

As Passed by the House

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Sub. S. B. No. 179

Senator Wilson

**Cosponsors: Senators Sawyer, Tavares, Kearney, Schaffer, Coley, Eklund,
Faber, Gentile, Hite, Hughes, Manning, Obhof, Patton, Seitz, Turner,
Wagoner**

**Representatives Anielski, Barnes, Buchy, Combs, Damschroder, Dovilla,
Gerberry, Grossman, Hagan, C., Hall, Hill, Letson, Lundy, Maag, Mallory,
Matheney, Milkovich, Rose, Ruhl, Slaby, Stebelton, Uecker, Wachtmann,
Yuko Speaker Batchelder**

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A B I L L

To amend sections 1505.11, 4511.101, 4519.03, and 1
5533.941 and to enact sections 1505.12, 1505.13, 2
and 4503.515 of the Revised Code to create the 3
"Ohio Geology" license plate, to require the Ohio 4
Geology Advisory Council to establish and 5
administer a grant program utilizing the 6
contributions that are paid by persons who obtain 7
the license plate, to eliminate the provision in 8
the Special Vehicle Law that permits owners of 9
certain off-highway motorcycles and all-purpose 10
vehicles to register the motorcycles and vehicles 11
by presenting affidavits of ownership rather than 12
certificates of title, to relocate the portion of 13
State Route 170 designated as the "Cpl. Kenneth 14
Tyler Butler Memorial Highway," and to require the 15
Director of Transportation to establish the 16
business logo sign program and its fees by rule. 17

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

Section 1. That sections 1505.11, 4511.101, 4519.03, and 18
5533.941 be amended and sections 1505.12, 1505.13, and 4503.515 of 19
the Revised Code be enacted to read as follows: 20

Sec. 1505.11. (A) There is hereby created in the department 21
of natural resources the Ohio geology advisory council consisting 22
of seven members to be appointed by the governor with the advice 23
and consent of the senate. No more than four of the members shall 24
be of the same political party. Members shall be persons who have 25
a demonstrated interest in the geology and mineral resources of 26
this state and whose expertise reflects the various 27
responsibilities of the division of geological survey. The council 28
shall include at least one representative from each of the 29
following: the oil and gas industry, the industrial minerals 30
industry, the coal industry, hydrogeology interests, environmental 31
geology interests, and an institution of higher education in this 32
state. The chief of the division of geological survey may 33
participate in the deliberations of the council, but shall not 34
vote. 35

Within ninety days after May 3, 1990, the governor shall make 36
initial appointments to the council. Of the initial appointments, 37
three shall be for a term ending one year after May 3, 1990, three 38
shall be for a term ending two years after May 3, 1990, and one 39
shall be for a term ending three years after May 3, 1990. 40
Thereafter, terms of office shall be for three years, with each 41
term ending on the same day of the same month as did the term that 42
it succeeds. Members may be reappointed. The governor may remove 43
any member at any time for inefficiency, neglect of duty, or 44
malfeasance in office. Vacancies shall be filled in the manner 45
provided for original appointments. Any member appointed to fill a 46

vacancy prior to the expiration date of the term for which the 47
member's predecessor was appointed shall hold office as a member 48
for the remainder of that term. A member shall continue in office 49
subsequent to the expiration date of the member's term until the 50
member's successor takes office or until a period of sixty days 51
has elapsed, whichever occurs first. 52

Serving as an appointed member on the council does not 53
constitute holding a public office or position of employment under 54
the laws of this state and does not constitute grounds for removal 55
of public officers or employees from their offices or positions of 56
employment. 57

Members shall serve without compensation, but shall be 58
reimbursed for their actual and necessary expenses incurred in the 59
performance of their official duties from moneys appropriated to 60
the division. 61

The council annually shall select from its members a 62
chairperson and a vice-chairperson. The council shall hold at 63
least one meeting each calendar quarter and shall keep a record of 64
its proceedings, which shall be open to public inspection. Special 65
meetings may be called by the chairperson and shall be called upon 66
the written request of two or more members. A majority of the 67
members constitutes a quorum. The division shall furnish clerical, 68
technical, legal, and other services required by the council in 69
the performance of its duties. 70

(B) The council shall do all of the following: 71

~~(A)~~(1) Advise the chief in carrying out the duties of the 72
division under this chapter; 73

~~(B)~~(2) Recommend policy and legislation with respect to 74
geology, resource analysis, and management that will promote the 75
economic and industrial development of the state while minimizing 76
threats to the natural environment of the state; 77

~~(C)~~(3) Review and make recommendations on the development of plans and programs for long-term, comprehensive geologic mapping and analysis throughout the state;

~~(D)~~(4) Recommend ways to enhance cooperation among governmental agencies having an interest in the geology of the state to encourage wise use and management of the geology and mineral resources of the state. To this end, the council shall request nonvoting representation from appropriate governmental agencies.

~~(E)~~(5) Review and make recommendations with respect to changes in the fee schedules established in rules adopted under section 1505.05 of the Revised Code.

(6) Establish and administer the grant program as described in section 1505.12 of the Revised Code.

Sec. 1505.12. The Ohio geology advisory council shall establish a grant program utilizing the contributions that are paid to the bureau of motor vehicles by persons who obtain "Ohio geology" license plates pursuant to section 4503.515 of the Revised Code and are deposited into the "Ohio geology" license plate fund created by section 1505.13 of the Revised Code. The primary purpose of the program shall be the awarding of grants by the council to geology departments of colleges and universities located in this state for graduate level research conducted at locations of geological interest in this state. Subject to the amount of money in the fund, the secondary purpose of the program shall be to provide materials such as rock and mineral kits to elementary and secondary schools in this state to assist students at those schools in the study of geology.

The council shall award grants at least annually and, in its discretion, may award grants on a more frequent basis.

Sec. 1505.13. There is hereby created in the state treasury 108
the "Ohio geology" license plate fund. The fund shall consist of 109
the contributions that are paid to the bureau of motor vehicles by 110
applicants who choose to obtain "Ohio geology" license plates 111
pursuant to section 4503.515 of the Revised Code. 112

The contributions deposited into the fund shall be used by 113
the Ohio geology advisory council in the manner described in 114
section 1505.12 of the Revised Code. 115

Sec. 4503.515. (A) The owner or lessee of any passenger car, 116
noncommercial motor vehicle, recreational vehicle, or other 117
vehicle of a class approved by the registrar of motor vehicles may 118
apply to the registrar for the registration of the vehicle and 119
issuance of "Ohio geology" license plates. The application may be 120
combined with a request for a special reserved license plate under 121
section 4503.40 or 4503.42 of the Revised Code. Upon receipt of 122
the completed application and compliance by the applicant with 123
divisions (B) and (C) of this section, the registrar shall issue 124
to the applicant the appropriate vehicle registration and a set of 125
"Ohio geology" license plates and a validation sticker, or a 126
validation sticker alone when required by section 4503.191 of the 127
Revised Code. 128

In addition to the letters and numbers ordinarily inscribed 129
on the license plates, "Ohio geology" license plates shall bear an 130
appropriate logo and words selected by the Ohio geology advisory 131
council and approved by the registrar. "Ohio geology" license 132
plates shall display county identification stickers that identify 133
the county of registration by name or number. 134

(B) "Ohio geology" license plates and a validation sticker, 135
or validation sticker alone, shall be issued upon receipt of an 136
application for registration of a motor vehicle under this 137

section; payment of the regular license tax as prescribed under 138
section 4503.04 of the Revised Code, any applicable motor vehicle 139
license tax levied under Chapter 4504. of the Revised Code, any 140
applicable additional fee prescribed by section 4503.40 or 4503.42 141
of the Revised Code, an additional fee of ten dollars, and a 142
contribution as provided in division (C) of this section; and 143
compliance with all other applicable laws relating to the 144
registration of motor vehicles. 145

(C) For each application for registration and registration 146
renewal notice the registrar receives under this section, the 147
registrar shall collect a contribution of fifteen dollars. The 148
registrar shall transmit this contribution to the treasurer of 149
state for deposit into the state treasury to the credit of the 150
"Ohio geology" license plate fund created by section 1505.13 of 151
the Revised Code. 152

The registrar shall transmit the additional fee of ten 153
dollars, the purpose of which is to compensate the bureau of motor 154
vehicles for the additional services required in the issuing of 155
"Ohio geology" license plates, to the treasurer of state for 156
deposit into the state treasury to the credit of the state bureau 157
of motor vehicles fund created by section 4501.25 of the Revised 158
Code. 159

Sec. 4511.101. (A) The director of transportation, in 160
accordance with 23 U.S.C.A. 109(d), 131(f), and 315, as amended, 161
and by rule adopted pursuant to Chapter 119. of the Revised Code, 162
shall establish a program for the placement of business logos for 163
identification purposes on state directional signs within the 164
rights-of-way of divided, multi-lane, limited access highways in 165
both rural and urban areas. 166

(B)(1) The director, by rule adopted pursuant to Chapter 119. 167
of the Revised Code, shall establish, and may revise at any time, 168

a fee for participation in the business logo sign program. All 169
direct and indirect costs of the business logo sign program 170
established pursuant to this section shall be fully paid by the 171
businesses applying for participation in the program. The direct 172
and indirect costs of the program shall include, but not be 173
limited to, the cost of capital, directional signs, blanks, posts, 174
logos, installation, repair, engineering, design, insurance, 175
removal, replacement, and administration. 176

(2) Money generated from participating businesses in excess 177
of the direct and indirect costs and any reasonable profit earned 178
by a person awarded a contract under division (C) of this section 179
shall be remitted to the department. 180

(3) Nothing in this chapter shall be construed to prohibit 181
the director from establishing such a program. If the department 182
operates such a program and does not contract with a private 183
person to operate it, all money collected from participating 184
businesses shall be deposited and credited as prescribed in 185
division (B)(2) of this section. 186

(C) The director, in accordance with rules adopted pursuant 187
to Chapter 119. of the Revised Code, may contract with any private 188
person to operate, maintain, or market the business logo sign 189
program. The contract may allow for a reasonable profit to be 190
earned by the successful applicant. In awarding the contract, the 191
director shall consider the skill, expertise, prior experience, 192
and other qualifications of each applicant. 193

(D) As used in this section, "urban area" means an area 194
having a population of fifty thousand or more according to the 195
most recent federal census and designated as such on urban maps 196
prepared by the department. 197

(E) In implementing this section, neither the department nor 198
the director shall do either of the following: 199

(1) Limit the right of any person to erect, maintain, repair, 200
remove, or utilize any off-premises or on-premises advertising 201
device; 202

(2) Make participation in the business logo sign program 203
conditional upon a business agreeing to limit, discontinue, 204
withdraw, modify, alter, or change any advertising or sign. 205

(F) The program shall permit the business logo signs of a 206
seller of motor vehicle fuel to include on the seller's signs a 207
marking or symbol indicating that the seller sells one or more 208
types of alternative fuel so long as the seller in fact sells that 209
fuel. 210

As used in this division, "alternative fuel" has the same 211
meaning as in section 125.831 of the Revised Code. 212

Sec. 4519.03. (A) The owner of every snowmobile, off-highway 213
motorcycle, and all-purpose vehicle required to be registered 214
under section 4519.02 of the Revised Code shall file an 215
application for registration with the registrar of motor vehicles 216
or a deputy registrar, on blanks furnished by the registrar for 217
that purpose and containing all of the following information: 218

(1) A brief description of the snowmobile, off-highway 219
motorcycle, or all-purpose vehicle, including the year, make, 220
model, and the vehicle identification number; 221

(2) The name, residence, and business address of the owner; 222

(3) A statement that the snowmobile, off-highway motorcycle, 223
or all-purpose vehicle is equipped as required by section 4519.20 224
of the Revised Code and any rule adopted under that section. The 225
statement shall include a check list of the required equipment 226
items in the form the registrar shall prescribe. 227

The application shall be signed by the owner of the 228
snowmobile, off-highway motorcycle, or all-purpose vehicle and 229

shall be accompanied by a fee as provided in division (C) of 230
section 4519.04 of the Revised Code. 231

If the application is not in proper form, or if the vehicle 232
for which registration is sought does not appear to be equipped as 233
required by section 4519.20 of the Revised Code or any rule 234
adopted under that section, the registration shall be refused, and 235
no registration sticker, license plate, or validation sticker 236
shall be issued. 237

(B) ~~Except as provided in this division, no~~ No certificate of 238
registration or renewal of a certificate of registration shall be 239
issued for an off-highway motorcycle or all-purpose vehicle 240
required to be registered under section 4519.02 of the Revised 241
Code, and no certificate of registration issued under this chapter 242
for an off-highway motorcycle or all-purpose vehicle that is sold 243
or otherwise transferred shall be transferred to the new owner of 244
the off-highway motorcycle or all-purpose vehicle as permitted by 245
division (B) of section 4519.05 of the Revised Code, unless a 246
certificate of title has been issued under this chapter for the 247
motorcycle or vehicle, and the owner or new owner, as the case may 248
be, presents a physical certificate of title or memorandum 249
certificate of title for inspection at the time the owner or new 250
owner first submits a registration application, registration 251
renewal application, or registration transfer application for the 252
motorcycle or vehicle if a physical certificate of title or 253
memorandum certificate has been issued by a clerk of a court of 254
common pleas. If, under sections 4519.512 and 4519.58 of the 255
Revised Code, a clerk instead has issued an electronic certificate 256
of title for the applicant's off-highway motorcycle or all-purpose 257
vehicle, that certificate may be presented for inspection at the 258
time of first registration in a manner prescribed by rules adopted 259
by the registrar. ~~In the case of an off-highway motorcycle or~~ 260
~~all-purpose vehicle that was purchased prior to October 1, 2005,~~ 261

~~and for which a certificate of title has not been issued, the~~ 262
~~owner shall not be required to present a physical certificate of~~ 263
~~title or memorandum certificate of title or an electronic~~ 264
~~certificate of title for the motorcycle or vehicle but instead may~~ 265
~~present a signed affidavit of ownership in a form prescribed by~~ 266
~~the registrar. The affidavit shall include, at a minimum, the date~~ 267
~~of purchase, make, model, and vehicle identification number of the~~ 268
~~motorcycle or vehicle. If no vehicle identification number has~~ 269
~~been assigned to the off-highway motorcycle or all-purpose~~ 270
~~vehicle, then the serial number of the motorcycle or vehicle shall~~ 271
~~be presented at the time of application.~~ 272

(C) When the owner of an off-highway motorcycle or 273
all-purpose vehicle first registers it in the owner's name, and a 274
certificate of title has been issued for the motorcycle or 275
vehicle, the owner shall present for inspection a physical 276
certificate of title or memorandum certificate of title showing 277
title to the off-highway motorcycle or all-purpose vehicle in the 278
name of the owner if a physical certificate of title or memorandum 279
certificate has been issued by a clerk of a court of common pleas. 280
If, under sections 4519.512 and 4519.58 of the Revised Code, a 281
clerk instead has issued an electronic certificate of title for 282
the applicant's off-highway motorcycle or all-purpose vehicle, 283
that certificate may be presented for inspection at the time of 284
first registration in a manner prescribed by rules adopted by the 285
registrar. ~~In the case of an off-highway motorcycle or all-purpose~~ 286
~~vehicle that was purchased prior to October 1, 2005, and for which~~ 287
~~a certificate of title has not been issued, the owner shall not be~~ 288
~~required to present a physical certificate of title or memorandum~~ 289
~~certificate of title or an electronic certificate of title for the~~ 290
~~motorcycle or vehicle but instead may present a signed affidavit~~ 291
~~of ownership in a form prescribed by the registrar. The affidavit~~ 292
~~shall include, at a minimum, the date of purchase, make, model,~~ 293
~~and vehicle identification number of the motorcycle or vehicle. If~~ 294

~~no vehicle identification number has been assigned to the~~ 295
~~off-highway motorcycle or all-purpose vehicle, then the serial~~ 296
~~number of the motorcycle or vehicle shall be presented at the time~~ 297
~~of application.~~ If, when the owner of such an off-highway 298
motorcycle or all-purpose vehicle first makes application to 299
register it in the owner's name, the application is not in proper 300
form or the certificate of title or memorandum certificate of 301
title does not accompany the registration or, in the case of an 302
electronic certificate of title ~~or ownership affidavit, it is not~~ 303
presented in a manner prescribed by the registrar, the 304
registration shall be refused, and neither a certificate of 305
registration nor a registration sticker, licenseplate, or 306
validation sticker shall be issued. When a certificate of 307
registration and registration sticker, license plate, or 308
validation sticker are issued upon the first registration of an 309
off-highway motorcycle or all-purpose vehicle by or on behalf of 310
the owner, the official issuing them shall indicate the issuance 311
with a stamp on the certificate of title, or memorandum 312
certificate of title, ~~or affidavit,~~ or, in the case of an 313
electronic certificate of title, an electronic stamp or other 314
notation as specified in rules adopted by the registrar. 315

(D) Each deputy registrar shall be allowed a fee of three 316
dollars and fifty cents for each application or renewal 317
application received by the deputy registrar, which shall be for 318
the purpose of compensating the deputy registrar for services, and 319
office and rental expense, as may be necessary for the proper 320
discharge of the deputy registrar's duties in the receiving of 321
applications and the issuing of certificates of registration. 322

Each deputy registrar, upon receipt of any application for 323
registration, together with the registration fee, shall transmit 324
the fee, together with the original and duplicate copy of the 325
application, to the registrar in the manner and at the times the 326

registrar, subject to the approval of the director of public 327
safety and the treasurer of state, shall prescribe by rule. 328

Sec. 5533.941. That part of the road known as state route 329
number one hundred seventy, ~~from~~ within the municipal corporation 330
of Calcutta in Columbiana county ~~and extending in a northeasterly~~ 331
~~direction to the intersection of that state route and the road~~ 332
~~known as Duke Vodrey road~~ only, shall be known as the "Cpl. 333
Kenneth Tyler Butler Memorial Highway." 334

The director of transportation may erect suitable markers 335
along the highway indicating its name. 336

Section 2. That existing sections 1505.11, 4511.101, 4519.03, 337
and 5533.941 of the Revised Code are hereby repealed. 338