmobile, off-highway motorcycle, or all-purpose vehicle shall display the name of the owner thereon. 2146
2147
2148
2149
2150

(E) The owner or operator of any all-purpose vehicle operated or used upon the waters in this state shall comply with Chapters 1547. and 1548. of the Revised Code relative to the operation of watercraft. 2151
2152
2153
2154

(F) Except as otherwise provided in this division, whoever
violates division (A) of this section shall be fined not less than
fifty dollars but not more than one hundred dollars.

Sec. 4519.401. (A) Except as provided in this section and
section 4511.215 of the Revised Code, no person shall operate a
mini-truck within this state.

(B) A person may operate a mini-truck on a farm for
agricultural purposes only when the owner of the farm qualifies
for the current agricultural use valuation tax credit. A
mini-truck may be operated by or on behalf of such a farm owner on
public roads and rights-of-way only when traveling from one farm
field to another.

(C) A person may operate a mini-truck on property owned or
leased by a dealer who sells mini-trucks at retail.

(D) Whoever violates this section shall be penalized as
provided in division (D) of section 4511.214 of the Revised Code.

Sec. 4775.01. As used in this chapter:

(A) "Motor vehicle" has the same meaning as in section
4501.01 of the Revised Code.

(B) "Collision" means an occurrence in which two or more
objects, whether mobile or stationary, contact one another in a
manner that causes the alteration of the surface, structure, or
appearance, whether separately or collectively, of an object that
is party to the occurrence.

(C) "Collision repair" means any and all restorative or
replacement procedures that are performed on and affect or
potentially affect the structural, life safety, and cosmetic
components of a motor vehicle that has been damaged as a result of
a collision. "Collision repair" also includes any procedure that

is employed for the purpose of repairing, restoring, replacing, or 2184
refinishing, whether wholly or separately, any structural, life 2185
safety, or cosmetic component of a motor vehicle to a condition 2186
approximating or replicating the function, use, or appearance of 2187
the component prior to a collision. 2188

(D) "Motor vehicle collision repair operator" means any 2189
person, sole proprietorship, foreign or domestic partnership, 2190
limited liability corporation, or other legal entity that is not 2191
an employee or agent of a principal and performs five or more 2192
motor vehicle collision repairs in a calendar year. 2193

(E) "Motor vehicle window tint operator" means any person, 2194
sole proprietorship, foreign or domestic partnership, limited 2195
liability corporation, or other legal entity that is not an 2196
employee or agent of a principal and installs tinted glass, or 2197
transparent, nontransparent, translucent, and reflectorized 2198
material in or on five or more motor vehicle windshields, side 2199
windows, sidewings, and rear windows in a calendar year. 2200

(F) "Motor vehicle repair operator" includes a motor vehicle 2201
collision repair operator and a motor vehicle window tint 2202
operator, but does not mean any of the following: 2203

(1) An employee, other than a manager, of a motor vehicle 2204
~~collision~~ repair operator; 2205

(2) A motor vehicle dealer licensed pursuant to sections 2206
4517.01 to 4517.45 of the Revised Code; 2207

(3) A motor vehicle dealer licensed pursuant to sections 2208
4517.01 to 4517.45 of the Revised Code who also is the owner, part 2209
owner, or operator of a motor vehicle collision repair facility or 2210
a motor vehicle window tint installation facility; 2211

(4) A motor vehicle auction owner licensed pursuant to 2212
sections 4517.01 to 4517.45 of the Revised Code; 2213

(5) A motor vehicle leasing dealer licensed pursuant to sections 4517.01 to 4517.45 of the Revised Code;	2214 2215
(6) A motor vehicle salvage dealer licensed pursuant to Chapter 4738. of the Revised Code;	2216 2217
(7) A person or lessee who owns or leases ten or more motor vehicles used principally in connection with any established business and who does not perform motor vehicle collision repairs <u>or motor vehicle window tint installation</u> on motor vehicles other than the motor vehicles used principally in connection with the established business;	2218 2219 2220 2221 2222 2223
(8) A motor vehicle renting dealer as defined in division (A)(2) of section 4549.65 of the Revised Code who does not perform motor vehicle collision repairs <u>or motor vehicle window tint installation</u> on motor vehicles other than the motor vehicles used in connection with the established motor vehicle renting business;	2224 2225 2226 2227 2228
(9) A person who performs collision repairs to <u>or motor vehicle window tint installation on</u> the motor vehicles of a single commercial, industrial, or governmental establishment exclusively and does not offer or provide motor vehicle collision repair service <u>or motor vehicle window tint installation</u> to the general public;	2229 2230 2231 2232 2233 2234
(10) The owner, part owner, or officer of, or instructor employed by, an educational institution that provides instruction in motor vehicle collision repair <u>or motor vehicle window tint installation</u> while the owner, part owner, officer of, or instructor is engaging in activity in furtherance of instruction in motor vehicle collision repair <u>or motor vehicle window tint installation</u> .	2235 2236 2237 2238 2239 2240 2241
(E) (G) "Motor vehicle collision repair facility" means a location from which five or more separate motor vehicle collision repairs are performed on motor vehicles in a twelve-month period,	2242 2243 2244

commencing with the day of the month in which the first such 2245
repair is made. 2246

(H) "Motor vehicle window tint installation facility" means a 2247
location from which five or more separate motor vehicle window 2248
tint installations are performed on motor vehicles in a 2249
twelve-month period, commencing with the day of the month in which 2250
the first such installation is made. 2251

Sec. 4775.02. (A) No person shall act as a motor vehicle 2252
collision repair operator or motor vehicle window tint operator 2253
unless the person is registered in accordance with this chapter. 2254

(B) Any person or entity that conducts or attempts to conduct 2255
business as a motor vehicle collision repair operator or motor 2256
vehicle window tint operator in violation of this chapter performs 2257
an unfair and deceptive act or practice in violation of section 2258
1345.02 of the Revised Code. 2259

Sec. 4775.03. (A) There is hereby created the ~~board of~~ motor 2260
vehicle ~~collision~~ repair ~~registration~~ board consisting of seven 2261
members appointed by the governor, with the advice and consent of 2262
the senate. Each member of the board shall be a resident of the 2263
state. Five members shall be motor vehicle collision repair 2264
operators. One member shall possess expertise in motor vehicle 2265
mechanical repair, and one member shall be a representative of the 2266
public who has no financial interest in the motor vehicle repair 2267
industry. 2268

(B) Within ninety days after ~~the effective date of this~~ 2269
~~section~~ December 18, 1997, the governor shall make initial 2270
appointments to the board. Of the initial appointees, two are for 2271
terms ending on January 1, 1998, two are for terms ending on 2272
January 1, 1999, two are for terms ending on January 1, 2000, and 2273
one is for a term ending on January 1, 2001. Thereafter, terms of 2274

office are for three years, with each term ending on the same day 2275
of the same month as did the term that it succeeds. Each member 2276
shall hold office from the date of appointment until the end of 2277
the term for which the member was appointed. Vacancies shall be 2278
filled in the manner prescribed for original appointments. Any 2279
member appointed to fill a vacancy occurring prior to the 2280
expiration of the term for which the member's predecessor was 2281
appointed shall hold office for the remainder of the term. A 2282
member shall continue in office subsequent to the expiration date 2283
of the member's term until the member's successor takes office, or 2284
until a period of sixty days has elapsed, whichever occurs first. 2285
No person shall serve as a member of the board for more than two 2286
consecutive full three-year terms. 2287

(C) In making appointments to the board under division (B) of 2288
this section, the governor shall select the motor vehicle 2289
collision repair operator members and the member with expertise in 2290
motor vehicle mechanical repair as provided in this division. 2291
Within thirty days after ~~the effective date of this section~~ 2292
December 18, 1997, the automotive service association of Ohio, 2293
inc., shall submit a list containing two names for the motor 2294
vehicle mechanical repair member and twelve names for the motor 2295
vehicle collision repair members and the governor may appoint 2296
individuals from the list to fill those six positions. Thereafter, 2297
within sixty days of a vacancy occurring as a result of the 2298
expiration of a term and within thirty days after other vacancies 2299
occurring on the board, the automotive service association of 2300
Ohio, inc., shall submit a list containing three names for each 2301
vacancy and the governor may appoint one of the individuals from 2302
the list to fill the vacancy. If the automotive service 2303
association of Ohio, inc., for its respective appointees, fails to 2304
make the recommendations to the governor within the time limits 2305
set by this division, the governor shall appoint an individual of 2306
the governor's own choosing provided that the individual meets the 2307

qualifications of division (A) of this section. 2308

(D) Before entering upon the duties of office, each member 2309
shall take an oath of office as required by section 3.22 of the 2310
Revised Code. The governor may remove any member for misconduct, 2311
neglect of duty, incapacity, or malfeasance in accordance with 2312
section 3.04 of the Revised Code. 2313

(E) The board shall meet at least four times each year, and 2314
additional meetings may be held upon the written request of any 2315
four members of the board or upon the call of the chairperson. The 2316
board shall elect from among its membership a chairperson and 2317
vice-chairperson, each of whom shall serve for a term of one year. 2318
A majority of the members of the board constitutes a quorum to 2319
transact and vote on the business of the board. The chairperson 2320
may appoint committees as the chairperson considers necessary to 2321
carry out the duties of the board. 2322

(F) Each member of the board shall receive a per diem amount 2323
fixed pursuant to section 124.15 of the Revised Code when actually 2324
attending to matters of the board and for the time spent in 2325
necessary travel, and all actual and necessary expenses incurred 2326
in the discharge of the member's duties. 2327

Sec. 4775.04. (A) The ~~board of~~ motor vehicle ~~collision~~ repair 2328
~~registration board~~ shall do all of the following: 2329

(1) Adopt rules in accordance with Chapter 119. of the 2330
Revised Code as necessary to carry out the purposes of this 2331
chapter. The rules shall include requirements for the type of 2332
liability insurance required under division (A) of section 4775.07 2333
of the Revised Code. The rules shall permit the use of an 2334
insurance policy issued by any insurer authorized to issue that 2335
type of insurance in this state. 2336

(2) Appoint an executive director to serve at the pleasure of 2337

the board;	2338
(3) Direct the executive director as to how the executive director shall perform the duties imposed under this chapter;	2339 2340
(4) Consider and make recommendations in regard to all matters submitted to the board by the executive director;	2341 2342
(5) Determine whether to refuse to issue or renew a registration certificate or determine whether to waive a suspension of a registration certificate as provided in division (D) of section 4775.07 of the Revised Code;	2343 2344 2345 2346
(6) Do all acts and perform all functions as are necessary for the administration and enforcement of this chapter.	2347 2348
(B) Nothing in this chapter shall be interpreted as granting the board any authority over a motor vehicle collision repair operator concerning the quality of work performed in the repair of, or installation of parts on, motor vehicles.	2349 2350 2351 2352
Sec. 4775.05. (A) The board of motor vehicle collision repair registration board shall appoint an individual who is not a member of the board as a full-time employee of the board to serve as the executive director of the board. The executive director shall serve at the pleasure and direction of the board. The director of administrative services shall establish the executive director's salary in a pay range as provided in division (J) of section 124.15 of the Revised Code. The executive director, subject to the approval of the board, shall determine the office space, supplies, and professional and clerical assistance necessary to effectively perform the executive director's duties.	2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363
(B) The executive director shall perform all the following duties:	2364 2365
(1) Review and submit to the board, for its approval, applications for registration pursuant to section 4775.07 of the	2366 2367

Revised Code;	2368
(2) Issue registration certificates, as approved by the board, to persons who meet the qualifications for registration under division (A) of section 4775.07 of the Revised Code;	2369 2370 2371
(3) Maintain a written record of all persons registered pursuant to section 4775.07 of the Revised Code. The record shall include the name, address, and motor vehicle collision repair registration certificate number of each registered motor vehicle collision repair operator. The executive director shall make this record available to any person upon request and payment of a fee sufficient to cover the cost of copying the record.	2372 2373 2374 2375 2376 2377 2378
(4) Collect all fees pursuant to section 4775.08 of the Revised Code;	2379 2380
(5) Appoint enforcement officers as needed to assist the executive director in carrying out this chapter, who shall serve at the pleasure of the director;	2381 2382 2383
(6) Gather evidence of violations of this chapter by any person or motor vehicle collision repair operator, or any partner or officer of any motor vehicle collision repair operator, and, upon reasonable belief that a violation has occurred, present the evidence to the board for its consideration <u>and possible action by the board under section 4775.02 of the Revised Code</u> . Nothing in division (B)(6) of this section shall be construed as authorizing the executive director or the board to enforce any provision of law other than this chapter. If, however, the executive director or board, in conducting investigations under those sections, determines or suspects that a person has violated any other provision of law, the executive director or board shall notify the governmental entity that is responsible for enforcement of that provision of law.	2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397
(7) Serve as secretary of the board and maintain a written	2398

record of all of the proceedings of the board; 2399

(8) Notify all motor vehicle ~~collision~~ repair operators of 2400
changes in ~~the motor vehicle collision repair law~~ this chapter and 2401
rules adopted pursuant to ~~that law~~ this chapter; 2402

(9) Do all other things requested by the board for the 2403
administration and enforcement of this chapter. 2404

(C) The executive director may provide information that is 2405
relevant to motor vehicle collision repair to motor vehicle 2406
collision repair operators or other persons, that is relevant to 2407
motor vehicle window tint installation to motor vehicle window 2408
tint installation operators or other persons, and may communicate 2409
with any person, or respond to communications from any person, in 2410
matters pertaining to motor vehicle collision repair or window 2411
tint installation. 2412

Sec. 4775.06. An enforcement officer appointed by the 2413
executive director to assist the executive director in carrying 2414
out this chapter shall report to the executive director and the 2415
~~board of~~ motor vehicle ~~collision~~ repair ~~registration~~ board the 2416
name and address of any motor vehicle ~~collision~~ repair operator 2417
that the officer has reasonable grounds to believe is operating in 2418
violation of this chapter, and shall notify the operator of the 2419
suspected violation. The report shall be based on investigation 2420
practices and procedures approved by the board. Within sixty days 2421
after notification is sent, an enforcement officer shall determine 2422
whether the motor vehicle ~~collision~~ repair operator who has been 2423
notified of a suspected violation has come into compliance with 2424
the requirements of this chapter. If the motor vehicle ~~collision~~ 2425
repair operator fails to correct the suspected violation within 2426
sixty days after the date the operator receives the notification, 2427
the enforcement officer shall notify the executive director and 2428
the board of the operator's failure to correct the suspected 2429

violation. Upon receiving a second notification of an operator's failure to comply with this chapter, the executive director shall notify the government entity having enforcement authority over the condition or activity giving rise to the suspected violation in writing of the condition or activity, the nature of the suspected violation, and the name and address of the operator suspected of violating this chapter. An enforcement officer shall monitor periodically the progress of any action taken in connection with the suspected violation with the appropriate government entity, including any investigation or charges that are filed in connection with the suspected violation. Upon obtaining such information, the executive director or the enforcement officer monitoring such progress shall notify the board of the progress of the suspected violation and any accompanying investigation, charges, or other action taken in connection with the suspected violation.

Sec. 4775.07. (A) Any person required to be registered as a motor vehicle ~~collision~~ repair operator shall apply to the ~~board~~ of motor vehicle ~~collision~~ repair ~~registration~~ board upon forms prescribed by the board. The forms shall contain sufficient information to identify the applicant, including name, address, state tax identification number, and any other identifying data prescribed by rule of the board. If the applicant is a partnership, identifying data as prescribed by the board may be required for each partner. If the applicant is a corporation, identifying data may be required for each officer of the corporation and each person in charge of each place of the motor vehicle ~~collision~~ repair operator's business in this state. The applicant shall affirm the application by oath. The applicant shall include with the application the initial registration fee set forth in section 4775.08 of the Revised Code and proof satisfactory to the board that the applicant has a current state

and federal tax identification number, a valid vendor's license 2462
issued pursuant to section 5739.17 of the Revised Code, a United 2463
States environmental protection agency identification number 2464
issued under the "Resource Conservation and Recovery Act of 1976," 2465
90 Stat. 2795, 42 U.S.C.A. 6901, as amended, and regulations 2466
adopted under that act, proof of possession of all permits 2467
required under Chapter 3704. of the Revised Code, general 2468
liability insurance and liability insurance that protects a person 2469
against liability for damage to motor vehicles in the applicant's 2470
care, custody, or control in an amount and form that conforms to 2471
the rules the board adopts under section 4775.04 of the Revised 2472
Code, and coverage under Chapters 4123. and 4141. of the Revised 2473
Code. In addition, the applicant shall affirm that the applicant 2474
is in compliance with all applicable federal and state statutes 2475
and rules and all local ordinances and resolutions, including all 2476
applicable zoning regulations. 2477

(B) Upon receipt of the completed application form and fees 2478
and after the board determines that the applicant meets the 2479
requirements for registration under division (A) of this section, 2480
the board shall direct the executive director to issue a 2481
registration certificate to the applicant for each place of 2482
business. The motor vehicle ~~collision~~ repair operator shall 2483
display the registration certificate in a conspicuous place on the 2484
premises of the business for which the registration is obtained. 2485

(C) Each registration certificate issued under this section 2486
expires annually on the date of its original issuance and may be 2487
renewed in accordance with the standard renewal procedure of 2488
Chapter 4745. of the Revised Code. The application for a renewal 2489
of a registration certificate shall be accompanied by the same 2490
information and proof as is required to accompany an initial 2491
application under division (A) of this section. 2492

(D) When a motor vehicle ~~collision~~ repair operator 2493

experiences a change in any information or data required under 2494
division (A) of this section or by rule of the board for 2495
registration as a motor vehicle ~~collision~~ repair operator, the 2496
motor vehicle ~~collision~~ repair operator shall submit written 2497
notification of the change to the board within sixty days after 2498
the date that the information becomes obsolete. If a motor vehicle 2499
~~collision~~ repair operator fails to submit the written notification 2500
of a change in information or data within sixty days after the 2501
change in information or data, the operator's registration 2502
certificate is automatically suspended, except that the board may 2503
waive the suspension for good cause shown. 2504

(E) Notwithstanding section 5703.21 of the Revised Code, the 2505
department of taxation may disclose to the board any information 2506
necessary for the board to verify the existence of an applicant's 2507
valid vendor's license and current state tax identification 2508
number. 2509

Sec. 4775.08. (A) The initial and annual renewal fee for a 2510
motor vehicle ~~collision~~ repair registration certificate and for a 2511
temporary motor vehicle ~~collision~~ repair registration certificate 2512
is one hundred fifty dollars for each business location at which 2513
the motor vehicle ~~collision~~ repair operator conducts business as 2514
an operator, except that the ~~board of~~ motor vehicle ~~collision~~ 2515
repair ~~registration~~ board, with the approval of the controlling 2516
board, may establish fees in excess of or less than that amount, 2517
provided that such fees do not exceed or are not less than that 2518
amount by more than fifty per cent. 2519

The board shall adjust the fees as necessary in order to 2520
provide for the expenses associated with carrying out this 2521
chapter. 2522

(B) If the board has notified or attempted to notify a motor 2523
vehicle ~~collision~~ repair operator that the operator is required to 2524

be registered under this chapter, and the operator fails to 2525
register, the initial fee for the registration of such an 2526
unregistered operator for each business location at which the 2527
operator conducts business as an operator, is the initial fee then 2528
in effect plus an additional amount equal to the initial fee then 2529
in effect for each calendar year that the operator is not 2530
registered after the board has notified or attempted to notify the 2531
operator. 2532

(C) The board shall deposit all fees and fines collected 2533
under this chapter into the occupational licensing and regulatory 2534
fund created by section 4743.05 of the Revised Code. 2535

Sec. 4775.09. (A)(1) In accordance with Chapter 119. of the 2536
Revised Code, the ~~board of motor vehicles collision~~ vehicle repair
~~registration board~~ board may refuse to issue or renew a registration 2537
certificate or may determine whether to waive a suspension of a 2538
registration certificate as provided in division (D) of section 2539
4775.07 of the Revised Code. 2540
2541

(2) Within ten days after receipt of an abstract from a 2542
county court judge, mayor of a mayor's court, or clerk of a court 2543
of record indicating a violation of division (D) of section 2544
4513.241 of the Revised Code, the board shall determine whether 2545
the person named in the abstract is registered with the board and, 2546
if the person is so registered, shall further determine whether 2547
the person previously has been convicted of or pleaded guilty to a 2548
violation of that section. If the person previously has been 2549
convicted of or pleaded guilty to a violation of that section, the 2550
board, in accordance with Chapter 119. of the Revised Code but 2551
without a prior hearing, shall suspend the person's registration 2552
for a period of not more than one hundred eighty days. 2553

(B) The court of common pleas ~~for the~~ of Franklin county ~~in~~ 2554
~~which~~ has exclusive jurisdiction over any person who conducts, or 2555

attempts to conduct, business as a motor vehicle ~~collision~~ repair 2556
operator in violation of this chapter or any rule adopted under 2557
this chapter ~~may~~. The court, on application of the board, may 2558
issue an injunction, a cease and desist order, or other 2559
appropriate order restraining the person from continuing the 2560
violation. This section shall operate in addition to and shall not 2561
prohibit the enforcement of any other law. 2562

(C) Upon the request of the executive director or as a result 2563
of complaints, the board shall investigate the alleged violation. 2564

(D) No person required to be registered under this chapter 2565
shall have the benefit of any lien for labor or materials unless 2566
the person is registered under this chapter. 2567

(E) No person whose application for registration under this 2568
chapter is denied shall open or operate a facility for business as 2569
a motor vehicle collision repair facility or motor vehicle window 2570
tint installation facility under the name of the person designated 2571
in the application for a registration certificate or under any 2572
other name prior to registering as a motor vehicle ~~collision~~ 2573
repair operator in accordance with this chapter. 2574

Sec. 4775.10. (A) A motor vehicle ~~collision~~ repair operator 2575
who substantially complies with the requirements of this chapter 2576
for registration as a motor vehicle ~~collision~~ repair operator and 2577
who is making a good faith effort toward achieving compliance with 2578
all requirements of this chapter may obtain a temporary motor 2579
vehicle ~~collision~~ repair registration certificate. Following the 2580
application of, and payment of a fee by a motor vehicle ~~collision~~ 2581
repair operator, the ~~board of~~ motor vehicle ~~collision~~ repair 2582
~~registration board~~, in its discretion, may direct the executive 2583
director to issue a temporary registration certificate to a motor 2584
vehicle ~~collision~~ repair operator the board finds to be in 2585
substantial compliance with the requirements of this chapter for 2586

registration and who is making a good faith effort toward 2587
achieving compliance with all requirements of this chapter. 2588

Except as otherwise provided in division (C) of this section, 2589
a temporary registration certificate is effective for one year 2590
from the date of issuance or until the date the motor vehicle 2591
~~collision~~ repair operator obtains a regular motor vehicle 2592
~~collision~~ repair registration certificate under this chapter, 2593
whichever date occurs first. If a motor vehicle ~~collision~~ repair 2594
operator obtains a regular registration certificate prior to the 2595
expiration of the operator's temporary registration certificate, a 2596
portion of the fee paid by the motor vehicle ~~collision~~ repair 2597
operator to obtain the temporary registration certificate shall be 2598
applied to the fee imposed under section 4775.08 of the Revised 2599
Code to obtain a regular registration certificate in an amount 2600
that corresponds to the portion of the year the operator is not 2601
utilizing the temporary registration certificate. 2602

Upon receiving direction from the board, the executive 2603
director shall issue a temporary registration certificate. 2604

(B) The board shall adopt rules in accordance with Chapter 2605
119. of the Revised Code that specify criteria a motor vehicle 2606
~~collision~~ repair operator shall meet in order to be considered to 2607
be in substantial compliance with the registration requirements of 2608
this chapter, and that specify criteria a motor vehicle ~~collision~~ 2609
repair operator shall meet in order to be considered as making a 2610
good faith effort toward achieving compliance with all 2611
requirements of this chapter. The board shall consider the impact 2612
of the rules it adopts under this division on encouraging 2613
competition between all motor vehicle ~~collision~~ repair operators 2614
and not impairing the ability of operators who have been in the 2615
motor vehicle ~~collision~~ repair business for less than one year to 2616
succeed in the market place. 2617

(C) A temporary motor vehicle ~~collision~~ repair registration 2618

may be renewed not more than four consecutive times. A motor 2619
vehicle ~~collision~~ repair operator may apply for the renewal of a 2620
temporary registration certificate prior to the expiration of a 2621
temporary registration certificate. The board shall consider an 2622
application for the renewal of a temporary registration 2623
certificate. The board may direct the executive director to renew 2624
a temporary registration certificate of an applicant who meets the 2625
requirements set forth in division (A) of this section for 2626
obtaining a temporary registration certificate. Upon 2627
recommendation by the board, the executive director shall issue a 2628
renewal of an applicant's temporary registration certificate. 2629
Neither the board nor the executive director shall renew a 2630
person's temporary registration certificate more than four 2631
consecutive times. 2632

A renewal of a temporary motor vehicle ~~collision~~ repair 2633
registration certificate is effective for one year from the date 2634
of issuance of the renewal of registration. A temporary 2635
registration certificate shall continue in effect during the 2636
period in which an applicant is being considered for renewal if 2637
the applicant applies for renewal prior to the expiration of the 2638
temporary registration certificate. 2639

Sec. 4775.11. It is the intent of the general assembly to 2640
preempt any local ordinance, resolution, or other law adopted or 2641
enacted after ~~the effective date of this section~~ December 18, 2642
1997, that is limited to the registration of persons engaged in 2643
business as motor vehicle ~~collision~~ repair operators in a manner 2644
corresponding to the provisions of this chapter. This chapter does 2645
not preempt any local law adopted or enacted prior to ~~the~~ 2646
~~effective date of this section~~ December 18, 1997, for motor 2647
vehicle collision repair operators or the effective date of this 2648
amendment for motor vehicle window tint operators, or that may 2649
require registration or licensure as a component of imposing 2650

additional requirements on persons engaged in business as motor 2651
vehicle ~~collision~~ repair operators or technicians. Nor does it 2652
preempt the enforcement of any local law regulating motor vehicle 2653
~~collision~~ repair operators or technicians, including building, 2654
zoning, health, safety, or other similar codes or laws. 2655

Sec. 4775.99. (A) Whoever violates section 4775.02 of the 2656
Revised Code shall be fined not more than one thousand dollars on 2657
a first offense. On each subsequent offense, the offender shall be 2658
fined not less than one thousand nor more than five thousand 2659
dollars. 2660

(B) After conducting an investigation and upon establishing 2661
that a violation of section 4775.02 of the Revised Code has 2662
occurred, the ~~board of~~ motor vehicle ~~collision~~ repair ~~registration~~ 2663
board, in addition to any other action it may take or any other 2664
penalty imposed pursuant to this chapter, may impose an 2665
administrative fine on the person or entity that committed the 2666
violation in an amount of not more than one thousand dollars on a 2667
first offense. On each subsequent offense, the board may impose an 2668
administrative fine of not less than one thousand dollars nor more 2669
than five thousand dollars. If the administrative fine is not 2670
paid, the attorney general, upon the board's request, shall 2671
commence a civil action to collect the administrative fine. 2672

Sec. 5703.21. (A) Except as provided in divisions (B) and (C) 2673
of this section, no agent of the department of taxation, except in 2674
the agent's report to the department or when called on to testify 2675
in any court or proceeding, shall divulge any information acquired 2676
by the agent as to the transactions, property, or business of any 2677
person while acting or claiming to act under orders of the 2678
department. Whoever violates this provision shall thereafter be 2679
disqualified from acting as an officer or employee or in any other 2680
capacity under appointment or employment of the department. 2681

2682

(B)(1) For purposes of an audit pursuant to section 117.15 of 2683
the Revised Code, or an audit of the department pursuant to 2684
Chapter 117. of the Revised Code, or an audit, pursuant to that 2685
chapter, the objective of which is to express an opinion on a 2686
financial report or statement prepared or issued pursuant to 2687
division (A)(7) or (9) of section 126.21 of the Revised Code, the 2688
officers and employees of the auditor of state charged with 2689
conducting the audit shall have access to and the right to examine 2690
any state tax returns and state tax return information in the 2691
possession of the department to the extent that the access and 2692
examination are necessary for purposes of the audit. Any 2693
information acquired as the result of that access and examination 2694
shall not be divulged for any purpose other than as required for 2695
the audit or unless the officers and employees are required to 2696
testify in a court or proceeding under compulsion of legal 2697
process. Whoever violates this provision shall thereafter be 2698
disqualified from acting as an officer or employee or in any other 2699
capacity under appointment or employment of the auditor of state. 2700

(2) For purposes of an internal audit pursuant to section 2701
126.45 of the Revised Code, the officers and employees of the 2702
office of internal auditing in the office of budget and management 2703
charged with conducting the internal audit shall have access to 2704
and the right to examine any state tax returns and state tax 2705
return information in the possession of the department to the 2706
extent that the access and examination are necessary for purposes 2707
of the internal audit. Any information acquired as the result of 2708
that access and examination shall not be divulged for any purpose 2709
other than as required for the internal audit or unless the 2710
officers and employees are required to testify in a court or 2711
proceeding under compulsion of legal process. Whoever violates 2712
this provision shall thereafter be disqualified from acting as an 2713

officer or employee or in any other capacity under appointment or 2714
employment of the office of internal auditing. 2715

(3) As provided by section 6103(d)(2) of the Internal Revenue 2716
Code, any federal tax returns or federal tax information that the 2717
department has acquired from the internal revenue service, through 2718
federal and state statutory authority, may be disclosed to the 2719
auditor of state or the office of internal auditing solely for 2720
purposes of an audit of the department. 2721

(4) For purposes of Chapter 3739. of the Revised Code, an 2722
agent of the department of taxation may share information with the 2723
division of state fire marshal that the agent finds during the 2724
course of an investigation. 2725

(C) Division (A) of this section does not prohibit any of the 2726
following: 2727

(1) Divulging information contained in applications, 2728
complaints, and related documents filed with the department under 2729
section 5715.27 of the Revised Code or in applications filed with 2730
the department under section 5715.39 of the Revised Code; 2731

(2) Providing information to the office of child support 2732
within the department of job and family services pursuant to 2733
section 3125.43 of the Revised Code; 2734

(3) Disclosing to the ~~board of~~ motor vehicle ~~collision~~ repair 2735
~~registration board~~ any information in the possession of the 2736
department that is necessary for the board to verify the existence 2737
of an applicant's valid vendor's license and current state tax 2738
identification number under section 4775.07 of the Revised Code; 2739

(4) Providing information to the administrator of workers' 2740
compensation pursuant to sections 4123.271 and 4123.591 of the 2741
Revised Code; 2742

(5) Providing to the attorney general information the 2743

department obtains under division (J) of section 1346.01 of the Revised Code; 2744
2745

(6) Permitting properly authorized officers, employees, or agents of a municipal corporation from inspecting reports or information pursuant to rules adopted under section 5745.16 of the Revised Code; 2746
2747
2748
2749

(7) Providing information regarding the name, account number, or business address of a holder of a vendor's license issued pursuant to section 5739.17 of the Revised Code, a holder of a direct payment permit issued pursuant to section 5739.031 of the Revised Code, or a seller having a use tax account maintained pursuant to section 5741.17 of the Revised Code, or information regarding the active or inactive status of a vendor's license, direct payment permit, or seller's use tax account; 2750
2751
2752
2753
2754
2755
2756
2757

(8) Releasing invoices or invoice information furnished under section 4301.433 of the Revised Code pursuant to that section; 2758
2759

(9) Providing to a county auditor notices or documents concerning or affecting the taxable value of property in the county auditor's county. Unless authorized by law to disclose documents so provided, the county auditor shall not disclose such documents; 2760
2761
2762
2763
2764

(10) Providing to a county auditor sales or use tax return or audit information under section 333.06 of the Revised Code; 2765
2766

(11) Subject to section 4301.441 of the Revised Code, disclosing to the appropriate state agency information in the possession of the department of taxation that is necessary to verify a permit holder's gallonage or noncompliance with taxes levied under Chapter 4301. or 4305. of the Revised Code; 2767
2768
2769
2770
2771

(12) Disclosing to the department of natural resources information in the possession of the department that is necessary to verify the taxpayer's compliance with division (A)(1), (5), 2772
2773
2774

(6), (8), or (9) of section 5749.02 of the Revised Code and 2775
information received pursuant to section 1509.50 of the Revised 2776
Code concerning the amount due under that section; 2777

(13) Disclosing to the department of job and family services, 2778
industrial commission, and bureau of workers' compensation 2779
information in the possession of the department of taxation solely 2780
for the purpose of identifying employers that misclassify 2781
employees as independent contractors or that fail to properly 2782
report and pay employer tax liabilities. The department of 2783
taxation shall disclose only such information that is necessary to 2784
verify employer compliance with law administered by those 2785
agencies. 2786

(14) Disclosing to the Ohio casino control commission 2787
information in the possession of the department of taxation that 2788
is necessary to verify a casino operator's compliance with section 2789
5747.063 or 5753.02 of the Revised Code and sections related 2790
thereto; 2791

(15) Disclosing to the state lottery commission information 2792
in the possession of the department of taxation that is necessary 2793
to verify a lottery sales agent's compliance with section 5747.064 2794
of the Revised Code. 2795

Section 2. That existing sections 2744.081, 2744.082, 2796
4501.01, 4501.13, 4503.04, 4503.21, 4503.22, 4503.544, 4507.01, 2797
4507.05, 4507.06, 4507.11, 4511.01, 4511.53, 4513.241, 4517.33, 2798
4519.01, 4519.02, 4775.01, 4775.02, 4775.03, 4775.04, 4775.05, 2799
4775.06, 4775.07, 4775.08, 4775.09, 4775.10, 4775.11, 4775.99, and 2800
5703.21 of the Revised Code are hereby repealed. 2801

Section 3. Sections 4501.01, 4501.13, 4503.04, 4503.21, 2802
4503.22, 4503.544, 4507.01, 4507.05, 4507.06, 4507.11, 4511.01, 2803
4511.214, 4511.215, 4511.53, 4519.01, 4519.02, and 4519.401 of the 2804

Revised Code, as amended or enacted by this act, shall take effect 2805
January 1, 2017; provided, the amendments contained in the last 2806
paragraph of division (B) of section 4511.53 of the Revised Code 2807
take effect at the earliest time permitted by law, and the penalty 2808
prescribed in division (E) of that section, insofar as it applies 2809
to a violation of that paragraph as amended by the amendments 2810
contained in that paragraph, also takes effect at the earliest 2811
time permitted by law. 2812

Section 4. Section 4507.11 of the Revised Code is presented 2813
in this act as a composite of the section as amended by both Am. 2814
Sub. H.B. 600 and S.B. 271 of the 123rd General Assembly. Section 2815
5703.21 of the Revised Code is presented in this act as a 2816
composite of the section as amended by both Am. Sub. H.B. 386 and 2817
Am. Sub. S.B. 315 of the 129th General Assembly. The General 2818
Assembly, applying the principle stated in division (B) of section 2819
1.52 of the Revised Code that amendments are to be harmonized if 2820
reasonably capable of simultaneous operation, finds that the 2821
composites are the resulting versions of the sections in effect 2822
prior to the effective date of the sections as presented in this 2823
act. 2824