

**As Reported by the Senate Highways and Transportation  
Committee**

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

**Sub. S. B. No. 114**

**Senator Seitz**

**Cosponsors: Senators Kearney, Patton, Wilson**

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**A B I L L**

To amend sections 4501.01, 4501.13, 4503.04, 4503.21, 1  
4503.22, 4503.544, 4507.01, 4507.05, 4507.06, 2  
4507.11, 4511.01, 4511.53, 4513.241, 4517.33, 3  
4519.01, 4519.02, 4775.01, 4775.02, 4775.03, 4  
4775.04, 4775.05, 4775.06, 4775.07, 4775.08, 5  
4775.09, 4775.10, 4775.11, 4775.99, and 5703.21 6  
and to enact sections 4511.214 and 4511.215 of the 7  
Revised Code to establish conditions for the 8  
operation of certain specialized motor vehicles, 9  
including low-speed and under-speed vehicles, 10  
scooters, cab-enclosed motorcycles, and 11  
mini-trucks; to establish conditions for operation 12  
of a motorcycle with a temporary instruction 13  
permit; to establish a motor scooter temporary 14  
instruction permit and license or endorsement; to 15  
prohibit a motor vehicle manufacturer, 16  
remanufacturer, or distributor from providing to a 17  
licensed motor vehicle dealer a motor vehicle that 18  
violates window tinting standards; to increase the 19  
penalty for installing nonconforming glass or 20  
other material; to establish civil liability for 21  
installing nonconforming glass or other material, 22

including costs and attorney fees; to rename the 23  
Board of Motor Vehicle Collision Repair 24  
Registration as the Motor Vehicle Repair Board and 25  
to expand the jurisdiction of the Board to require 26  
persons who install motor vehicle window tint to 27  
register with the Board; to give the Franklin 28  
County Court of Common Pleas exclusive 29  
jurisdiction over motor vehicle repair 30  
registration violations; and to impose a 31  
registration or license suspension up to 180 days 32  
on a registered motor vehicle repair facility or 33  
licensed motor vehicle dealer upon a second or 34  
subsequent violation for installing nonconforming 35  
glass or other material. 36

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

**Section 1.** That sections 4501.01, 4501.13, 4503.04, 4503.21, 37  
4503.22, 4503.544, 4507.01, 4507.05, 4507.06, 4507.11, 4511.01, 38  
4511.53, 4513.241, 4517.33, 4519.01, 4519.02, 4775.01, 4775.02, 39  
4775.03, 4775.04, 4775.05, 4775.06, 4775.07, 4775.08, 4775.09, 40  
4775.10, 4775.11, 4775.99, and 5703.21 be amended and sections 41  
4511.214 and 4511.215 of the Revised Code be enacted to read as 42  
follows: 43

**Sec. 4501.01.** As used in this chapter and Chapters 4503., 44  
4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of the 45  
Revised Code, and in the penal laws, except as otherwise provided: 46

(A) "Vehicles" means everything on wheels or runners, 47  
including motorized bicycles, but does not mean electric personal 48  
assistive mobility devices, vehicles that are operated exclusively 49  
on rails or tracks or from overhead electric trolley wires, and 50  
vehicles that belong to any police department, municipal fire 51

department, or volunteer fire department, or that are used by such 52  
a department in the discharge of its functions. 53

(B) "Motor vehicle" means any vehicle, including mobile homes 54  
and recreational vehicles, that is propelled or drawn by power 55  
other than muscular power or power collected from overhead 56  
electric trolley wires. "Motor vehicle" does not include utility 57  
vehicles as defined in division (VV) of this section, under-speed 58  
vehicles as defined in division (XX) of this section, mini-trucks 59  
as defined in section 4519.01 of the Revised Code, motorized 60  
bicycles, road rollers, traction engines, power shovels, power 61  
cranes, and other equipment used in construction work and not 62  
designed for or employed in general highway transportation, 63  
well-drilling machinery, ditch-digging machinery, farm machinery, 64  
and trailers that are designed and used exclusively to transport a 65  
boat between a place of storage and a marina, or in and around a 66  
marina, when drawn or towed on a public road or highway for a 67  
distance of no more than ten miles and at a speed of twenty-five 68  
miles per hour or less. 69

(C) "Agricultural tractor" and "traction engine" mean any 70  
self-propelling vehicle that is designed or used for drawing other 71  
vehicles or wheeled machinery, but has no provisions for carrying 72  
loads independently of such other vehicles, and that is used 73  
principally for agricultural purposes. 74

(D) "Commercial tractor," except as defined in division (C) 75  
of this section, means any motor vehicle that has motive power and 76  
either is designed or used for drawing other motor vehicles, or is 77  
designed or used for drawing another motor vehicle while carrying 78  
a portion of the other motor vehicle or its load, or both. 79

(E) "Passenger car" means any motor vehicle that is designed 80  
and used for carrying not more than nine persons and includes any 81  
motor vehicle that is designed and used for carrying not more than 82  
fifteen persons in a ridesharing arrangement. 83

(F) "Collector's vehicle" means any motor vehicle or agricultural tractor or traction engine that is of special interest, that has a fair market value of one hundred dollars or more, whether operable or not, and that is owned, operated, collected, preserved, restored, maintained, or used essentially as 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 115  
propelled solely by human power upon which any person may ride, 116  
and that has two tandem wheels, or one wheel in front and two 117  
wheels in the rear, or two wheels in the front and one wheel in 118  
the rear, any of which is more than fourteen inches in diameter. 119

(L) "Motorized bicycle" or "moped" means any vehicle that 120  
either has two tandem wheels or one wheel in the front and two 121  
wheels in the rear, that ~~is capable of being~~ may be pedaled, and 122  
that is equipped with a helper motor of not more than fifty cubic 123  
centimeters piston displacement that produces no more than one 124  
brake horsepower and is capable of propelling the vehicle at a 125  
speed of no greater than twenty miles per hour on a level surface. 126

(M) "Trailer" means any vehicle without motive power that is 127  
designed or used for carrying property or persons wholly on its 128  
own structure and for being drawn by a motor vehicle, and includes 129  
any such vehicle that is formed by or operated as a combination of 130  
a semitrailer and a vehicle of the dolly type such as that 131  
commonly known as a trailer dolly, a vehicle used to transport 132  
agricultural produce or agricultural production materials between 133  
a local place of storage or supply and the farm when drawn or 134  
towed on a public road or highway at a speed greater than 135  
twenty-five miles per hour, and a vehicle that is designed and 136  
used exclusively to transport a boat between a place of storage 137  
and a marina, or in and around a marina, when drawn or towed on a 138  
public road or highway for a distance of more than ten miles or at 139  
a speed of more than twenty-five miles per hour. "Trailer" does 140  
not include a manufactured home or travel trailer. 141

(N) "Noncommercial trailer" means any trailer, except a 142  
travel trailer or trailer that is used to transport a boat as 143  
described in division (B) of this section, but, where applicable, 144  
includes a vehicle that is used to transport a boat as described 145  
in division (M) of this section, that has a gross weight of no 146

more than ten thousand pounds, and that is used exclusively for 147  
purposes other than engaging in business for a profit, such as the 148  
transportation of personal items for personal or recreational 149  
purposes. 150

(O) "Mobile home" means a building unit or assembly of closed 151  
construction that is fabricated in an off-site facility, is more 152  
than thirty-five body feet in length or, when erected on site, is 153  
three hundred twenty or more square feet, is built on a permanent 154  
chassis, is transportable in one or more sections, and does not 155  
qualify as a manufactured home as defined in division (C)(4) of 156  
section 3781.06 of the Revised Code or as an industrialized unit 157  
as defined in division (C)(3) of section 3781.06 of the Revised 158  
Code. 159

(P) "Semitrailer" means any vehicle of the trailer type that 160  
does not have motive power and is so designed or used with another 161  
and separate motor vehicle that in operation a part of its own 162  
weight or that of its load, or both, rests upon and is carried by 163  
the other vehicle furnishing the motive power for propelling 164  
itself and the vehicle referred to in this division, and includes, 165  
for the purpose only of registration and taxation under those 166  
chapters, any vehicle of the dolly type, such as a trailer dolly, 167  
that is designed or used for the conversion of a semitrailer into 168  
a trailer. 169

(Q) "Recreational vehicle" means a vehicular portable 170  
structure that meets all of the following conditions: 171

(1) It is designed for the sole purpose of recreational 172  
travel. 173

(2) It is not used for the purpose of engaging in business 174  
for profit. 175

(3) It is not used for the purpose of engaging in intrastate 176  
commerce. 177

(4) It is not used for the purpose of commerce as defined in	178
49 C.F.R. 383.5, as amended.	179
(5) It is not regulated by the public utilities commission	180
pursuant to Chapter 4919., 4921., or 4923. of the Revised Code.	181
(6) It is classed as one of the following:	182
(a) "Travel trailer" <u>or "house vehicle"</u> means a	183
nonselved-propelled recreational vehicle that does not exceed an	184
overall length of <del>thirty-five</del> <u>forty</u> feet, exclusive of bumper and	185
tongue or coupling, <del>and contains less than three hundred twenty</del>	186
<del>square feet of space when erected on site.</del> "Travel trailer"	187
includes a tent-type fold-out camping trailer as defined in	188
section 4517.01 of the Revised Code.	189
(b) "Motor home" means a self-propelled recreational vehicle	190
that has no fifth wheel and is constructed with permanently	191
installed facilities for cold storage, cooking and consuming of	192
food, and for sleeping.	193
(c) "Truck camper" means aonselved-propelled recreational	194
vehicle that does not have wheels for road use and is designed to	195
be placed upon and attached to a motor vehicle. "Truck camper"	196
does not include truck covers that consist of walls and a roof,	197
but do not have floors and facilities enabling them to be used as	198
a dwelling.	199
(d) "Fifth wheel trailer" means a vehicle that is of such	200
size and weight as to be movable without a special highway permit,	201
<del>that has a gross trailer area of four hundred square feet or less,</del>	202
that is constructed with a raised forward section that allows a	203
bi-level floor plan, and that is designed to be towed by a vehicle	204
equipped with a fifth-wheel hitch ordinarily installed in the bed	205
of a truck.	206
(e) "Park trailer" means a vehicle that is commonly known as	207
a park model recreational vehicle, meets the American national	208

standard institute standard A119.5 (1988) for park trailers, is 209  
built on a single chassis, has a gross trailer area of four 210  
hundred square feet or less when set up, is designed for seasonal 211  
or temporary living quarters, and may be connected to utilities 212  
necessary for the operation of installed features and appliances. 213

(R) "Pneumatic tires" means tires of rubber and fabric or 214  
tires of similar material, that are inflated with air. 215

(S) "Solid tires" means tires of rubber or similar elastic 216  
material that are not dependent upon confined air for support of 217  
the load. 218

(T) "Solid tire vehicle" means any vehicle that is equipped 219  
with two or more solid tires. 220

(U) "Farm machinery" means all machines and tools that are 221  
used in the production, harvesting, and care of farm products, and 222  
includes trailers that are used to transport agricultural produce 223  
or agricultural production materials between a local place of 224  
storage or supply and the farm, agricultural tractors, threshing 225  
machinery, hay-baling machinery, corn shellers, hammermills, and 226  
machinery used in the production of horticultural, agricultural, 227  
and vegetable products. 228

(V) "Owner" includes any person or firm, other than a 229  
manufacturer or dealer, that has title to a motor vehicle, except 230  
that, in sections 4505.01 to 4505.19 of the Revised Code, "owner" 231  
includes in addition manufacturers and dealers. 232

(W) "Manufacturer" and "dealer" include all persons and firms 233  
that are regularly engaged in the business of manufacturing, 234  
selling, displaying, offering for sale, or dealing in motor 235  
vehicles, at an established place of business that is used 236  
exclusively for the purpose of manufacturing, selling, displaying, 237  
offering for sale, or dealing in motor vehicles. A place of 238  
business that is used for manufacturing, selling, displaying, 239



offering for sale, or dealing in motor vehicles shall be deemed to 240  
be used exclusively for those purposes even though snowmobiles or 241  
all-purpose vehicles are sold or displayed for sale thereat, even 242  
though farm machinery is sold or displayed for sale thereat, or 243  
even though repair, accessory, gasoline and oil, storage, parts, 244  
service, or paint departments are maintained thereat, or, in any 245  
county having a population of less than seventy-five thousand at 246  
the last federal census, even though a department in a place of 247  
business is used to dismantle, salvage, or rebuild motor vehicles 248  
by means of used parts, if such departments are operated for the 249  
purpose of furthering and assisting in the business of 250  
manufacturing, selling, displaying, offering for sale, or dealing 251  
in motor vehicles. Places of business or departments in a place of 252  
business used to dismantle, salvage, or rebuild motor vehicles by 253  
means of using used parts are not considered as being maintained 254  
for the purpose of assisting or furthering the manufacturing, 255  
selling, displaying, and offering for sale or dealing in motor 256  
vehicles. 257

(X) "Operator" includes any person who drives or operates a 258  
motor vehicle upon the public highways. 259

(Y) "Chauffeur" means any operator who operates a motor 260  
vehicle, other than a taxicab, as an employee for hire; or any 261  
operator whether or not the owner of a motor vehicle, other than a 262  
taxicab, who operates such vehicle for transporting, for gain, 263  
compensation, or profit, either persons or property owned by 264  
another. Any operator of a motor vehicle who is voluntarily 265  
involved in a ridesharing arrangement is not considered an 266  
employee for hire or operating such vehicle for gain, 267  
compensation, or profit. 268

(Z) "State" includes the territories and federal districts of 269  
the United States, and the provinces of Canada. 270

(AA) "Public roads and highways" for vehicles includes all 271

public thoroughfares, bridges, and culverts. 272

(BB) "Manufacturer's number" means the manufacturer's 273  
original serial number that is affixed to or imprinted upon the 274  
chassis or other part of the motor vehicle. 275

(CC) "Motor number" means the manufacturer's original number 276  
that is affixed to or imprinted upon the engine or motor of the 277  
vehicle. 278

(DD) "Distributor" means any person who is authorized by a 279  
motor vehicle manufacturer to distribute new motor vehicles to 280  
licensed motor vehicle dealers at an established place of business 281  
that is used exclusively for the purpose of distributing new motor 282  
vehicles to licensed motor vehicle dealers, except when the 283  
distributor also is a new motor vehicle dealer, in which case the 284  
distributor may distribute at the location of the distributor's 285  
licensed dealership. 286

(EE) "Ridesharing arrangement" means the transportation of 287  
persons in a motor vehicle where the transportation is incidental 288  
to another purpose of a volunteer driver and includes ridesharing 289  
arrangements known as carpools, vanpools, and buspools. 290

(FF) "Apportionable vehicle" means any vehicle that is used 291  
or intended for use in two or more international registration plan 292  
member jurisdictions that allocate or proportionally register 293  
vehicles, that is used for the transportation of persons for hire 294  
or designed, used, or maintained primarily for the transportation 295  
of property, and that meets any of the following qualifications: 296

(1) Is a power unit having a gross vehicle weight in excess 297  
of twenty-six thousand pounds; 298

(2) Is a power unit having three or more axles, regardless of 299  
the gross vehicle weight; 300

(3) Is a combination vehicle with a gross vehicle weight in 301

excess of twenty-six thousand pounds. 302

"Apportionable vehicle" does not include recreational 303  
vehicles, vehicles displaying restricted plates, city pick-up and 304  
delivery vehicles, buses used for the transportation of chartered 305  
parties, or vehicles owned and operated by the United States, this 306  
state, or any political subdivisions thereof. 307

(GG) "Chartered party" means a group of persons who contract 308  
as a group to acquire the exclusive use of a passenger-carrying 309  
motor vehicle at a fixed charge for the vehicle in accordance with 310  
the carrier's tariff, lawfully on file with the United States 311  
department of transportation, for the purpose of group travel to a 312  
specified destination or for a particular itinerary, either agreed 313  
upon in advance or modified by the chartered group after having 314  
left the place of origin. 315

(HH) "International registration plan" means a reciprocal 316  
agreement of member jurisdictions that is endorsed by the American 317  
association of motor vehicle administrators, and that promotes and 318  
encourages the fullest possible use of the highway system by 319  
authorizing apportioned registration of fleets of vehicles and 320  
recognizing registration of vehicles apportioned in member 321  
jurisdictions. 322

(II) "Restricted plate" means a license plate that has a 323  
restriction of time, geographic area, mileage, or commodity, and 324  
includes license plates issued to farm trucks under division (J) 325  
of section 4503.04 of the Revised Code. 326

(JJ) "Gross vehicle weight," with regard to any commercial 327  
car, trailer, semitrailer, or bus that is taxed at the rates 328  
established under section 4503.042 or 4503.65 of the Revised Code, 329  
means the unladen weight of the vehicle fully equipped plus the 330  
maximum weight of the load to be carried on the vehicle. 331

(KK) "Combined gross vehicle weight" with regard to any 332

combination of a commercial car, trailer, and semitrailer, that is 333  
taxed at the rates established under section 4503.042 or 4503.65 334  
of the Revised Code, means the total unladen weight of the 335  
combination of vehicles fully equipped plus the maximum weight of 336  
the load to be carried on that combination of vehicles. 337

(LL) "Chauffeured limousine" means a motor vehicle that is 338  
designed to carry nine or fewer passengers and is operated for 339  
hire on an hourly basis pursuant to a prearranged contract for the 340  
transportation of passengers on public roads and highways along a 341  
route under the control of the person hiring the vehicle and not 342  
over a defined and regular route. "Prearranged contract" means an 343  
agreement, made in advance of boarding, to provide transportation 344  
from a specific location in a chauffeured limousine at a fixed 345  
rate per hour or trip. "Chauffeured limousine" does not include 346  
any vehicle that is used exclusively in the business of funeral 347  
directing. 348

(MM) "Manufactured home" has the same meaning as in division 349  
(C)(4) of section 3781.06 of the Revised Code. 350

(NN) "Acquired situs," with respect to a manufactured home or 351  
a mobile home, means to become located in this state by the 352  
placement of the home on real property, but does not include the 353  
placement of a manufactured home or a mobile home in the inventory 354  
of a new motor vehicle dealer or the inventory of a manufacturer, 355  
remanufacturer, or distributor of manufactured or mobile homes. 356

(OO) "Electronic" includes electrical, digital, magnetic, 357  
optical, electromagnetic, or any other form of technology that 358  
entails capabilities similar to these technologies. 359

(PP) "Electronic record" means a record generated, 360  
communicated, received, or stored by electronic means for use in 361  
an information system or for transmission from one information 362  
system to another. 363

(QQ) "Electronic signature" means a signature in electronic 364  
form attached to or logically associated with an electronic 365  
record. 366

(RR) "Financial transaction device" has the same meaning as 367  
in division (A) of section 113.40 of the Revised Code. 368

(SS) "Electronic motor vehicle dealer" means a motor vehicle 369  
dealer licensed under Chapter 4517. of the Revised Code whom the 370  
registrar of motor vehicles determines meets the criteria 371  
designated in section 4503.035 of the Revised Code for electronic 372  
motor vehicle dealers and designates as an electronic motor 373  
vehicle dealer under that section. 374

(TT) "Electric personal assistive mobility device" means a 375  
self-balancing two non-tandem wheeled device that is designed to 376  
transport only one person, has an electric propulsion system of an 377  
average of seven hundred fifty watts, and when ridden on a paved 378  
level surface by an operator who weighs one hundred seventy pounds 379  
has a maximum speed of less than twenty miles per hour. 380

(UU) "Limited driving privileges" means the privilege to 381  
operate a motor vehicle that a court grants under section 4510.021 382  
of the Revised Code to a person whose driver's or commercial 383  
driver's license or permit or nonresident operating privilege has 384  
been suspended. 385

(VV) "Utility vehicle" means a self-propelled vehicle 386  
designed with a bed, principally for the purpose of transporting 387  
material or cargo in connection with construction, agricultural, 388  
forestry, grounds maintenance, lawn and garden, materials 389  
handling, or similar activities. ~~"Utility vehicle" includes a 390  
vehicle with a maximum attainable speed of twenty miles per hour 391  
or less that is used exclusively within the boundaries of state 392  
parks by state park employees or volunteers for the operation or 393  
maintenance of state park facilities. 394~~

(WW) "Low-speed vehicle" means a three- or four-wheeled motor vehicle with an attainable speed in one mile on a paved level surface of more than twenty miles per hour but not more than twenty-five miles per hour and with a gross vehicle weight rating less than three thousand pounds. 395  
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(XX) "Under-speed vehicle" means a three- or four-wheeled vehicle, including a vehicle commonly known as a golf cart, with an attainable speed on a paved level surface of not more than twenty miles per hour and with a gross vehicle weight rating less than three thousand pounds. 400  
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(YY) "Motor-driven cycle or motor scooter" means any vehicle designed to travel on not more than three wheels in contact with the ground, with a seat for the driver and floor pad for the driver's feet, and is equipped with a motor with a piston displacement between fifty and one hundred fifty cubic centimeters piston displacement that produces not more than five brake horsepower and is capable of propelling the vehicle at a speed greater than twenty miles per hour on a level surface. 405  
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(ZZ) "Motorcycle" means a motor vehicle with motive power having a seat or saddle for the use of the operator, designed to travel on not more than three wheels in contact with the ground, and having no occupant compartment top or occupant compartment top that can be installed or removed by the user. 413  
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(AAA) "Cab-enclosed motorcycle" means a motor vehicle with motive power having a seat or saddle for the use of the operator, designed to travel on not more than three wheels in contact with the ground, and having an occupant compartment top or an occupant compartment top that can be installed or removed by the user. 418  
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**Sec. 4501.13.** Six dollars of each registration fee designated for payment to the registrar of motor vehicles in division (A)+2+(1)(b) of section 4503.04 of the Revised Code shall be 423  
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deposited in the motorcycle safety and education fund, which is 426  
hereby created in the state treasury and, unless otherwise 427  
provided by law, shall be used solely to pay part or all of the 428  
costs of conducting the motorcycle safety and education program 429  
created by section 4508.08 of the Revised Code. 430

**Sec. 4503.04.** Except as provided in sections 4503.042 and 431  
4503.65 of the Revised Code for the registration of commercial 432  
cars, trailers, semitrailers, and certain buses, the rates of the 433  
taxes imposed by section 4503.02 of the Revised Code shall be as 434  
follows: 435

(A)(1) For motor vehicles having three wheels or less, the 436  
license tax is: 437

~~(1)(a)~~ For each motorized bicycle or moped, ten dollars; 438

~~(2)(b)~~ For each motorcycle, cab-enclosed motorcycle, 439  
motor-driven cycle, or motor scooter, fourteen dollars. 440

(2) For each low-speed, under-speed, and utility vehicle, ten 441  
dollars. 442

(B) For each passenger car, twenty dollars; 443

(C) For each manufactured home, each mobile home, and each 444  
travel trailer or house vehicle, ten dollars; 445

(D) For each noncommercial motor vehicle designed by the 446  
manufacturer to carry a load of no more than three-quarters of one 447  
ton and for each motor home, thirty-five dollars; for each 448  
noncommercial motor vehicle designed by the manufacturer to carry 449  
a load of more than three-quarters of one ton, but not more than 450  
one ton, seventy dollars; 451

(E) For each noncommercial trailer, the license tax is: 452

(1) Eighty-five cents for each one hundred pounds or part 453  
thereof for the first two thousand pounds or part thereof of 454

weight of vehicle fully equipped; 455

(2) One dollar and forty cents for each one hundred pounds or 456  
part thereof in excess of two thousand pounds up to and including 457  
ten thousand pounds. 458

(F) Notwithstanding its weight, twelve dollars for any: 459

(1) Vehicle equipped, owned, and used by a charitable or 460  
nonprofit corporation exclusively for the purpose of administering 461  
chest x-rays or receiving blood donations; 462

(2) Van used principally for the transportation of 463  
handicapped persons that has been modified by being equipped with 464  
adaptive equipment to facilitate the movement of such persons into 465  
and out of the van; 466

(3) Bus used principally for the transportation of 467  
handicapped persons or persons sixty-five years of age or older. 468

(G) Notwithstanding its weight, twenty dollars for any bus 469  
used principally for the transportation of persons in a 470  
ridesharing arrangement. 471

(H) For each transit bus having motor power the license tax 472  
is twelve dollars. 473

"Transit bus" means either a motor vehicle having a seating 474  
capacity of more than seven persons which is operated and used by 475  
any person in the rendition of a public mass transportation 476  
service primarily in a municipal corporation or municipal 477  
corporations and provided at least seventy-five per cent of the 478  
annual mileage of such service and use is within such municipal 479  
corporation or municipal corporations or a motor vehicle having a 480  
seating capacity of more than seven persons which is operated 481  
solely for the transportation of persons associated with a 482  
charitable or nonprofit corporation, but does not mean any motor 483  
vehicle having a seating capacity of more than seven persons when 484



such vehicle is used in a ridesharing capacity or any bus 485  
described by division (F)(3) of this section. 486

The application for registration of such transit bus shall be 487  
accompanied by an affidavit prescribed by the registrar of motor 488  
vehicles and signed by the person or an agent of the firm or 489  
corporation operating such bus stating that the bus has a seating 490  
capacity of more than seven persons, and that it is either to be 491  
operated and used in the rendition of a public mass transportation 492  
service and that at least seventy-five per cent of the annual 493  
mileage of such operation and use shall be within one or more 494  
municipal corporations or that it is to be operated solely for the 495  
transportation of persons associated with a charitable or 496  
nonprofit corporation. 497

The form of the license plate, and the manner of its 498  
attachment to the vehicle, shall be prescribed by the registrar of 499  
motor vehicles. 500

(I) The Except as otherwise provided in division (A) or (J) 501  
of this section, the minimum tax for any vehicle having motor 502  
~~power other than a farm truck, a motorized bicycle, or motoreycle~~ 503  
is ten dollars and eighty cents, and for each noncommercial 504  
trailer, five dollars. 505

(J)(1) Except as otherwise provided in division (J) of this 506  
section, for each farm truck, except a noncommercial motor 507  
vehicle, that is owned, controlled, or operated by one or more 508  
farmers exclusively in farm use as defined in this section, and 509  
not for commercial purposes, and provided that at least 510  
seventy-five per cent of such farm use is by or for the one or 511  
more owners, controllers, or operators of the farm in the 512  
operation of which a farm truck is used, the license tax is five 513  
dollars plus: 514

(a) Fifty cents per one hundred pounds or part thereof for 515

the first three thousand pounds;	516
(b) Seventy cents per one hundred pounds or part thereof in excess of three thousand pounds up to and including four thousand pounds;	517 518 519
(c) Ninety cents per one hundred pounds or part thereof in excess of four thousand pounds up to and including six thousand pounds;	520 521 522
(d) Two dollars for each one hundred pounds or part thereof in excess of six thousand pounds up to and including ten thousand pounds;	523 524 525
(e) Two dollars and twenty-five cents for each one hundred pounds or part thereof in excess of ten thousand pounds;	526 527
(f) The minimum license tax for any farm truck shall be twelve dollars.	528 529
(2) The owner of a farm truck may register the truck for a period of one-half year by paying one-half the registration tax imposed on the truck under this chapter and one-half the amount of any tax imposed on the truck under Chapter 4504. of the Revised Code.	530 531 532 533 534
(3) A farm bus may be registered for a period of ninety days from the date of issue of the license plates for the bus, for a fee of ten dollars, provided such license plates shall not be issued for more than any two ninety-day periods in any calendar year. Such use does not include the operation of trucks by commercial processors of agricultural products.	535 536 537 538 539 540
(4) License plates for farm trucks and for farm buses shall have some distinguishing marks, letters, colors, or other characteristics to be determined by the director of public safety.	541 542 543
(5) Every person registering a farm truck or bus under this section shall furnish an affidavit certifying that the truck or	544 545

bus licensed to that person is to be so used as to meet the 546  
requirements necessary for the farm truck or farm bus 547  
classification. 548

Any farmer may use a truck owned by the farmer for commercial 549  
purposes by paying the difference between the commercial truck 550  
registration fee and the farm truck registration fee for the 551  
remaining part of the registration period for which the truck is 552  
registered. Such remainder shall be calculated from the beginning 553  
of the semiannual period in which application for such commercial 554  
license is made. 555

Taxes at the rates provided in this section are in lieu of 556  
all taxes on or with respect to the ownership of such motor 557  
vehicles, except as provided in section 4503.042 and section 558  
4503.06 of the Revised Code. 559

(K) Other than trucks registered under the international 560  
registration plan in another jurisdiction and for which this state 561  
has received an apportioned registration fee, the license tax for 562  
each truck which is owned, controlled, or operated by a 563  
nonresident, and licensed in another state, and which is used 564  
exclusively for the transportation of nonprocessed agricultural 565  
products intrastate, from the place of production to the place of 566  
processing, is twenty-four dollars. 567

"Truck," as used in this division, means any pickup truck, 568  
straight truck, semitrailer, or trailer other than a travel 569  
trailer. Nonprocessed agricultural products, as used in this 570  
division, does not include livestock or grain. 571

A license issued under this division shall be issued for a 572  
period of one hundred thirty days in the same manner in which all 573  
other licenses are issued under this section, provided that no 574  
truck shall be so licensed for more than one 575  
one-hundred-thirty-day period during any calendar year. 576

The license issued pursuant to this division shall consist of 577  
a windshield decal to be designed by the director of public 578  
safety. 579

Every person registering a truck under this division shall 580  
furnish an affidavit certifying that the truck licensed to the 581  
person is to be used exclusively for the purposes specified in 582  
this division. 583

(L) Every person registering a motor vehicle as a 584  
noncommercial motor vehicle as defined in section 4501.01 of the 585  
Revised Code, or registering a trailer as a noncommercial trailer 586  
as defined in that section, shall furnish an affidavit certifying 587  
that the motor vehicle or trailer so licensed to the person is to 588  
be so used as to meet the requirements necessary for the 589  
noncommercial vehicle classification. 590

(M) Every person registering a van or bus as provided in 591  
divisions (F)(2) and (3) of this section shall furnish a notarized 592  
statement certifying that the van or bus licensed to the person is 593  
to be used for the purposes specified in those divisions. The form 594  
of the license plate issued for such motor vehicles shall be 595  
prescribed by the registrar. 596

(N) Every person registering as a passenger car a motor 597  
vehicle designed and used for carrying more than nine but not more 598  
than fifteen passengers, and every person registering a bus as 599  
provided in division (G) of this section, shall furnish an 600  
affidavit certifying that the vehicle so licensed to the person is 601  
to be used in a ridesharing arrangement and that the person will 602  
have in effect whenever the vehicle is used in a ridesharing 603  
arrangement a policy of liability insurance with respect to the 604  
motor vehicle in amounts and coverages no less than those required 605  
by section 4509.79 of the Revised Code. The form of the license 606  
plate issued for such a motor vehicle shall be prescribed by the 607  
registrar. 608

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

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

(P) As used in this section:

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

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

(3) "Farm truck" means a truck used in the transportation

from the farm of products of the farm, including livestock and its 640  
products, poultry and its products, floricultural and 641  
horticultural products, and in the transportation to the farm of 642  
supplies for the farm, including tile, fence, and every other 643  
thing or commodity used in agricultural, floricultural, 644  
horticultural, livestock, and poultry production and livestock, 645  
poultry, and other animals and things used for breeding, feeding, 646  
or other purposes connected with the operation of the farm. 647

(4) "Farm bus" means a bus used only for the transportation 648  
of agricultural employees and used only in the transportation of 649  
such employees as are necessary in the operation of the farm. 650

(5) "Farm supplies" includes fuel used exclusively in the 651  
operation of a farm, including one or more homes located on and 652  
used in the operation of one or more farms, and furniture and 653  
other things used in and around such homes. 654

**Sec. 4503.21.** (A) No person who is the owner or operator of a 655  
motor vehicle shall fail to display in plain view on the front and 656  
rear of the motor vehicle the distinctive number and registration 657  
mark, including any county identification sticker and any 658  
validation sticker issued under sections 4503.19 and 4503.191 of 659  
the Revised Code, furnished by the director of public safety, 660  
except that a manufacturer of motor vehicles or dealer therein, 661  
the holder of an in transit permit, and the owner or operator of a 662  
motorcycle, motorized bicycle or moped, motor-driven cycle or 663  
motor scooter, cab-enclosed motorcycle, manufactured home, mobile 664  
home, trailer, or semitrailer shall display on the rear only. A 665  
motor vehicle that is issued two license plates shall display the 666  
validation sticker only on the rear license plate, except that a 667  
commercial tractor that does not receive an apportioned license 668  
plate under the international registration plan shall display the 669  
validation sticker on the front of the commercial tractor. An 670

apportioned vehicle receiving an apportioned license plate under 671  
the international registration plan shall display the license 672  
plate only on the front of a commercial tractor and on the rear of 673  
all other vehicles. All license plates shall be securely fastened 674  
so as not to swing, and shall not be covered by any material that 675  
obstructs their visibility. 676

No person to whom a temporary license placard or windshield 677  
sticker has been issued for the use of a motor vehicle under 678  
section 4503.182 of the Revised Code, and no operator of that 679  
motor vehicle, shall fail to display the temporary license placard 680  
in plain view from the rear of the vehicle either in the rear 681  
window or on an external rear surface of the motor vehicle, or 682  
fail to display the windshield sticker in plain view on the rear 683  
window of the motor vehicle. No temporary license placard or 684  
windshield sticker shall be covered by any material that obstructs 685  
its visibility. 686

(B) Whoever violates this section is guilty of a minor 687  
misdemeanor. 688

**Sec. 4503.22.** The identification license plate shall consist 689  
of a placard upon the face of which shall appear the distinctive 690  
number assigned to the motor vehicle as provided in section 691  
4503.19 of the Revised Code, in Arabic numerals or letters, or 692  
both. The dimensions of the numerals or letters and of each stroke 693  
shall be determined by the director of public safety. The license 694  
placard also shall contain the name of this state and the slogan 695  
"BIRTHPLACE OF AVIATION." The placard shall be made of steel and 696  
the background shall be treated with a reflective material that 697  
shall provide effective and dependable reflective brightness 698  
during the service period required of the placard. Specifications 699  
for the reflective and other materials and the design of the 700  
placard, the county identification stickers as provided by section 701

4503.19 of the Revised Code, and validation stickers as provided 702  
by section 4503.191 of the Revised Code, shall be adopted by the 703  
director as rules under sections 119.01 to 119.13 of the Revised 704  
Code. The identification license plate of motorized bicycles or 705  
mopeds, motor-driven cycles or motor scooters, cab-enclosed 706  
motorcycles, and ~~of motor vehicles of the type commonly called~~ 707  
"motorcycles" shall consist of a single placard, the size of which 708  
shall be prescribed by the director. The identification plate of a 709  
vehicle registered in accordance with the international 710  
registration plan shall contain the word "apportioned." The 711  
director may prescribe the type of placard, or means of fastening 712  
the placard, or both; the placard or means of fastening may be so 713  
designed and constructed as to render difficult the removal of the 714  
placard after it has been fastened to a motor vehicle. 715

**Sec. 4503.544.** (A) Any person who is a retired or honorably 716  
discharged veteran of any branch of the armed forces of the United 717  
States may apply to the registrar of motor vehicles for the 718  
registration of any motorcycle, motorized bicycle or moped, 719  
motor-driven cycle or motor scooter, or cab-enclosed motorcycle 720  
that the person owns or leases. The application shall be 721  
accompanied by written evidence that the applicant is a retired or 722  
honorably discharged veteran of a branch of the armed forces of 723  
the United States that the registrar shall require by rule. 724

Upon receipt of an application for registration of a 725  
motorcycle under this section, presentation of satisfactory 726  
evidence documenting that the applicant is a retired or honorably 727  
discharged veteran of a branch of the armed forces of the United 728  
States, and payment of the ~~regular motorcycle~~ applicable license 729  
fee prescribed in section 4503.04 of the Revised Code and any 730  
local motor vehicle license tax levied under Chapter 4504. of the 731  
Revised Code, the registrar shall issue to the applicant the 732  
appropriate motor vehicle registration and a license plate and a 733



validation sticker or a validation sticker alone when required by 734  
section 4503.191 of the Revised Code. 735

(B) License plates issued under this section shall be 736  
inscribed with the letters and numbers ordinarily inscribed on 737  
motorcycle license plates, except that the registrar shall provide 738  
for one of the following: 739

(1) The license plates to contain an inscription or symbol 740  
representing veterans of the armed forces of the United States; 741

(2) The plates to include the word "veteran" or "vet"; 742

(3) The plates to be designed to display a sticker bearing 743  
the word "veteran." 744

(C) Sections 4503.77 and 4503.78 of the Revised Code do not 745  
apply to license plates issued under this section. 746

**Sec. 4507.01.** (A) As used in this chapter, "motor vehicle," 747  
"motorized bicycle," "state," "owner," "operator," "chauffeur," 748  
and "highways" have the same meanings as in section 4501.01 of the 749  
Revised Code. 750

"Driver's license" means a class D license issued to any 751  
person to operate a motor vehicle or motor-driven cycle, other 752  
than a commercial motor vehicle, and includes "probationary 753  
license," "restricted license," and any operator's or chauffeur's 754  
license issued before January 1, 1990. 755

"Probationary license" means the license issued to any person 756  
between sixteen and eighteen years of age to operate a motor 757  
vehicle. 758

"Restricted license" means the license issued to any person 759  
to operate a motor vehicle subject to conditions or restrictions 760  
imposed by the registrar of motor vehicles. 761

"Commercial driver's license" means the license issued to a 762

person under Chapter 4506. of the Revised Code to operate a 763  
commercial motor vehicle. 764

"Commercial motor vehicle" has the same meaning as in section 765  
4506.01 of the Revised Code. 766

"Motorcycle operator's temporary instruction permit, license, 767  
or endorsement" includes a temporary instruction permit, license, 768  
or endorsement for a motor-driven cycle or motor scooter unless 769  
otherwise specified. 770

"Motorized bicycle license" means the license issued under 771  
section 4511.521 of the Revised Code to any person to operate a 772  
motorized bicycle including a "probationary motorized bicycle 773  
license." 774

"Probationary motorized bicycle license" means the license 775  
issued under section 4511.521 of the Revised Code to any person 776  
between fourteen and sixteen years of age to operate a motorized 777  
bicycle. 778

"Identification card" means a card issued under sections 779  
4507.50 and 4507.51 of the Revised Code. 780

"Resident" means a person who, in accordance with standards 781  
prescribed in rules adopted by the registrar, resides in this 782  
state on a permanent basis. 783

"Temporary resident" means a person who, in accordance with 784  
standards prescribed in rules adopted by the registrar, resides in 785  
this state on a temporary basis. 786

(B) In the administration of this chapter and Chapter 4506. 787  
of the Revised Code, the registrar has the same authority as is 788  
conferred on the registrar by section 4501.02 of the Revised Code. 789  
Any act of an authorized deputy registrar of motor vehicles under 790  
direction of the registrar is deemed the act of the registrar. 791

To carry out this chapter, the registrar shall appoint such 792

deputy registrars in each county as are necessary. 793

The registrar also shall provide at each place where an 794  
application for a driver's or commercial driver's license or 795  
identification card may be made the necessary equipment to take a 796  
color photograph of the applicant for such license or card as 797  
required under section 4506.11 or 4507.06 of the Revised Code, and 798  
to conduct the vision screenings required by section 4507.12 of 799  
the Revised Code, and equipment to laminate licenses, motorized 800  
bicycle licenses, and identification cards as required by sections 801  
4507.13, 4507.52, and 4511.521 of the Revised Code. 802

The registrar shall assign one or more deputy registrars to 803  
any driver's license examining station operated under the 804  
supervision of the state highway patrol, whenever the registrar 805  
considers such assignment possible. Space shall be provided in the 806  
driver's license examining station for any such deputy registrar 807  
so assigned. The deputy registrars shall not exercise the powers 808  
conferred by such sections upon the registrar, unless they are 809  
specifically authorized to exercise such powers by such sections. 810

(C) No agent for any insurance company, writing automobile 811  
insurance, shall be appointed deputy registrar, and any such 812  
appointment is void. No deputy registrar shall in any manner 813  
solicit any form of automobile insurance, nor in any manner 814  
advise, suggest, or influence any licensee or applicant for 815  
license for or against any kind or type of automobile insurance, 816  
insurance company, or agent, nor have the deputy registrar's 817  
office directly connected with the office of any automobile 818  
insurance agent, nor impart any information furnished by any 819  
applicant for a license or identification card to any person, 820  
except the registrar. This division shall not apply to any 821  
nonprofit corporation appointed deputy registrar. 822

(D) The registrar shall immediately remove a deputy registrar 823  
who violates the requirements of this chapter. 824

(E) The registrar shall periodically solicit bids and enter 825  
into a contract for the provision of laminating equipment and 826  
laminating materials to the registrar and all deputy registrars. 827  
The registrar shall not consider any bid that does not provide for 828  
the supplying of both laminating equipment and laminating 829  
materials. The laminating materials selected shall contain a 830  
security feature so that any tampering with the laminating 831  
material covering a license or identification card is readily 832  
apparent. In soliciting bids and entering into a contract for the 833  
provision of laminating equipment and laminating materials, the 834  
registrar shall observe all procedures required by law. 835

**Sec. 4507.05.** (A) The registrar of motor vehicles, or a 836  
deputy registrar, upon receiving an application for a temporary 837  
instruction permit and a temporary instruction permit 838  
identification card for a driver's license from any person who is 839  
at least fifteen years six months of age, may issue such a permit 840  
and identification card entitling the applicant to drive a motor 841  
vehicle, other than a commercial motor vehicle, upon the highways 842  
under the following conditions: 843

(1) If the permit is issued to a person who is at least 844  
fifteen years six months of age, but less than sixteen years of 845  
age: 846

(a) The permit and identification card are in the holder's 847  
immediate possession; 848

(b) The holder is accompanied by an eligible adult who 849  
actually occupies the seat beside the permit holder and does not 850  
have a prohibited concentration of alcohol in the whole blood, 851  
blood serum or plasma, breath, or urine as provided in division 852  
(A) of section 4511.19 of the Revised Code; 853

(c) The total number of occupants of the vehicle does not 854  
exceed the total number of occupant restraining devices originally 855

installed in the motor vehicle by its manufacturer, and each 856  
occupant of the vehicle is wearing all of the available elements 857  
of a properly adjusted occupant restraining device. 858

(2) If the permit is issued to a person who is at least 859  
sixteen years of age: 860

(a) The permit and identification card are in the holder's 861  
immediate possession; 862

(b) The holder is accompanied by a licensed operator who is 863  
at least twenty-one years of age, is actually occupying a seat 864  
beside the driver, and does not have a prohibited concentration of 865  
alcohol in the whole blood, blood serum or plasma, breath, or 866  
urine as provided in division (A) of section 4511.19 of the 867  
Revised Code; 868

(c) The total number of occupants of the vehicle does not 869  
exceed the total number of occupant restraining devices originally 870  
installed in the motor vehicle by its manufacturer, and each 871  
occupant of the vehicle is wearing all of the available elements 872  
of a properly adjusted occupant restraining device. 873

(B) The registrar or a deputy registrar, upon receiving from 874  
any person an application for a temporary instruction permit and 875  
temporary instruction permit identification card to operate a 876  
motorcycle, motor-driven cycle or motor scooter, or motorized 877  
bicycle, may issue such a permit and identification card entitling 878  
the applicant, while having the permit and identification card in 879  
the applicant's immediate possession, to drive a motorcycle or 880  
motor-driven cycle or motor scooter, under the restrictions 881  
prescribed in section 4511.53 of the Revised Code, or to drive a 882  
motorized bicycle under restrictions determined by the registrar. 883  
A temporary instruction permit and temporary instruction permit 884  
identification card to operate a motorized bicycle may be issued 885  
to a person fourteen or fifteen years old. 886

(C) Any permit and identification card issued under this 887  
section shall be issued in the same manner as a driver's license, 888  
upon a form to be furnished by the registrar. A temporary 889  
instruction permit to drive a motor vehicle other than a 890  
commercial motor vehicle shall be valid for a period of one year. 891

(D) Any person having in the person's possession a valid and 892  
current driver's license or motorcycle operator's license or 893  
endorsement issued to the person by another jurisdiction 894  
recognized by this state is exempt from obtaining a temporary 895  
instruction permit for a driver's license, but shall submit to the 896  
regular examination in obtaining a driver's license or motorcycle 897  
operator's endorsement in this state. 898

(E) The registrar may adopt rules governing the use of 899  
temporary instruction permits and temporary instruction permit 900  
identification cards. 901

(F)(1) No holder of a permit issued under division (A) of 902  
this section shall operate a motor vehicle upon a highway or any 903  
public or private property used by the public for purposes of 904  
vehicular travel or parking in violation of the conditions 905  
established under division (A) of this section. 906

(2) Except as provided in division (F)(2) of this section, no 907  
holder of a permit that is issued under division (A) of this 908  
section and that is issued on or after July 1, 1998, and who has 909  
not attained the age of eighteen years, shall operate a motor 910  
vehicle upon a highway or any public or private property used by 911  
the public for purposes of vehicular travel or parking between the 912  
hours of midnight and six a.m. 913

The holder of a permit issued under division (A) of this 914  
section on or after July 1, 1998, who has not attained the age of 915  
eighteen years, may operate a motor vehicle upon a highway or any 916  
public or private property used by the public for purposes of 917

vehicular travel or parking between the hours of midnight and six 918  
a.m. if, at the time of such operation, the holder is accompanied 919  
by the holder's parent, guardian, or custodian, and the parent, 920  
guardian, or custodian holds a current valid driver's or 921  
commercial driver's license issued by this state, is actually 922  
occupying a seat beside the permit holder, and does not have a 923  
prohibited concentration of alcohol in the whole blood, blood 924  
serum or plasma, breath, or urine as provided in division (A) of 925  
section 4511.19 of the Revised Code. 926

(G)(1) Notwithstanding any other provision of law to the 927  
contrary, no law enforcement officer shall cause the operator of a 928  
motor vehicle being operated on any street or highway to stop the 929  
motor vehicle for the sole purpose of determining whether each 930  
occupant of the motor vehicle is wearing all of the available 931  
elements of a properly adjusted occupant restraining device as 932  
required by division (A) of this section, or for the sole purpose 933  
of issuing a ticket, citation, or summons if the requirement in 934  
that division has been or is being violated, or for causing the 935  
arrest of or commencing a prosecution of a person for a violation 936  
of that requirement. 937

(2) Notwithstanding any other provision of law to the 938  
contrary, no law enforcement officer shall cause the operator of a 939  
motor vehicle being operated on any street or highway to stop the 940  
motor vehicle for the sole purpose of determining whether a 941  
violation of division (F)(2) of this section has been or is being 942  
committed or for the sole purpose of issuing a ticket, citation, 943  
or summons for such a violation or for causing the arrest of or 944  
commencing a prosecution of a person for such violation. 945

(H) As used in this section: 946

(1) "Eligible adult" means any of the following: 947

(a) An instructor of a driver training course approved by the 948

department of public safety; 949

(b) Any of the following persons who holds a current valid 950  
driver's or commercial driver's license issued by this state: 951

(i) A parent, guardian, or custodian of the permit holder; 952

(ii) A person twenty-one years of age or older who acts in 953  
loco parentis of the permit holder. 954

(2) "Occupant restraining device" has the same meaning as in 955  
section 4513.263 of the Revised Code. 956

(I) Whoever violates division (F)(1) or (2) of this section 957  
is guilty of a minor misdemeanor. 958

**Sec. 4507.06.** (A)(1) Every application for a driver's license 959  
~~or~~ motorcycle operator's license or endorsement, or motor-driven 960  
cycle or motor scooter license or endorsement, or duplicate of any 961  
such license or endorsement, shall be made upon the approved form 962  
furnished by the registrar of motor vehicles and shall be signed 963  
by the applicant. 964

Every application shall state the following: 965

(a) The applicant's name, date of birth, social security 966  
number if such has been assigned, sex, general description, 967  
including height, weight, color of hair, and eyes, residence 968  
address, including county of residence, duration of residence in 969  
this state, and country of citizenship; 970

(b) Whether the applicant previously has been licensed as an 971  
operator, chauffeur, driver, commercial driver, or motorcycle 972  
operator and, if so, when, by what state, and whether such license 973  
is suspended or canceled at the present time and, if so, the date 974  
of and reason for the suspension or cancellation; 975

(c) Whether the applicant is now or ever has been afflicted 976  
with epilepsy, or whether the applicant now is suffering from any 977



physical or mental disability or disease and, if so, the nature 978  
and extent of the disability or disease, giving the names and 979  
addresses of physicians then or previously in attendance upon the 980  
applicant; 981

(d) Whether an applicant for a duplicate driver's license, ~~or~~ 982  
duplicate license containing a motorcycle operator endorsement, or 983  
duplicate license containing a motor-driven cycle or motor scooter 984  
endorsement has pending a citation for violation of any motor 985  
vehicle law or ordinance, a description of any such citation 986  
pending, and the date of the citation; 987

(e) Whether the applicant wishes to certify willingness to 988  
make an anatomical gift under section 2108.05 of the Revised Code, 989  
which shall be given no consideration in the issuance of a license 990  
or endorsement; 991

(f) Whether the applicant has executed a valid durable power 992  
of attorney for health care pursuant to sections 1337.11 to 993  
1337.17 of the Revised Code or has executed a declaration 994  
governing the use or continuation, or the withholding or 995  
withdrawal, of life-sustaining treatment pursuant to sections 996  
2133.01 to 2133.15 of the Revised Code and, if the applicant has 997  
executed either type of instrument, whether the applicant wishes 998  
the applicant's license to indicate that the applicant has 999  
executed the instrument; 1000

(g) On and after October 7, 2009, whether the applicant is a 1001  
veteran, active duty, or reservist of the armed forces of the 1002  
United States and, if the applicant is such, whether the applicant 1003  
wishes the applicant's license to indicate that the applicant is a 1004  
veteran, active duty, or reservist of the armed forces of the 1005  
United States by a military designation on the license. 1006

(2) Every applicant for a driver's license shall be 1007  
photographed in color at the time the application for the license 1008

is made. The application shall state any additional information 1009  
that the registrar requires. 1010

(B) The registrar or a deputy registrar, in accordance with 1011  
section 3503.11 of the Revised Code, shall register as an elector 1012  
any person who applies for a ~~driver's~~ license or ~~motorcycle~~  
~~operator's license or~~ endorsement under division (A) of this 1013  
section, or for a renewal or duplicate of the license or 1014  
endorsement, if the applicant is eligible and wishes to be 1015  
registered as an elector. The decision of an applicant whether to 1016  
register as an elector shall be given no consideration in the 1017  
decision of whether to issue the applicant a license or 1018  
endorsement, or a renewal or duplicate. 1019  
1020

(C) The registrar or a deputy registrar, in accordance with 1021  
section 3503.11 of the Revised Code, shall offer the opportunity 1022  
of completing a notice of change of residence or change of name to 1023  
any applicant for a driver's license or endorsement under division 1024  
(A) of this section, or for a renewal or duplicate of the license 1025  
or endorsement, if the applicant is a registered elector who has 1026  
changed the applicant's residence or name and has not filed such a 1027  
notice. 1028

(D) In addition to any other information it contains, on and 1029  
after October 7, 2009, the approved form furnished by the 1030  
registrar of motor vehicles for an application for a ~~driver's~~ 1031  
license or ~~motorcycle operator's license or~~ endorsement or an 1032  
application for a duplicate of any such license or endorsement 1033  
shall inform applicants that the applicant must present a copy of 1034  
the applicant's DD-214 or an equivalent document in order to 1035  
qualify to have the license or duplicate indicate that the 1036  
applicant is a veteran, active duty, or reservist of the armed 1037  
forces of the United States based on a request made pursuant to 1038  
division (A)(1)(g) of this section. 1039

Sec. 4507.11. (A) The registrar of motor vehicles shall 1040  
conduct all necessary examinations of applicants for temporary 1041  
instruction permits, drivers' licenses, ~~or~~ motorcycle operators' 1042  
endorsements, or motor-driven cycle or motor scooter endorsements. 1043  
The examination shall include a test of the applicant's knowledge 1044  
of motor vehicle laws, including the laws on stopping for school 1045  
buses, a test of the applicant's physical fitness to drive, and a 1046  
test of the applicant's ability to understand highway traffic 1047  
control devices. The examination may be conducted in such a manner 1048  
that applicants who are illiterate or limited in their knowledge 1049  
of the English language may be tested by methods that would 1050  
indicate to the examining officer that the applicant has a 1051  
reasonable knowledge of motor vehicle laws and understands highway 1052  
traffic control devices. An applicant for a driver's license shall 1053  
give an actual demonstration of the ability to exercise ordinary 1054  
and reasonable control in the operation of a motor vehicle by 1055  
driving the same under the supervision of an examining officer; 1056  
however, no applicant for a driver's license shall use a low-speed 1057  
or under-speed vehicle for the purpose of demonstrating ability to 1058  
exercise ordinary and reasonable control over a vehicle. Except as 1059  
provided in division (B) of this section, an applicant for a 1060  
motorcycle operator's endorsement or a restricted license that 1061  
permits only the operation of a motorcycle shall give an actual 1062  
demonstration of the ability to exercise ordinary and reasonable 1063  
control in the operation of a motorcycle by driving the same under 1064  
the supervision of an examining officer; however, no applicant for 1065  
such an endorsement or restricted license shall use a motor-driven 1066  
cycle or motor scooter for the purpose of demonstrating ability to 1067  
exercise ordinary and reasonable control in the operation of a 1068  
motorcycle. Except as provided in division (B) of this section, an 1069  
applicant for a motor-driven cycle or motor scooter operator's 1070  
endorsement or a restricted license that permits only the 1071

operation of a motor-driven cycle or motor scooter shall give an 1072  
actual demonstration of the ability to exercise ordinary and 1073  
reasonable control in the operation of a motor-driven cycle or 1074  
motor scooter by driving a motor-driven cycle or motor scooter 1075  
under the supervision of an examining officer. Except as provided 1076  
in section 4507.12 of the Revised Code, the registrar shall 1077  
designate the highway patrol, any law enforcement body, or any 1078  
other employee of the department of public safety to supervise and 1079  
conduct examinations for temporary instruction permits, drivers' 1080  
licenses, and motorcycle operators' endorsements and shall provide 1081  
the necessary rules and forms to properly conduct the 1082  
examinations. The records of the examinations, together with the 1083  
application for a temporary instruction permit, driver's license, 1084  
or motorcycle operator's endorsement, shall be forwarded to the 1085  
registrar by the deputy registrar, and, if in the opinion of the 1086  
registrar the applicant is qualified to operate a motor vehicle, 1087  
the registrar shall issue the permit, license, or endorsement. 1088

The registrar may authorize the highway patrol, other 1089  
designated law enforcement body, or other designated employee of 1090  
the department of public safety to issue an examiner's driving 1091  
permit to an applicant who has passed the required examination, 1092  
authorizing that applicant to operate a motor vehicle while the 1093  
registrar is completing an investigation relative to that 1094  
applicant's qualifications to receive a temporary instruction 1095  
permit, driver's license, or motorcycle operator's endorsement. 1096  
The examiner's driving permit shall be in the immediate possession 1097  
of the applicant while operating a motor vehicle and shall be 1098  
effective until final action and notification has been given by 1099  
the registrar, but in no event longer than sixty days from its 1100  
date of issuance. 1101

(B)(1) An applicant for a motorcycle operator's endorsement 1102  
or a restricted license that permits only the operation of a 1103

motorcycle who presents to the registrar of motor vehicles or a 1104  
deputy registrar a form approved by the director of public safety 1105  
attesting to the applicant's successful completion within the 1106  
preceding sixty days of a course of basic instruction provided by 1107  
the motorcycle safety and education program approved by the 1108  
director pursuant to section 4508.08 of the Revised Code shall not 1109  
be required to give an actual demonstration of the ability to 1110  
operate a motorcycle by driving a motorcycle under the supervision 1111  
of an examining officer, as described in division (A) of this 1112  
section. An applicant for a motor-driven cycle or motor scooter 1113  
operator's endorsement or a restricted license that permits only 1114  
the operation of a motor-driven cycle or motor scooter who 1115  
presents to the registrar of motor vehicles or a deputy registrar 1116  
a form approved by the director of public safety attesting to the 1117  
applicant's successful completion within the preceding sixty days 1118  
of a course of basic instruction provided by the motorcycle safety 1119  
and education program approved by the director pursuant to section 1120  
4508.08 of the Revised Code shall not be required to give an 1121  
actual demonstration of the ability to operate a motor-driven 1122  
cycle or motor scooter by driving a motor-driven cycle or motor 1123  
scooter under the supervision of an examining officer, as 1124  
described in division (A) of this section. Upon presentation of 1125  
the form described in division (B)(1) of this section and 1126  
compliance with all other requirements relating to the issuance of 1127  
a motorcycle operator's endorsement or a restricted license that 1128  
permits only the operation of a motorcycle, the registrar or 1129  
deputy registrar shall issue to the applicant the endorsement or 1130  
restricted license, as the case may be. 1131

(2) A person who has not attained eighteen years of age and 1132  
presents an application for a motorcycle operator's endorsement or 1133  
a restricted license under division (B)(1) of this section also 1134  
shall comply with the requirements of section 4507.21 of the 1135  
Revised Code. 1136

(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. 1168

(D) "Emergency vehicle" means emergency vehicles of 1169  
municipal, township, or county departments or public utility 1170  
corporations when identified as such as required by law, the 1171  
director of public safety, or local authorities, and motor 1172  
vehicles when commandeered by a police officer. 1173

(E) "Public safety vehicle" means any of the following: 1174

(1) Ambulances, including private ambulance companies under 1175  
contract to a municipal corporation, township, or county, and 1176  
private ambulances and nontransport vehicles bearing license 1177  
plates issued under section 4503.49 of the Revised Code; 1178

(2) Motor vehicles used by public law enforcement officers or 1179  
other persons sworn to enforce the criminal and traffic laws of 1180  
the state; 1181

(3) Any motor vehicle when properly identified as required by 1182  
the director of public safety, when used in response to fire 1183  
emergency calls or to provide emergency medical service to ill or 1184  
injured persons, and when operated by a duly qualified person who 1185  
is a member of a volunteer rescue service or a volunteer fire 1186  
department, and who is on duty pursuant to the rules or directives 1187  
of that service. The state fire marshal shall be designated by the 1188  
director of public safety as the certifying agency for all public 1189  
safety vehicles described in division (E)(3) of this section. 1190

(4) Vehicles used by fire departments, including motor 1191  
vehicles when used by volunteer fire fighters responding to 1192  
emergency calls in the fire department service when identified as 1193  
required by the director of public safety. 1194

Any vehicle used to transport or provide emergency medical 1195  
service to an ill or injured person, when certified as a public 1196  
safety vehicle, shall be considered a public safety vehicle when 1197  
transporting an ill or injured person to a hospital regardless of 1198

whether such vehicle has already passed a hospital. 1199

(5) Vehicles used by the motor carrier enforcement unit for 1200  
the enforcement of orders and rules of the public utilities 1201  
commission as specified in section 5503.34 of the Revised Code. 1202

(F) "School bus" means every bus designed for carrying more 1203  
than nine passengers that is owned by a public, private, or 1204  
governmental agency or institution of learning and operated for 1205  
the transportation of children to or from a school session or a 1206  
school function, or owned by a private person and operated for 1207  
compensation for the transportation of children to or from a 1208  
school session or a school function, provided "school bus" does 1209  
not include a bus operated by a municipally owned transportation 1210  
system, a mass transit company operating exclusively within the 1211  
territorial limits of a municipal corporation, or within such 1212  
limits and the territorial limits of municipal corporations 1213  
immediately contiguous to such municipal corporation, nor a common 1214  
passenger carrier certified by the public utilities commission 1215  
unless such bus is devoted exclusively to the transportation of 1216  
children to and from a school session or a school function, and 1217  
"school bus" does not include a van or bus used by a licensed 1218  
child day-care center or type A family day-care home to transport 1219  
children from the child day-care center or type A family day-care 1220  
home to a school if the van or bus does not have more than fifteen 1221  
children in the van or bus at any time. 1222

(G) "Bicycle" means every device, other than a tricycle 1223  
designed solely for use as a play vehicle by a child, propelled 1224  
solely by human power upon which any person may ride having two 1225  
tandem wheels, or one wheel in the front and two wheels in the 1226  
rear, or two wheels in the front and one wheel in the rear, any of 1227  
which is more than fourteen inches in diameter. 1228

(H) "Motorized bicycle" or "moped" means any vehicle having 1229  
either two tandem wheels or one wheel in the front and two wheels 1230



in the rear, that ~~is capable of being~~ may be pedaled, and that is 1231  
equipped with a helper motor of not more than fifty cubic 1232  
centimeters piston displacement that produces no more than one 1233  
brake horsepower and is capable of propelling the vehicle at a 1234  
speed of no greater than twenty miles per hour on a level surface. 1235

(I) "Commercial tractor" means every motor vehicle having 1236  
motive power designed or used for drawing other vehicles and not 1237  
so constructed as to carry any load thereon, or designed or used 1238  
for drawing other vehicles while carrying a portion of such other 1239  
vehicles, or load thereon, or both. 1240

(J) "Agricultural tractor" means every self-propelling 1241  
vehicle designed or used for drawing other vehicles or wheeled 1242  
machinery but having no provision for carrying loads independently 1243  
of such other vehicles, and used principally for agricultural 1244  
purposes. 1245

(K) "Truck" means every motor vehicle, except trailers and 1246  
semitrailers, designed and used to carry property. 1247

(L) "Bus" means every motor vehicle designed for carrying 1248  
more than nine passengers and used for the transportation of 1249  
persons other than in a ridesharing arrangement, and every motor 1250  
vehicle, automobile for hire, or funeral car, other than a taxicab 1251  
or motor vehicle used in a ridesharing arrangement, designed and 1252  
used for the transportation of persons for compensation. 1253

(M) "Trailer" means every vehicle designed or used for 1254  
carrying persons or property wholly on its own structure and for 1255  
being drawn by a motor vehicle, including any such vehicle when 1256  
formed by or operated as a combination of a "semitrailer" and a 1257  
vehicle of the dolly type, such as that commonly known as a 1258  
"trailer dolly," a vehicle used to transport agricultural produce 1259  
or agricultural production materials between a local place of 1260  
storage or supply and the farm when drawn or towed on a street or 1261

highway at a speed greater than twenty-five miles per hour, and a 1262  
vehicle designed and used exclusively to transport a boat between 1263  
a place of storage and a marina, or in and around a marina, when 1264  
drawn or towed on a street or highway for a distance of more than 1265  
ten miles or at a speed of more than twenty-five miles per hour. 1266

(N) "Semitrailer" means every vehicle designed or used for 1267  
carrying persons or property with another and separate motor 1268  
vehicle so that in operation a part of its own weight or that of 1269  
its load, or both, rests upon and is carried by another vehicle. 1270

(O) "Pole trailer" means every trailer or semitrailer 1271  
attached to the towing vehicle by means of a reach, pole, or by 1272  
being boomed or otherwise secured to the towing vehicle, and 1273  
ordinarily used for transporting long or irregular shaped loads 1274  
such as poles, pipes, or structural members capable, generally, of 1275  
sustaining themselves as beams between the supporting connections. 1276

(P) "Railroad" means a carrier of persons or property 1277  
operating upon rails placed principally on a private right-of-way. 1278

(Q) "Railroad train" means a steam engine or an electric or 1279  
other motor, with or without cars coupled thereto, operated by a 1280  
railroad. 1281

(R) "Streetcar" means a car, other than a railroad train, for 1282  
transporting persons or property, operated upon rails principally 1283  
within a street or highway. 1284

(S) "Trackless trolley" means every car that collects its 1285  
power from overhead electric trolley wires and that is not 1286  
operated upon rails or tracks. 1287

(T) "Explosives" means any chemical compound or mechanical 1288  
mixture that is intended for the purpose of producing an explosion 1289  
that contains any oxidizing and combustible units or other 1290  
ingredients in such proportions, quantities, or packing that an 1291  
ignition by fire, by friction, by concussion, by percussion, or by 1292

a detonator of any part of the compound or mixture may cause such 1293  
a sudden generation of highly heated gases that the resultant 1294  
gaseous pressures are capable of producing destructive effects on 1295  
contiguous objects, or of destroying life or limb. Manufactured 1296  
articles shall not be held to be explosives when the individual 1297  
units contain explosives in such limited quantities, of such 1298  
nature, or in such packing, that it is impossible to procure a 1299  
simultaneous or a destructive explosion of such units, to the 1300  
injury of life, limb, or property by fire, by friction, by 1301  
concussion, by percussion, or by a detonator, such as fixed 1302  
ammunition for small arms, firecrackers, or safety fuse matches. 1303

(U) "Flammable liquid" means any liquid that has a flash 1304  
point of seventy degrees fahrenheit, or less, as determined by a 1305  
tagliabue or equivalent closed cup test device. 1306

(V) "Gross weight" means the weight of a vehicle plus the 1307  
weight of any load thereon. 1308

(W) "Person" means every natural person, firm, 1309  
co-partnership, association, or corporation. 1310

(X) "Pedestrian" means any natural person afoot. 1311

(Y) "Driver or operator" means every person who drives or is 1312  
in actual physical control of a vehicle, trackless trolley, or 1313  
streetcar. 1314

(Z) "Police officer" means every officer authorized to direct 1315  
or regulate traffic, or to make arrests for violations of traffic 1316  
regulations. 1317

(AA) "Local authorities" means every county, municipal, and 1318  
other local board or body having authority to adopt police 1319  
regulations under the constitution and laws of this state. 1320

(BB) "Street" or "highway" means the entire width between the 1321  
boundary lines of every way open to the use of the public as a 1322

thoroughfare for purposes of vehicular travel. 1323

(CC) "Controlled-access highway" means every street or 1324  
highway in respect to which owners or occupants of abutting lands 1325  
and other persons have no legal right of access to or from the 1326  
same except at such points only and in such manner as may be 1327  
determined by the public authority having jurisdiction over such 1328  
street or highway. 1329

(DD) "Private road or driveway" means every way or place in 1330  
private ownership used for vehicular travel by the owner and those 1331  
having express or implied permission from the owner but not by 1332  
other persons. 1333

(EE) "Roadway" means that portion of a highway improved, 1334  
designed, or ordinarily used for vehicular travel, except the berm 1335  
or shoulder. If a highway includes two or more separate roadways 1336  
the term "roadway" means any such roadway separately but not all 1337  
such roadways collectively. 1338

(FF) "Sidewalk" means that portion of a street between the 1339  
curb lines, or the lateral lines of a roadway, and the adjacent 1340  
property lines, intended for the use of pedestrians. 1341

(GG) "Laned highway" means a highway the roadway of which is 1342  
divided into two or more clearly marked lanes for vehicular 1343  
traffic. 1344

(HH) "Through highway" means every street or highway as 1345  
provided in section 4511.65 of the Revised Code. 1346

(II) "State highway" means a highway under the jurisdiction 1347  
of the department of transportation, outside the limits of 1348  
municipal corporations, provided that the authority conferred upon 1349  
the director of transportation in section 5511.01 of the Revised 1350  
Code to erect state highway route markers and signs directing 1351  
traffic shall not be modified by sections 4511.01 to 4511.79 and 1352  
4511.99 of the Revised Code. 1353

(JJ) "State route" means every highway that is designated 1354  
with an official state route number and so marked. 1355

(KK) "Intersection" means: 1356

(1) The area embraced within the prolongation or connection 1357  
of the lateral curb lines, or, if none, then the lateral boundary 1358  
lines of the roadways of two highways which join one another at, 1359  
or approximately at, right angles, or the area within which 1360  
vehicles traveling upon different highways joining at any other 1361  
angle may come in conflict. 1362

(2) Where a highway includes two roadways thirty feet or more 1363  
apart, then every crossing of each roadway of such divided highway 1364  
by an intersecting highway shall be regarded as a separate 1365  
intersection. If an intersecting highway also includes two 1366  
roadways thirty feet or more apart, then every crossing of two 1367  
roadways of such highways shall be regarded as a separate 1368  
intersection. 1369

(3) The junction of an alley with a street or highway, or 1370  
with another alley, shall not constitute an intersection. 1371

(LL) "Crosswalk" means: 1372

(1) That part of a roadway at intersections ordinarily 1373  
included within the real or projected prolongation of property 1374  
lines and curb lines or, in the absence of curbs, the edges of the 1375  
traversable roadway; 1376

(2) Any portion of a roadway at an intersection or elsewhere, 1377  
distinctly indicated for pedestrian crossing by lines or other 1378  
markings on the surface; 1379

(3) Notwithstanding divisions (LL)(1) and (2) of this 1380  
section, there shall not be a crosswalk where local authorities 1381  
have placed signs indicating no crossing. 1382

(MM) "Safety zone" means the area or space officially set 1383

apart within a roadway for the exclusive use of pedestrians and 1384  
protected or marked or indicated by adequate signs as to be 1385  
plainly visible at all times. 1386

(NN) "Business district" means the territory fronting upon a 1387  
street or highway, including the street or highway, between 1388  
successive intersections within municipal corporations where fifty 1389  
per cent or more of the frontage between such successive 1390  
intersections is occupied by buildings in use for business, or 1391  
within or outside municipal corporations where fifty per cent or 1392  
more of the frontage for a distance of three hundred feet or more 1393  
is occupied by buildings in use for business, and the character of 1394  
such territory is indicated by official traffic control devices. 1395

(OO) "Residence district" means the territory, not comprising 1396  
a business district, fronting on a street or highway, including 1397  
the street or highway, where, for a distance of three hundred feet 1398  
or more, the frontage is improved with residences or residences 1399  
and buildings in use for business. 1400

(PP) "Urban district" means the territory contiguous to and 1401  
including any street or highway which is built up with structures 1402  
devoted to business, industry, or dwelling houses situated at 1403  
intervals of less than one hundred feet for a distance of a 1404  
quarter of a mile or more, and the character of such territory is 1405  
indicated by official traffic control devices. 1406

(QQ) "Traffic control devices" means all flaggers, signs, 1407  
signals, markings, and devices placed or erected by authority of a 1408  
public body or official having jurisdiction, for the purpose of 1409  
regulating, warning, or guiding traffic, including signs denoting 1410  
names of streets and highways. 1411

(RR) "Traffic control signal" means any device, whether 1412  
manually, electrically, or mechanically operated, by which traffic 1413  
is alternately directed to stop, to proceed, to change direction, 1414

or not to change direction. 1415

(SS) "Railroad sign or signal" means any sign, signal, or 1416  
device erected by authority of a public body or official or by a 1417  
railroad and intended to give notice of the presence of railroad 1418  
tracks or the approach of a railroad train. 1419

(TT) "Traffic" means pedestrians, ridden or herded animals, 1420  
vehicles, streetcars, trackless trolleys, and other devices, 1421  
either singly or together, while using any highway for purposes of 1422  
travel. 1423

(UU) "Right-of-way" means either of the following, as the 1424  
context requires: 1425

(1) The right of a vehicle, streetcar, trackless trolley, or 1426  
pedestrian to proceed uninterruptedly in a lawful manner in the 1427  
direction in which it or the individual is moving in preference to 1428  
another vehicle, streetcar, trackless trolley, or pedestrian 1429  
approaching from a different direction into its or the 1430  
individual's path; 1431

(2) A general term denoting land, property, or the interest 1432  
therein, usually in the configuration of a strip, acquired for or 1433  
devoted to transportation purposes. When used in this context, 1434  
right-of-way includes the roadway, shoulders or berm, ditch, and 1435  
slopes extending to the right-of-way limits under the control of 1436  
the state or local authority. 1437

(VV) "Rural mail delivery vehicle" means every vehicle used 1438  
to deliver United States mail on a rural mail delivery route. 1439

(WW) "Funeral escort vehicle" means any motor vehicle, 1440  
including a funeral hearse, while used to facilitate the movement 1441  
of a funeral procession. 1442

(XX) "Alley" means a street or highway intended to provide 1443  
access to the rear or side of lots or buildings in urban districts 1444

and not intended for the purpose of through vehicular traffic, and 1445  
includes any street or highway that has been declared an "alley" 1446  
by the legislative authority of the municipal corporation in which 1447  
such street or highway is located. 1448

(YY) "Freeway" means a divided multi-lane highway for through 1449  
traffic with all crossroads separated in grade and with full 1450  
control of access. 1451

(ZZ) "Expressway" means a divided arterial highway for 1452  
through traffic with full or partial control of access with an 1453  
excess of fifty per cent of all crossroads separated in grade. 1454

(AAA) "Thruway" means a through highway whose entire roadway 1455  
is reserved for through traffic and on which roadway parking is 1456  
prohibited. 1457

(BBB) "Stop intersection" means any intersection at one or 1458  
more entrances of which stop signs are erected. 1459

(CCC) "Arterial street" means any United States or state 1460  
numbered route, controlled access highway, or other major radial 1461  
or circumferential street or highway designated by local 1462  
authorities within their respective jurisdictions as part of a 1463  
major arterial system of streets or highways. 1464

(DDD) "Ridesharing arrangement" means the transportation of 1465  
persons in a motor vehicle where such transportation is incidental 1466  
to another purpose of a volunteer driver and includes ridesharing 1467  
arrangements known as carpools, vanpools, and buspools. 1468

(EEE) "Motorized wheelchair" means any self-propelled vehicle 1469  
designed for, and used by, a handicapped person and that is 1470  
incapable of a speed in excess of eight miles per hour. 1471

(FFF) "Child day-care center" and "type A family day-care 1472  
home" have the same meanings as in section 5104.01 of the Revised 1473  
Code. 1474



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

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

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

(1) A violation of section 4511.03, 4511.051, 4511.12, 4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 4511.214, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code;

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

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

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

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

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

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

(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;

(b) A state park employee or volunteer operating a utility vehicle exclusively within the boundaries of state parks for the operation or maintenance of state park facilities.

(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.

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

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

(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.

(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 1536  
motor-driven cycle or motor scooter. 1537

(D) Except as otherwise provided in this division, whoever 1538  
violates division (A) of this section is guilty of a minor 1539  
misdemeanor. If within one year of the offense, the offender 1540  
previously has been convicted of or pleaded guilty to one 1541  
predicate motor vehicle or traffic offense, whoever violates this 1542  
section is guilty of a misdemeanor of the fourth degree. If within 1543  
one year of the offense, the offender previously has been 1544  
convicted of two or more predicate motor vehicle or traffic 1545  
offenses, whoever violates this section is guilty of a misdemeanor 1546  
of the third degree. 1547

**Sec. 4511.215.** (A) By ordinance or resolution, a local 1548  
authority may authorize the operation of under-speed or utility 1549  
vehicles on a public street or highway under its jurisdiction. A 1550  
local authority that authorizes the operation of under-speed or 1551  
utility vehicles shall do all of the following: 1552

(1) Limit the operation of those vehicles to streets and 1553  
highways having an established speed limit not greater than 1554  
thirty-five miles per hour; 1555

(2) Require the vehicle owner who wishes to operate an 1556  
under-speed or utility vehicle on the public streets or highways 1557  
to submit the vehicle to an inspection conducted by a local law 1558  
enforcement agency that complies with inspection requirements 1559  
established by the department of public safety under section 1560  
4513.02 of the Revised Code; 1561

(3) Permit the operation on public streets or highways of 1562  
only those vehicles that successfully pass the required vehicle 1563  
inspection, are registered in accordance with Chapter 4503. of the 1564  
Revised Code, and are titled in accordance with Chapter 4505. of 1565  
the Revised Code; 1566

(4) Notify the director of public safety, in a manner the 1567  
director determines, of the authorization for the operation of 1568  
under-speed or utility vehicles. 1569

(B) A local authority may establish additional requirements 1570  
for the operation of under-speed or utility vehicles on its 1571  
streets and highways. 1572

**Sec. 4511.53.** (A) For purposes of this section, "snowmobile" 1573  
has the same meaning as given that term in section 4519.01 of the 1574  
Revised Code. 1575

(B) No person operating a bicycle shall ride other than upon 1576  
or astride the permanent and regular seat attached thereto or 1577  
carry any other person upon such bicycle other than upon a firmly 1578  
attached and regular seat thereon, and no person shall ride upon a 1579  
bicycle other than upon such a firmly attached and regular seat. 1580

No person operating a motorcycle shall ride other than upon 1581  
or astride the permanent and regular seat or saddle attached 1582  
thereto, or carry any other person upon such motorcycle other than 1583  
upon a firmly attached and regular seat or saddle thereon, and no 1584  
person shall ride upon a motorcycle other than upon such a firmly 1585  
attached and regular seat or saddle. 1586

No person shall ride upon a motorcycle that is equipped with 1587  
a saddle other than while sitting astride the saddle, facing 1588  
forward, with one leg on each side of the motorcycle. 1589

No person shall ride upon a motorcycle that is equipped with 1590  
a seat other than while sitting upon the seat. 1591

No person operating a bicycle shall carry any package, 1592  
bundle, or article that prevents the driver from keeping at least 1593  
one hand upon the handle bars. 1594

No bicycle or motorcycle shall be used to carry more persons 1595  
at one time than the number for which it is designed and equipped, 1596

nor shall any motorcycle be operated on a highway when the handle 1597  
bars or grips are more than fifteen inches higher than the seat or 1598  
saddle for the operator. 1599

~~No~~ (C)(1) Except as provided in division (C)(2) of this 1600  
section, no person shall operate or be a passenger on a snowmobile 1601  
or motorcycle without using safety glasses or other protective eye 1602  
device. ~~No~~ Except as provided in division (C)(2) of this section, 1603  
no person who is under the age of eighteen years, or who holds a 1604  
motorcycle operator's endorsement or license bearing a "novice" 1605  
designation that is currently in effect as provided in section 1606  
4507.13 of the Revised Code, shall operate a motorcycle on a 1607  
highway, or be a passenger on a motorcycle, unless wearing a 1608  
United States department of transportation-approved protective 1609  
helmet on the person's head, and no other person shall be a 1610  
passenger on a motorcycle operated by such a person unless 1611  
similarly wearing a protective helmet. The helmet, safety glasses, 1612  
or other protective eye device shall conform with rules adopted by 1613  
the director of public safety. The provisions of this paragraph or 1614  
a violation thereof shall not be used in the trial of any civil 1615  
action. 1616

~~(C)(1)(2)~~ Division (C)(1) of this section does not apply to a 1617  
person operating a cab-enclosed motorcycle when the occupant 1618  
compartment top is in place enclosing the occupants. 1619

(3)(a) No person shall operate a motorcycle with a valid 1620  
temporary instruction permit and temporary instruction permit 1621  
identification card issued by the registrar of motor vehicles 1622  
pursuant to section 4507.05 of the Revised Code unless the person, 1623  
at the time of such operation, is wearing on the person's head a 1624  
protective helmet that has been approved by the United States 1625  
department of transportation that conforms with rules adopted by 1626  
the director. 1627

~~(2)(b)~~ No person shall operate a motorcycle with a valid 1628

temporary instruction permit and temporary instruction permit 1629  
identification card issued by the registrar pursuant to section 1630  
4507.05 of the Revised Code in any of the following circumstances: 1631

~~(a)~~(i) At any time when lighted lights are required by 1632  
division (A)(1) of section 4513.03 of the Revised Code; 1633

~~(b)~~(ii) While carrying a passenger; 1634

~~(c)~~(iii) On any limited access highway or heavily congested 1635  
roadway. 1636

(D) Nothing in this section shall be construed as prohibiting 1637  
the carrying of a child in a seat or trailer that is designed for 1638  
carrying children and is firmly attached to the bicycle. 1639

(E) Except as otherwise provided in this division, whoever 1640  
violates division (B) or (C)(1) or (3) of this section is guilty 1641  
of a minor misdemeanor. If, within one year of the offense, the 1642  
offender previously has been convicted of or pleaded guilty to one 1643  
predicate motor vehicle or traffic offense, whoever violates 1644  
division (B) or (C)(1) or (3) of this section is guilty of a 1645  
misdemeanor of the fourth degree. If, within one year of the 1646  
offense, the offender previously has been convicted of two or more 1647  
predicate motor vehicle or traffic offenses, whoever violates 1648  
division (B) or (C)(1) or (3) of this section is guilty of a 1649  
misdemeanor of the third degree. 1650

**Sec. 4513.241.** (A) The director of public safety, in 1651  
accordance with Chapter 119. of the Revised Code, shall adopt 1652  
rules governing the use of tinted glass, and the use of 1653  
transparent, nontransparent, translucent, and reflectorized 1654  
materials in or on motor vehicle windshields, side windows, 1655  
sidewings, and rear windows that prevent a person of normal vision 1656  
looking into the motor vehicle from seeing or identifying persons 1657  
or objects inside the motor vehicle. 1658

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

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

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

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

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

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

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

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

(G) This section does not apply to the manufacturer's tinting 1689  
or glazing of motor vehicle windows or windshields that is 1690  
otherwise in compliance with or permitted by federal motor vehicle 1691  
safety standard number two hundred five. 1692

(H) With regard to any side window behind a driver's seat or 1693  
any rear window other than any window on an emergency door, this 1694  
section does not apply to any school bus used to transport a child 1695  
with disabilities pursuant to Chapter 3323. of the Revised Code, 1696  
whom it is impossible or impractical to transport by regular 1697  
school bus in the course of regular route transportation provided 1698  
by a school district. As used in this division, "child with 1699  
disabilities" has the same meaning as in section 3323.01 of the 1700  
Revised Code. 1701

(I) This section does not apply to any school bus that is to 1702  
be sold and operated outside this state. 1703

(J)(1) Whoever violates division (C), ~~(D)~~, (E)(2), or (F) of 1704  
this section is guilty of a minor misdemeanor. 1705

(2) Whoever violates division (E)(1) of this section is 1706  
guilty of a minor misdemeanor if the dealer or the dealer's agent 1707  
knew of the nonconformity at the time of sale. 1708

(3)(a) Whoever violates division (D) of this section is 1709  
guilty of a misdemeanor of the fourth degree, except that an 1710  
organization may not be convicted unless the act of installation 1711  
was authorized by the board of directors, trustees, partners, or 1712  
by a high managerial officer acting on behalf of the organization, 1713  
and installation was performed by an employee of the organization 1714  
acting within the scope of the person's employment. 1715

(b) In addition to any other penalty imposed under this 1716  
section, whoever violates division (D) of this section is liable 1717  
in a civil action to the owner of a motor vehicle on which was 1718  
installed the nonconforming glass or material for any damages 1719



incurred by that person as a result of the installation of the 1720  
nonconforming glass or material, costs of maintaining the civil 1721  
action, and attorney fees. 1722

(c) In addition to any other penalty imposed under this 1723  
section, if the offender previously has been convicted of or 1724  
pleaded guilty to a violation of division (D) of this section and 1725  
the offender is a motor vehicle repair operator registered under 1726  
Chapter 4775. of the Revised Code or a motor vehicle dealer 1727  
licensed under Chapter 4517. of the Revised Code, whoever violates 1728  
division (D) of this section is subject to a registration or 1729  
license suspension, as applicable, for a period of not more than 1730  
one hundred eighty days. 1731

(K)(1) Every county court judge, mayor of a mayor's court, 1732  
and clerk of a court of record shall keep a full record of every 1733  
case in which a person is charged with any violation of this 1734  
section. If a person is convicted of or forfeits bail in relation 1735  
to a violation of division (D) of this section, the county court 1736  
judge, mayor of a mayor's court, or clerk, within ten days after 1737  
the conviction or bail forfeiture, shall prepare and immediately 1738  
forward to the motor vehicle repair board and the motor vehicle 1739  
dealers board, an abstract, certified by the preparer to be true 1740  
and correct, of the court record covering the case in which the 1741  
person was convicted or forfeited bail. 1742

(2) The motor vehicle repair board and the motor vehicle 1743  
dealers board each shall keep and maintain all abstracts received 1744  
under this section. Within ten days after receipt of an abstract, 1745  
each board, respectively, shall determine whether the person named 1746  
in the abstract is registered or licensed with the board and, if 1747  
the person is so registered or licensed, shall proceed in 1748  
accordance with section 4775.09 or 4517.33 of the Revised Code, as 1749  
applicable, and determine whether the person's registration or 1750  
license is to be suspended for a period of not more than one 1751

hundred eighty days. 1752

**Sec. 4517.33.** The motor vehicle dealers board shall hear 1753  
appeals which may be taken from an order of the registrar of motor 1754  
vehicles, refusing to issue a license. All appeals from any order 1755  
of the registrar refusing to issue any license upon proper 1756  
application must be taken within thirty days from the date of the 1757  
order, or the order is final and conclusive. All appeals from 1758  
orders of the registrar must be by petition in writing and 1759  
verified under oath by the applicant whose application for license 1760  
has been denied, and must set forth the reason for the appeal and 1761  
the reason why, in the petitioner's opinion, the order of the 1762  
registrar is not correct. In such appeals the board may make 1763  
investigation to determine the correctness and legality of the 1764  
order of the registrar. 1765

The board may make rules governing its actions relative to 1766  
the suspension and revocation of dealers', motor vehicle leasing 1767  
dealers', distributors', auction owners', salespersons', and 1768  
construction equipment auction licenses, and may, upon its own 1769  
motion, and shall, upon the verified complaint in writing of any 1770  
person, investigate the conduct of any licensee under sections 1771  
4517.01 to 4517.65 of the Revised Code. The board shall suspend or 1772  
revoke or notify the registrar to refuse to renew any dealer's, 1773  
motor vehicle leasing dealer's, distributor's, auction owner's, 1774  
salesperson's, or construction equipment auction license, if any 1775  
ground existed upon which the license might have been refused, or 1776  
if a ground exists that would be cause for refusal to issue a 1777  
license. 1778

The board may suspend or revoke any license if the licensee 1779  
has in any manner violated the rules issued pursuant to sections 1780  
4517.01 to 4517.65 of the Revised Code, or has violated section 1781  
4501.02 of the Revised Code, or has been convicted of committing a 1782

felony or violating any law that in any way relates to the 1783  
selling, taxing, licensing, or regulation of sales of motor 1784  
vehicles. 1785

Within ten days after receipt of an abstract from a county 1786  
court judge, mayor of a mayor's court, or clerk of a court of 1787  
record indicating a violation of division (D) of section 4513.241 1788  
of the Revised Code, the board shall determine whether the person 1789  
named in the abstract is licensed under this chapter and, if the 1790  
person is so licensed, shall further determine whether the person 1791  
previously has been convicted of or pleaded guilty to a violation 1792  
of that section. If the person previously has been convicted of or 1793  
pleaded guilty to a violation of that section, the board, in 1794  
accordance with Chapter 119. of the Revised Code but without a 1795  
prior hearing, shall suspend the person's license for a period of 1796  
not more than one hundred eighty days. 1797

**Sec. 4519.01.** As used in this chapter: 1798

(A) "Snowmobile" means any self-propelled vehicle designed 1799  
primarily for use on snow or ice, and steered by skis, runners, or 1800  
caterpillar treads. 1801

(B) "All-purpose vehicle" means any self-propelled vehicle 1802  
designed primarily for cross-country travel on land and water, or 1803  
on more than one type of terrain, and steered by wheels or 1804  
caterpillar treads, or any combination thereof, including vehicles 1805  
that operate on a cushion of air, vehicles commonly known as 1806  
all-terrain vehicles, all-season vehicles, mini-bikes, and trail 1807  
bikes. "All-purpose vehicle" does not include a utility vehicle as 1808  
defined in section 4501.01 of the Revised Code or any vehicle 1809  
principally used in playing golf, any motor vehicle or aircraft 1810  
required to be registered under Chapter 4503. or 4561. of the 1811  
Revised Code, and any vehicle excepted from definition as a motor 1812  
vehicle by division (B) of section 4501.01 of the Revised Code. 1813

(C) "Owner" means any person or firm, other than a lienholder	1814
or dealer, having title to a snowmobile, off-highway motorcycle,	1815
or all-purpose vehicle, or other right to the possession thereof.	1816
(D) "Operator" means any person who operates or is in actual	1817
physical control of a snowmobile, off-highway motorcycle, or	1818
all-purpose vehicle.	1819
(E) "Dealer" means any person or firm engaged in the business	1820
of manufacturing or selling snowmobiles, off-highway motorcycles,	1821
or all-purpose vehicles at wholesale or retail, or who rents,	1822
leases, or otherwise furnishes snowmobiles, off-highway	1823
motorcycles, or all-purpose vehicles for hire.	1824
(F) "Street or highway" has the same meaning as in section	1825
4511.01 of the Revised Code.	1826
(G) "Limited access highway" and "freeway" have the same	1827
meanings as in section 5511.02 of the Revised Code.	1828
(H) "Interstate highway" means any part of the interstate	1829
system of highways as defined in subsection (e), 90 Stat. 431	1830
(1976), 23 U.S.C.A. 103, as amended.	1831
(I) "Off-highway motorcycle" means every motorcycle, as	1832
defined in section 4511.01 of the Revised Code, that is designed	1833
to be operated primarily on lands other than a street or highway.	1834
(J) "Electronic" and "electronic record" have the same	1835
meanings as in section 4501.01 of the Revised Code.	1836
(K) "Electronic dealer" means a dealer whom the registrar of	1837
motor vehicles designates under section 4519.511 of the Revised	1838
Code.	1839
<u>(L) "Mini-truck" means a vehicle that has four wheels, is</u>	1840
<u>propelled by an electric motor with a rated power of seven</u>	1841
<u>thousand five hundred watts or less or an internal combustion</u>	1842
<u>engine with a piston displacement capacity of six hundred sixty</u>	1843

cubic centimeters or less, has a total dry weight of nine hundred 1844  
to two thousand two hundred pounds, contains an enclosed cabin and 1845  
a seat for the vehicle operator, resembles a pickup truck or van 1846  
with a cargo area or bed located at the rear of the vehicle, and 1847  
was not originally manufactured to meet federal motor vehicle 1848  
safety standards. 1849

**Sec. 4519.02.** (A) Except as provided in divisions (B), (C), 1850  
and (D) of this section, no person shall operate any snowmobile, 1851  
off-highway motorcycle, or all-purpose vehicle within this state 1852  
unless the snowmobile, off-highway motorcycle, or all-purpose 1853  
vehicle is registered and numbered in accordance with sections 1854  
4519.03 and 4519.04 of the Revised Code. 1855

(B)(1) No registration is required for a snowmobile or 1856  
off-highway motorcycle that is operated exclusively upon lands 1857  
owned by the owner of the snowmobile or off-highway motorcycle, or 1858  
on lands to which the owner of the snowmobile or off-highway 1859  
motorcycle has a contractual right. 1860

(2) No registration is required for an all-purpose vehicle or 1861  
mini-truck that is used primarily for agricultural purposes when 1862  
the owner qualifies for the current agricultural use valuation tax 1863  
credit, unless it is to be used on any public land, trail, or 1864  
right-of-way. 1865

(3) Any all-purpose vehicle or mini-truck exempted from 1866  
registration under division (B)(2) of this section and operated 1867  
for agricultural purposes may use public roads and rights-of-way 1868  
when traveling from one farm field to another, when such use does 1869  
not violate section 4519.41 of the Revised Code. 1870

(C) No registration is required for a snowmobile, off-highway 1871  
motorcycle, or all-purpose vehicle owned and used in this state by 1872  
a resident of another state whenever that state has in effect a 1873  
registration law similar to this chapter and the snowmobile, 1874

off-highway motorcycle, or all-purpose vehicle is properly 1875  
registered under that state's law. Any snowmobile, off-highway 1876  
motorcycle, or all-purpose vehicle owned and used in this state by 1877  
a resident of a state not having a registration law similar to 1878  
this chapter shall comply with section 4519.09 of the Revised 1879  
Code. 1880

(D) No registration is required for a snowmobile, off-highway 1881  
motorcycle, or all-purpose vehicle owned and used in this state by 1882  
the United States, another state, or a political subdivision 1883  
thereof, but the snowmobile, off-highway motorcycle, or 1884  
all-purpose vehicle shall display the name of the owner thereon. 1885

(E) The owner or operator of any all-purpose vehicle operated 1886  
or used upon the waters in this state shall comply with Chapters 1887  
1547. and 1548. of the Revised Code relative to the operation of 1888  
watercraft. 1889

(F) Except as otherwise provided in this division, whoever 1890  
violates division (A) of this section shall be fined not less than 1891  
fifty dollars but not more than one hundred dollars. 1892

**Sec. 4775.01.** As used in this chapter: 1893

(A) "Motor vehicle" has the same meaning as in section 1894  
4501.01 of the Revised Code. 1895

(B) "Collision" means an occurrence in which two or more 1896  
objects, whether mobile or stationary, contact one another in a 1897  
manner that causes the alteration of the surface, structure, or 1898  
appearance, whether separately or collectively, of an object that 1899  
is party to the occurrence. 1900

(C) "Collision repair" means any and all restorative or 1901  
replacement procedures that are performed on and affect or 1902  
potentially affect the structural, life safety, and cosmetic 1903  
components of a motor vehicle that has been damaged as a result of 1904

a collision. "Collision repair" also includes any procedure that is employed for the purpose of repairing, restoring, replacing, or refinishing, whether wholly or separately, any structural, life safety, or cosmetic component of a motor vehicle to a condition approximating or replicating the function, use, or appearance of the component prior to a collision.

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

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

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

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

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

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

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

(5) A motor vehicle leasing dealer licensed pursuant to sections 4517.01 to 4517.45 of the Revised Code;	1936 1937
(6) A motor vehicle salvage dealer licensed pursuant to Chapter 4738. of the Revised Code;	1938 1939
(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;	1940 1941 1942 1943 1944 1945
(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;	1946 1947 1948 1949 1950
(9) A person who performs collision repairs <del>to</del> <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;	1951 1952 1953 1954 1955 1956
(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> .	1957 1958 1959 1960 1961 1962 1963
<del>(E)</del> (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,	1964 1965 1966



commencing with the day of the month in which the first such 1967  
repair is made. 1968

(H) "Motor vehicle window tint installation facility" means a 1969  
location from which five or more separate motor vehicle window 1970  
tint installations are performed on motor vehicles in a 1971  
twelve-month period, commencing with the day of the month in which 1972  
the first such installation is made. 1973

**Sec. 4775.02.** (A) No person shall act as a motor vehicle 1974  
collision repair operator or motor vehicle window tint operator 1975  
unless the person is registered in accordance with this chapter. 1976

(B) Any person or entity that conducts or attempts to conduct 1977  
business as a motor vehicle collision repair operator or motor 1978  
vehicle window tint operator in violation of this chapter performs 1979  
an unfair and deceptive act or practice in violation of section 1980  
1345.02 of the Revised Code. 1981

**Sec. 4775.03.** (A) There is hereby created the ~~board of~~ motor 1982  
vehicle ~~collision~~ repair ~~registration~~ board consisting of seven 1983  
members appointed by the governor, with the advice and consent of 1984  
the senate. Each member of the board shall be a resident of the 1985  
state. Five members shall be motor vehicle collision repair 1986  
operators. One member shall possess expertise in motor vehicle 1987  
mechanical repair, and one member shall be a representative of the 1988  
public who has no financial interest in the motor vehicle repair 1989  
industry. 1990

(B) Within ninety days after ~~the effective date of this~~ 1991  
~~section~~ December 18, 1997, the governor shall make initial 1992  
appointments to the board. Of the initial appointees, two are for 1993  
terms ending on January 1, 1998, two are for terms ending on 1994  
January 1, 1999, two are for terms ending on January 1, 2000, and 1995  
one is for a term ending on January 1, 2001. Thereafter, terms of 1996

office are for three years, with each term ending on the same day 1997  
of the same month as did the term that it succeeds. Each member 1998  
shall hold office from the date of appointment until the end of 1999  
the term for which the member was appointed. Vacancies shall be 2000  
filled in the manner prescribed for original appointments. Any 2001  
member appointed to fill a vacancy occurring prior to the 2002  
expiration of the term for which the member's predecessor was 2003  
appointed shall hold office for the remainder of the term. A 2004  
member shall continue in office subsequent to the expiration date 2005  
of the member's term until the member's successor takes office, or 2006  
until a period of sixty days has elapsed, whichever occurs first. 2007  
No person shall serve as a member of the board for more than two 2008  
consecutive full three-year terms. 2009

(C) In making appointments to the board under division (B) of 2010  
this section, the governor shall select the motor vehicle 2011  
collision repair operator members and the member with expertise in 2012  
motor vehicle mechanical repair as provided in this division. 2013  
Within thirty days after ~~the effective date of this section~~ 2014  
December 18, 1997, the automotive service association of Ohio, 2015  
inc., shall submit a list containing two names for the motor 2016  
vehicle mechanical repair member and twelve names for the motor 2017  
vehicle collision repair members and the governor may appoint 2018  
individuals from the list to fill those six positions. Thereafter, 2019  
within sixty days of a vacancy occurring as a result of the 2020  
expiration of a term and within thirty days after other vacancies 2021  
occurring on the board, the automotive service association of 2022  
Ohio, inc., shall submit a list containing three names for each 2023  
vacancy and the governor may appoint one of the individuals from 2024  
the list to fill the vacancy. If the automotive service 2025  
association of Ohio, inc., for its respective appointees, fails to 2026  
make the recommendations to the governor within the time limits 2027  
set by this division, the governor shall appoint an individual of 2028  
the governor's own choosing provided that the individual meets the 2029

qualifications of division (A) of this section. 2030

(D) Before entering upon the duties of office, each member 2031  
shall take an oath of office as required by section 3.22 of the 2032  
Revised Code. The governor may remove any member for misconduct, 2033  
neglect of duty, incapacity, or malfeasance in accordance with 2034  
section 3.04 of the Revised Code. 2035

(E) The board shall meet at least four times each year, and 2036  
additional meetings may be held upon the written request of any 2037  
four members of the board or upon the call of the chairperson. The 2038  
board shall elect from among its membership a chairperson and 2039  
vice-chairperson, each of whom shall serve for a term of one year. 2040  
A majority of the members of the board constitutes a quorum to 2041  
transact and vote on the business of the board. The chairperson 2042  
may appoint committees as the chairperson considers necessary to 2043  
carry out the duties of the board. 2044

(F) Each member of the board shall receive a per diem amount 2045  
fixed pursuant to section 124.15 of the Revised Code when actually 2046  
attending to matters of the board and for the time spent in 2047  
necessary travel, and all actual and necessary expenses incurred 2048  
in the discharge of the member's duties. 2049

**Sec. 4775.04.** (A) The ~~board of~~ motor vehicle ~~collision~~ repair 2050  
~~registration board~~ shall do all of the following: 2051

(1) Adopt rules as necessary to carry out the purposes of 2052  
this chapter. The rules shall include requirements for the type of 2053  
liability insurance required under division (A) of section 4775.07 2054  
of the Revised Code. The rules shall permit the use of an 2055  
insurance policy issued by any insurer authorized to issue that 2056  
type of insurance in this state. 2057

(2) Appoint an executive director to serve at the pleasure of 2058  
the board; 2059

(3) Direct the executive director as to how the executive director shall perform the duties imposed under this chapter;	2060 2061
(4) Consider and make recommendations in regard to all matters submitted to the board by the executive director;	2062 2063
(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;	2064 2065 2066 2067
(6) Do all acts and perform all functions as are necessary for the administration and enforcement of this chapter.	2068 2069
(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.	2070 2071 2072 2073
<b>Sec. 4775.05.</b> (A) The <del>board of</del> motor vehicle <del>collision</del> repair <del>registration board</del> 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.	2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084
(B) The executive director shall perform all the following duties:	2085 2086
(1) Review and submit to the board, for its approval, applications for registration pursuant to section 4775.07 of the Revised Code;	2087 2088 2089

- (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;
- (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 ~~eollision~~ repair registration certificate number of each registered motor vehicle ~~eollision~~ 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.
- (4) Collect all fees pursuant to section 4775.08 of the Revised Code;
- (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;
- (6) Gather evidence of violations of this chapter by any person or motor vehicle ~~eollision~~ repair operator, or any partner or officer of any motor vehicle ~~eollision~~ repair operator, and, upon reasonable belief that a violation has occurred, present the evidence to the board for its consideration. 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.
- (7) Serve as secretary of the board and maintain a written record of all of the proceedings of the board;
- (8) Notify all motor vehicle ~~eollision~~ repair operators of

changes in ~~the motor vehicle collision repair law~~ this chapter and 2121  
rules adopted pursuant to ~~that law~~ this chapter; 2122

(9) Do all other things requested by the board for the 2123  
administration and enforcement of this chapter. 2124

(C) The executive director may provide information that is 2125  
relevant to motor vehicle collision repair to motor vehicle 2126  
collision repair operators or other persons, that is relevant to 2127  
motor vehicle window tint installation to motor vehicle window 2128  
tint installation operators or other persons, and may communicate 2129  
with any person, or respond to communications from any person, in 2130  
matters pertaining to motor vehicle collision repair or window 2131  
tint installation. 2132

**Sec. 4775.06.** An enforcement officer appointed by the 2133  
executive director to assist the executive director in carrying 2134  
out this chapter shall report to the executive director and the 2135  
~~board of motor vehicle collision repair registration~~ board the 2136  
name and address of any motor vehicle ~~collision~~ repair operator 2137  
that the officer has reasonable grounds to believe is operating in 2138  
violation of this chapter, and shall notify the operator of the 2139  
suspected violation. Within sixty days after notification is sent, 2140  
an enforcement officer shall determine whether the motor vehicle 2141  
~~collision~~ repair operator who has been notified of a suspected 2142  
violation has come into compliance with the requirements of this 2143  
chapter. If the motor vehicle ~~collision~~ repair operator fails to 2144  
correct the suspected violation within sixty days after the date 2145  
the operator receives the notification, the enforcement officer 2146  
shall notify the executive director and the board of the 2147  
operator's failure to correct the suspected violation. Upon 2148  
receiving a second notification of an operator's failure to comply 2149  
with this chapter, the executive director shall notify the 2150  
government entity having enforcement authority over the condition 2151

or activity giving rise to the suspected violation in writing of 2152  
the condition or activity, the nature of the suspected violation, 2153  
and the name and address of the operator suspected of violating 2154  
this chapter. An enforcement officer shall monitor periodically 2155  
the progress of any action taken in connection with the suspected 2156  
violation with the appropriate government entity, including any 2157  
investigation or charges that are filed in connection with the 2158  
suspected violation. Upon obtaining such information, the 2159  
executive director or the enforcement officer monitoring such 2160  
progress shall notify the board of the progress of the suspected 2161  
violation and any accompanying investigation, charges, or other 2162  
action taken in connection with the suspected violation. 2163

**Sec. 4775.07.** (A) Any person required to be registered as a 2164  
motor vehicle ~~collision~~ repair operator shall apply to the ~~board~~ 2165  
~~of~~ motor vehicle ~~collision~~ repair ~~registration~~ board upon forms 2166  
prescribed by the board. The forms shall contain sufficient 2167  
information to identify the applicant, including name, address, 2168  
state tax identification number, and any other identifying data 2169  
prescribed by rule of the board. If the applicant is a 2170  
partnership, identifying data as prescribed by the board may be 2171  
required for each partner. If the applicant is a corporation, 2172  
identifying data may be required for each officer of the 2173  
corporation and each person in charge of each place of the motor 2174  
vehicle ~~collision~~ repair operator's business in this state. The 2175  
applicant shall affirm the application by oath. The applicant 2176  
shall include with the application the initial registration fee 2177  
set forth in section 4775.08 of the Revised Code and proof 2178  
satisfactory to the board that the applicant has a current state 2179  
and federal tax identification number, a valid vendor's license 2180  
issued pursuant to section 5739.17 of the Revised Code, a United 2181  
States environmental protection agency identification number 2182  
issued under the "Resource Conservation and Recovery Act of 1976," 2183

90 Stat. 2795, 42 U.S.C.A. 6901, as amended, and regulations 2184  
adopted under that act, general liability insurance and liability 2185  
insurance that protects a person against liability for damage to 2186  
motor vehicles in the applicant's care, custody, or control in an 2187  
amount and form that conforms to the rules the board adopts under 2188  
section 4775.04 of the Revised Code, and coverage under Chapters 2189  
4123. and 4141. of the Revised Code. In addition, the applicant 2190  
shall affirm that the applicant is in compliance with all 2191  
applicable federal and state statutes and rules and all local 2192  
ordinances and resolutions, including all applicable zoning 2193  
regulations. 2194

(B) Upon receipt of the completed application form and fees 2195  
and after the board determines that the applicant meets the 2196  
requirements for registration under division (A) of this section, 2197  
the board shall direct the executive director to issue a 2198  
registration certificate to the applicant for each place of 2199  
business. The motor vehicle ~~collision~~ repair operator shall 2200  
display the registration certificate in a conspicuous place on the 2201  
premises of the business for which the registration is obtained. 2202

(C) Each registration certificate issued under this section 2203  
expires annually on the date of its original issuance and may be 2204  
renewed in accordance with the standard renewal procedure of 2205  
Chapter 4745. of the Revised Code. The application for a renewal 2206  
of a registration certificate shall be accompanied by the same 2207  
information and proof as is required to accompany an initial 2208  
application under division (A) of this section. 2209

(D) When a motor vehicle ~~collision~~ repair operator 2210  
experiences a change in any information or data required under 2211  
division (A) of this section or by rule of the board for 2212  
registration as a motor vehicle ~~collision~~ repair operator, the 2213  
motor vehicle ~~collision~~ repair operator shall submit written 2214  
notification of the change to the board within sixty days after 2215



the date that the information becomes obsolete. If a motor vehicle 2216  
~~eollision~~ repair operator fails to submit the written notification 2217  
of a change in information or data within sixty days after the 2218  
change in information or data, the operator's registration 2219  
certificate is automatically suspended, except that the board may 2220  
waive the suspension for good cause shown. 2221

(E) Notwithstanding section 5703.21 of the Revised Code, the 2222  
department of taxation may disclose to the board any information 2223  
necessary for the board to verify the existence of an applicant's 2224  
valid vendor's license and current state tax identification 2225  
number. 2226

**Sec. 4775.08.** (A) The initial and annual renewal fee for a 2227  
motor vehicle ~~eollision~~ repair registration certificate and for a 2228  
temporary motor vehicle ~~eollision~~ repair registration certificate 2229  
is one hundred fifty dollars for each business location at which 2230  
the motor vehicle ~~eollision~~ repair operator conducts business as 2231  
an operator, except that the ~~board of~~ motor vehicle ~~eollision~~ 2232  
repair ~~registration board~~, with the approval of the controlling 2233  
board, may establish fees in excess of or less than that amount, 2234  
provided that such fees do not exceed or are not less than that 2235  
amount by more than fifty per cent. 2236

The board shall adjust the fees as necessary in order to 2237  
provide for the expenses associated with carrying out this 2238  
chapter. 2239

(B) If the board has notified or attempted to notify a motor 2240  
vehicle ~~eollision~~ repair operator that the operator is required to 2241  
be registered under this chapter, and the operator fails to 2242  
register, the initial fee for the registration of such an 2243  
unregistered operator for each business location at which the 2244  
operator conducts business as an operator, is the initial fee then 2245  
in effect plus an additional amount equal to the initial fee then 2246

in effect for each calendar year that the operator is not 2247  
registered after the board has notified or attempted to notify the 2248  
operator. 2249

(C) The board shall deposit all fees and fines collected 2250  
under this chapter into the occupational licensing and regulatory 2251  
fund created by section 4743.05 of the Revised Code. 2252

**Sec. 4775.09.** (A)(1) In accordance with Chapter 119. of the 2253  
Revised Code, the ~~board of motor vehicles collision~~ vehicle repair 2254  
~~registration board~~ may refuse to issue or renew a registration 2255  
certificate or may determine whether to waive a suspension of a 2256  
registration certificate as provided in division (D) of section 2257  
4775.07 of the Revised Code. 2258

(2) Within ten days after receipt of an abstract from a 2259  
county court judge, mayor of a mayor's court, or clerk of a court 2260  
of record indicating a violation of division (D) of section 2261  
4513.241 of the Revised Code, the board shall determine whether 2262  
the person named in the abstract is registered with the board and, 2263  
if the person is so registered, shall further determine whether 2264  
the person previously has been convicted of or pleaded guilty to a 2265  
violation of that section. If the person previously has been 2266  
convicted of or pleaded guilty to a violation of that section, the 2267  
board, in accordance with Chapter 119. of the Revised Code but 2268  
without a prior hearing, shall suspend the person's registration 2269  
for a period of not more than one hundred eighty days. 2270

(B) The court of common pleas ~~for the~~ of Franklin county ~~in 2271  
which~~ has exclusive jurisdiction over any person who conducts, or 2272  
attempts to conduct, business as a motor vehicle ~~collision~~ repair 2273  
operator in violation of this chapter or any rule adopted under 2274  
this chapter ~~may~~. The court, on application of the board, may 2275  
issue an injunction, a cease and desist order, or other 2276  
appropriate order restraining the person from continuing the 2277

violation. This section shall operate in addition to and shall not prohibit the enforcement of any other law.

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

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

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

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

Except as otherwise provided in division (C) of this section, a temporary registration certificate is effective for one year from the date of issuance or until the date the motor vehicle

~~eollision~~ repair operator obtains a regular motor vehicle 2309  
~~eollision~~ repair registration certificate under this chapter, 2310  
whichever date occurs first. If a motor vehicle ~~eollision~~ repair 2311  
operator obtains a regular registration certificate prior to the 2312  
expiration of the operator's temporary registration certificate, a 2313  
portion of the fee paid by the motor vehicle ~~eollision~~ repair 2314  
operator to obtain the temporary registration certificate shall be 2315  
applied to the fee imposed under section 4775.08 of the Revised 2316  
Code to obtain a regular registration certificate in an amount 2317  
that corresponds to the portion of the year the operator is not 2318  
utilizing the temporary registration certificate. 2319

Upon receiving direction from the board, the executive 2320  
director shall issue a temporary registration certificate. 2321

(B) The board shall adopt rules in accordance with Chapter 2322  
119. of the Revised Code that specify criteria a motor vehicle 2323  
~~eollision~~ repair operator shall meet in order to be considered to 2324  
be in substantial compliance with the registration requirements of 2325  
this chapter, and that specify criteria a motor vehicle ~~eollision~~ 2326  
repair operator shall meet in order to be considered as making a 2327  
good faith effort toward achieving compliance with all 2328  
requirements of this chapter. The board shall consider the impact 2329  
of the rules it adopts under this division on encouraging 2330  
competition between all motor vehicle ~~eollision~~ repair operators 2331  
and not impairing the ability of operators who have been in the 2332  
motor vehicle ~~eollision~~ repair business for less than one year to 2333  
succeed in the market place. 2334

(C) A temporary motor vehicle ~~eollision~~ repair registration 2335  
may be renewed not more than four consecutive times. A motor 2336  
vehicle ~~eollision~~ repair operator may apply for the renewal of a 2337  
temporary registration certificate prior to the expiration of a 2338  
temporary registration certificate. The board shall consider an 2339  
application for the renewal of a temporary registration 2340

certificate. The board may direct the executive director to renew 2341  
a temporary registration certificate of an applicant who meets the 2342  
requirements set forth in division (A) of this section for 2343  
obtaining a temporary registration certificate. Upon 2344  
recommendation by the board, the executive director shall issue a 2345  
renewal of an applicant's temporary registration certificate. 2346  
Neither the board nor the executive director shall renew a 2347  
person's temporary registration certificate more than four 2348  
consecutive times. 2349

A renewal of a temporary motor vehicle ~~collision~~ repair 2350  
registration certificate is effective for one year from the date 2351  
of issuance of the renewal of registration. A temporary 2352  
registration certificate shall continue in effect during the 2353  
period in which an applicant is being considered for renewal if 2354  
the applicant applies for renewal prior to the expiration of the 2355  
temporary registration certificate. 2356

**Sec. 4775.11.** It is the intent of the general assembly to 2357  
preempt any local ordinance, resolution, or other law adopted or 2358  
enacted after ~~the effective date of this section~~ December 18, 2359  
1997, that is limited to the registration of persons engaged in 2360  
business as motor vehicle ~~collision~~ repair operators in a manner 2361  
corresponding to the provisions of this chapter. This chapter does 2362  
not preempt any local law adopted or enacted prior to ~~the~~ 2363  
~~effective date of this section~~ December 18, 1997 for motor vehicle 2364  
collision repair operators or the effective date of this amendment 2365  
for motor vehicle window tint operators, or that may require 2366  
registration or licensure as a component of imposing additional 2367  
requirements on persons engaged in business as motor vehicle 2368  
~~collision~~ repair operators or technicians. Nor does it preempt the 2369  
enforcement of any local law regulating motor vehicle ~~collision~~ 2370  
repair operators or technicians, including building, zoning, 2371  
health, safety, or other similar codes or laws. 2372

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

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

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

(B)(1) For purposes of an audit pursuant to section 117.15 of the Revised Code, or an audit of the department pursuant to Chapter 117. of the Revised Code, or an audit, pursuant to that chapter, the objective of which is to express an opinion on a

financial report or statement prepared or issued pursuant to 2404  
division (A)(7) or (9) of section 126.21 of the Revised Code, the 2405  
officers and employees of the auditor of state charged with 2406  
conducting the audit shall have access to and the right to examine 2407  
any state tax returns and state tax return information in the 2408  
possession of the department to the extent that the access and 2409  
examination are necessary for purposes of the audit. Any 2410  
information acquired as the result of that access and examination 2411  
shall not be divulged for any purpose other than as required for 2412  
the audit or unless the officers and employees are required to 2413  
testify in a court or proceeding under compulsion of legal 2414  
process. Whoever violates this provision shall thereafter be 2415  
disqualified from acting as an officer or employee or in any other 2416  
capacity under appointment or employment of the auditor of state. 2417

(2) For purposes of an internal audit pursuant to section 2418  
126.45 of the Revised Code, the officers and employees of the 2419  
office of internal auditing in the office of budget and management 2420  
charged with conducting the internal audit shall have access to 2421  
and the right to examine any state tax returns and state tax 2422  
return information in the possession of the department to the 2423  
extent that the access and examination are necessary for purposes 2424  
of the internal audit. Any information acquired as the result of 2425  
that access and examination shall not be divulged for any purpose 2426  
other than as required for the internal audit or unless the 2427  
officers and employees are required to testify in a court or 2428  
proceeding under compulsion of legal process. Whoever violates 2429  
this provision shall thereafter be disqualified from acting as an 2430  
officer or employee or in any other capacity under appointment or 2431  
employment of the office of internal auditing. 2432

(3) As provided by section 6103(d)(2) of the Internal Revenue 2433  
Code, any federal tax returns or federal tax information that the 2434  
department has acquired from the internal revenue service, through 2435

federal and state statutory authority, may be disclosed to the auditor of state or the office of internal auditing solely for purposes of an audit of the department.

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

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

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

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

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

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

(5) Providing to the attorney general information the department obtains under division (J) of section 1346.01 of the Revised Code;

(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;	2466
(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;	2467 2468 2469 2470 2471 2472 2473 2474
(8) Releasing invoices or invoice information furnished under section 4301.433 of the Revised Code pursuant to that section;	2475 2476
(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;	2477 2478 2479 2480 2481
(10) Providing to a county auditor sales or use tax return or audit information under section 333.06 of the Revised Code;	2482 2483
(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;	2484 2485 2486 2487 2488
(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), (8), or (9) of section 5749.02 of the Revised Code and information received pursuant to section 1509.50 of the Revised Code concerning the amount due under that section;	2489 2490 2491 2492 2493 2494
(13) Disclosing to the department of job and family services, industrial commission, and bureau of workers' compensation	2495 2496

information in the possession of the department of taxation solely 2497  
for the purpose of identifying employers that misclassify 2498  
employees as independent contractors or that fail to properly 2499  
report and pay employer tax liabilities. The department of 2500  
taxation shall disclose only such information that is necessary to 2501  
verify employer compliance with law administered by those 2502  
agencies. 2503

(14) Disclosing to the Ohio casino control commission 2504  
information in the possession of the department of taxation that 2505  
is necessary to verify a taxpayer's compliance with section 2506  
5753.02 of the Revised Code and sections related thereto. 2507

**Section 2.** That existing sections 4501.01, 4501.13, 4503.04, 2508  
4503.21, 4503.22, 4503.544, 4507.01, 4507.05, 4507.06, 4507.11, 2509  
4511.01, 4511.53, 4513.241, 4517.33, 4519.01, 4519.02, 4775.01, 2510  
4775.02, 4775.03, 4775.04, 4775.05, 4775.06, 4775.07, 4775.08, 2511  
4775.09, 4775.10, 4775.11, 4775.99, and 5703.21 of the Revised 2512  
Code are hereby repealed. 2513

**Section 3.** Section 4507.11 of the Revised Code is presented 2514  
in this act as a composite of the section as amended by both Am. 2515  
Sub. H.B. 600 and S.B. 271 of the 123rd General Assembly. The 2516  
General Assembly, applying the principle stated in division (B) of 2517  
section 1.52 of the Revised Code that amendments are to be 2518  
harmonized if reasonably capable of simultaneous operation, finds 2519  
that the composite is the resulting version of the section in 2520  
effect prior to the effective date of the section as presented in 2521  
this act. 2522