

**As Reported by the House Health and Aging Committee**

**130th General Assembly**

**Regular Session**

**2013-2014**

**H. B. No. 265**

**Representatives Stinziano, Grossman**

**Cosponsors: Representatives Driehaus, Mallory, Patmon, Reece, Sheehy,  
Strahorn, Wachtmann, Bishoff, Brown, Hagan, R., Schuring**

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**A B I L L**

To amend sections 737.051, 737.161, 3501.29, 1  
3781.111, 4503.44, and 4511.69 of the Revised Code 2  
to alter the designation of special parking 3  
locations for persons who have a disability that 4  
limits or impairs the ability to walk by 5  
designating such locations as "accessible parking 6  
spaces" or "disability parking spaces." 7

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

**Section 1.** That sections 737.051, 737.161, 3501.29, 3781.111, 8  
4503.44, and 4511.69 of the Revised Code be amended to read as 9  
follows: 10

**Sec. 737.051.** (A) The legislative authority of a city may 11  
establish, by ordinance, an auxiliary police unit within the 12  
police department of the city, and provide for the regulation of 13  
auxiliary police officers. The director of public safety shall be 14  
the executive head of the auxiliary police unit, shall make all 15  
appointments and removals of auxiliary police officers, subject to 16  
any general rules prescribed by the legislative authority by 17  
ordinance, and shall prescribe rules for the organization, 18

training, administration, control, and conduct of the auxiliary 19  
police unit. Members of the auxiliary police unit shall not be in 20  
the classified service of the city. 21

(B)(1) The legislative authority of a city may establish, by 22  
ordinance, a parking enforcement unit within the police department 23  
of the city, and provide for the regulation of parking enforcement 24  
officers. The director of public safety shall be the executive 25  
head of the parking enforcement unit, shall make all appointments 26  
and removals of parking enforcement officers, subject to any 27  
general rules prescribed by the legislative authority by 28  
ordinance, and shall prescribe rules for the organization, 29  
training, administration, control, and conduct of the parking 30  
enforcement unit. The director may appoint parking enforcement 31  
officers who agree to serve for nominal compensation, and persons 32  
with physical disabilities may receive appointments as parking 33  
enforcement officers. 34

(2) The authority of the parking enforcement officers shall 35  
be limited to the enforcement of ordinances governing parking in 36  
~~handicapped~~ accessible parking locations and fire lanes and any 37  
other parking ordinances specified in the ordinance creating the 38  
parking enforcement unit. Parking enforcement officers shall have 39  
no other powers. 40

(3) The training the parking enforcement officers shall 41  
receive shall include instruction in general administrative rules 42  
and procedures governing the parking enforcement unit, the role of 43  
the judicial system as it relates to parking regulation and 44  
enforcement, proper techniques and methods relating to the 45  
enforcement of parking ordinances, human interaction skills, and 46  
first aid. 47

**Sec. 737.161.** (A) The legislative authority of a village may 48  
establish, by ordinance, an auxiliary police unit within the 49

police department of the village, and provide for the regulation 50  
of auxiliary police officers. The mayor shall be the executive 51  
head of the auxiliary police unit, shall make all appointments and 52  
removals of auxiliary police officers, subject to any general 53  
rules prescribed by the legislative authority by ordinance, and 54  
shall prescribe rules for the organization, training, 55  
administration, control, and conduct of the auxiliary police unit. 56  
The village marshal shall have exclusive control of the stationing 57  
and transferring of all auxiliary police officers, under such 58  
general rules as the mayor prescribes. 59

(B)(1) The legislative authority of a village may establish, 60  
by ordinance, a parking enforcement unit within the police 61  
department of the village, and provide for the regulation of 62  
parking enforcement officers. The mayor shall be the executive 63  
head of the parking enforcement unit, shall make all appointments 64  
and removals of parking enforcement officers, subject to any 65  
general rules prescribed by the legislative authority by 66  
ordinance, and shall prescribe rules for the organization, 67  
training, administration, control, and conduct of the parking 68  
enforcement unit. The mayor may appoint parking enforcement 69  
officers who agree to serve for nominal compensation, and persons 70  
with physical disabilities may receive appointments as parking 71  
enforcement officers. 72

(2) The authority of the parking enforcement officers shall 73  
be limited to the enforcement of ordinances governing parking in 74  
~~handicapped~~ accessible parking locations and fire lanes and any 75  
other parking ordinances specified in the ordinance creating the 76  
parking enforcement unit. Parking enforcement officers shall have 77  
no other powers. 78

(3) The training the parking enforcement officers shall 79  
receive shall include instruction in general administrative rules 80  
and procedures governing the parking enforcement unit, the role of 81

the judicial system as it relates to parking regulation and 82  
enforcement, proper techniques and methods relating to the 83  
enforcement of parking ordinances, human interaction skills, and 84  
first aid. 85

**Sec. 3501.29.** (A) The board of elections shall provide for 86  
each precinct a polling place and provide adequate facilities at 87  
each polling place for conducting the election. The board shall 88  
provide a sufficient number of screened or curtained voting 89  
compartments to which electors may retire and conveniently mark 90  
their ballots, protected from the observation of others. Each 91  
voting compartment shall be provided at all times with writing 92  
implements, instructions how to vote, and other necessary 93  
conveniences for marking the ballot. The presiding judge shall 94  
ensure that the voting compartments at all times are adequately 95  
lighted and contain the necessary supplies. The board shall 96  
utilize, in so far as practicable, rooms in public schools and 97  
other public buildings for polling places. Upon application of the 98  
board of elections, the authority which has the control of any 99  
building or grounds supported by taxation under the laws of this 100  
state, shall make available the necessary space therein for the 101  
purpose of holding elections and adequate space for the storage of 102  
voting machines, without charge for the use thereof. A reasonable 103  
sum may be paid for necessary janitorial service. When polling 104  
places are established in private buildings, the board may pay a 105  
reasonable rental therefor, and also the cost of liability 106  
insurance covering the premises when used for election purposes, 107  
or the board may purchase a single liability policy covering the 108  
board and the owners of the premises when used for election 109  
purposes. When removable buildings are supplied by the board, they 110  
shall be constructed under the contract let to the lowest and best 111  
bidder, and the board shall observe all ordinances and regulations 112  
then in force as to safety. The board shall remove all such 113

buildings from streets and other public places within thirty days 114  
after an election, unless another election is to be held within 115  
ninety days. 116

(B)(1) Except as otherwise provided in this section, the 117  
board shall ensure all of the following: 118

(a) That polling places are free of barriers that would 119  
impede ingress and egress of ~~handicapped~~ persons with a disability 120  
that limits or impairs the ability to walk; 121

(b) That the minimum number of special parking locations, 122  
also known as ~~handicapped~~ accessible parking spaces or disability 123  
parking spaces, for ~~handicapped~~ persons with a disability that 124  
limits or impairs the ability to walk are designated at each 125  
polling place in accordance with 28 C.F.R. Part 36, Appendix A, 126  
and in compliance with division (E) of section 4511.69 of the 127  
Revised Code; 128

(c) That the entrances of polling places are level or are 129  
provided with a nonskid ramp that meets the requirements of the 130  
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 131  
U.S.C. 12101; 132

(d) That doors are a minimum of thirty-two inches wide. 133

(2) Notwithstanding division (B)(1)(a), (c), or (d) of this 134  
section, certain polling places may be specifically exempted by 135  
the secretary of state upon certification by a board of elections 136  
that a good faith, but unsuccessful, effort has been made to 137  
modify, or change the location of, such polling places. 138

(C) At any polling place that is exempted from compliance by 139  
the secretary of state, the board of elections shall permit any 140  
~~handicapped~~ elector who is a person with a disability that limits 141  
or impairs the ability to walk who travels to that elector's 142  
polling place, but who is unable to enter the polling place, to 143  
vote, with the assistance of two polling place officials of major 144

political parties, in the vehicle that conveyed that elector to 145  
the polling place, or to receive and cast that elector's ballot at 146  
the door of the polling place. 147

(D) The secretary of state shall: 148

(1) Work with other state agencies to facilitate the 149  
distribution of information and technical assistance to boards of 150  
elections to meet the requirements of division (B) of this 151  
section; 152

(2) Work with organizations that represent or provide 153  
services to ~~handicapped, disabled, persons with a disability that~~ 154  
limits or impairs the ability to walk or who are elderly citizens 155  
to effect a wide dissemination of information about the 156  
availability of absentee voting, voting in the voter's vehicle or 157  
at the door of the polling place, or other election services to 158  
~~handicapped, disabled, persons with a disability that limits or~~ 159  
impairs the ability to walk or who are elderly citizens. 160

(E) Before the day of an election, the director of the board 161  
of elections of each county shall sign a statement verifying that 162  
each polling place that will be used in that county at that 163  
election meets the requirements of division (B)(1)(b) of this 164  
section. The signed statement shall be sent to the secretary of 165  
state by certified mail. 166

(F) As used in this section, "~~handicapped~~" means ~~having lost~~ 167  
~~the use of one or both legs, one or both arms, or any combination~~ 168  
~~thereof, or being blind or so severely disabled as to be unable to~~ 169  
~~move about without the aid of crutches or a wheelchair~~ "person 170  
with a disability that limits or impairs the ability to walk" has 171  
the same meaning as in section 4503.44 of the Revised Code. 172

**Sec. 3781.111.** (A) In addition to the powers conferred by any 173  
other section of the Revised Code, the board of building standards 174

shall adopt standards and rules to facilitate the reasonable 175  
access and use by all persons with a disability of all buildings 176  
and the facilities of buildings for which plans are submitted for 177  
approval under section 3791.04 of the Revised Code. No standard or 178  
rule shall be applied to any building the plans or drawings, 179  
specifications, and date of which have been approved prior to the 180  
time that the standard or rule takes effect. 181

(B)(1) Except as otherwise provided in this section, the 182  
standards and rules adopted by the board pursuant to this section 183  
shall be in accordance with the "Americans with Disabilities Act 184  
of 1990," 104 Stat. 327, 42 U.S.C.A. 12101, as amended, and the 185  
"Fair Housing Amendments Act of 1988," 102 Stat. 1619, 42 U.S.C.A. 186  
3601, as amended. 187

(2) For purposes of enforcement by the Ohio civil rights 188  
commission only, approval of a plan as required under section 189  
3791.04 of the Revised Code creates a rebuttable presumption that 190  
the plans, drawings, specifications, or data submitted are in 191  
compliance with the rules adopted by the board pursuant to this 192  
section as they relate to accessibility. 193

(C) All signs posted to designate special parking locations 194  
for persons with a disability and persons with disabilities that 195  
limit or impair the ability to walk in accordance with division 196  
(E) of section 4511.69 of the Revised Code and the standards and 197  
rules adopted pursuant to this section shall be mounted on a fixed 198  
or movable post or otherwise affixed in a vertical position so 199  
that the distance from the ground to the bottom edge of the sign 200  
measures not less than five feet. If a new sign or a replacement 201  
sign designating a special parking location is posted on or after 202  
October 14, 1999, there also shall be affixed upon the surface of 203  
that sign or affixed next to the designating sign a notice that 204  
states the fine applicable for the offense of parking a motor 205  
vehicle in the special designated parking location if the motor 206

vehicle is not legally entitled to be parked in that location. 207

If a new sign or a replacement sign designating a special 208  
parking location is posted on or after the effective date of this 209  
amendment, it shall conform with this division and bear the word 210  
"accessible" and any other required words or symbols but shall not 211  
bear any form of the word "handicap." A sign designating a special 212  
parking location that is posted on the effective date of this 213  
amendment that bears any form of the word "handicap" may remain 214  
posted after that date until such time as it is replaced. 215

(D) As used in this section, "disability" has the same 216  
meaning as in section 4112.01 of the Revised Code. As used in 217  
division (C) of this section, "persons with disabilities that 218  
limit or impair the ability to walk" has the same meaning as in 219  
division (A)(1) of section 4503.44 of the Revised Code. 220

(E) No owner of a building or facility where special parking 221  
locations for persons with a disability must be designated in 222  
accordance with the standards and rules adopted pursuant to this 223  
section shall fail to properly mark the special parking locations 224  
as required by those standards and rules or fail to maintain the 225  
markings of the special parking locations, including the erection 226  
and maintenance of the fixed or movable signs. 227

(F) The board annually shall provide statewide training on 228  
the rules adopted by the board pursuant to this section as they 229  
relate to accessibility for nonresidential building department 230  
personnel certified by the board who approve, review plans, and 231  
inspect nonresidential construction. 232

**Sec. 4503.44.** (A) As used in this section and in section 233  
4511.69 of the Revised Code: 234

(1) "Person with a disability that limits or impairs the 235  
ability to walk" means any person who, as determined by a health 236

care provider, meets any of the following criteria:	237
(a) Cannot walk two hundred feet without stopping to rest;	238
(b) Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;	239 240 241
(c) Is restricted by a lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty millimeters of mercury on room air at rest;	242 243 244 245 246
(d) Uses portable oxygen;	247
(e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American heart association;	248 249 250 251
(f) Is severely limited in the ability to walk due to an arthritic, neurological, or orthopedic condition;	252 253
(g) Is blind.	254
(2) "Organization" means any private organization or corporation, or any governmental board, agency, department, division, or office, that, as part of its business or program, transports persons with disabilities that limit or impair the ability to walk on a regular basis in a motor vehicle that has not been altered for the purpose of providing it with special equipment for use by persons with disabilities. This definition does not apply to division (J) of this section.	255 256 257 258 259 260 261 262
(3) "Health care provider" means a physician, physician assistant, advanced practice registered nurse, or chiropractor as defined in this section.	263 264 265
(4) "Physician" means a person licensed to practice medicine	266

or surgery or osteopathic medicine and surgery under Chapter 4731. 267  
of the Revised Code. 268

(5) "Chiropractor" means a person licensed to practice 269  
chiropractic under Chapter 4734. of the Revised Code. 270

(6) "Advanced practice registered nurse" means a certified 271  
nurse practitioner, clinical nurse specialist, certified 272  
registered nurse anesthetist, or certified nurse-midwife who holds 273  
a certificate of authority issued by the board of nursing under 274  
Chapter 4723. of the Revised Code. 275

(7) "Physician assistant" means a person who holds a 276  
certificate to practice as a physician assistant issued under 277  
Chapter 4730. of the Revised Code. 278

(B) Any organization or person with a disability that limits 279  
or impairs the ability to walk may apply to the registrar of motor 280  
vehicles for a removable windshield placard or, if the person owns 281  
or leases a motor vehicle, the person may apply for the 282  
registration of any motor vehicle the person owns or leases. In 283  
addition to one or more sets of license plates or one placard, a 284  
person with a disability that limits or impairs the ability to 285  
walk is entitled to one additional placard, but only if the person 286  
applies separately for the additional placard, states the reasons 287  
why the additional placard is needed, and the registrar, in the 288  
registrar's discretion, determines that good and justifiable cause 289  
exists to approve the request for the additional placard. When a 290  
motor vehicle has been altered for the purpose of providing it 291  
with special equipment for a person with a disability that limits 292  
or impairs the ability to walk, but is owned or leased by someone 293  
other than such a person, the owner or lessee may apply to the 294  
registrar or a deputy registrar for registration under this 295  
section. The application for registration of a motor vehicle owned 296  
or leased by a person with a disability that limits or impairs the 297  
ability to walk shall be accompanied by a signed statement from 298

the applicant's health care provider certifying that the applicant 299  
meets at least one of the criteria contained in division (A)(1) of 300  
this section and that the disability is expected to continue for 301  
more than six consecutive months. The application for a removable 302  
windshield placard made by a person with a disability that limits 303  
or impairs the ability to walk shall be accompanied by a 304  
prescription from the applicant's health care provider prescribing 305  
such a placard for the applicant, provided that the applicant 306  
meets at least one of the criteria contained in division (A)(1) of 307  
this section. The health care provider shall state on the 308  
prescription the length of time the health care provider expects 309  
the applicant to have the disability that limits or impairs the 310  
applicant's ability to walk. The application for a removable 311  
windshield placard made by an organization shall be accompanied by 312  
such documentary evidence of regular transport of persons with 313  
disabilities that limit or impair the ability to walk by the 314  
organization as the registrar may require by rule and shall be 315  
completed in accordance with procedures that the registrar may 316  
require by rule. The application for registration of a motor 317  
vehicle that has been altered for the purpose of providing it with 318  
special equipment for a person with a disability that limits or 319  
impairs the ability to walk but is owned by someone other than 320  
such a person shall be accompanied by such documentary evidence of 321  
vehicle alterations as the registrar may require by rule. 322

(C) When an organization, a person with a disability that 323  
limits or impairs the ability to walk, or a person who does not 324  
have a disability that limits or impairs the ability to walk but 325  
owns a motor vehicle that has been altered for the purpose of 326  
providing it with special equipment for a person with a disability 327  
that limits or impairs the ability to walk first submits an 328  
application for registration of a motor vehicle under this section 329  
and every fifth year thereafter, the organization or person shall 330  
submit a signed statement from the applicant's health care 331

provider, a completed application, and any required documentary 332  
evidence of vehicle alterations as provided in division (B) of 333  
this section, and also a power of attorney from the owner of the 334  
motor vehicle if the applicant leases the vehicle. Upon submission 335  
of these items, the registrar or deputy registrar shall issue to 336  
the applicant appropriate vehicle registration and a set of 337  
license plates and validation stickers, or validation stickers 338  
alone when required by section 4503.191 of the Revised Code. In 339  
addition to the letters and numbers ordinarily inscribed thereon, 340  
the license plates shall be imprinted with the international 341  
symbol of access. The license plates and validation stickers shall 342  
be issued upon payment of the regular license fee as prescribed 343  
under section 4503.04 of the Revised Code and any motor vehicle 344  
tax levied under Chapter 4504. of the Revised Code, and the 345  
payment of a service fee equal to the amount specified in division 346  
(D) or (G) of section 4503.10 of the Revised Code. 347

(D)(1) Upon receipt of a completed and signed application for 348  
a removable windshield placard, a prescription as described in 349  
division (B) of this section, documentary evidence of regular 350  
transport of persons with disabilities that limit or impair the 351  
ability to walk, if required, and payment of a service fee equal 352  
to the amount specified in division (D) or (G) of section 4503.10 353  
of the Revised Code, the registrar or deputy registrar shall issue 354  
to the applicant a removable windshield placard, which shall bear 355  
the date of expiration on both sides of the placard and shall be 356  
valid until expired, revoked, or surrendered. Every removable 357  
windshield placard expires as described in division (D)(2) of this 358  
section, but in no case shall a removable windshield placard be 359  
valid for a period of less than sixty days. Removable windshield 360  
placards shall be renewable upon application as provided in 361  
division (B) of this section, and a service fee equal to the 362  
amount specified in division (D) or (G) of section 4503.10 of the 363  
Revised Code shall be charged for the renewal of a removable 364

windshield placard. The registrar shall provide the application 365  
form and shall determine the information to be included thereon. 366  
The registrar also shall determine the form and size of the 367  
removable windshield placard, the material of which it is to be 368  
made, and any other information to be included thereon, and shall 369  
adopt rules relating to the issuance, expiration, revocation, 370  
surrender, and proper display of such placards. Any placard issued 371  
after October 14, 1999, shall be manufactured in a manner that 372  
allows the expiration date of the placard to be indicated on it 373  
through the punching, drilling, boring, or creation by any other 374  
means of holes in the placard. 375

(2) At the time a removable windshield placard is issued to a 376  
person with a disability that limits or impairs the ability to 377  
walk, the registrar or deputy registrar shall enter into the 378  
records of the bureau of motor vehicles the last date on which the 379  
person will have that disability, as indicated on the accompanying 380  
prescription. Not less than thirty days prior to that date and all 381  
removable windshield placard renewal dates, the bureau shall send 382  
a renewal notice to that person at the person's last known address 383  
as shown in the records of the bureau, informing the person that 384  
the person's removable windshield placard will expire on the 385  
indicated date not to exceed five years from the date of issuance, 386  
and that the person is required to renew the placard by submitting 387  
to the registrar or a deputy registrar another prescription, as 388  
described in division (B) of this section, and by complying with 389  
the renewal provisions prescribed in division (D)(1) of this 390  
section. If such a prescription is not received by the registrar 391  
or a deputy registrar by that date, the placard issued to that 392  
person expires and no longer is valid, and this fact shall be 393  
recorded in the records of the bureau. 394

(3) At least once every year, on a date determined by the 395  
registrar, the bureau shall examine the records of the office of 396

vital statistics, located within the department of health, that 397  
pertain to deceased persons, and also the bureau's records of all 398  
persons who have been issued removable windshield placards and 399  
temporary removable windshield placards. If the records of the 400  
office of vital statistics indicate that a person to whom a 401  
removable windshield placard or temporary removable windshield 402  
placard has been issued is deceased, the bureau shall cancel that 403  
placard, and note the cancellation in its records. 404

The office of vital statistics shall make available to the 405  
bureau all information necessary to enable the bureau to comply 406  
with division (D)(3) of this section. 407

(4) Nothing in this section shall be construed to require a 408  
person or organization to apply for ~~a removable windshield placard~~ 409  
~~or~~ special license plates if the ~~parking card or~~ special license 410  
plates issued to the person or organization under prior law have 411  
not expired or been surrendered or revoked. 412

(E)(1)(a) Any person with a disability that limits or impairs 413  
the ability to walk may apply to the registrar or a deputy 414  
registrar for a temporary removable windshield placard. The 415  
application for a temporary removable windshield placard shall be 416  
accompanied by a prescription from the applicant's health care 417  
provider prescribing such a placard for the applicant, provided 418  
that the applicant meets at least one of the criteria contained in 419  
division (A)(1) of this section and that the disability is 420  
expected to continue for six consecutive months or less. The 421  
health care provider shall state on the prescription the length of 422  
time the health care provider expects the applicant to have the 423  
disability that limits or impairs the applicant's ability to walk, 424  
which cannot exceed six months from the date of the prescription. 425  
Upon receipt of an application for a temporary removable 426  
windshield placard, presentation of the prescription from the 427  
applicant's health care provider, and payment of a service fee 428

equal to the amount specified in division (D) or (G) of section 429  
4503.10 of the Revised Code, the registrar or deputy registrar 430  
shall issue to the applicant a temporary removable windshield 431  
placard. 432

(b) Any active-duty member of the armed forces of the United 433  
States, including the reserve components of the armed forces and 434  
the national guard, who has an illness or injury that limits or 435  
impairs the ability to walk may apply to the registrar or a deputy 436  
registrar for a temporary removable windshield placard. With the 437  
application, the person shall present evidence of the person's 438  
active-duty status and the illness or injury. Evidence of the 439  
illness or injury may include a current department of defense 440  
convalescent leave statement, any department of defense document 441  
indicating that the person currently has an ill or injured 442  
casualty status or has limited duties, or a prescription from any 443  
health care provider prescribing the placard for the applicant. 444  
Upon receipt of the application and the necessary evidence, the 445  
registrar or deputy registrar shall issue the applicant the 446  
temporary removable windshield placard without the payment of any 447  
service fee. 448

(2) The temporary removable windshield placard shall be of 449  
the same size and form as the removable windshield placard, shall 450  
be printed in white on a red-colored background, and shall bear 451  
the word "temporary" in letters of such size as the registrar 452  
shall prescribe. A temporary removable windshield placard also 453  
shall bear the date of expiration on the front and back of the 454  
placard, and shall be valid until expired, surrendered, or 455  
revoked, but in no case shall such a placard be valid for a period 456  
of less than sixty days. The registrar shall provide the 457  
application form and shall determine the information to be 458  
included on it, provided that the registrar shall not require a 459  
health care provider's prescription or certification for a person 460

applying under division (E)(1)(b) of this section. The registrar 461  
also shall determine the material of which the temporary removable 462  
windshield placard is to be made and any other information to be 463  
included on the placard and shall adopt rules relating to the 464  
issuance, expiration, surrender, revocation, and proper display of 465  
those placards. Any temporary removable windshield placard issued 466  
after October 14, 1999, shall be manufactured in a manner that 467  
allows for the expiration date of the placard to be indicated on 468  
it through the punching, drilling, boring, or creation by any 469  
other means of holes in the placard. 470

(F) If an applicant for a removable windshield placard is a 471  
veteran of the armed forces of the United States whose disability, 472  
as defined in division (A)(1) of this section, is 473  
service-connected, the registrar or deputy registrar, upon receipt 474  
of the application, presentation of a signed statement from the 475  
applicant's health care provider certifying the applicant's 476  
disability, and presentation of such documentary evidence from the 477  
department of veterans affairs that the disability of the 478  
applicant meets at least one of the criteria identified in 479  
division (A)(1) of this section and is service-connected as the 480  
registrar may require by rule, but without the payment of any 481  
service fee, shall issue the applicant a removable windshield 482  
placard that is valid until expired, surrendered, or revoked. 483

(G) Upon a conviction of a violation of division (I) ~~or (J)~~ 484  
 ~~or (K)~~ of this section, the court shall report the conviction, and 485  
send the placard  ~~or parking card~~, if available, to the registrar, 486  
who thereupon shall revoke the privilege of using the placard  ~~or~~ 487  
 ~~parking card~~ and send notice in writing to the placardholder  ~~or~~ 488  
 ~~cardholder~~ at that holder's last known address as shown in the 489  
records of the bureau, and the placardholder  ~~or cardholder~~ shall 490  
return the placard  ~~or card~~ if not previously surrendered to the 491  
court, to the registrar within ten days following mailing of the 492

notice. 493

Whenever a person to whom a removable windshield placard ~~or~~ 494  
~~parking card~~ has been issued moves to another state, the person 495  
shall surrender the placard ~~or card~~ to the registrar; and whenever 496  
an organization to which a placard ~~or card~~ has been issued changes 497  
its place of operation to another state, the organization shall 498  
surrender the placard ~~or card~~ to the registrar. 499

(H) Subject to division (F) of section 4511.69 of the Revised 500  
Code, the operator of a motor vehicle displaying a removable 501  
windshield placard, temporary removable windshield placard, 502  
~~parking card~~, or the special license plates authorized by this 503  
section is entitled to park the motor vehicle in any special 504  
parking location reserved for persons with disabilities that limit 505  
or impair the ability to walk, also known as ~~handicapped~~ 506  
accessible parking spaces or disability parking spaces. 507

(I) No person or organization that is not eligible under 508  
division (B) or (E) of this section shall willfully and falsely 509  
represent that the person or organization is so eligible. 510

No person or organization shall display license plates issued 511  
under this section unless the license plates have been issued for 512  
the vehicle on which they are displayed and are valid. 513

(J) No person or organization to which a removable windshield 514  
placard or temporary removable windshield placard is issued shall 515  
do either of the following: 516

(1) Display or permit the display of the placard on any motor 517  
vehicle when having reasonable cause to believe the motor vehicle 518  
is being used in connection with an activity that does not include 519  
providing transportation for persons with disabilities that limit 520  
or impair the ability to walk; 521

(2) Refuse to return or surrender the placard, when required. 522

~~(K)(1) No person or organization to which a parking card is issued shall do either of the following:~~ 523  
524

~~(a) Display or permit the display of the parking card on any motor vehicle when having reasonable cause to believe the motor vehicle is being used in connection with an activity that does not include providing transportation for a person with a disability;~~ 525  
526  
527  
528

~~(b) Refuse to return or surrender the parking card, when required.~~ 529  
530

~~(2) As used in division (K) of this section:~~ 531

~~(a) "Person with a disability" means any person who has lost the use of one or both legs or one or both arms, who is blind, deaf, or so severely disabled as to be unable to move about without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary, or other disabling condition.~~ 532  
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~~(b) "Organization" means any private organization or corporation, or any governmental board, agency, department, division, or office, that, as part of its business or program, transports persons with disabilities on a regular basis in a motor vehicle that has not been altered for the purposes of providing it with special equipment for use by persons with disabilities.~~ 538  
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543

~~(L) If a removable windshield placard, or temporary removable windshield placard, or parking card is lost, destroyed, or mutilated, the placardholder or cardholder may obtain a duplicate by doing both of the following:~~ 544  
545  
546  
547

~~(1) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar;~~ 548  
549

~~(2) Paying a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code.~~ 550  
551

~~Any placardholder or cardholder who loses a placard or card~~ 552

and, after obtaining a duplicate, finds the original, immediately 553  
shall surrender the original placard ~~or card~~ to the registrar. 554

~~(M)~~(L) The registrar shall pay all fees received under this 555  
section for the issuance of removable windshield placards or 556  
temporary removable windshield placards or duplicate removable 557  
windshield placards ~~or cards~~ into the state treasury to the credit 558  
of the state bureau of motor vehicles fund created in section 559  
4501.25 of the Revised Code. 560

~~(N)~~(M) In addition to the fees collected under this section, 561  
the registrar or deputy registrar shall ask each person applying 562  
for a removable windshield placard or temporary removable 563  
windshield placard or duplicate removable windshield placard or 564  
license plate issued under this section, whether the person wishes 565  
to make a two-dollar voluntary contribution to support 566  
rehabilitation employment services. The registrar shall transmit 567  
the contributions received under this division to the treasurer of 568  
state for deposit into the rehabilitation employment fund, which 569  
is hereby created in the state treasury. A deputy registrar shall 570  
transmit the contributions received under this division to the 571  
registrar in the time and manner prescribed by the registrar. The 572  
contributions in the fund shall be used by the opportunities for 573  
Ohioans with disabilities agency to purchase services related to 574  
vocational evaluation, work adjustment, personal adjustment, job 575  
placement, job coaching, and community-based assessment from 576  
accredited community rehabilitation program facilities. 577

~~(O)~~(N) For purposes of enforcing this section, every peace 578  
officer is deemed to be an agent of the registrar. Any peace 579  
officer or any authorized employee of the bureau of motor vehicles 580  
who, in the performance of duties authorized by law, becomes aware 581  
of a person whose placard ~~or parking card~~ has been revoked 582  
pursuant to this section, may confiscate that placard ~~or parking~~ 583  
~~card~~ and return it to the registrar. The registrar shall prescribe 584

any forms used by law enforcement agencies in administering this 585  
section. 586

No peace officer, law enforcement agency employing a peace 587  
officer, or political subdivision or governmental agency employing 588  
a peace officer, and no employee of the bureau is liable in a 589  
civil action for damages or loss to persons arising out of the 590  
performance of any duty required or authorized by this section. As 591  
used in this division, "peace officer" has the same meaning as in 592  
division (B) of section 2935.01 of the Revised Code. 593

~~(P)~~(O) All applications for registration of motor vehicles, 594  
removable windshield placards, and temporary removable windshield 595  
placards issued under this section, all renewal notices for such 596  
items, and all other publications issued by the bureau that relate 597  
to this section shall set forth the criminal penalties that may be 598  
imposed upon a person who violates any provision relating to 599  
special license plates issued under this section, the parking of 600  
vehicles displaying such license plates, and the issuance, 601  
procurement, use, and display of removable windshield placards and 602  
temporary removable windshield placards issued under this section. 603

~~(Q)~~(P) Whoever violates this section is guilty of a 604  
misdemeanor of the fourth degree. 605

**Sec. 4511.69.** (A) Every vehicle stopped or parked upon a 606  
roadway where there is an adjacent curb shall be stopped or parked 607  
with the right-hand wheels of the vehicle parallel with and not 608  
more than twelve inches from the right-hand curb, unless it is 609  
impossible to approach so close to the curb; in such case the stop 610  
shall be made as close to the curb as possible and only for the 611  
time necessary to discharge and receive passengers or to load or 612  
unload merchandise. Local authorities by ordinance may permit 613  
angle parking on any roadway under their jurisdiction, except that 614  
angle parking shall not be permitted on a state route within a 615

municipal corporation unless an unoccupied roadway width of not 616  
less than twenty-five feet is available for free-moving traffic. 617

(B) Local authorities by ordinance may permit parking of 618  
vehicles with the left-hand wheels adjacent to and within twelve 619  
inches of the left-hand curb of a one-way roadway. 620

(C)(1)(a) Except as provided in division (C)(1)(b) of this 621  
section, no vehicle or trackless trolley shall be stopped or 622  
parked on a road or highway with the vehicle or trackless trolley 623  
facing in a direction other than the direction of travel on that 624  
side of the road or highway. 625

(b) The operator of a motorcycle may back the motorcycle into 626  
an angled parking space so that when the motorcycle is parked it 627  
is facing in a direction other than the direction of travel on the 628  
side of the road or highway. 629

(2) The operator of a motorcycle may back the motorcycle into 630  
a parking space that is located on the side of, and parallel to, a 631  
road or highway. The motorcycle may face any direction when so 632  
parked. Not more than two motorcycles at a time shall be parked in 633  
a parking space as described in division (C)(2) of this section 634  
irrespective of whether or not the space is metered. 635

(D) Notwithstanding any statute or any rule, resolution, or 636  
ordinance adopted by any local authority, air compressors, 637  
tractors, trucks, and other equipment, while being used in the 638  
construction, reconstruction, installation, repair, or removal of 639  
facilities near, on, over, or under a street or highway, may stop, 640  
stand, or park where necessary in order to perform such work, 641  
provided a flagperson is on duty or warning signs or lights are 642  
displayed as may be prescribed by the director of transportation. 643

(E) Special parking locations and privileges for persons with 644  
disabilities that limit or impair the ability to walk, also known 645

as ~~handicapped~~ accessible parking spaces or disability parking 646  
spaces, shall be provided and designated by all political 647  
subdivisions and by the state and all agencies and 648  
instrumentalities thereof at all offices and facilities, where 649  
parking is provided, whether owned, rented, or leased, and at all 650  
publicly owned parking garages. The locations shall be designated 651  
through the posting of an elevated sign, whether permanently 652  
affixed or movable, imprinted with the international symbol of 653  
access and shall be reasonably close to exits, entrances, 654  
elevators, and ramps. All elevated signs posted in accordance with 655  
this division and division (C) of section 3781.111 of the Revised 656  
Code shall be mounted on a fixed or movable post, and the distance 657  
from the ground to the bottom edge of the sign shall measure not 658  
less than five feet. If a new sign or a replacement sign 659  
designating a special parking location is posted on or after 660  
October 14, 1999, there also shall be affixed upon the surface of 661  
that sign or affixed next to the designating sign a notice that 662  
states the fine applicable for the offense of parking a motor 663  
vehicle in the special designated parking location if the motor 664  
vehicle is not legally entitled to be parked in that location. 665

If a new sign or a replacement sign designating a special 666  
parking location is posted on or after the effective date of this 667  
amendment, it shall conform with this division and bear the word 668  
"accessible" and any other required words or symbols but shall not 669  
bear any form of the word "handicap." A sign designating a special 670  
parking location that is posted on the effective date of this 671  
amendment that bears any form of the word "handicap" may remain 672  
posted after that date until such time as it is replaced. 673

(F)(1) No person shall stop, stand, or park any motor vehicle 674  
at special parking locations provided under division (E) of this 675  
section or at special clearly marked parking locations provided in 676  
or on privately owned parking lots, parking garages, or other 677

parking areas and designated in accordance with that division, 678  
unless ~~one of the following applies:~~ 679

~~(a) The motor vehicle is being operated by or for the 680  
transport of a person with a disability that limits or impairs the 681  
ability to walk and is displaying a valid removable windshield 682  
placard or special license plates:~~ 683

~~(b) The motor vehicle is being operated by or for the 684  
transport of a handicapped person and is displaying a parking card 685  
or special handicapped license plates issued under section 4503.44 686  
of the Revised Code. 687~~

(2) Any motor vehicle that is parked in a special marked 688  
parking location in violation of division (F)(1)~~(a) or (b)~~ of this 689  
section may be towed or otherwise removed from the parking 690  
location by the law enforcement agency of the political 691  
subdivision in which the parking location is located. A motor 692  
vehicle that is so towed or removed shall not be released to its 693  
owner until the owner presents proof of ownership of the motor 694  
vehicle and pays all towing and storage fees normally imposed by 695  
that political subdivision for towing and storing motor vehicles. 696  
If the motor vehicle is a leased vehicle, it shall not be released 697  
to the lessee until the lessee presents proof that that person is 698  
the lessee of the motor vehicle and pays all towing and storage 699  
fees normally imposed by that political subdivision for towing and 700  
storing motor vehicles. 701

(3) If a person is charged with a violation of division 702  
(F)(1)~~(a) or (b)~~ of this section, it is an affirmative defense to 703  
the charge that the person suffered an injury not more than 704  
seventy-two hours prior to the time the person was issued the 705  
ticket or citation and that, because of the injury, the person 706  
meets at least one of the criteria contained in division (A)(1) of 707  
section 4503.44 of the Revised Code. 708

(G) When a motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a removable windshield placard or a temporary removable windshield placard or special license plates, ~~or when a motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates,~~ the motor vehicle is permitted to park for a period of two hours in excess of the legal parking period permitted by local authorities, except where local ordinances or police rules provide otherwise or where the vehicle is parked in such a manner as to be clearly a traffic hazard.

(H) No owner of an office, facility, or parking garage where special parking locations are required to be designated in accordance with division (E) of this section shall fail to properly mark the special parking locations in accordance with that division or fail to maintain the markings of the special locations, including the erection and maintenance of the fixed or movable signs.

(I) Nothing in this section shall be construed to require a person or organization to apply for ~~a removable windshield placard or~~ special license plates if the ~~parking card or~~ special license plates issued to the person or organization under prior law have not expired or been surrendered or revoked.

(J)(1) Whoever violates division (A) or (C) of this section is guilty of a minor misdemeanor.

(2)(a) Whoever violates division (F)(1)~~(a) or (b)~~ of this section is guilty of a misdemeanor and shall be punished as provided in ~~division~~ divisions (J)(2)(a) and (b) of this section. Except as otherwise provided in division (J)(2)(a) of this section, an offender who violates division (F)(1)~~(a) or (b)~~ of this section shall be fined not less than two hundred fifty nor more than five hundred dollars. An offender who violates division

(F)(1)~~(a) or (b)~~ of this section shall be fined not more than one 741  
hundred dollars if the offender, prior to sentencing, proves 742  
~~either of the following~~ to the satisfaction of the court: 743

~~(i) At that~~ at the time of the violation of division 744  
(F)(1)~~(a)~~ of this section, the offender or the person for whose 745  
transport the motor vehicle was being operated had been issued a 746  
removable windshield placard that then was valid or special 747  
license plates that then were valid but the offender or the person 748  
neglected to display the placard or license plates as described in 749  
division (F)(1)~~(a)~~ of this section. 750

~~(ii) At the time of the violation of division (F)(1)(b) of~~ 751  
~~this section, the offender or the person for whose transport the~~ 752  
~~motor vehicle was being operated had been issued a parking card~~ 753  
~~that then was valid or special handicapped license plates that~~ 754  
~~then were valid but the offender or the person neglected to~~ 755  
~~display the card or license plates as described in division~~ 756  
~~(F)(1)(b) of this section.~~ 757

(b) In no case shall an offender who violates division 758  
(F)(1)~~(a) or (b)~~ of this section be sentenced to any term of 759  
imprisonment. 760

An arrest or conviction for a violation of division (F)(1)~~(a)~~ 761  
~~or (b)~~ of this section does not constitute a criminal record and 762  
need not be reported by the person so arrested or convicted in 763  
response to any inquiries contained in any application for 764  
employment, license, or other right or privilege, or made in 765  
connection with the person's appearance as a witness. 766

The clerk of the court shall pay every fine collected under 767  
division (J)(2) of this section to the political subdivision in 768  
which the violation occurred. Except as provided in division 769  
(J)(2) of this section, the political subdivision shall use the 770  
fine moneys it receives under division (J)(2) of this section to 771

pay the expenses it incurs in complying with the signage and 772  
notice requirements contained in division (E) of this section. The 773  
political subdivision may use up to fifty per cent of each fine it 774  
receives under division (J)(2) of this section to pay the costs of 775  
educational, advocacy, support, and assistive technology programs 776  
for persons with disabilities, and for public improvements within 777  
the political subdivision that benefit or assist persons with 778  
disabilities, if governmental agencies or nonprofit organizations 779  
offer the programs. 780

(3) Whoever violates division (H) of this section shall be 781  
punished as follows: 782

(a) Except as otherwise provided in division (J)(3) of this 783  
section, the offender shall be issued a warning. 784

(b) If the offender previously has been convicted of or 785  
pleaded guilty to a violation of division (H) of this section or 786  
of a municipal ordinance that is substantially similar to that 787  
division, the offender shall not be issued a warning but shall be 788  
fined not more than twenty-five dollars for each parking location 789  
that is not properly marked or whose markings are not properly 790  
maintained. 791

(K) As used in this section: 792

(1) ~~"Handicapped person" means any person who has lost the 793  
use of one or both legs or one or both arms, who is blind, deaf, 794  
or so severely handicapped as to be unable to move without the aid 795  
of crutches or a wheelchair, or whose mobility is restricted by a 796  
permanent cardiovascular, pulmonary, or other handicapping 797  
condition. 798~~

~~(2)~~ "Person with a disability that limits or impairs the 799  
ability to walk" has the same meaning as in section 4503.44 of the 800  
Revised Code. 801

~~(3)(2)~~ "Special license plates" and "removable windshield 802

placard" mean any license plates or removable windshield placard 803  
or temporary removable windshield placard issued under section 804  
4503.41 or 4503.44 of the Revised Code, and also mean any 805  
substantially similar license plates or removable windshield 806  
placard or temporary removable windshield placard issued by a 807  
state, district, country, or sovereignty. 808

**Section 2.** That existing sections 737.051, 737.161, 3501.29, 809  
3781.111, 4503.44, and 4511.69 of the Revised Code are hereby 810  
repealed. 811