

**As Introduced**

**130th General Assembly  
Regular Session  
2013-2014**

**H. B. No. 62**

**Representative Dovilla**

**Cosponsors: Representatives Becker, Hood, Ruhl, Thompson, Huffman,  
Grossman, McGregor, Scherer**

—

**A B I L L**

To amend section 4507.05 of the Revised Code to 1  
provide that a person who holds a current, valid 2  
driver's license from another state be required to 3  
pass only vision screening in order to be issued a 4  
driver's license, and to amend the version of 5  
section 4507.05 of the Revised Code that is 6  
scheduled to take effect January 1, 2017, to 7  
continue the provisions of this act on and after 8  
that effective date. 9

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

**Section 1.** That section 4507.05 of the Revised Code be 10  
amended to read as follows: 11

**Sec. 4507.05.** (A) The registrar of motor vehicles, or a 12  
deputy registrar, upon receiving an application for a temporary 13  
instruction permit and a temporary instruction permit 14  
identification card for a driver's license from any person who is 15  
at least fifteen years six months of age, may issue such a permit 16  
and identification card entitling the applicant to drive a motor 17  
vehicle, other than a commercial motor vehicle, upon the highways 18

under the following conditions: 19

(1) If the permit is issued to a person who is at least 20  
fifteen years six months of age, but less than sixteen years of 21  
age: 22

(a) The permit and identification card are in the holder's 23  
immediate possession; 24

(b) The holder is accompanied by an eligible adult who 25  
actually occupies the seat beside the permit holder and does not 26  
have a prohibited concentration of alcohol in the whole blood, 27  
blood serum or plasma, breath, or urine as provided in division 28  
(A) of section 4511.19 of the Revised Code; 29

(c) The total number of occupants of the vehicle does not 30  
exceed the total number of occupant restraining devices originally 31  
installed in the motor vehicle by its manufacturer, and each 32  
occupant of the vehicle is wearing all of the available elements 33  
of a properly adjusted occupant restraining device. 34

(2) If the permit is issued to a person who is at least 35  
sixteen years of age: 36

(a) The permit and identification card are in the holder's 37  
immediate possession; 38

(b) The holder is accompanied by a licensed operator who is 39  
at least twenty-one years of age, is actually occupying a seat 40  
beside the driver, and does not have a prohibited concentration of 41  
alcohol in the whole blood, blood serum or plasma, breath, or 42  
urine as provided in division (A) of section 4511.19 of the 43  
Revised Code; 44

(c) The total number of occupants of the vehicle does not 45  
exceed the total number of occupant restraining devices originally 46  
installed in the motor vehicle by its manufacturer, and each 47  
occupant of the vehicle is wearing all of the available elements 48

of a properly adjusted occupant restraining device. 49

(B) The registrar or a deputy registrar, upon receiving from 50  
any person an application for a temporary instruction permit and 51  
temporary instruction permit identification card to operate a 52  
motorcycle or motorized bicycle, may issue such a permit and 53  
identification card entitling the applicant, while having the 54  
permit and identification card in the applicant's immediate 55  
possession, to drive a motorcycle under the restrictions 56  
prescribed in section 4511.53 of the Revised Code, or to drive a 57  
motorized bicycle under restrictions determined by the registrar. 58  
A temporary instruction permit and temporary instruction permit 59  
identification card to operate a motorized bicycle may be issued 60  
to a person fourteen or fifteen years old. 61

(C) Any permit and identification card issued under this 62  
section shall be issued in the same manner as a driver's license, 63  
upon a form to be furnished by the registrar. A temporary 64  
instruction permit to drive a motor vehicle other than a 65  
commercial motor vehicle shall be valid for a period of one year. 66

(D) Any person having in the person's possession a valid and 67  
current driver's license or motorcycle operator's license or 68  
endorsement issued to the person by another jurisdiction 69  
recognized by this state is exempt from obtaining a temporary 70  
instruction permit for a driver's license, ~~but shall submit and~~ 71  
from submitting to the examination for a temporary instruction 72  
permit and the regular examination ~~in~~ for obtaining a driver's 73  
license or motorcycle operator's endorsement in this state if the 74  
person does all of the following: 75

(1) Submits to and passes vision screening as provided in 76  
section 4507.12 of the Revised Code; 77

(2) Surrenders to the registrar or deputy registrar the 78  
person's driver's license issued by the other jurisdiction; and 79

(3) Complies with all other applicable requirements for 80  
issuance by this state of a driver's license, driver's license 81  
with a motorcycle operator's endorsement, or restricted license to 82  
operate a motorcycle. 83

If the person does not comply with all the requirements of 84  
this division, the person shall submit to the regular examination 85  
for obtaining a driver's license or motorcycle operator's 86  
endorsement in this state in order to obtain such a license or 87  
endorsement. 88

(E) The registrar may adopt rules governing the use of 89  
temporary instruction permits and temporary instruction permit 90  
identification cards. 91

(F)(1) No holder of a permit issued under division (A) of 92  
this section shall operate a motor vehicle upon a highway or any 93  
public or private property used by the public for purposes of 94  
vehicular travel or parking in violation of the conditions 95  
established under division (A) of this section. 96

(2) Except as provided in division (F)(2) of this section, no 97  
holder of a permit that is issued under division (A) of this 98  
section and that is issued on or after July 1, 1998, and who has 99  
not attained the age of eighteen years, shall operate a motor 100  
vehicle upon a highway or any public or private property used by 101  
the public for purposes of vehicular travel or parking between the 102  
hours of midnight and six a.m. 103

The holder of a permit issued under division (A) of this 104  
section on or after July 1, 1998, who has not attained the age of 105  
eighteen years, may operate a motor vehicle upon a highway or any 106  
public or private property used by the public for purposes of 107  
vehicular travel or parking between the hours of midnight and six 108  
a.m. if, at the time of such operation, the holder is accompanied 109  
by the holder's parent, guardian, or custodian, and the parent, 110

guardian, or custodian holds a current valid driver's or 111  
commercial driver's license issued by this state, is actually 112  
occupying a seat beside the permit holder, and does not have a 113  
prohibited concentration of alcohol in the whole blood, blood 114  
serum or plasma, breath, or urine as provided in division (A) of 115  
section 4511.19 of the Revised Code. 116

(G)(1) Notwithstanding any other provision of law to the 117  
contrary, no law enforcement officer shall cause the operator of a 118  
motor vehicle being operated on any street or highway to stop the 119  
motor vehicle for the sole purpose of determining whether each 120  
occupant of the motor vehicle is wearing all of the available 121  
elements of a properly adjusted occupant restraining device as 122  
required by division (A) of this section, or for the sole purpose 123  
of issuing a ticket, citation, or summons if the requirement in 124  
that division has been or is being violated, or for causing the 125  
arrest of or commencing a prosecution of a person for a violation 126  
of that requirement. 127

(2) Notwithstanding any other provision of law to the 128  
contrary, no law enforcement officer shall cause the operator of a 129  
motor vehicle being operated on any street or highway to stop the 130  
motor vehicle for the sole purpose of determining whether a 131  
violation of division (F)(2) of this section has been or is being 132  
committed or for the sole purpose of issuing a ticket, citation, 133  
or summons for such a violation or for causing the arrest of or 134  
commencing a prosecution of a person for such violation. 135

(H) As used in this section: 136

(1) "Eligible adult" means any of the following: 137

(a) An instructor of a driver training course approved by the 138  
department of public safety; 139

(b) Any of the following persons who holds a current valid 140  
driver's or commercial driver's license issued by this state: 141

(i) A parent, guardian, or custodian of the permit holder;	142
(ii) A person twenty-one years of age or older who acts in loco parentis of the permit holder.	143 144
(2) "Occupant restraining device" has the same meaning as in section 4513.263 of the Revised Code.	145 146
(I) Whoever violates division (F)(1) or (2) of this section is guilty of a minor misdemeanor.	147 148
<b>Section 2.</b> That existing section 4507.05 of the Revised Code is hereby repealed.	149 150
<b>Section 3.</b> That the version of section 4507.05 of the Revised Code that is scheduled to take effect January 1, 2017, be amended to read as follows:	151 152 153
<b>Sec. 4507.05.</b> (A) The registrar of motor vehicles, or a deputy registrar, upon receiving an application for a temporary instruction permit and a temporary instruction permit identification card for a driver's license from any person who is at least fifteen years six months of age, may issue such a permit and identification card entitling the applicant to drive a motor vehicle, other than a commercial motor vehicle, upon the highways under the following conditions:	154 155 156 157 158 159 160 161
(1) If the permit is issued to a person who is at least fifteen years six months of age, but less than sixteen years of age:	162 163 164
(a) The permit and identification card are in the holder's immediate possession;	165 166
(b) The holder is accompanied by an eligible adult who actually occupies the seat beside the permit holder and does not have a prohibited concentration of alcohol in the whole blood,	167 168 169

blood serum or plasma, breath, or urine as provided in division	170
(A) of section 4511.19 of the Revised Code;	171
(c) The total number of occupants of the vehicle does not	172
exceed the total number of occupant restraining devices originally	173
installed in the motor vehicle by its manufacturer, and each	174
occupant of the vehicle is wearing all of the available elements	175
of a properly adjusted occupant restraining device.	176
(2) If the permit is issued to a person who is at least	177
sixteen years of age:	178
(a) The permit and identification card are in the holder's	179
immediate possession;	180
(b) The holder is accompanied by a licensed operator who is	181
at least twenty-one years of age, is actually occupying a seat	182
beside the driver, and does not have a prohibited concentration of	183
alcohol in the whole blood, blood serum or plasma, breath, or	184
urine as provided in division (A) of section 4511.19 of the	185
Revised Code;	186
(c) The total number of occupants of the vehicle does not	187
exceed the total number of occupant restraining devices originally	188
installed in the motor vehicle by its manufacturer, and each	189
occupant of the vehicle is wearing all of the available elements	190
of a properly adjusted occupant restraining device.	191
(B) The registrar or a deputy registrar, upon receiving from	192
any person an application for a temporary instruction permit and	193
temporary instruction permit identification card to operate a	194
motorcycle, motor-driven cycle or motor scooter, or motorized	195
bicycle, may issue such a permit and identification card entitling	196
the applicant, while having the permit and identification card in	197
the applicant's immediate possession, to drive a motorcycle or	198
motor-driven cycle or motor scooter, under the restrictions	199
prescribed in section 4511.53 of the Revised Code, or to drive a	200

motorized bicycle under restrictions determined by the registrar. 201  
A temporary instruction permit and temporary instruction permit 202  
identification card to operate a motorized bicycle may be issued 203  
to a person fourteen or fifteen years old. 204

(C) Any permit and identification card issued under this 205  
section shall be issued in the same manner as a driver's license, 206  
upon a form to be furnished by the registrar. A temporary 207  
instruction permit to drive a motor vehicle other than a 208  
commercial motor vehicle shall be valid for a period of one year. 209

(D) Any person having in the person's possession a valid and 210  
current driver's license or motorcycle operator's license or 211  
endorsement issued to the person by another jurisdiction 212  
recognized by this state is exempt from obtaining a temporary 213  
instruction permit for a driver's license, ~~but shall submit and~~ 214  
from submitting to the examination for a temporary instruction 215  
permit and the regular examination ~~in~~ for obtaining a driver's 216  
license or motorcycle operator's endorsement in this state if the 217  
person does all of the following: 218

(1) Submits to and passes vision screening as provided in 219  
section 4507.12 of the Revised Code; 220

(2) Surrenders to the registrar or deputy registrar the 221  
person's driver's license issued by the other jurisdiction; and 222

(3) Complies with all other applicable requirements for 223  
issuance by this state of a driver's license, driver's license 224  
with a motorcycle operator's endorsement, or restricted license to 225  
operate a motorcycle. 226

If the person does not comply with all the requirements of 227  
this division, the person shall submit to the regular examination 228  
for obtaining a driver's license or motorcycle operator's 229  
endorsement in this state in order to obtain such a license or 230  
endorsement. 231



(E) The registrar may adopt rules governing the use of 232  
temporary instruction permits and temporary instruction permit 233  
identification cards. 234

(F)(1) No holder of a permit issued under division (A) of 235  
this section shall operate a motor vehicle upon a highway or any 236  
public or private property used by the public for purposes of 237  
vehicular travel or parking in violation of the conditions 238  
established under division (A) of this section. 239

(2) Except as provided in division (F)(2) of this section, no 240  
holder of a permit that is issued under division (A) of this 241  
section and that is issued on or after July 1, 1998, and who has 242  
not attained the age of eighteen years, shall operate a motor 243  
vehicle upon a highway or any public or private property used by 244  
the public for purposes of vehicular travel or parking between the 245  
hours of midnight and six a.m. 246

The holder of a permit issued under division (A) of this 247  
section on or after July 1, 1998, who has not attained the age of 248  
eighteen years, may operate a motor vehicle upon a highway or any 249  
public or private property used by the public for purposes of 250  
vehicular travel or parking between the hours of midnight and six 251  
a.m. if, at the time of such operation, the holder is accompanied 252  
by the holder's parent, guardian, or custodian, and the parent, 253  
guardian, or custodian holds a current valid driver's or 254  
commercial driver's license issued by this state, is actually 255  
occupying a seat beside the permit holder, and does not have a 256  
prohibited concentration of alcohol in the whole blood, blood 257  
serum or plasma, breath, or urine as provided in division (A) of 258  
section 4511.19 of the Revised Code. 259

(G)(1) Notwithstanding any other provision of law to the 260  
contrary, no law enforcement officer shall cause the operator of a 261  
motor vehicle being operated on any street or highway to stop the 262  
motor vehicle for the sole purpose of determining whether each 263

occupant of the motor vehicle is wearing all of the available 264  
elements of a properly adjusted occupant restraining device as 265  
required by division (A) of this section, or for the sole purpose 266  
of issuing a ticket, citation, or summons if the requirement in 267  
that division has been or is being violated, or for causing the 268  
arrest of or commencing a prosecution of a person for a violation 269  
of that requirement. 270

(2) Notwithstanding any other provision of law to the 271  
contrary, no law enforcement officer shall cause the operator of a 272  
motor vehicle being operated on any street or highway to stop the 273  
motor vehicle for the sole purpose of determining whether a 274  
violation of division (F)(2) of this section has been or is being 275  
committed or for the sole purpose of issuing a ticket, citation, 276  
or summons for such a violation or for causing the arrest of or 277  
commencing a prosecution of a person for such violation. 278

(H) As used in this section: 279

(1) "Eligible adult" means any of the following: 280

(a) An instructor of a driver training course approved by the 281  
department of public safety; 282

(b) Any of the following persons who holds a current valid 283  
driver's or commercial driver's license issued by this state: 284

(i) A parent, guardian, or custodian of the permit holder; 285

(ii) A person twenty-one years of age or older who acts in 286  
loco parentis of the permit holder. 287

(2) "Occupant restraining device" has the same meaning as in 288  
section 4513.263 of the Revised Code. 289

(I) Whoever violates division (F)(1) or (2) of this section 290  
is guilty of a minor misdemeanor. 291

**Section 4.** That the existing version of section 4507.05 of 292

the Revised Code that is scheduled to take effect January 1, 2017, 293  
is hereby repealed. 294

**Section 5.** Sections 3 and 4 of this act shall take effect 295  
January 1, 2017. 296