

AN ACT

To amend sections 101.27, 117.12, 154.01, 306.30, 306.35, 306.43, 717.02, 1548.061, 2935.03, 3503.11, 3704.14, 4501.01, 4503.10, 4503.102, 4503.103, 4503.21, 4505.08, 4506.01, 4506.09, 4506.11, 4507.01, 4507.061, 4507.13, 4507.21, 4507.52, 4508.02, 4511.01, 4511.031, 4511.09, 4511.091, 4511.092, 4511.093, 4511.094, 4511.11, 4511.13, 4511.131, 4511.132, 4511.18, 4511.204, 4511.21, 4511.211, 4511.214, 4511.432, 4511.46, 4511.48, 4511.512, 4511.61, 4511.62, 4511.64, 4511.65, 4511.68, 4511.701, 4511.712, 4511.76, 4513.071, 4513.38, 4513.41, 4517.02, 4517.24, 4519.401, 4955.50, 4955.51, 5501.20, 5501.41, 5501.441, 5512.07, 5513.01, 5515.01, 5515.02, 5515.99, 5517.02, 5517.021, 5521.01, 5525.03, 5525.04, 5525.08, 5525.14, 5525.16, 5537.02, 5571.01, and 5747.502; to enact sections 117.56, 1548.062, 4503.183, 4503.211, 4505.072, 4511.15, 4511.765, 4923.12, 4955.52, 4955.53, 4955.55, 4955.57, 5501.041, 5501.421, 5515.10, 5517.012, and 5517.08; and to repeal sections 4506.072, 4507.021, 4507.063, 4507.511, 4511.351, 4511.491, and 5501.60 of the Revised Code and to amend Sections 200.20, 200.30 as subsequently amended, 243.10, and 243.20 of H.B. 2 of the 135th General Assembly and Section 755.20 of H.B. 23 of the 135th General Assembly to make appropriations for programs related to transportation for the biennium beginning July 1, 2025, and ending June 30, 2027, and to provide authorization and conditions for the operation of those programs.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 101.01. That sections 101.27, 117.12, 154.01, 306.30, 306.35, 306.43, 717.02, 1548.061, 2935.03, 3503.11, 3704.14, 4501.01, 4503.10, 4503.102, 4503.103, 4503.21, 4505.08, 4506.01, 4506.09, 4506.11, 4507.01, 4507.061, 4507.13, 4507.21, 4507.52, 4508.02, 4511.01, 4511.031, 4511.09, 4511.091, 4511.092, 4511.093, 4511.094, 4511.11, 4511.13, 4511.131, 4511.132, 4511.18, 4511.204, 4511.21, 4511.211, 4511.214, 4511.432, 4511.46, 4511.48, 4511.512, 4511.61, 4511.62, 4511.64, 4511.65, 4511.68, 4511.701, 4511.712, 4511.76, 4513.071, 4513.38, 4513.41, 4517.02, 4517.24, 4519.401, 4955.50, 4955.51, 5501.20, 5501.41, 5501.441, 5512.07, 5513.01, 5515.01, 5515.02, 5515.99, 5517.02, 5517.021, 5521.01, 5525.03, 5525.04, 5525.08, 5525.14, 5525.16, 5537.02, 5571.01, and 5747.502 be amended and sections 117.56, 1548.062, 4503.183, 4503.211, 4505.072, 4511.15, 4511.765, 4923.12, 4955.52, 4955.53, 4955.55, 4955.57, 5501.041, 5501.421, 5515.10, 5517.012, and 5517.08 of the Revised Code be enacted to read as follows:

Sec. 101.27. (A)(1) Every member of the senate, except the members elected president, president pro tempore, assistant president pro tempore, majority whip, minority leader, assistant minority leader, minority whip, and assistant minority whip, shall receive as compensation a salary of sixty-three thousand seven dollars a year during the senator's term of office. Every member of the house of representatives, except the members elected speaker, speaker pro tempore, assistant speaker pro tempore, majority floor leader, assistant majority floor leader, majority whip, ~~assistant majority whip~~, minority leader, assistant minority leader, minority whip, and assistant minority whip, shall receive as compensation a salary of sixty-three thousand seven dollars a year during the representative's term of office. Such salaries shall be paid in equal monthly installments during such term. All monthly payments shall be made on or before the fifth day of each month. Upon the death of any member of the general assembly during the member's term of office, any unpaid salary due such member for the remainder of the member's term shall be paid to the member's surviving spouse, children, mother, or father, in the order in which the relationship is set forth in this section in monthly installments.

(2) Each member shall receive a travel reimbursement per mile each way, at the same mileage rate allowed for the reimbursement of travel expenses of state agents as provided by rule of the director of budget and management pursuant to division (B) of section 126.31 of the Revised Code, for mileage not more than once a week during the session for travel incurred by a member from and to the member's place of residence, by the most direct highway route of public travel to and from the seat of government, to be paid quarterly on the last day of March, June, September, and December of each year.

(3) The member of the senate elected president and the member of the house of representatives elected speaker shall each receive as compensation a salary of ninety-eight thousand two hundred fourteen dollars a year during the president's or speaker's term of office.

The member of the senate elected president pro tempore, the member of the senate elected minority leader, the member of the house of representatives elected speaker pro tempore, and the member of the house of representatives elected minority leader shall each receive as compensation a salary of eighty-nine thousand six hundred twelve dollars a year during the member's term of office.

The member of the house of representatives elected majority floor leader and the member of the senate elected assistant president pro tempore shall each receive as compensation a salary of eighty-four thousand four hundred ten dollars a year during the member's term of office.

The member of the senate elected assistant minority leader and the member of the house of representatives elected assistant minority leader shall each receive as compensation a salary of eighty-one thousand eight hundred fifteen dollars a year during the member's term of office.

The member of the senate elected majority whip and the member of the house of representatives elected assistant majority floor leader shall each receive a salary of seventy-nine thousand two hundred sixteen dollars a year during the member's term of office.

The member of the senate elected minority whip, the member or members of the house of

representatives elected majority whip, and the member of the house of representatives elected minority whip shall each receive as compensation a salary of seventy-four thousand twenty dollars a year during the member's term of office.

~~The member of the house of representatives elected assistant majority whip shall receive as compensation a salary of sixty-eight thousand eight hundred twenty-two dollars a year during the member's term of office.~~

The member of the house of representatives elected assistant minority whip and the member of the senate elected assistant minority whip shall each receive a salary of sixty-five thousand nine hundred sixteen dollars a year during the member's term of office.

(4) The member of the house of representatives elected assistant speaker pro tempore shall receive a salary of ninety-nine thousand nine hundred three dollars and ninety cents a year during the member's term of office.

(5) The chairperson of the finance committee of each house shall receive an additional sum of thirteen thousand five hundred dollars annually. The chairperson of each standing committee of each house other than the finance committee shall receive an additional sum of nine thousand dollars annually. The chairperson of each standing subcommittee of a finance committee shall receive an additional sum of nine thousand dollars annually. The vice-chairperson of the finance committee of each house shall receive an additional sum of seven thousand five hundred dollars annually. The ranking minority member of the finance committee of each house shall receive an additional sum of nine thousand dollars annually. The ranking minority member of each standing subcommittee of a finance committee shall receive an additional sum of six thousand seven hundred fifty dollars annually. The chairperson of each standing subcommittee of each house other than a standing subcommittee of the finance committee shall receive an additional sum of six thousand seven hundred fifty dollars annually. The vice-chairperson and ranking minority member of each standing committee of each house other than the finance committee shall each receive an additional sum of six thousand seven hundred fifty dollars annually. Except for the ranking minority member of each standing subcommittee of a finance committee, the ranking minority member of each standing subcommittee of each house shall receive an additional sum of three thousand two hundred fifty dollars annually.

No member may receive more than one additional sum for serving as chairperson, vice-chairperson, or ranking minority member of a standing committee or standing subcommittee, regardless of the number of standing committees or standing subcommittees on which the member serves as chairperson, vice-chairperson, or ranking minority member.

~~(5)~~(6) If a member is absent without leave, or is not excused on the member's return, there shall be deducted from the member's compensation twenty dollars for each day's absence.

(B)(1) The salary amounts under divisions (A)(1) and (3) of this section are for calendar year 2019. The salary amount under division (A)(4) of this section is for calendar year 2025.

(2) Each calendar year from 2020 through 2028, the salary amounts under divisions (A)(1)

and (3) of this section, and each calendar year from 2026 through 2028 the salary amount under division (A)(4) of this section, shall be increased as follows:

- (a) In calendar year 2020, by four per cent;
- (b) In calendar year 2021, by three per cent;
- (c) In calendar year 2022, by one and three-quarters per cent;
- (d) In calendar year 2023, by one and three-quarters per cent;
- (e) In calendar year 2024, by one and three-quarters per cent;
- (f) In calendar year 2025, by one and three-quarters per cent;
- (g) In calendar year 2026, by one and three-quarters per cent;
- (h) In calendar year 2027, by one and three-quarters per cent;
- (i) In calendar year 2028, by one and three-quarters per cent.

(C) As used in this section, "finance committee" means the finance committee of the senate and the finance committee of the house of representatives.

Sec. 117.12. (A) Any certified public accountant engaged to perform an audit pursuant to division (C) of section 117.11 or section 117.56 of the Revised Code shall conduct the audit pursuant to the standards, procedures, and guidelines of the auditor of state for such audits. The auditor of state shall establish these standards, procedures, and guidelines by rule. The audit shall cover the period beginning with the termination date of the most recent audit conducted under this section or under section 117.11 of the Revised Code, and ending on the date specified by the auditor of state. The accountant shall inquire into the methods, accuracy, and legality of the accounts, records, files, and reports of the public office and shall note whether, in the accountant's opinion, the laws, rules, ordinances, and orders pertaining to the public office have been complied with.

(B) The certified public accountant shall have no authority to make formal findings of illegality, malfeasance, or gross neglect under this section or section 117.23 of the Revised Code.

Sec. 117.56. During the course of an audit, including a performance audit, of the department of transportation, the auditor of state, and any independent accountants or consultants necessary to carry out the statutory responsibilities of the auditor of state, may access any system the department uses or maintains. The director of transportation and employees of the department shall assist the auditor of state with accessing the department's systems. The auditor of state, and independent accountants and consultants retained by the auditor of state, shall comply with all state and federal privacy and confidentiality laws that apply to the content of the systems the auditor of state accesses.

Sec. 154.01. As used in this chapter:

(A) "Commission" means the Ohio public facilities commission created in section 151.02 of the Revised Code.

(B) "Obligations" means bonds, notes, or other evidences of obligation, including interest coupons pertaining thereto, issued pursuant to Chapter 154. of the Revised Code.

(C) "Bond proceedings" means the order or orders, resolution or resolutions, trust agreement, indenture, lease, and other agreements, amendments and supplements to the foregoing, or any

combination thereof, authorizing or providing for the terms and conditions applicable to, or providing for the security of, obligations issued pursuant to Chapter 154. of the Revised Code, and the provisions contained in such obligations.

(D) "State agencies" means the state of Ohio and officers, boards, commissions, departments, divisions, or other units or agencies of the state.

(E) "Governmental agency" means state agencies, state supported and assisted institutions of higher education, municipal corporations, counties, townships, school districts, and any other political subdivision or special district in this state established pursuant to law, and, except where otherwise indicated, also means the United States or any department, division, or agency thereof, and any agency, commission, or authority established pursuant to an interstate compact or agreement.

(F) "Institutions of higher education" and "state supported or state assisted institutions of higher education" means the state universities identified in section 3345.011 of the Revised Code, the northeast Ohio medical university, state universities or colleges at any time created, community college districts, university branch districts, and technical college districts at any time established or operating under Chapter 3354., 3355., or 3357. of the Revised Code, and other institutions for education, including technical education, beyond the high school, receiving state support or assistance for their expenses of operation.

(G) "Governing body" means:

(1) In the case of institutions of higher education, the board of trustees, board of directors, commission, or other body vested by law with the general management, conduct, and control of one or more institutions of higher education;

(2) In the case of a county, the board of county commissioners or other legislative body; in the case of a municipal corporation, the council or other legislative body; in the case of a township, the board of township trustees; in the case of a school district, the board of education;

(3) In the case of any other governmental agency, the officer, board, commission, authority or other body having the general management thereof or having jurisdiction or authority in the particular circumstances.

(H) "Person" means any person, firm, partnership, association, or corporation.

(I) "Bond service charges" means principal, including mandatory sinking fund requirements for retirement of obligations, and interest, and redemption premium, if any, required to be paid by the state on obligations. If not prohibited by the applicable bond proceedings, bond service charges may include costs relating to credit enhancement facilities that are related to and represent, or are intended to provide a source of payment of or limitation on, other bond service charges.

(J) "Capital facilities" means buildings, structures, and other improvements, and equipment, real estate, and interests in real estate therefor, within the state, and any one, part of, or combination of the foregoing, to serve the general purposes for which the issuing authority is authorized to issue obligations pursuant to Chapter 154. of the Revised Code, including, but not limited to, highways,

drives, roadways, parking facilities, walks, lighting, machinery, furnishings, utilities, landscaping, wharves, docks, piers, reservoirs, dams, tunnels, bridges, retaining walls, riprap, culverts, ditches, channels, watercourses, retention basins, standpipes and water storage facilities, waste treatment and disposal facilities, heating, air conditioning and communications facilities, inns, lodges, cabins, camping sites, golf courses, boat and bathing facilities, athletic and recreational facilities, and site improvements.

(K) "Costs of capital facilities" means the costs of acquiring, constructing, reconstructing, rehabilitating, remodeling, renovating, enlarging, improving, equipping, or furnishing capital facilities, and the financing thereof, including the cost of clearance and preparation of the site and of any land to be used in connection with capital facilities, the cost of any indemnity and surety bonds and premiums on insurance, all related direct administrative expenses and allocable portions of direct costs of the commission or issuing authority and department of administrative services, or other designees of the commission under section 154.17 of the Revised Code, cost of engineering and architectural services, designs, plans, specifications, surveys, and estimates of cost, legal fees, fees and expenses of trustees, depositories, and paying agents for the obligations, cost of issuance of the obligations and financing charges and fees and expenses of financial advisers and consultants in connection therewith, interest on obligations, including but not limited to, interest from the date of their issuance to the time when interest is to be covered from sources other than proceeds of obligations, amounts necessary to establish reserves as required by the bond proceedings, costs of audits, the reimbursement of all moneys advanced or applied by or borrowed from any governmental agency, whether to or by the commission or others, from whatever source provided, for the payment of any item or items of cost of the capital facilities, any share of the cost undertaken by the commission pursuant to arrangements made with governmental agencies under division (H) of section 154.06 of the Revised Code, and all other expenses necessary or incident to planning or determining feasibility or practicability with respect to capital facilities, and such other expenses as may be necessary or incident to the acquisition, construction, reconstruction, rehabilitation, remodeling, renovation, enlargement, improvement, equipment, and furnishing of capital facilities, the financing thereof and the placing of the same in use and operation, including any one, part of, or combination of such classes of costs and expenses.

(L) "Public service facilities" means inns, lodges, hotels, cabins, camping sites, scenic trails, picnic sites, restaurants, commissaries, golf courses, boating and bathing facilities and other similar facilities in state parks.

(M) "State parks" means:

- (1) State reservoirs described and identified in section 1546.11 of the Revised Code;
- (2) All lands or interests therein of the state identified as administered by the division of parks and watercraft in the "inventory of state owned lands administered by the department of natural resources as of June 1, 1963," as recorded in the journal of the director, which inventory was prepared by the real estate section of the department and is supported by maps now on file in said

real estate section;

(3) All lands or interests in lands of the state designated after June 1, 1963, as state parks in the journal of the director with the approval of the director of natural resources.

State parks do not include any lands or interest in lands of the state administered jointly by two or more divisions of the department of natural resources. The designation of lands as state parks under divisions (M)(1) to (3) of this section is conclusive and such lands shall be under the control of and administered by the division of parks and watercraft. No order or proceeding designating lands as state parks or park purchase areas is subject to any appeal or review by any officer, board, commission, or court.

(N) "Bond service fund" means the applicable fund created for and pledged to the payment of bond service charges under section 154.20, 154.21, 154.22, or 154.23 of the Revised Code, including all moneys and investments, and earnings from investments, credited and to be credited thereto.

(O) "Improvement fund" means the applicable fund created for the payment of costs of capital facilities under section 123.201, 154.20, 154.21, or 154.22 of the Revised Code, including all moneys and investments, and earnings from investments, credited and to be credited thereto.

(P) "Special funds" or "funds" means, except where the context does not permit, the bond service funds, the improvements funds, and any other funds for similar or different purposes created under bond proceedings, including all moneys and investments, and earnings from investments, credited and to be credited thereto.

(Q) "Year" unless the context indicates a different meaning or intent, means a calendar year beginning on the first day of January and ending on the thirty-first day of December.

(R) "Fiscal year" means the period of twelve months beginning on the first day of July and ending on the thirtieth day of June.

(S) "Issuing authority" means the treasurer of state or the officer or employee who by law performs the functions of that office.

(T) "Credit enhancement facilities" has the same meaning as in section 133.01 of the Revised Code.

(U) "Ohio cultural facility" and "Ohio sports facility" have the same meanings as in section 123.28 of the Revised Code.

Sec. 306.30. ~~As (A) Except as provided in division (B) of this section and as~~ used in sections 306.30 to 306.53; ~~inclusive,~~ of the Revised Code, "transit facility" means any:

~~(A)(1)~~ Street railway, motor bus, tramline, subway, monorail, rapid transit vehicle, aeroplane, helicopter, ferry, or other ground or water transportation system having as its primary purpose the regularly scheduled mass movement of passengers ~~between locations within the territorial boundaries of a regional transit authority, including all right-of-wayrights-of-way,~~ power lines, rolling stock, equipment, machinery, terminals, buildings, administration and maintenance and repair facilities, and supporting parking facilities, and franchise rights attendant thereto, but

excluding therefrom trucks and facilities designed for use in the movement of property by truck;

~~(B)~~(2) Docks, wharves, warehouses, piers, and other port, terminal, or transportation facilities and marinas;

~~(C)~~(3) Facilities used, available for use, or designed for use to aid in the safe taking off or landing of aircraft, for the safety, storage, and maintenance of aircraft, for the comfort and accommodation of users of air transportation, including persons, property, and mail, or for the safe and efficient operation and maintenance of an airport; and buildings and facilities as are reasonably necessary for the comfort and accommodation of the users of transit facilities; or

~~(D)~~(4) Any combination of the foregoing.

(B) In a county with a population between one million two hundred thousand and one million three hundred thousand according the most recent federal decennial census, as used in sections 306.30 to 306.53 of the Revised Code, "transit facility" means any:

(1) Street railway, motor bus, tramline, subway, monorail, paratransit vehicle, rapid transit vehicle, railcar, aeroplane, helicopter, ferry, or other ground or water transportation system having as its primary purpose either the regularly scheduled mass movement of passengers or the corresponding paratransit service between locations within the territorial boundaries of a regional transit authority, including all rights-of-way, routes, transit zones, bus lanes, bus layover areas, bus loops, transit centers, bus shelters, bus stops, rail stations, rail lines, power lines, rolling stock, equipment, machinery, terminals, buildings, administration and maintenance and repair facilities, vehicles for maintenance and support, and supporting parking facilities, and franchise rights attendant thereto, but excluding therefrom trucks and facilities designed for use in the movement of property by truck;

(2) Docks, wharves, warehouses, piers, and other port, terminal, or transportation facilities and marinas;

(3) Facilities used, available for use, or designed for use to aid in the safe taking off or landing of aircraft, for the safety, storage, and maintenance of aircraft, for the comfort and accommodation of users of air transportation, including persons, property, and mail, or for the safe and efficient operation and maintenance of an airport; and buildings and facilities as are reasonably necessary for the comfort and accommodation of the users of transit facilities;

(4) Any combination of the foregoing.

Sec. 306.35. Upon the creation of a regional transit authority as provided by section 306.32 of the Revised Code, and upon the qualifying of its board of trustees and the election of a president and a vice-president, the authority shall exercise in its own name all the rights, powers, and duties vested in and conferred upon it by sections 306.30 to 306.53 of the Revised Code. Subject to any reservations, limitations, and qualifications that are set forth in those sections, the regional transit authority:

(A) May sue or be sued in its corporate name;

(B) May make contracts in the exercise of the rights, powers, and duties conferred upon it;

(C) May adopt and at will alter a seal and use such seal by causing it to be impressed, affixed, reproduced, or otherwise used, but failure to affix the seal shall not affect the validity of any instrument;

(D)(1) May adopt, amend, and repeal bylaws for the administration of its affairs and rules for the control of the administration and operation of transit facilities under its jurisdiction, and for the exercise of all of its rights of ownership in those transit facilities;

(2) The regional transit authority also may adopt bylaws and rules for the following purposes:

(a) To prohibit selling, giving away, or using any beer or intoxicating liquor on transit vehicles or transit property;

(b) For the preservation of good order within or on transit vehicles or transit property;

(c) To provide for the protection and preservation of all property and life within or on transit vehicles or transit property;

(d) To regulate and enforce the collection of fares.

(3) Before a bylaw or rule adopted under division (D)(2) of this section takes effect, the regional transit authority shall provide for a notice of its adoption to be published once a week for two consecutive weeks in a newspaper of general circulation within the territorial boundaries of the regional transit authority, or as provided in section 7.16 of the Revised Code.

(4) No person shall violate any bylaw or rule of a regional transit authority adopted under division (D)(2) of this section.

(E) May fix, alter, and collect fares, rates, and rentals and other charges for the use of transit facilities under its jurisdiction to be determined exclusively by it for the purpose of providing for the payment of the expenses of the regional transit authority, the acquisition, construction, improvement, extension, repair, maintenance, and operation of transit facilities under its jurisdiction, the payment of principal and interest on its obligations, and to fulfill the terms of any agreements made with purchasers or holders of any such obligations, or with any person or political subdivision;

(F) Shall have jurisdiction, control, possession, and supervision of all property, rights, easements, licenses, moneys, contracts, accounts, liens, books, records, maps, or other property rights and interests conveyed, delivered, transferred, or assigned to it;

(G)(1) Except as provided in division (G)(2) of this section, may acquire, construct, improve, extend, repair, lease, operate, maintain, or manage transit facilities within or without its territorial boundaries, considered necessary to accomplish the purposes of its organization and make charges for the use of transit facilities.

(2) Beginning on July 1, 2011, a regional transit authority shall not extend its service or facilities into a political subdivision outside the territorial boundaries of the authority without giving prior notice to the legislative authority of the political subdivision. The legislative authority shall have thirty days after receiving the notice to comment on the proposal.

(H) May levy and collect taxes as provided in sections 306.40 and 306.49 of the Revised

Code;

(I) May issue bonds secured by its general credit as provided in section 306.40 of the Revised Code;

(J) May hold, encumber, control, acquire by donation, by purchase for cash or by installment payments, by lease-purchase agreement, by lease with option to purchase, by borrowing from any federal, state, or other governmental or private source, or by condemnation, and may construct, own, lease as lessee or lessor, use, and sell, real and personal property, or any interest or right in real and personal property, within or without its territorial boundaries, for the location or protection of transit facilities and improvements and access to transit facilities and improvements, the relocation of buildings, structures, and improvements situated on lands acquired by the regional transit authority, or for any other necessary purpose, or for obtaining or storing materials to be used in constructing, maintaining, and improving transit facilities under its jurisdiction;

(K) May exercise the power of eminent domain to acquire property or any interest in property, within or without its territorial boundaries, that is necessary or proper for the construction or efficient operation of any transit facility or access to any transit facility under its jurisdiction in accordance with section 306.36 of the Revised Code;

(L) May provide by agreement with any county, including the counties within its territorial boundaries, or any municipal corporation or any combination of counties or municipal corporations for the making of necessary surveys, appraisals, and examinations preliminary to the acquisition or construction of any transit facility and the amount of the expense for the surveys, appraisals, and examinations to be paid by each such county or municipal corporation;

(M) May provide by agreement with any county, including the counties within its territorial boundaries, or any municipal corporation or any combination of those counties or municipal corporations for the acquisition, construction, improvement, extension, maintenance, or operation of any transit facility owned or to be owned and operated by it or owned or to be owned and operated by any such county or municipal corporation and the terms on which it shall be acquired, leased, constructed, maintained, or operated, and the amount of the cost and expense of the acquisition, lease, construction, maintenance, or operation to be paid by each such county or municipal corporation;

(N) May issue revenue bonds for the purpose of acquiring, replacing, improving, extending, enlarging, or constructing any facility or permanent improvement that it is authorized to acquire, replace, improve, extend, enlarge, or construct, including all costs in connection with and incidental to the acquisition, replacement, improvement, extension, enlargement, or construction, and their financing, as provided by section 306.37 of the Revised Code;

(O) May enter into and supervise franchise agreements for the operation of a transit system;

(P) May accept the assignment of and supervise an existing franchise agreement for the operation of a transit system;

(Q) May exercise a right to purchase a transit system in accordance with the acquisition

terms of an existing franchise agreement; and in connection with the purchase the regional transit authority may issue revenue bonds as provided by section 306.37 of the Revised Code or issue bonds secured by its general credit as provided in section 306.40 of the Revised Code;

(R) May apply for and accept grants or loans from the United States, the state, or any other public or any private source for the purpose of providing for the development or improvement of transit facilities, mass transportation facilities, equipment, techniques, methods, or services, and grants or loans needed to exercise a right to purchase a transit system pursuant to agreement with the owner of those transit facilities, or for providing lawful financial assistance to existing transit systems; and may provide any consideration that may be required in order to obtain those grants or loans from the United States, the state, or other public or private source, either of which grants or loans may be evidenced by the issuance of revenue bonds as provided by section 306.37 of the Revised Code or general obligation bonds as provided by section 306.40 of the Revised Code;

(S) May employ and fix the compensation of consulting engineers, superintendents, managers, and such other engineering, construction, accounting and financial experts, attorneys, and other employees and agents necessary for the accomplishment of its purposes;

(T) May procure insurance against loss to it by reason of damages to its properties resulting from fire, theft, accident, or other casualties or by reason of its liability for any damages to persons or property occurring in the construction or operation of transit facilities under its jurisdiction or the conduct of its activities;

(U) May maintain funds that it considers necessary for the efficient performance of its duties;

(V) May direct its agents or employees, when properly identified in writing, after at least five days' written notice, to enter upon lands within or without its territorial boundaries in order to make surveys and examinations preliminary to the location and construction of transit facilities, without liability to it or its agents or employees except for actual damage done;

(W) On its own motion, may request the appropriate zoning board, as defined in section 4563.03 of the Revised Code, to establish and enforce zoning regulations pertaining to any transit facility under its jurisdiction in the manner prescribed by sections 4563.01 to 4563.21 of the Revised Code;

(X) If it acquires any existing transit system, shall assume all the employer's obligations under any existing labor contract between the employees and management of the system. If the board acquires, constructs, controls, or operates any such facilities, it shall negotiate arrangements to protect the interests of employees affected by the acquisition, construction, control, or operation. The arrangements shall include, but are not limited to:

(1) The preservation of rights, privileges, and benefits under existing collective bargaining agreements or otherwise, the preservation of rights and benefits under any existing pension plans covering prior service, and continued participation in social security in addition to participation in the public employees retirement system as required in Chapter 145. of the Revised Code;

- (2) The continuation of collective bargaining rights;
- (3) The protection of individual employees against a worsening of their positions with respect to their employment;
- (4) Assurances of employment to employees of those transit systems and priority reemployment of employees terminated or laid off;
- (5) Paid training or retraining programs;
- (6) Signed written labor agreements.

The arrangements may include provisions for the submission of labor disputes to final and binding arbitration.

(Y) May provide for and maintain security operations, including a transit police department, subject to section 306.352 of the Revised Code. Regional transit authority police officers shall have the power and duty to act as peace officers within transit facilities owned, operated, or leased by the transit authority to protect the transit authority's property and the person and property of passengers, to preserve the peace, and to enforce all laws of the state and ordinances and regulations of political subdivisions in which the transit authority operates. Regional transit authority police officers also shall have the power and duty to act as peace officers when they render emergency assistance outside their jurisdiction to any other peace officer who is not a regional transit authority police officer and who has arrest authority under section 2935.03 of the Revised Code. Regional transit authority police officers may render emergency assistance if there is a threat of imminent physical danger to the peace officer, a threat of physical harm to another person, or any other serious emergency situation and if either the peace officer who is assisted requests emergency assistance or it appears that the peace officer who is assisted is unable to request emergency assistance and the circumstances observed by the regional transit authority police officer reasonably indicate that emergency assistance is appropriate.

Before exercising powers of arrest and the other powers and duties of a peace officer, each regional transit authority police officer shall take an oath and give bond to the state in a sum that the board of trustees prescribes for the proper performance of the officer's duties.

Persons employed as regional transit authority police officers shall complete training for the position to which they have been appointed as required by the Ohio peace officer training commission as authorized in section 109.77 of the Revised Code, or be otherwise qualified. The cost of the training shall be provided by the regional transit authority.

(Z) May procure a policy or policies insuring members of its board of trustees against liability on account of damages or injury to persons and property resulting from any act or omission of a member in the member's official capacity as a member of the board or resulting solely out of the member's membership on the board;

(AA) May enter into any agreement for the sale and leaseback or lease and leaseback of transit facilities, which agreement may contain all necessary covenants for the security and protection of any lessor or the regional transit authority including, but not limited to, indemnification

of the lessor against the loss of anticipated tax benefits arising from acts, omissions, or misrepresentations of the regional transit authority. In connection with that transaction, the regional transit authority may contract for insurance and letters of credit and pay any premiums or other charges for the insurance and letters of credit. The fiscal officer shall not be required to furnish any certificate under section 5705.41 of the Revised Code in connection with the execution of any such agreement.

(BB) In regard to any contract entered into on or after March 19, 1993, for the rendering of services or the supplying of materials or for the construction, demolition, alteration, repair, or reconstruction of transit facilities in which a bond is required for the faithful performance of the contract, may permit the person awarded the contract to utilize a letter of credit issued by a bank or other financial institution in lieu of the bond;

(CC) May enter into agreements with municipal corporations located within the territorial jurisdiction of the regional transit authority permitting regional transit authority police officers employed under division (Y) of this section to exercise full arrest powers, as provided in section 2935.03 of the Revised Code, for the purpose of preserving the peace and enforcing all laws of the state and ordinances and regulations of the municipal corporation within the areas that may be agreed to by the regional transit authority and the municipal corporation.

(DD) If it has a centralized transfer transportation hub with six or more service routes and is located in a county with a population between five hundred thirty-five thousand and five hundred forty thousand, according to the most recent decennial census, shall enter into and maintain a contract with one or more local law enforcement entities to enforce laws and ensure safety at or in the vicinity of the hub.

Sec. 306.43. (A) The board of trustees of a regional transit authority or any officer or employee designated by such board may make any contract for the purchase of goods or services, the cost of which does not exceed one hundred thousand dollars. When an expenditure, other than for the acquisition of real estate, the discharge of claims, or the acquisition of goods or services under the circumstances described in division (H) of this section, is expected to exceed one hundred thousand dollars, such expenditure shall be made through full and open competition by the use of competitive procedures. The regional transit authority shall use the competitive procedure, as set forth in divisions (B), (C), (D), and (E) of this section, that is most appropriate under the circumstances of the procurement.

(B) Competitive sealed bidding is the preferred method of procurement and a regional transit authority shall use that method if all of the following conditions exist:

- (1) A clear, complete, and adequate description of the goods, services, or work is available;
- (2) Time permits the solicitation, submission, and evaluation of sealed bids;
- (3) The award will be made on the basis of price and other price-related factors;
- (4) It is not necessary to conduct discussions with responding offerors about their bids;
- (5) There is a reasonable expectation of receiving more than one sealed bid.

A regional transit authority shall publish a notice calling for bids once a week for no less than two consecutive weeks in a newspaper of general circulation within the territorial boundaries of the regional transit authority, or as provided in section 7.16 of the Revised Code. A regional transit authority may require that a bidder for any contract other than a construction contract provide a bid guaranty in the form, quality, and amount considered appropriate by the regional transit authority. The board may let the contract to the lowest responsive and responsible bidder. Where fewer than two responsive bids are received, a regional transit authority may negotiate price with the sole responsive bidder or may rescind the solicitation and procure under division (H)(2) of this section.

(C) A regional transit authority may use two-step competitive bidding, consisting of a technical proposal and a separate, subsequent sealed price bid from those submitting acceptable technical proposals, if both of the following conditions exist:

(1) A clear, complete, and adequate description of the goods, services, or work is not available, but definite criteria exist for the evaluation of technical proposals;

(2) It is necessary to conduct discussions with responding offerors.

A regional transit authority shall publish a notice calling for technical proposals once a week for no less than two consecutive weeks in a newspaper of general circulation within the territorial boundaries of the regional transit authority, or as provided in section 7.16 of the Revised Code. A regional transit authority may require a bid guaranty in the form, quality, and amount the regional transit authority considers appropriate. The board may let the contract to the lowest responsive and responsible bidder. Where fewer than two responsive and responsible bids are received, a regional transit authority may negotiate price with the sole responsive and responsible bidder or may rescind the solicitation and procure under division (H)(2) of this section.

(D) A regional transit authority shall make a procurement by competitive proposals if competitive sealed bidding or two-step competitive bidding is not appropriate.

A regional transit authority shall publish a notice calling for proposals once a week for no less than two consecutive weeks in a newspaper of general circulation within the territorial boundaries of the regional transit authority, or as provided in section 7.16 of the Revised Code. A regional transit authority may require a proposal guaranty in the form, quality, and amount considered appropriate by the regional transit authority. The board may let the contract to the proposer making the offer considered most advantageous to the authority. Where fewer than two competent proposals are received, a regional transit authority may negotiate price and terms with the sole proposer or may rescind the solicitation and procure under division (H)(2) of this section.

(E)(1) A regional transit authority shall procure the services of an architect or engineer in the manner prescribed by the "Federal Mass Transportation Act of 1987," Public Law No. 100-17, section 316, 101 Stat. 227, 232-234, 49 U.S.C.A. app. 1608 and the services of a construction manager in the manner prescribed by sections 9.33 to 9.332 of the Revised Code.

(2) A regional transit authority may procure revenue rolling stock in the manner prescribed by division (B), (C), or (D) of this section.

(3) All contracts for construction in excess of one hundred thousand dollars shall be made only after the regional transit authority has published a notice calling for bids once a week for two consecutive weeks in a newspaper of general circulation within the territorial boundaries of the regional transit authority, or as provided in section 7.16 of the Revised Code. The board may award a contract to the lowest responsive and responsible bidder. Where only one responsive and responsible bid is received, the regional transit authority may negotiate price with the sole responsive bidder or may rescind the solicitation. The regional transit authority shall award construction contracts in accordance with sections 153.12 to 153.14 and 153.54 of the Revised Code. Divisions (B) and (C) of this section shall not apply to the award of contracts for construction.

~~(F)~~(F)(1) As used in division (F)(2) of this section, "simplified acquisition threshold" means the amount set forth in 41 U.S.C. 134.

(2) The board may adopt a policy on whether board approval is required to enter into a contract involving expenditures below the simplified acquisition threshold. The board shall approve all contracts involving expenditures at or above the simplified acquisition threshold.

(3) All contracts involving expenditures in excess of one hundred thousand dollars the amount for which board approval is required shall be in writing and shall be accompanied by or shall refer to plans and specifications for the work to be done. The plans and specifications shall at all times be made and considered part of the contract. For all contracts other than construction contracts, a regional transit authority may require performance, payment, or maintenance guaranties or any combination of such guaranties in the form, quality, and amount it considers appropriate. The contract shall be approved by the board and signed on behalf of the regional transit authority and by the contractor.

(G) In making a contract, a regional transit authority may give preference to goods produced in the United States in accordance with the Buy America requirements in the "Surface Transportation Assistance Act of 1982," Public Law No. 97-424, section 165, 96 Stat. 2097, 23 U.S.C.A. 101 note, as amended, and the rules adopted thereunder. The regional transit authority also may give preference to providers of goods produced in and services provided in labor surplus areas as defined by the United States department of labor in 41 U.S.C.A. 401 note, Executive Order No. 12073, August 16, 1978, 43 Fed. Reg. 36873, as amended.

(H) Competitive procedures under this section are not required in any of the following circumstances:

(1) The board of trustees of a regional transit authority, by a two-thirds affirmative vote of its members, determines that a real and present emergency exists under any of the following conditions, and the board enters its determination and the reasons for it in its proceedings:

(a) Affecting safety, welfare, or the ability to deliver transportation services;

(b) Arising out of an interruption of contracts essential to the provision of daily transit services;

(c) Involving actual physical damage to structures, supplies, equipment, or property.

(2) The purchase consists of goods or services, or any combination thereof, and after reasonable inquiry the board or any officer or employee the board designates finds that only one source of supply is reasonably available.

(3) The expenditure is for a renewal or renegotiation of a lease or license for telecommunications or electronic data processing equipment, services, or systems, or for the upgrade of such equipment, services, or systems, or for the maintenance thereof as supplied by the original source or its successors or assigns.

(4) The purchase of goods or services is made from another political subdivision, public agency, public transit system, regional transit authority, the state, or the federal government, or as a third-party beneficiary under a state or federal procurement contract, or as a participant in a department of administrative services contract under division (B) of section 125.04 of the Revised Code.

(5) The sale and leaseback or lease and leaseback of transit facilities is made as provided in division (AA) of section 306.35 of the Revised Code.

(6) The purchase substantially involves services of a personal, professional, highly technical, or scientific nature, including but not limited to the services of an attorney, physician, surveyor, appraiser, investigator, court reporter, adjuster, advertising consultant, or licensed broker, or involves the special skills or proprietary knowledge required for the servicing of specialized equipment owned by the regional transit authority.

(7) Services or supplies are available from a qualified nonprofit agency pursuant to sections 4115.31 to 4115.35 of the Revised Code.

(8) The purchase consists of the product or services of a public utility.

(9) The purchase is for the services of individuals with disabilities to work in the authority's commissaries or cafeterias, and those individuals are supplied by a nonprofit corporation or association whose purpose is to assist individuals with disabilities, whether or not that corporation or association is funded entirely or in part by the federal government, or the purchase is for services provided by a nonprofit corporation or association whose purpose is to assist individuals with disabilities, whether or not that corporation or association is funded entirely or in part by the federal government. For purposes of division (H)(9) of this section, "disability" has the same meaning as in section 4112.01 of the Revised Code.

(I) A regional transit authority may enter into blanket purchase agreements for purchases of maintenance, operating, or repair goods or services where the item cost does not exceed five hundred dollars and the annual expenditure does not exceed one hundred thousand dollars.

(J) Nothing contained in this section prohibits a regional transit authority from participating in intergovernmental cooperative purchasing arrangements.

(K) Except as otherwise provided in this chapter, a regional transit authority shall make a sale or other disposition of property through full and open competition. Except as provided in division (L) of this section, all dispositions of personal property and all grants of real property for

terms exceeding five years shall be made by public auction or competitive procedure.

(L) The competitive procedures required by division (K) of this section are not required in any of the following circumstances:

(1) The grant is a component of a joint development between public and private entities and is intended to enhance or benefit public transit.

(2) The grant of a limited use or of a license affecting land is made to an owner of abutting real property.

(3) The grant of a limited use is made to a public utility.

(4) The grant or disposition is to a department of the federal or state government, to a political subdivision of the state, or to any other governmental entity.

(5) Used equipment is traded on the purchase of equipment and the value of the used equipment is a price-related factor in the basis for award for the purchase.

(6) The value of the personal property is such that competitive procedures are not appropriate and the property either is sold at its fair market value or is disposed of by gift to a nonprofit entity having the general welfare or education of the public as one of its principal objects.

(M) The board of trustees of a regional transit authority, when making a contract funded exclusively by state or local moneys or any combination thereof, shall make a good faith effort to use disadvantaged business enterprise participation to the same extent required under Section 105(f) of the "Surface Transportation Assistance Act of 1982," Public Law No. 97-424, 96 Stat. 2100, and Section 106(c) of the "Surface Transportation and Uniform Relocation Assistance Act of 1987," Public Law No. 100-17, 101 Stat. 145, and the rules adopted thereunder.

(N) As used in this section:

(1) "Goods" means all things, including specially manufactured goods, that are movable at the time of identification to the contract for sale other than the money in which the price is to be paid, investment securities, and things in action. "Goods" also includes other identified things attached to realty as described in section 1302.03 of the Revised Code.

(2) "Services" means the furnishing of labor, time, or effort by a contractor, not involving the delivery of goods or reports other than goods or reports that are merely incidental to the required performance, including but not limited to insurance, bonding, or routine operation, routine repair, or routine maintenance of existing structures, buildings, real property, or equipment, but does not include employment agreements, collective bargaining agreements, or personal services.

(3) "Construction" means the process of building, altering, repairing, improving, painting, decorating, or demolishing any structure or building, or other improvements of any kind to any real property owned or leased by a regional transit authority.

(4) "Full and open competition" has the same meaning as in the "Office of Federal Procurement Policy Act," Public Law No. 98-369, section 2731, 98 Stat. 1195 (1984), 41 U.S.C.A. 403.

(5) A bidder is "responsive" if, applying the criteria of division (A) of section 9.312 of the

Revised Code, the bidder is "responsive" as described in that section.

(6) A bidder is "responsible" if, applying the criteria of division (B) of section 9.312 of the Revised Code and of the "Office of Federal Procurement Policy Act," Public Law No. 98-369, section 2731, 98 Stat. 1195 (1984), 41 U.S.C.A. 403, the bidder is "responsible" as described in those sections.

Sec. 717.02. (A) As used in this section:

(1) "Energy conservation measure" means the construction of, installation or modification of an installation in, or remodeling of, a new or existing building or infrastructure, to reduce energy consumption. It includes:

- (a) Insulation of the building structure and of systems within the building;
- (b) Storm windows and doors, multiglazed windows and doors, heat-absorbing or heat-reflective glazed and coated window and door systems, additional glazing, reductions in glass area, and other window and door system modifications that reduce energy consumption;
- (c) Automatic energy control systems;
- (d) Heating, ventilating, or air conditioning system modifications or replacements;
- (e) Caulking and weatherstripping;
- (f) Replacement or modification of lighting fixtures to increase the energy efficiency of the system without increasing the overall illumination of a facility, unless such an increase in illumination is necessary to conform to the applicable state or local building code for the proposed lighting system;
- (g) Energy recovery systems;
- (h) Cogeneration systems that produce steam or forms of energy such as heat, as well as electricity, for use primarily within a building or complex of buildings;
- (i) Acquiring, constructing, furnishing, equipping, improving the site of, or otherwise improving a central utility plant to provide heating and cooling services to a building or building infrastructure together with distribution piping and ancillary distribution controls, equipment, and related facilities from the central utility plant to the building or building infrastructure;
- (j) Meter replacement, installation of an automatic meter reading system, or any other construction, modification, installation, or remodeling of water, electric, gas, or any other municipally supplied utility system;
- (k) Any other construction, modification, installation, or remodeling approved by the legislative authority of the municipal corporation as an energy conservation measure.

(2) "Infrastructure" includes, but is not limited to, a water, gas, or electric utility, renewable energy system or technology, highway traffic ~~control~~-signal, or any other asset owned, operated, or maintained by a municipal corporation.

(B) For the purpose of evaluating buildings owned by a municipal corporation for energy conservation measures, a legislative authority of a municipal corporation may contract with an architect, professional engineer, energy services company, contractor, or other person experienced in

the design and implementation of energy conservation measures for an energy conservation report. The report shall include all of the following:

- (1) Analyses of the energy needs of the buildings owned by that municipal corporation and recommendations for building installations, modifications of existing installations, or building remodeling that would significantly reduce energy consumption in the buildings;
- (2) Estimates of all costs of the recommended installations, modifications, or remodeling, including costs of design, engineering, installation, maintenance, and repair;
- (3) Estimates of the amounts by which energy consumption could be reduced;
- (4) The interest rate used to estimate the costs of any energy conservation measures that are to be financed by the municipal corporation;
- (5) The average system life of the energy conservation measures;
- (6) Estimates of the likely savings that will result from the reduction in energy consumption over the average system life of the energy conservation measures, including the methods used to estimate the savings;
- (7) A certification under the seal of a registered professional engineer that the energy conservation report uses reasonable methods of analysis and estimation.

(C)(1) A municipal corporation desiring to implement energy conservation measures may proceed under any of the following methods:

- (a) Procure the energy conservation measures in any manner authorized by the municipal corporation's charter, ordinances, or any other existing authority;
- (b) Advertise for bids using a report or any part of an energy conservation report prepared under division (B) of this section, and, except as otherwise provided in this section, comply with competitive bidding requirements;
- (c) Notwithstanding any requirement in the Revised Code that requires competitive bidding or specifies bidding procedures, request proposals from at least three vendors for the implementation of energy conservation measures. A request for proposals shall require the vendor that is awarded a contract under division (C)(2)(b) of this section to prepare an energy conservation report in accordance with division (B) of this section.

Prior to sending any vendor a copy of any request for proposals, the legislative authority shall advertise its intent to request proposals for the installation of energy conservation measures in a newspaper of general circulation in the municipal corporation once a week for two consecutive weeks. The notice shall state that the legislative authority intends to request proposals for the installation of energy conservation measures, indicate the date on which the request for proposals will be mailed to vendors, which shall be at least ten days after the second publication in the newspaper, and state that any vendor interested in receiving the request for proposals shall submit written notice to the legislative authority not later than noon of the day on which the request for proposals is to be mailed.

- (2)(a) Upon receiving bids under division (C)(1)(b) of this section, the legislative authority

shall analyze them and select the lowest and best bid or bids most likely to result in the greatest energy savings considering the cost of the project and the legislative authority's ability to pay for the improvements with current revenues or by financing the improvements.

(b) Upon receiving proposals under division (C)(1)(c) of this section, the legislative authority shall analyze the proposals and the vendors' qualifications and select the most qualified vendor to prepare an energy conservation report in accordance with division (B) of this section. After receipt and review of the energy conservation report, the legislative authority may award a contract to the selected vendor to install the energy conservation measures that are most likely to result in the greatest energy savings considering the cost of the project and the legislative authority's ability to pay for the improvements with current revenues or by financing the improvements.

(c) The awarding of a contract to install energy conservation measures under division (C)(2)(a) or (b) of this section shall be conditioned upon a finding by the contracting authority that the amount of money spent on energy conservation measures is not likely to exceed the amount of money the municipal corporation would save in energy, operating, maintenance, and avoided capital costs over the average system life of the energy conservation measures as specified in the energy conservation report. In making such a finding, the contracting authority may take into account the increased costs due to inflation as shown in the energy conservation report. Nothing in this division prohibits a municipal corporation from rejecting all bids or proposals under division (C)(1)(b) or (c) of this section or from selecting more than one bid or proposal.

(D) The legislative authority of a municipal corporation may enter into an installment payment contract for the purchase and installation of energy conservation measures. Provisions of installment payment contracts that deal with interest charges and financing terms shall not be subject to competitive bidding requirements and shall be on the following terms:

(1) Not less than a specified percentage of the costs of the contract shall be paid within two years from the date of purchase, as determined and approved by the legislative authority of a municipal corporation.

(2) The remaining balance of the costs of the contract shall be paid within the lesser of the average system life of the energy conservation measures as specified in the energy conservation report or thirty years.

(E) The legislative authority of a municipal corporation may issue the notes of the municipal corporation specifying the terms of a purchase of energy conservation measures under this section and securing any deferred payments provided for in division ~~(C)~~(D) of this section. The notes shall be payable at the times provided and bear interest at a rate not exceeding the rate determined as provided in section 9.95 of the Revised Code. The notes may contain an option for prepayment and shall not be subject to Chapter 133. of the Revised Code. Revenues derived from local taxes or otherwise, for the purpose of conserving energy or for defraying the current operating expenses of the municipal corporation, may be pledged and applied to the payment of interest and the retirement of the notes. The notes may be sold at private sale or given to the contractor under an installment

payment contract authorized by division ~~(C)~~(D) of this section.

(F) Debt incurred under this section shall not be included in the calculation of the net indebtedness of a municipal corporation under section 133.05 of the Revised Code.

Sec. 1548.061. (A) Notwithstanding any general requirement in this chapter to the effect that an application for a certificate of title to a watercraft or outboard motor shall be "sworn to" or shall be "sworn to before a notary public or other officer empowered to administer oaths," that requirement shall apply only in the case of a transfer of a watercraft or outboard motor between parties in the course of a sale by a person other than a registered watercraft dealer, as defined in section 1546.01 of the Revised Code, to a person who purchases the watercraft or outboard motor for use as a consumer.

(B)(1) Notwithstanding any provision of the Revised Code to the contrary that requires a document to be "sworn to before" or "signed in the presence of" a notary or other officer empowered to administer oaths, when a registered watercraft dealer is a party to the transfer of a watercraft or outboard motor, no notarization is required on any of the following as it relates to a watercraft or outboard motor:

(a) A certificate of title;

(b) An assignment of ownership;

(c) A power of attorney used for the purposes of titling;

(d) Any document related to the titling that the dealer is required to provide to a clerk of a court of common pleas.

(2) A clerk of courts may request a notarized affidavit to make corrections to the documents listed in division (B)(1) of this section, if necessary.

(3) All documents provided to a clerk of courts under division (B) of this section may be signed electronically.

Sec. 1548.062. (A)(1) Notwithstanding section 1337.06 of the Revised Code, a registered watercraft dealer, as defined in section 1546.01 of the Revised Code, involved in a title transfer, or the employee or agent of the registered watercraft dealer, may be granted power of attorney by the principal to become the principal's attorney in fact.

(2) The power of attorney granted under division (A)(1) of this section may be used only when the granting instrument limits the power of the attorney in fact to act on the principal's behalf for either of the following:

(a) Making an assignment of a certificate of title;

(b) Completing an application for a certificate of title.

(3) Such instrument shall state the following, as applicable, to which the grant of power applies:

(a) A description of the watercraft, including the make, year, length, series or model, if any, body type, hull identification number or serial number, and make, manufacturer's serial number, and horsepower of any inboard motor;

(b) A description of the outboard motor, including the make, year, series or model, if any, manufacturer's serial number, and horsepower.

(B) The power of attorney is exempt from the requirements of notarization and verification as described in this chapter and in section 1337.25 of the Revised Code, and the documents may be signed electronically. This power of attorney shall be presented to the clerk of the court of common pleas when used to transfer title to a watercraft or outboard motor and shall be retained by the clerk in the same manner that a certificate of title is retained.

Sec. 2935.03. (A)(1) A sheriff, deputy sheriff, marshal, deputy marshal, municipal police officer, township constable, police officer of a township or joint police district, member of a police force employed by a metropolitan housing authority under division (D) of section 3735.31 of the Revised Code, member of a police force employed by a regional transit authority under division (Y) of section 306.35 of the Revised Code, state university law enforcement officer appointed under section 3345.04 of the Revised Code, veterans' home police officer appointed under section 5907.02 of the Revised Code, special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code, or a special police officer employed by a municipal corporation at a municipal airport, or other municipal air navigation facility, that has scheduled operations, as defined in section 119.3 of Title 14 of the Code of Federal Regulations, 14 C.F.R. 119.3, as amended, and that is required to be under a security program and is governed by aviation security rules of the transportation security administration of the United States department of transportation as provided in Parts 1542. and 1544. of Title 49 of the Code of Federal Regulations, as amended, shall arrest and detain, until a warrant can be obtained, a person found violating, within the limits of the political subdivision, metropolitan housing authority housing project, regional transit authority facilities or areas of a municipal corporation that have been agreed to by a regional transit authority and a municipal corporation located within its territorial police department's jurisdiction under Chapter 306. of the Revised Code, college, university, veterans' home operated under Chapter 5907. of the Revised Code, port authority, or municipal airport or other municipal air navigation facility, in which the peace officer is appointed, employed, or elected, a law of this state, an ordinance of a municipal corporation, or a resolution of a township.

(2) A peace officer of the department of natural resources, a state fire marshal law enforcement officer described in division (A)(23) of section 109.71 of the Revised Code, or an individual designated to perform law enforcement duties under section 511.232, 1545.13, or 6101.75 of the Revised Code shall arrest and detain, until a warrant can be obtained, a person found violating, within the limits of the peace officer's, state fire marshal law enforcement officer's, or individual's territorial jurisdiction, a law of this state.

(3) The house sergeant at arms, if the house sergeant at arms has arrest authority pursuant to division (E)(1) of section 101.311 of the Revised Code, and an assistant house sergeant at arms shall arrest and detain, until a warrant can be obtained, a person found violating, within the limits of the sergeant at arms's or assistant sergeant at arms's territorial jurisdiction specified in division (D)(1)(a)

of section 101.311 of the Revised Code or while providing security pursuant to division (D)(1)(f) of section 101.311 of the Revised Code, a law of this state, an ordinance of a municipal corporation, or a resolution of a township.

(4) The senate sergeant at arms and an assistant senate sergeant at arms shall arrest and detain, until a warrant can be obtained, a person found violating, within the limits of the sergeant at arms's or assistant sergeant at arms's territorial jurisdiction specified in division (B) of section 101.312 of the Revised Code, a law of this state, an ordinance of a municipal corporation, or a resolution of a township.

(B)(1) When there is reasonable ground to believe that an offense of violence, the offense of criminal child enticement as defined in section 2905.05 of the Revised Code, the offense of public indecency as defined in section 2907.09 of the Revised Code, the offense of domestic violence as defined in section 2919.25 of the Revised Code, the offense of violating a protection order as defined in section 2919.27 of the Revised Code, the offense of menacing by stalking as defined in section 2903.211 of the Revised Code, the offense of aggravated trespass as defined in section 2911.211 of the Revised Code, a theft offense as defined in section 2913.01 of the Revised Code, or a felony drug abuse offense as defined in section 2925.01 of the Revised Code, has been committed within the limits of the political subdivision, metropolitan housing authority housing project, regional transit authority ~~facilities or those areas of a municipal corporation that have been agreed to by a regional transit authority and a municipal corporation located within its territorial police department's jurisdiction under Chapter 306. of the Revised Code~~, college, university, veterans' home operated under Chapter 5907. of the Revised Code, port authority, or municipal airport or other municipal air navigation facility, in which the peace officer is appointed, employed, or elected or within the limits of the territorial jurisdiction of the peace officer, a peace officer described in division (A) of this section may arrest and detain until a warrant can be obtained any person who the peace officer has reasonable cause to believe is guilty of the violation.

(2) For purposes of division (B)(1) of this section, the execution of any of the following constitutes reasonable ground to believe that the offense alleged in the statement was committed and reasonable cause to believe that the person alleged in the statement to have committed the offense is guilty of the violation:

(a) A written statement by a person alleging that an alleged offender has committed the offense of menacing by stalking or aggravated trespass;

(b) A written statement by the administrator of the interstate compact on mental health appointed under section 5119.71 of the Revised Code alleging that a person who had been hospitalized, institutionalized, or confined in any facility under an order made pursuant to or under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code has escaped from the facility, from confinement in a vehicle for transportation to or from the facility, or from supervision by an employee of the facility that is incidental to hospitalization, institutionalization, or confinement in the facility and that occurs outside of the

facility, in violation of section 2921.34 of the Revised Code;

(c) A written statement by the administrator of any facility in which a person has been hospitalized, institutionalized, or confined under an order made pursuant to or under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code alleging that the person has escaped from the facility, from confinement in a vehicle for transportation to or from the facility, or from supervision by an employee of the facility that is incidental to hospitalization, institutionalization, or confinement in the facility and that occurs outside of the facility, in violation of section 2921.34 of the Revised Code.

(3)(a) For purposes of division (B)(1) of this section, a peace officer described in division (A) of this section has reasonable grounds to believe that the offense of domestic violence or the offense of violating a protection order has been committed and reasonable cause to believe that a particular person is guilty of committing the offense if any of the following occurs:

(i) A person executes a written statement alleging that the person in question has committed the offense of domestic violence or the offense of violating a protection order against the person who executes the statement or against a child of the person who executes the statement.

(ii) No written statement of the type described in division (B)(3)(a)(i) of this section is executed, but the peace officer, based upon the peace officer's own knowledge and observation of the facts and circumstances of the alleged incident of the offense of domestic violence or the alleged incident of the offense of violating a protection order or based upon any other information, including, but not limited to, any reasonably trustworthy information given to the peace officer by the alleged victim of the alleged incident of the offense or any witness of the alleged incident of the offense, concludes that there are reasonable grounds to believe that the offense of domestic violence or the offense of violating a protection order has been committed and reasonable cause to believe that the person in question is guilty of committing the offense.

(iii) No written statement of the type described in division (B)(3)(a)(i) of this section is executed, but the peace officer witnessed the person in question commit the offense of domestic violence or the offense of violating a protection order.

(b) If pursuant to division (B)(3)(a) of this section a peace officer has reasonable grounds to believe that the offense of domestic violence or the offense of violating a protection order has been committed and reasonable cause to believe that a particular person is guilty of committing the offense, it is the preferred course of action in this state that the officer arrest and detain that person pursuant to division (B)(1) of this section until a warrant can be obtained.

If pursuant to division (B)(3)(a) of this section a peace officer has reasonable grounds to believe that the offense of domestic violence or the offense of violating a protection order has been committed and reasonable cause to believe that family or household members have committed the offense against each other, it is the preferred course of action in this state that the officer, pursuant to division (B)(1) of this section, arrest and detain until a warrant can be obtained the family or household member who committed the offense and whom the officer has reasonable cause to believe

is the primary physical aggressor. There is no preferred course of action in this state regarding any other family or household member who committed the offense and whom the officer does not have reasonable cause to believe is the primary physical aggressor, but, pursuant to division (B)(1) of this section, the peace officer may arrest and detain until a warrant can be obtained any other family or household member who committed the offense and whom the officer does not have reasonable cause to believe is the primary physical aggressor.

(c) If a peace officer described in division (A) of this section does not arrest and detain a person whom the officer has reasonable cause to believe committed the offense of domestic violence or the offense of violating a protection order when it is the preferred course of action in this state pursuant to division (B)(3)(b) of this section that the officer arrest that person, the officer shall articulate in the written report of the incident required by section 2935.032 of the Revised Code a clear statement of the officer's reasons for not arresting and detaining that person until a warrant can be obtained.

(d) In determining for purposes of division (B)(3)(b) of this section which family or household member is the primary physical aggressor in a situation in which family or household members have committed the offense of domestic violence or the offense of violating a protection order against each other, a peace officer described in division (A) of this section, in addition to any other relevant circumstances, should consider all of the following:

(i) Any history of domestic violence or of any other violent acts by either person involved in the alleged offense that the officer reasonably can ascertain;

(ii) If violence is alleged, whether the alleged violence was caused by a person acting in self-defense;

(iii) Each person's fear of physical harm, if any, resulting from the other person's threatened use of force against any person or resulting from the other person's use or history of the use of force against any person, and the reasonableness of that fear;

(iv) The comparative severity of any injuries suffered by the persons involved in the alleged offense.

(e)(i) A peace officer described in division (A) of this section shall not require, as a prerequisite to arresting or charging a person who has committed the offense of domestic violence or the offense of violating a protection order, that the victim of the offense specifically consent to the filing of charges against the person who has committed the offense or sign a complaint against the person who has committed the offense.

(ii) If a person is arrested for or charged with committing the offense of domestic violence or the offense of violating a protection order and if the victim of the offense does not cooperate with the involved law enforcement or prosecuting authorities in the prosecution of the offense or, subsequent to the arrest or the filing of the charges, informs the involved law enforcement or prosecuting authorities that the victim does not wish the prosecution of the offense to continue or wishes to drop charges against the alleged offender relative to the offense, the involved prosecuting

authorities, in determining whether to continue with the prosecution of the offense or whether to dismiss charges against the alleged offender relative to the offense and notwithstanding the victim's failure to cooperate or the victim's wishes, shall consider all facts and circumstances that are relevant to the offense, including, but not limited to, the statements and observations of the peace officers who responded to the incident that resulted in the arrest or filing of the charges and of all witnesses to that incident.

(f) In determining pursuant to divisions (B)(3)(a) to (g) of this section whether to arrest a person pursuant to division (B)(1) of this section, a peace officer described in division (A) of this section shall not consider as a factor any possible shortage of cell space at the detention facility to which the person will be taken subsequent to the person's arrest or any possibility that the person's arrest might cause, contribute to, or exacerbate overcrowding at that detention facility or at any other detention facility.

(g) If a peace officer described in division (A) of this section intends pursuant to divisions (B)(3)(a) to (g) of this section to arrest a person pursuant to division (B)(1) of this section and if the officer is unable to do so because the person is not present, the officer promptly shall seek a warrant for the arrest of the person.

(h) If a peace officer described in division (A) of this section responds to a report of an alleged incident of the offense of domestic violence or an alleged incident of the offense of violating a protection order and if the circumstances of the incident involved the use or threatened use of a deadly weapon or any person involved in the incident brandished a deadly weapon during or in relation to the incident, the deadly weapon that was used, threatened to be used, or brandished constitutes contraband, and, to the extent possible, the officer shall seize the deadly weapon as contraband pursuant to Chapter 2981. of the Revised Code. Upon the seizure of a deadly weapon pursuant to division (B)(3)(h) of this section, section 2981.12 of the Revised Code shall apply regarding the treatment and disposition of the deadly weapon. For purposes of that section, the "underlying criminal offense" that was the basis of the seizure of a deadly weapon under division (B)(3)(h) of this section and to which the deadly weapon had a relationship is any of the following that is applicable:

(i) The alleged incident of the offense of domestic violence or the alleged incident of the offense of violating a protection order to which the officer who seized the deadly weapon responded;

(ii) Any offense that arose out of the same facts and circumstances as the report of the alleged incident of the offense of domestic violence or the alleged incident of the offense of violating a protection order to which the officer who seized the deadly weapon responded.

(4) If, in the circumstances described in divisions (B)(3)(a) to (g) of this section, a peace officer described in division (A) of this section arrests and detains a person pursuant to division (B)(1) of this section, or if, pursuant to division (B)(3)(h) of this section, a peace officer described in division (A) of this section seizes a deadly weapon, the officer, to the extent described in and in accordance with section 9.86 or 2744.03 of the Revised Code, is immune in any civil action for

damages for injury, death, or loss to person or property that arises from or is related to the arrest and detention or the seizure.

(C) When there is reasonable ground to believe that a violation of division (A)(1), (2), (3), (4), or (5) of section 4506.15 or a violation of section 4511.19 of the Revised Code has been committed by a person operating a motor vehicle subject to regulation by the public utilities commission of Ohio under Title XLIX of the Revised Code, a peace officer with authority to enforce that provision of law may stop or detain the person whom the officer has reasonable cause to believe was operating the motor vehicle in violation of the division or section and, after investigating the circumstances surrounding the operation of the vehicle, may arrest and detain the person.

(D) If a sheriff, deputy sheriff, marshal, deputy marshal, municipal police officer, member of a police force employed by a metropolitan housing authority under division (D) of section 3735.31 of the Revised Code, member of a police force employed by a regional transit authority under division (Y) of section 306.35 of the Revised Code, special police officer employed by a port authority under section 4582.04 or 4582.28 of the Revised Code, special police officer employed by a municipal corporation at a municipal airport or other municipal air navigation facility described in division (A) of this section, township constable, police officer of a township or joint police district, state university law enforcement officer appointed under section 3345.04 of the Revised Code, peace officer of the department of natural resources, individual designated to perform law enforcement duties under section 511.232, 1545.13, or 6101.75 of the Revised Code, the house sergeant at arms if the house sergeant at arms has arrest authority pursuant to division (E)(1) of section 101.311 of the Revised Code, or an assistant house sergeant at arms is authorized by division (A) or (B) of this section to arrest and detain, within the limits of the political subdivision, metropolitan housing authority housing project, regional transit authority ~~facilities or those areas of a municipal corporation that have been agreed to by a regional transit authority and a municipal corporation located within its territorial~~ police department's jurisdiction under Chapter 306. of the Revised Code, port authority, municipal airport or other municipal air navigation facility, college, or university in which the officer is appointed, employed, or elected or within the limits of the territorial jurisdiction of the peace officer, a person until a warrant can be obtained, the peace officer, outside the limits of that territory, may pursue, arrest, and detain that person until a warrant can be obtained if all of the following apply:

(1) The pursuit takes place without unreasonable delay after the offense is committed;

(2) The pursuit is initiated within the limits of the political subdivision, metropolitan housing authority housing project, regional transit authority ~~facilities or those areas of a municipal corporation that have been agreed to by a regional transit authority and a municipal corporation located within its territorial~~ police department's jurisdiction under Chapter 306. of the Revised Code, port authority, municipal airport or other municipal air navigation facility, college, or university in which the peace officer is appointed, employed, or elected or within the limits of the territorial jurisdiction of the peace officer;

(3) The offense involved is a felony, a misdemeanor of the first degree or a substantially equivalent municipal ordinance, a misdemeanor of the second degree or a substantially equivalent municipal ordinance, or any offense for which points are chargeable pursuant to section 4510.036 of the Revised Code.

(E) In addition to the authority granted under division (A) or (B) of this section:

(1) A sheriff or deputy sheriff may arrest and detain, until a warrant can be obtained, any person found violating section 4503.11, 4503.21, or 4549.01, sections 4549.08 to 4549.12, section 4549.62, or Chapter 4511. or 4513. of the Revised Code on the portion of any street or highway that is located immediately adjacent to the boundaries of the county in which the sheriff or deputy sheriff is elected or appointed.

(2) A member of the police force of a township police district created under section 505.48 of the Revised Code, a member of the police force of a joint police district created under section 505.482 of the Revised Code, or a township constable appointed in accordance with section 509.01 of the Revised Code, who has received a certificate from the Ohio peace officer training commission under section 109.75 of the Revised Code, may arrest and detain, until a warrant can be obtained, any person found violating any section or chapter of the Revised Code listed in division (E)(1) of this section, other than sections 4513.33 and 4513.34 of the Revised Code, on the portion of any street or highway that is located immediately adjacent to the boundaries of the township police district or joint police district, in the case of a member of a township police district or joint police district police force, or the unincorporated territory of the township, in the case of a township constable. However, if the population of the township that created the township police district served by the member's police force, or the townships and municipal corporations that created the joint police district served by the member's police force, or the township that is served by the township constable, is sixty thousand or less, the member of the township police district or joint police district police force or the township constable may not make an arrest under division (E)(2) of this section on a state highway that is included as part of the interstate system.

(3) A police officer or village marshal appointed, elected, or employed by a municipal corporation may arrest and detain, until a warrant can be obtained, any person found violating any section or chapter of the Revised Code listed in division (E)(1) of this section on the portion of any street or highway that is located immediately adjacent to the boundaries of the municipal corporation in which the police officer or village marshal is appointed, elected, or employed.

(4) A peace officer of the department of natural resources, a state fire marshal law enforcement officer described in division (A)(23) of section 109.71 of the Revised Code, or an individual designated to perform law enforcement duties under section 511.232, 1545.13, or 6101.75 of the Revised Code may arrest and detain, until a warrant can be obtained, any person found violating any section or chapter of the Revised Code listed in division (E)(1) of this section, other than sections 4513.33 and 4513.34 of the Revised Code, on the portion of any street or highway that is located immediately adjacent to the boundaries of the lands and waters that constitute the

territorial jurisdiction of the peace officer or state fire marshal law enforcement officer.

(F)(1) A department of mental health and addiction services special police officer or a department of developmental disabilities special police officer may arrest without a warrant and detain until a warrant can be obtained any person found committing on the premises of any institution under the jurisdiction of the particular department a misdemeanor under a law of the state.

A department of mental health and addiction services special police officer or a department of developmental disabilities special police officer may arrest without a warrant and detain until a warrant can be obtained any person who has been hospitalized, institutionalized, or confined in an institution under the jurisdiction of the particular department pursuant to or under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code and who is found committing on the premises of any institution under the jurisdiction of the particular department a violation of section 2921.34 of the Revised Code that involves an escape from the premises of the institution.

(2)(a) If a department of mental health and addiction services special police officer or a department of developmental disabilities special police officer finds any person who has been hospitalized, institutionalized, or confined in an institution under the jurisdiction of the particular department pursuant to or under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code committing a violation of section 2921.34 of the Revised Code that involves an escape from the premises of the institution, or if there is reasonable ground to believe that a violation of section 2921.34 of the Revised Code has been committed that involves an escape from the premises of an institution under the jurisdiction of the department of mental health and addiction services or the department of developmental disabilities and if a department of mental health and addiction services special police officer or a department of developmental disabilities special police officer has reasonable cause to believe that a particular person who has been hospitalized, institutionalized, or confined in the institution pursuant to or under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code is guilty of the violation, the special police officer, outside of the premises of the institution, may pursue, arrest, and detain that person for that violation of section 2921.34 of the Revised Code, until a warrant can be obtained, if both of the following apply:

- (i) The pursuit takes place without unreasonable delay after the offense is committed;
- (ii) The pursuit is initiated within the premises of the institution from which the violation of section 2921.34 of the Revised Code occurred.

(b) For purposes of division (F)(2)(a) of this section, the execution of a written statement by the administrator of the institution in which a person had been hospitalized, institutionalized, or confined pursuant to or under authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code alleging that the person has escaped from the premises of the institution in violation of section 2921.34 of the Revised Code constitutes reasonable ground to believe that the violation was committed and reasonable cause to believe that the person alleged in

the statement to have committed the offense is guilty of the violation.

(G) As used in this section:

(1) A "department of mental health and addiction services special police officer" means a special police officer of the department of mental health and addiction services designated under section 5119.08 of the Revised Code who is certified by the Ohio peace officer training commission under section 109.77 of the Revised Code as having successfully completed an approved peace officer basic training program.

(2) A "department of developmental disabilities special police officer" means a special police officer of the department of developmental disabilities designated under section 5123.13 of the Revised Code who is certified by the Ohio peace officer training council under section 109.77 of the Revised Code as having successfully completed an approved peace officer basic training program.

(3) "Deadly weapon" has the same meaning as in section 2923.11 of the Revised Code.

(4) "Family or household member" has the same meaning as in section 2919.25 of the Revised Code.

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

(6) "Interstate system" has the same meaning as in section 5516.01 of the Revised Code.

(7) "Peace officer of the department of natural resources" means an employee of the department of natural resources who is a natural resources law enforcement staff officer designated pursuant to section 1501.013 of the Revised Code, a forest-fire investigator appointed pursuant to section 1503.09 of the Revised Code, a natural resources officer appointed pursuant to section 1501.24 of the Revised Code, or a wildlife officer designated pursuant to section 1531.13 of the Revised Code.

(8) "Portion of any street or highway" means all lanes of the street or highway irrespective of direction of travel, including designated turn lanes, and any berm, median, or shoulder.

Sec. 3503.11. (A)(1) When any person applies for a driver's license, commercial driver's license, a state of Ohio identification card issued under section 4507.50 of the Revised Code, or motorcycle operator's license or endorsement, or the renewal or duplicate of any license or endorsement under Chapter 4506. or 4507. of the Revised Code, and the person presents proof of United States citizenship to the registrar of motor vehicles or the deputy registrar or has previously presented proof of United States citizenship to the registrar or any deputy registrar, the registrar or deputy registrar shall offer the applicant the opportunity to register to vote or to update the applicant's voter registration by electronic means in conjunction with the person's transaction with the registrar or deputy registrar, in a manner prescribed by the secretary of state.

(2) When any person submits a notice of change of address to the registrar under division (C) of section 4507.09 of the Revised Code, the registrar shall offer the applicant the opportunity to submit a notice of change of address for voter registration purposes by electronic means in conjunction with the person's transaction with the registrar, in a manner prescribed by the secretary

of state.

(3) When a person registers to vote or updates the person's voter registration under division (A)(1) or (2) of this section, the registrar or deputy registrar shall electronically transmit the person's signature that is on file with the bureau of motor vehicles with the electronic record of the voter registration or update, and that signature shall be considered the person's signature on the voter registration or update and for all other election and signature-matching purposes.

(B) Within twenty-four hours after a person registers to vote or updates the person's voter registration under division (A) of this section, the registrar or deputy registrar shall transmit the electronic record of the voter registration or update to the secretary of state by electronic means in a manner prescribed by the secretary of state by rule. Rules adopted under this division shall do all of the following:

(1) Prohibit any direct electronic connection between the office of the registrar or a deputy registrar and the statewide voter registration database;

(2) Require any voter registration information to be verified by the secretary of state or a board of elections before the information is added to the statewide voter registration database;

(3) Require the registrar or deputy registrar to electronically date stamp each electronic record in a manner that does not disclose the identity of the office that receives the voter registration or update.

(C)(1) The registrar of motor vehicles and each deputy registrar also shall make available to all other customers paper voter registration applications and update forms, but are not required to offer assistance to customers in completing those forms. The bureau of motor vehicles shall supply all of its deputy registrars with a sufficient number of voter registration applications and update forms.

(2) Within five days after a person submits a completed paper voter registration application or update form to the registrar or a deputy registrar, the registrar or deputy registrar shall send the form to the board of elections of the county in which the office of the registrar or deputy registrar is located.

(D) The registrar shall collect from each deputy registrar through the reports filed under division (J) of section 4503.03 of the Revised Code and transmit to the secretary of state information on the number of voter registration applications and change of residence or change of name forms completed or declined, and any additional information required by the secretary of state to comply with the National Voter Registration Act of 1993. No information relating to an applicant's decision to decline to register or update the applicant's voter registration at the office of the registrar or deputy registrar may be used for any purpose other than voter registration record-keeping required by the secretary of state, and all such information shall be kept confidential.

Sec. 3704.14. (A)(1) If the director of environmental protection determines that implementation of a motor vehicle inspection and maintenance program is necessary for the state to effectively comply with the federal Clean Air Act after June 30, 2023, the director may provide for

the implementation of the program in those counties in this state in which such a program is federally mandated. Upon making such a determination, the director of environmental protection may request the director of administrative services to extend the terms of the contract that was entered into under the authority of Am. Sub. H.B. 64 of the 131st general assembly. Upon receiving the request, the director of administrative services shall extend the contract, beginning on July 1, 2023, in accordance with this section. The contract shall be extended for a period of up to twenty-four months with the contractor who conducted the motor vehicle inspection and maintenance program under that contract.

(2) Prior to the expiration of the contract extension that is authorized by division (A)(1) of this section, the director of environmental protection shall request the director of administrative services to enter into a contract with a vendor to operate a decentralized motor vehicle inspection and maintenance program in each county in this state in which such a program is federally mandated through June 30, 2027, with an option for the state to renew the contract for a period of up to twenty-four months through June 30, 2029. The contract shall ensure that the decentralized motor vehicle inspection and maintenance program achieves at least the same emission reductions as achieved by the program operated under the authority of the contract that was extended under division (A)(1) of this section. The director of administrative services shall select a vendor through a competitive selection process in compliance with Chapter 125. of the Revised Code.

(3) Notwithstanding any law to the contrary, the director of administrative services shall ensure that a competitive selection process regarding a contract to operate a decentralized motor vehicle inspection and maintenance program in this state incorporates the following, which shall be included in the contract:

(a) For purposes of expanding the number of testing locations for consumer convenience, a requirement that the vendor utilize established local businesses, auto repair facilities, or leased properties to operate state-approved inspection and maintenance testing facilities;

(b) A requirement that the vendor selected to operate the program provide notification of the program's requirements to each owner of a motor vehicle that is required to be inspected under the program. The contract shall require the notification to be provided not later than sixty days prior to the date by which the owner of the motor vehicle is required to have the motor vehicle inspected. The director of environmental protection and the vendor shall jointly agree on the content of the notice. However, the notice shall include at a minimum the locations of all inspection facilities within a specified distance of the address that is listed on the owner's motor vehicle registration;

(c) A requirement that the vendor comply with testing methodology and supply the required equipment approved by the director of environmental protection as specified in the competitive selection process in compliance with Chapter 125. of the Revised Code.

(4) A decentralized motor vehicle inspection and maintenance program operated under this section shall comply with division (B) of this section. The director of environmental protection shall administer the decentralized motor vehicle inspection and maintenance program operated under this

section.

(B) The director shall establish a decentralized motor vehicle inspection and maintenance program as authorized by this section and, at a minimum, the director shall ~~do~~ ensure that the program does all of the following:

- (1) ~~Comply~~ Complies with the federal Clean Air Act;
- (2) ~~Provide~~ Provides for the issuance of inspection certificates and alternative emissions certificates as specified in rules adopted under division (C)(2) of this section;
- (3) ~~Provide~~ Provides for a new car exemption for motor vehicles ~~four~~ six years old or newer and ~~provide~~ provides that a new motor vehicle is exempt for ~~four~~ six years regardless of whether legal title to the motor vehicle is transferred during that period;
- (4) ~~Provide~~ Provides for an exemption for battery electric motor vehicles;
- (5) Provides for an exemption for hybrid motor vehicles seven years old or newer and provides that a hybrid motor vehicle is exempt for seven years regardless of whether legal title to the motor vehicle is transferred during that period.

(C)(1) The director of environmental protection shall adopt rules in accordance with Chapter 119. of the Revised Code that the director determines are necessary to implement this section. The director may continue to implement and enforce rules pertaining to the motor vehicle inspection and maintenance program previously implemented under former section 3704.14 of the Revised Code as that section existed prior to its repeal and reenactment by Am. Sub. H.B. 66 of the 126th general assembly, provided that the rules do not conflict with this section.

(2) ~~The director of environmental protection shall issue an inspection certificate provided for under division (B)(2) of this section in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:-~~

- ~~(a) The individual holds a certificate or license in another state.~~
- ~~(b) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a vehicle inspector in a state that does not issue that certificate.~~ The rules adopted under division (C)(1) of this section shall provide for the issuance of inspections certificates and alternative emissions certificates. Under the rules, an inspection certificate shall be issued to the owner or lessee of a motor vehicle when the motor vehicle passes an emissions inspection conducted in accordance with the motor vehicle inspection and maintenance program established under this section. In lieu of obtaining an inspection certificate, the rules shall establish a system by which the owner or lessee of a motor vehicle may request an alternative emissions certificate from the director.

(a) The rules providing for the issuance of alternative emissions certificates shall require an owner or lessee of a motor vehicle to do the following in order to receive the certificate:

(i) Complete and submit an attestation form created by the director that includes a statement that reads substantially as follows:

"I, _____, attest that, to the best of my knowledge, the motor vehicle concerning which I

am the owner or lessee complies with all laws of Ohio and the United States governing motor vehicle emissions. I, _____, am aware that a false statement on this form is not permitted."

(ii) Sign and date the form either manually or electronically;

(iii) Submit the form to the director either by regular mail, certified mail, or electronically.

(b) The rules shall require the director to include both of the following additional information on the attestation form:

(i) A provision that allows the owner or lessee of a motor vehicle to specify one of the following methods by which the owner or lessee may request delivery of the alternative emissions certificate: certified mail, noncertified mail, or electronically;

(ii) A provision that allows the owner or lessee of a motor vehicle to specify the vehicle identification number, make, model, and year of the relevant motor vehicle and the date the attestation form is submitted to the director.

(c) Subject to division (C)(2)(d) of this section, the rules shall require the director to deliver an alternative emission certificate to the owner or lessee of a motor vehicle who complies with rules adopted under division (C)(2)(a) of this section. The director shall deliver the certificate within thirty business days after the director's receipt of the attestation form or, if the owner or lessee submits the form electronically, within five business days after receipt of the form. The director shall confirm the receipt of the attestation form if the director receives it by electronic means.

(d) The rules shall require the director to reject an attestation form for any of the following reasons:

(i) The motor vehicle that is the subject of the attestation form was in an accident or collision within the two years prior to the date of submission of the form, and the accident or collision caused substantial damage to the internal structure of the motor vehicle.

(ii) The owner or lessee of the motor vehicle that is the subject of the attestation form has received a ticket, citation, or summons with regard to that motor vehicle within the two years prior to the date of submission of the form for a violation of section 4513.22 of the Revised Code or substantially equivalent municipal ordinance.

(iii) The information in the attestation form is determined by the director to be false.

If the director rejects an attestation form under division (C)(2)(d)(iii) of this section, the director shall provide notice to the owner or lessee that the attestation form was determined to be false. The notice shall inform the owner or lessee that the owner or lessee may submit a corrected form to the director within thirty days of the receipt of the notice. If the owner or lessee submits a corrected attestation form that complies with rules adopted under division (C)(2) of this section within that thirty-day period, the director shall issue an alternative emissions certificate to the owner or lessee. If the owner or lessee fails to correct the attestation form, the director shall require the owner or lessee to complete an emissions inspection and obtain an inspection certificate in accordance with rules adopted under this section.

If the director rejects an attestation form under division (C)(2)(d)(i) or (ii) of this section, the

director shall require the owner or lessee to complete an emissions inspection and obtain an inspection certificate in accordance with rules adopted under this section.

(e) In adopting rules under division (C)(2) of this section, the director shall ensure that the owner or lessee of a motor vehicle who falsifies an attestation form receives a notice that includes a statement that reads substantially as follows: "You have falsified an attestation form for your vehicle under the E-Check/motor vehicle emissions testing program. Your vehicle is registered in one of [insert the number of counties] counties in this state that has federal emission mandates imposed on it that the State of Ohio is required, under threat of penalty, to enforce. This letter serves as Ohio's only penalty for falsification of an attestation form. You have thirty days from the date of this notice to amend your attestation form and submit the amended form to the Environmental Protection Agency. However, if you choose not to submit an amended attestation form, you must have a motor vehicle emissions inspection conducted for your vehicle in accordance with section 3704.14 of the Revised Code and rules adopted under it."

(f) No penalties apply to a person who the director has determined to have falsified an attestation form, other than the issuance of the notice required under division (C)(2)(e) of this section.

(D) There is hereby created in the state treasury the auto emissions test fund, which shall consist of money received by the director from any cash transfers, state and local grants, and other contributions that are received for the purpose of funding the program established under this section. The director of environmental protection shall use money in the fund solely for the implementation, supervision, administration, operation, and enforcement of the motor vehicle inspection and maintenance program established under this section. Money in the fund shall not be used for either of the following:

(1) To pay for the inspection costs incurred by a motor vehicle dealer so that the dealer may provide inspection certificates to an individual purchasing a motor vehicle from the dealer when that individual resides in a county that is subject to the motor vehicle inspection and maintenance program;

(2) To provide payment for more than one free passing emissions inspection or a total of three emissions inspections for a motor vehicle in any three-hundred-sixty-five-day period. The owner or lessee of a motor vehicle is responsible for inspection fees that are related to emissions inspections beyond one free passing emissions inspection or three total emissions inspections in any three-hundred-sixty-five-day period. Inspection fees that are charged by a contractor conducting emissions inspections under a motor vehicle inspection and maintenance program shall be approved by the director of environmental protection.

(E) The motor vehicle inspection and maintenance program established under this section expires upon the termination of all contracts entered into under this section and shall not be implemented beyond the final date on which termination occurs.

(F) As used in this section "battery electric motor vehicle" ~~has and~~ "hybrid motor vehicle"

have the same meaning-meanings as in section 4501.01 of the Revised Code.

(G) On the effective date of this amendment, the director shall immediately begin procedures to submit to the United States environmental protection agency the alternative emissions certification program for approval as part of the Ohio state implementation plan. If the United States environmental protection agency approves the modification of the decentralized motor vehicle inspection and maintenance program as providing sufficient air pollution reductions to meet the federal Clean Air Act requirements for a vehicle inspection and maintenance program and modifies the Ohio state implementation plan, the director shall immediately begin to modify the Ohio environmental protection agency rules to implement the alternative emissions certification program. Nothing in this division requires the Ohio environmental protection agency to take action to implement the alternative emissions certification program until the United States environmental protection agency approves the alternative program as part of the Ohio state implementation plan.

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

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

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

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

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

(E) "Passenger car" means any motor vehicle that is designed and used for carrying not more

than nine persons and includes any motor vehicle that is designed and used for carrying not more than fifteen persons in a ridesharing arrangement.

(F) "Collector's vehicle" means any motor vehicle or agricultural tractor or traction engine that is of special interest, that has a fair market value of one hundred dollars or more, whether operable or not, and that is owned, operated, collected, preserved, restored, maintained, or used essentially as a collector's item, leisure pursuit, or investment, but not as the owner's principal means of transportation. "Licensed collector's vehicle" means a collector's vehicle, other than an agricultural tractor or traction engine, that displays current, valid license tags issued under section 4503.45 of the Revised Code, or a similar type of motor vehicle that displays current, valid license tags issued under substantially equivalent provisions in the laws of other states.

(G) "Historical motor vehicle" means any motor vehicle that is over twenty-five years old and is owned solely as a collector's item and for participation in club activities, exhibitions, tours, parades, and similar uses, but that in no event is used for general transportation.

(H) "Noncommercial motor vehicle" means any motor vehicle, including a farm truck as defined in section 4503.04 of the Revised Code, that is designed by the manufacturer to carry a load of no more than one ton and is used exclusively for purposes other than engaging in business for profit.

(I) "Bus" means any motor vehicle that has motor power and is designed and used for carrying more than nine passengers, except any motor vehicle that is designed and used for carrying not more than fifteen passengers in a ridesharing arrangement.

(J) "Commercial car" or "truck" means any motor vehicle that has motor power and is designed and used for carrying merchandise or freight, or that is used as a commercial tractor.

(K) "Bicycle" ~~means every device, other than a device that is designed solely for use as a play vehicle by a child, that is propelled solely by human power upon which a person may ride, and that has two or more wheels, any of which is more than fourteen inches in diameter~~ has the same meaning as in section 4511.01 of the Revised Code.

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

(M) "Trailer" means any vehicle without motive power that is designed or used for carrying property or persons wholly on its own structure and for being drawn by a motor vehicle, and includes any such vehicle that is formed by or operated as a combination of a semitrailer and a vehicle of the dolly type such as that commonly known as a trailer dolly, a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed greater than twenty-five

miles per hour, and a vehicle that is designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a public road or highway for a distance of more than ten miles or at a speed of more than twenty-five miles per hour. "Trailer" does not include a manufactured home or travel trailer.

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

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

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

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

- (1) It is designed for the sole purpose of recreational travel.
- (2) It is not used for the purpose of engaging in business for profit.
- (3) It is not used for the purpose of engaging in intrastate commerce.
- (4) It is not used for the purpose of commerce as defined in 49 C.F.R. 383.5, as amended.
- (5) It is not regulated by the public utilities commission pursuant to Chapter 4905., 4921., or 4923. of the Revised Code.

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

(a) "Travel trailer" or "house vehicle" means a nonself-propelled recreational vehicle that does not exceed an overall length of forty feet, exclusive of bumper and tongue or coupling. "Travel trailer" includes a tent-type fold-out camping trailer as defined in section 4517.01 of the Revised Code.

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

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

(d) "Fifth wheel trailer" means a vehicle that is of such size and weight as to be movable without a special highway permit, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck.

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

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

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

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

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

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

(W) "Manufacturer" and "dealer" include all persons and firms that are regularly engaged in the business of manufacturing, selling, displaying, offering for sale, or dealing in motor vehicles, at an established place of business that is used exclusively for the purpose of manufacturing, selling, displaying, offering for sale, or dealing in motor vehicles. A place of business that is used for manufacturing, selling, displaying, offering for sale, or dealing in motor vehicles shall be deemed to be used exclusively for those purposes even though snowmobiles or all-purpose vehicles are sold or displayed for sale thereat, even though farm machinery is sold or displayed for sale thereat, or even though repair, accessory, gasoline and oil, storage, parts, service, or paint departments are maintained thereat, or, in any county having a population of less than seventy-five thousand at the last federal census, even though a department in a place of business is used to dismantle, salvage, or rebuild motor vehicles by means of used parts, if such departments are operated for the purpose of furthering and assisting in the business of manufacturing, selling, displaying, offering for sale, or

dealing in motor vehicles. Places of business or departments in a place of business used to dismantle, salvage, or rebuild motor vehicles by means of using used parts are not considered as being maintained for the purpose of assisting or furthering the manufacturing, selling, displaying, and offering for sale or dealing in motor vehicles.

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

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

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

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

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

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

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

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

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

- (1) Is a power unit having a gross vehicle weight in excess of twenty-six thousand pounds;
- (2) Is a power unit having three or more axles, regardless of the gross vehicle weight;
- (3) Is a combination vehicle with a gross vehicle weight in excess of twenty-six thousand pounds.

"Apportionable vehicle" does not include recreational vehicles, vehicles displaying restricted plates, city pick-up and delivery vehicles, or vehicles owned and operated by the United States, this

state, or any political subdivisions thereof.

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

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

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

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

(KK) "Combined gross vehicle weight" with regard to any combination of a commercial car, trailer, and semitrailer, that is taxed at the rates established under section 4503.042 or 4503.65 of the Revised Code, means the total unladen weight of the combination of vehicles fully equipped plus the maximum weight of the load to be carried on that combination of vehicles.

(LL) "Chauffeured limousine" means a motor vehicle that is designed to carry nine or fewer passengers and is operated for hire pursuant to a prearranged contract for the transportation of passengers on public roads and highways along a route under the control of the person hiring the vehicle and not over a defined and regular route. "Prearranged contract" means an agreement, made in advance of boarding, to provide transportation from a specific location in a chauffeured limousine. "Chauffeured limousine" does not include any vehicle that is used exclusively in the business of funeral directing.

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

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

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

(PP) "Electronic record" means a record generated, communicated, received, or stored by electronic means for use in an information system or for transmission from one information system

to another.

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

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

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

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

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

(VV) "Utility vehicle" means a self-propelled vehicle designed with a bed, principally for the purpose of transporting material or cargo in connection with construction, agricultural, forestry, grounds maintenance, lawn and garden, materials handling, or similar activities.

(WW) "Low-speed vehicle" means a three- or four-wheeled motor vehicle with an attainable speed in one mile on a paved level surface of more than twenty miles per hour but not more than twenty-five miles per hour and with a gross vehicle weight rating less than three thousand pounds.

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

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

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

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

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

(CCC) "Autocycle" means a three-wheeled motorcycle that is manufactured to comply with federal safety requirements for motorcycles and that is equipped with safety belts, a steering wheel, and seating that does not require the operator to straddle or sit astride to ride the motorcycle.

(DDD) "Plug-in hybrid electric motor vehicle" means a passenger car powered in part by a battery cell energy system that can be recharged via an external source of electricity.

(EEE) "Hybrid motor vehicle" means a passenger car powered by an internal propulsion system consisting of both of the following:

- (1) A combustion engine;
- (2) A battery cell energy system that cannot be recharged via an external source of electricity but can be recharged by other vehicle mechanisms that capture and store electric energy.

(FFF) "Low-speed micromobility device" means a device weighing less than one hundred pounds that has handlebars, is propelled by an electric motor or human power, and has an attainable speed on a paved level surface of not more than twenty miles per hour when propelled by the electric motor.

(GGG) "Specialty license plate" means a license plate, authorized by the general assembly, that displays a combination of words, markings, logos, or other graphic artwork that is in addition to the words, images, and distinctive numbers and letters required by section 4503.22 of the Revised Code.

(HHH) "Battery electric motor vehicle" means a passenger car powered wholly by a battery cell energy system that can be recharged via an external source of electricity.

(III) "Adaptive mobility vehicle" means ~~either a new passenger car or bus purchased from a new motor vehicle dealer or a used passenger car or bus, provided that such passenger car or bus that~~ is designed, modified, or equipped to enable an individual with a disability to operate or to be transported in the passenger car or bus, in accordance with 49 C.F.R. part 568 or 595, and contains at least one of the following:

- (1) An electronic or mechanical lift that enables a person to enter or exit the motor vehicle while occupying a wheelchair or scooter;
- (2) An electronic or mechanical wheelchair ramp;
- (3) A system to secure a wheelchair or scooter in order to allow a person to operate or be transported safely while occupying that wheelchair or scooter.

(JJJ) "Replica motor vehicle" means a motor vehicle that is constructed, assembled, or modified so as to replicate the make, model, and model year of a motor vehicle that is at least

twenty-five years old.

Sec. 4503.10. (A) The owner of every snowmobile, off-highway motorcycle, and all-purpose vehicle required to be registered under section 4519.02 of the Revised Code shall file an application for registration under section 4519.03 of the Revised Code. The owner of a motor vehicle, other than a snowmobile, off-highway motorcycle, or all-purpose vehicle, that is not designed and constructed by the manufacturer for operation on a street or highway may not register it under this chapter except upon certification of inspection pursuant to section 4513.02 of the Revised Code by the sheriff, or the chief of police of the municipal corporation or township, with jurisdiction over the political subdivision in which the owner of the motor vehicle resides. Except as provided in sections 4503.103 and 4503.107 of the Revised Code, every owner of every other motor vehicle not previously described in this section and every person mentioned as owner in the last certificate of title of a motor vehicle that is operated or driven upon the public roads or highways shall cause to be filed each year, by mail or otherwise, in the office of the registrar of motor vehicles or a deputy registrar, a written or electronic application or a preprinted registration renewal notice issued under section 4503.102 of the Revised Code, the form of which shall be prescribed by the registrar, for registration for the following registration year, which shall begin on the first day of January of every calendar year and end on the thirty-first day of December in the same year. Applications for registration and registration renewal notices shall be filed at the times established by the registrar pursuant to section 4503.101 of the Revised Code. A motor vehicle owner also may elect to apply for or renew a motor vehicle registration by electronic means using electronic signature in accordance with rules adopted by the registrar. Except as provided in division (J) of this section, applications for registration shall be made on blanks furnished by the registrar for that purpose, containing the following information:

(1) A brief description of the motor vehicle to be registered, including the year, make, model, and vehicle identification number, and, in the case of commercial cars, the gross weight of the vehicle fully equipped computed in the manner prescribed in section 4503.08 of the Revised Code;

(2) The name and residence address of the owner, and the township and municipal corporation in which the owner resides;

(3) The district of registration, which shall be determined as follows:

(a) In case the motor vehicle to be registered is used for hire or principally in connection with any established business or branch business, conducted at a particular place, the district of registration is the municipal corporation in which that place is located or, if not located in any municipal corporation, the county and township in which that place is located.

(b) In case the vehicle is not so used, the district of registration is the municipal corporation or county in which the owner resides at the time of making the application.

(4) Whether the motor vehicle is a new or used motor vehicle;

(5) The date of purchase of the motor vehicle;

(6) Whether the fees required to be paid for the registration or transfer of the motor vehicle, during the preceding registration year and during the preceding period of the current registration year, have been paid. Each application for registration shall be signed by the owner, either manually or by electronic signature, or pursuant to obtaining a limited power of attorney authorized by the registrar for registration, or other document authorizing such signature. If the owner elects to apply for or renew the motor vehicle registration with the registrar by electronic means, the owner's manual signature is not required.

(7) The owner's social security number, driver's license number, or state identification number, or, where a motor vehicle to be registered is used for hire or principally in connection with any established business, the owner's federal taxpayer identification number. The bureau of motor vehicles shall retain in its records all social security numbers provided under this section, but the bureau shall not place social security numbers on motor vehicle certificates of registration.

(8) Whether the applicant wishes to certify willingness to make an anatomical gift if an applicant has not so certified under section 2108.05 of the Revised Code. The applicant's response shall not be considered in the decision of whether to approve the application for registration.

(B)(1) When an applicant first registers a motor vehicle in the applicant's name, the applicant shall provide proof of ownership of that motor vehicle. Proof of ownership may include any of the following:

(a) The applicant may present for inspection a physical certificate of title or memorandum certificate showing title to the motor vehicle to be registered in the name of the applicant.

(b) The applicant may present for inspection an electronic certificate of title for the applicant's motor vehicle in a manner prescribed by rules adopted by the registrar.

(c) The registrar or deputy registrar may electronically confirm the applicant's ownership of the motor vehicle.

An applicant is not required to present a certificate of title to an electronic motor vehicle dealer acting as a limited authority deputy registrar in accordance with rules adopted by the registrar.

(2) When a motor vehicle inspection and maintenance program is in effect under section 3704.14 of the Revised Code and rules adopted under it, each application for registration for a vehicle required to be inspected under that section and those rules shall be accompanied by an inspection certificate or alternative emissions certificate for the motor vehicle issued in accordance with that section.

(3) An application for registration shall be refused if any of the following applies:

(a) The application is not in proper form.

(b) The application is prohibited from being accepted by division (D) of section 2935.27, division (A) of section 4503.13, division (B) of section 4510.22, division (D) of section 4503.234, division (B)(1) of section 4521.10, or division (B) of section 5537.041 of the Revised Code.

(c) Proof of ownership is required but is not presented or confirmed in accordance with division (B)(1) of this section.

(d) All registration and transfer fees for the motor vehicle, for the preceding year or the preceding period of the current registration year, have not been paid.

(e) The owner or lessee does not have an inspection certificate or alternative emissions certificate for the motor vehicle as provided in section 3704.14 of the Revised Code, and rules adopted under it, if that section is applicable.

(4) This section does not require the payment of license or registration taxes on a motor vehicle for any preceding year, or for any preceding period of a year, if the motor vehicle was not taxable for that preceding year or period under sections 4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the Revised Code.

(5) When a certificate of registration is issued upon the first registration of a motor vehicle by or on behalf of the owner, the official issuing the certificate shall indicate the issuance with a stamp on the certificate of title or memorandum certificate or, in the case of an electronic certificate of title or electronic verification of ownership, an electronic stamp or other notation as specified in rules adopted by the registrar, and with a stamp on the inspection certificate for the motor vehicle, if any.

(6) The official also shall indicate, by a stamp or by other means the registrar prescribes, on the registration certificate issued upon the first registration of a motor vehicle by or on behalf of the owner the odometer reading of the motor vehicle as shown in the odometer statement included in or attached to the certificate of title. Upon each subsequent registration of the motor vehicle by or on behalf of the same owner, the official also shall so indicate the odometer reading of the motor vehicle as shown on the immediately preceding certificate of registration.

(7) The registrar shall include in the permanent registration record of any vehicle required to be inspected under section 3704.14 of the Revised Code the inspection certificate number from the inspection certificate or the alternative emissions certificate number from the alternative emissions certificate that is presented at the time of registration of the vehicle as required under this division.

(C)(1) Except as otherwise provided in division (C)(1) of this section, the registrar and each deputy registrar shall collect an additional fee of eleven dollars for each application for registration and registration renewal received. For vehicles specified in divisions (A)(1) to (21) of section 4503.042 of the Revised Code, the registrar and deputy registrar shall collect an additional fee of thirty dollars for each application for registration and registration renewal received. No additional fee shall be charged for vehicles registered under section 4503.65 of the Revised Code. The additional fee is for the purpose of defraying the department of public safety's costs associated with the administration and enforcement of the motor vehicle and traffic laws of Ohio. Each deputy registrar shall transmit the fees collected under divisions (C)(1) and (3) of this section in the time and manner provided in this section. The registrar shall deposit all moneys received under division (C)(1) of this section into the public safety - highway purposes fund established in section 4501.06 of the Revised Code.

(2) In addition, a charge of twenty-five cents shall be made for each reflectorized safety

license plate issued, and a single charge of twenty-five cents shall be made for each county identification sticker or each set of county identification stickers issued, as the case may be, to cover the cost of producing the license plates and stickers, including material, manufacturing, and administrative costs. Those fees shall be in addition to the license tax. If the total cost of producing the plates is less than twenty-five cents per plate, or if the total cost of producing the stickers is less than twenty-five cents per sticker or per set issued, any excess moneys accruing from the fees shall be distributed in the same manner as provided by section 4501.04 of the Revised Code for the distribution of license tax moneys. If the total cost of producing the plates exceeds twenty-five cents per plate, or if the total cost of producing the stickers exceeds twenty-five cents per sticker or per set issued, the difference shall be paid from the license tax moneys collected pursuant to section 4503.02 of the Revised Code.

(3) The registrar and each deputy registrar shall collect the following additional fee, as applicable, for each application for registration or registration renewal received for any hybrid motor vehicle, plug-in hybrid electric motor vehicle, or battery electric motor vehicle:

- (a) One hundred dollars for a hybrid motor vehicle;
- (b) One hundred fifty dollars for a plug-in hybrid electric motor vehicle;
- (c) Two hundred dollars for a battery electric motor vehicle.

Each fee imposed under this division shall be prorated based on the number of months for which the vehicle is registered. The registrar shall transmit all money arising from each fee to the treasurer of state for distribution in accordance with division (E) of section 5735.051 of the Revised Code, subject to division (D) of section 5735.05 of the Revised Code.

(D) Each deputy registrar shall be allowed a fee equal to the amount established under section 4503.038 of the Revised Code for each application for registration and registration renewal notice the deputy registrar receives, which shall be for the purpose of compensating the deputy registrar for the deputy registrar's services, and such office and rental expenses, as may be necessary for the proper discharge of the deputy registrar's duties in the receiving of applications and renewal notices and the issuing of registrations.

(E) Upon the certification of the registrar, the county sheriff or local police officials shall recover license plates erroneously or fraudulently issued.

(F) Each deputy registrar, upon receipt of any application for registration or registration renewal notice, together with the license fee and any local motor vehicle license tax levied pursuant to Chapter 4504. of the Revised Code, shall transmit that fee and tax, if any, in the manner provided in this section, together with the original and duplicate copy of the application, to the registrar. The registrar, subject to the approval of the director of public safety, may deposit the funds collected by those deputies in a local bank or depository to the credit of the "state of Ohio, bureau of motor vehicles." Where a local bank or depository has been designated by the registrar, each deputy registrar shall deposit all moneys collected by the deputy registrar into that bank or depository not more than one business day after their collection and shall make reports to the registrar of the

amounts so deposited, together with any other information, some of which may be prescribed by the treasurer of state, as the registrar may require and as prescribed by the registrar by rule. The registrar, within three days after receipt of notification of the deposit of funds by a deputy registrar in a local bank or depository, shall draw on that account in favor of the treasurer of state. The registrar, subject to the approval of the director and the treasurer of state, may make reasonable rules necessary for the prompt transmittal of fees and for safeguarding the interests of the state and of counties, townships, municipal corporations, and transportation improvement districts levying local motor vehicle license taxes. The registrar may pay service charges usually collected by banks and depositories for such service. If deputy registrars are located in communities where banking facilities are not available, they shall transmit the fees forthwith, by money order or otherwise, as the registrar, by rule approved by the director and the treasurer of state, may prescribe. The registrar may pay the usual and customary fees for such service.

(G) This section does not prevent any person from making an application for a motor vehicle license directly to the registrar by mail, by electronic means, or in person at any of the registrar's offices, upon payment of a service fee equal to the amount established under section 4503.038 of the Revised Code for each application.

(H) No person shall make a false statement as to the district of registration in an application required by division (A) of this section. Violation of this division is falsification under section 2921.13 of the Revised Code and punishable as specified in that section.

(I)(1) Where applicable, the requirements of division (B) of this section relating to the presentation of an inspection certificate issued under section 3704.14 of the Revised Code and rules adopted under it for a motor vehicle, the refusal of a license for failure to present an inspection certificate or alternative emissions certificate, and the stamping of the inspection certificate or alternative emissions certificate by the official issuing the certificate of registration apply to the registration of and issuance of license plates for a motor vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised Code.

(2)(a) The registrar shall adopt rules ensuring that each owner registering a motor vehicle in a county where a motor vehicle inspection and maintenance program is in effect under section 3704.14 of the Revised Code and rules adopted under it receives information about the requirements established in that section and those rules and about the need in those counties to present an inspection certificate or an alternative emissions certificate with an application for registration or preregistration.

(b) Upon request, the registrar shall provide the director of environmental protection, or any person that has been awarded a contract under section 3704.14 of the Revised Code, an on-line computer data link to registration information for all passenger cars, noncommercial motor vehicles, and commercial cars that are subject to that section. The registrar also shall provide to the director of environmental protection a magnetic data tape containing registration information regarding

passenger cars, noncommercial motor vehicles, and commercial cars for which a multi-year registration is in effect under section 4503.103 of the Revised Code or rules adopted under it, including, without limitation, the date of issuance of the multi-year registration, the registration deadline established under rules adopted under section 4503.101 of the Revised Code that was applicable in the year in which the multi-year registration was issued, and the registration deadline for renewal of the multi-year registration.

(J) Subject to division (K) of this section, application for registration under the international registration plan, as set forth in sections 4503.60 to 4503.66 of the Revised Code, shall be made to the registrar on forms furnished by the registrar. In accordance with international registration plan guidelines and pursuant to rules adopted by the registrar, the forms shall include the following:

(1) A uniform mileage schedule;

(2) The gross vehicle weight of the vehicle or combined gross vehicle weight of the combination vehicle as declared by the registrant;

(3) Any other information the registrar requires by rule.

(K) The registrar shall determine the feasibility of implementing an electronic commercial fleet licensing and management program that will enable the owners of commercial tractors, commercial trailers, and commercial semitrailers to conduct electronic transactions by July 1, 2010, or sooner. If the registrar determines that implementing such a program is feasible, the registrar shall adopt new rules under this division or amend existing rules adopted under this division as necessary in order to respond to advances in technology.

If international registration plan guidelines and provisions allow member jurisdictions to permit applications for registrations under the international registration plan to be made via the internet, the rules the registrar adopts under this division shall permit such action.

Sec. 4503.102. (A) The registrar of motor vehicles shall adopt rules to establish a centralized system of motor vehicle registration renewal by mail or by electronic means. Any person owning a motor vehicle that was registered in the person's name during the preceding registration year shall renew the registration of the motor vehicle not more than ninety days prior to the expiration date of the registration either by mail or by electronic means through the centralized system of registration established under this section, or in person at any office of the registrar or at a deputy registrar's office.

(B)(1) Except as provided in division (B)(2) of this section, no less than forty-five days prior to the expiration date of any motor vehicle registration, the registrar shall mail a renewal notice to the person in whose name the motor vehicle is registered. The renewal notice shall clearly state that the registration of the motor vehicle may be renewed by mail or electronic means through the centralized system of registration or in person at any office of the registrar or at a deputy registrar's office and shall be preprinted with information including, but not limited to, the owner's name and residence address as shown in the records of the bureau of motor vehicles, a brief description of the motor vehicle to be registered, notice of the license taxes and fees due on the motor vehicle, the toll-

free telephone number of the registrar as required under division (D)(1) of section 4503.031 of the Revised Code, a statement that payment for a renewal may be made by financial transaction device using the toll-free telephone number, and any additional information the registrar may require by rule. The renewal notice shall not include the social security number of either the owner of the motor vehicle or the person in whose name the motor vehicle is registered. The renewal notice shall be sent by regular mail to the owner's last known address as shown in the records of the bureau of motor vehicles.

(2) The registrar is not required to mail a renewal notice if either of the following applies:

(a) The owner of the vehicle has consented to receiving the renewal notice by electronic means only.

(b) The application for renewal of the registration of a motor vehicle is prohibited from being accepted by the registrar or a deputy registrar by division (D) of section 2935.27, division (A) of section 4503.13, division (B) of section 4510.22, division (D) of section 4503.234, division (B)(1) of section 4521.10, or division (B) of section 5537.041 of the Revised Code.

(3) If the owner of a motor vehicle has consented to receiving a renewal notice by electronic means only, the registrar shall send an electronic renewal notice to the owner that contains the information specified in division (B)(1) of this section at the time specified under that division.

(C) The owner of the motor vehicle shall verify the information contained in the notice, sign it either manually or by electronic means, and return it, either by mail or electronic means, or the owner may take it in person to any office of the registrar or of a deputy registrar. The owner shall include with the notice a financial transaction device number when renewing in person or by electronic means but not by mail, check, or money order in the amount of the registration taxes and fees payable on the motor vehicle and a service fee equal to the amount established under section 4503.038 of the Revised Code, plus postage as indicated on the notice if the registration is renewed or fulfilled by mail, and an inspection certificate or alternative emissions certificate for the motor vehicle as provided in section 3704.14 of the Revised Code. For purposes of the centralized system of motor vehicle registration, the registrar shall accept payments via the toll-free telephone number established under division (D)(1) of section 4503.031 of the Revised Code for renewals made by mail. If the motor vehicle owner chooses to renew the motor vehicle registration by electronic means, the owner shall proceed in accordance with the rules the registrar adopts.

(D) If all registration and transfer fees for the motor vehicle for the preceding year or the preceding period of the current registration year have not been paid, if division (D) of section 2935.27, division (A) of section 4503.13, division (B) of section 4510.22, division (D) of section 4503.234, division (B)(1) of section 4521.10, or division (B) of section 5537.041 of the Revised Code prohibits acceptance of the renewal notice, or if the owner or lessee does not have an inspection certificate or alternative emissions certificate for the motor vehicle as provided in section 3704.14 of the Revised Code, if that section is applicable, the license shall be refused, and the registrar or deputy registrar shall so notify the owner. This section does not require the payment of

license or registration taxes on a motor vehicle for any preceding year, or for any preceding period of a year, if the motor vehicle was not taxable for that preceding year or period under section 4503.02, 4503.04, 4503.11, 4503.12, or 4503.16 or Chapter 4504. of the Revised Code.

(E)(1) Failure to receive a renewal notice does not relieve a motor vehicle owner from the responsibility to renew the registration for the motor vehicle. Any person who has a motor vehicle registered in this state and who does not receive a renewal notice as provided in division (B) of this section prior to the expiration date of the registration shall request an application for registration from the registrar or a deputy registrar and sign the application manually or by electronic means and submit the application and pay any applicable license taxes and fees to the registrar or deputy registrar.

(2) If the owner of a motor vehicle submits an application for registration and the registrar is prohibited by division (D) of section 2935.27, division (A) of section 4503.13, division (B) of section 4510.22, division (D) of section 4503.234, division (B)(1) of section 4521.10, or division (B) of section 5537.041 of the Revised Code from accepting the application, the registrar shall return the application and the payment to the owner. If the owner of a motor vehicle submits a registration renewal application to the registrar by electronic means and the registrar is prohibited from accepting the application as provided in this division, the registrar shall notify the owner of this fact and deny the application and return the payment or give a credit on the financial transaction device account of the owner in the manner the registrar prescribes by rule adopted pursuant to division (A) of this section.

(F) Every deputy registrar shall post in a prominent place at the deputy's office a notice informing the public of the mail registration system required by this section and also shall post a notice that every owner of a motor vehicle and every chauffeur holding a certificate of registration is required to notify the registrar in writing of any change of residence within ten days after the change occurs. The notice shall be in such form as the registrar prescribes by rule.

(G) The service fee equal to the amount established under section 4503.038 of the Revised Code that is collected from a person who renews a motor vehicle registration by electronic means or by mail, plus postage collected by the registrar and any financial transaction device surcharge collected by the registrar, shall be paid to the credit of the public safety - highway purposes fund established by section 4501.06 of the Revised Code.

(H)(1) Pursuant to section 113.40 of the Revised Code, the registrar shall implement a program permitting payment of motor vehicle registration taxes and fees, driver's license and commercial driver's license fees, and any other taxes, fees, penalties, or charges imposed or levied by the state by means of a financial transaction device for transactions occurring online, at any office of the registrar, and at all deputy registrar locations. The program shall take effect not later than July 1, 2016. The registrar shall adopt rules as necessary for this purpose, but all such rules are subject to any action, policy, or procedure of the board of deposit or treasurer of state taken or adopted under section 113.40 of the Revised Code.

(2) The rules adopted under division (H)(1) of this section shall require a deputy registrar to accept payments by means of a financial transaction device beginning on the effective date of the rules unless the deputy registrar contract entered into by the deputy registrar prohibits the acceptance of such payments by financial transaction device. However, commencing with deputy registrar contract awards that have a start date of July 1, 2016, and for all contract awards thereafter, the registrar shall require that the proposer accept payment by means of a financial transaction device, including credit cards and debit cards, for all department of public safety transactions conducted at that deputy registrar location.

The bureau and deputy registrars are not required to pay any costs that result from accepting payment by means of a financial transaction device. A deputy registrar may charge a person who tenders payment for a department transaction by means of a financial transaction device any cost the deputy registrar incurs from accepting payment by the financial transaction device, but the deputy registrar shall not require the person to pay any additional fee of any kind in connection with the use by the person of the financial transaction device.

(3) In accordance with division (H)(1) of this section and rules adopted by the registrar under that division, a county auditor or clerk of a court of common pleas that is designated a deputy registrar shall accept payment by means of a financial transaction device, including credit cards and debit cards, for all department transactions conducted at the office of the county auditor or clerk in the county auditor's or clerk's capacity as deputy registrar. The bureau is not required to pay any costs incurred by a county auditor or clerk that result from accepting payment by means of a financial transaction device for any department transaction.

(I) For persons who reside in counties where tailpipe emissions inspections are required under the motor vehicle inspection and maintenance program, the notice required by division (B) of this section shall also include the toll-free telephone number maintained by the Ohio environmental protection agency to provide information concerning the locations of emissions testing centers. The registrar also shall include a statement in the notice that a battery electric motor vehicle is not required to undergo emissions inspection under the motor vehicle inspection and maintenance program established under section 3704.14 of the Revised Code.

Sec. 4503.103. (A)(1) The registrar of motor vehicles may adopt rules to permit any person or lessee, other than a person receiving an apportioned license plate under the international registration plan, who owns or leases one or more motor vehicles to file a written application for registration for no more than five succeeding registration years. The rules adopted by the registrar may designate the classes of motor vehicles that are eligible for such registration. At the time of application, all annual taxes and fees shall be paid for each year for which the person is registering.

(2)(a) The registrar shall adopt rules to permit any person or lessee who owns or leases a trailer or semitrailer that is subject to the tax rate prescribed in either division (C)(1) or, beginning January 1, 2022, (C)(2) of section 4503.042 of the Revised Code to file a written application for registration for any number of succeeding registration years, including a permanent registration, for

such trailers or semitrailers.

At the time of application, the applicant shall pay all of the following:

(i) As applicable, either the annual tax prescribed in division (C)(1) of section 4503.042 of the Revised Code for each year for which the applicant is registering or the annual tax prescribed in division (C)(2) of section 4503.042 of the Revised Code, unless the applicant previously paid the tax specified in division (C)(2) of that section for the trailer or semitrailer being registered. However, an applicant paying the annual tax under division (C)(1) of section 4503.042 of the Revised Code shall not pay more than eight times the annual taxes due, regardless of the number of years for which the applicant is registering.

(ii) The additional fee established under division (C)(1) of section 4503.10 of the Revised Code for each year of registration, provided that not more than eight times the additional fee due shall be paid, regardless of the number of years for which the applicant is registering.

(iii) One single deputy registrar service fee in the amount specified in division (D) of section 4503.10 of the Revised Code or one single bureau of motor vehicles service fee in the amount specified in division (G) of that section, as applicable, regardless of the number of years for which the applicant is registering.

(b) In addition, each applicant registering a trailer or semitrailer under division (A)(2)(a) of this section shall pay any applicable local motor vehicle license tax levied under Chapter 4504. of the Revised Code for each year for which the applicant is registering, provided that not more than eight times any such annual local taxes shall be due upon registration.

(c) The period of registration for a trailer or semitrailer registered under division (A)(2)(a) of this section is exclusive to the trailer or semitrailer for which that certificate of registration is issued and is not transferable to any other trailer or semitrailer if the registration is a permanent registration.

(3) Except as provided in division (A)(4) of this section, the registrar shall adopt rules to permit any person who owns a motor vehicle to file an application for registration for not more than five succeeding registration years. At the time of application, the person shall pay the annual taxes and fees for each registration year, calculated in accordance with division (C) of section 4503.11 of the Revised Code. A person who is registering a vehicle under division (A)(3) of this section shall pay for each year of registration the additional fee established under division (C)(1) or (3) of section 4503.10 of the Revised Code, as applicable. The person shall also pay the deputy registrar service fee or the bureau of motor vehicles service fee equal to the amount established under section 4503.038 of the Revised Code.

(4) Division (A)(3) of this section does not apply to a person receiving an apportioned license plate under the international registration plan, or the owner of a commercial car used solely in intrastate commerce, or the owner of a bus as defined in section 4513.50 of the Revised Code.

(5) A person registering a noncommercial trailer permanently shall register the trailer under section 4503.107 of the Revised Code.

(B) No person applying for a multi-year registration under division (A) of this section is

entitled to a refund of any taxes or fees paid.

(C) The registrar shall not issue to any applicant who has been issued a final, nonappealable order under division (D) of this section a multi-year registration or renewal thereof under this division or rules adopted under it for any motor vehicle that is required to be inspected under section 3704.14 of the Revised Code the district of registration of which, as determined under section 4503.10 of the Revised Code, is or is located in the county named in the order.

(D) Upon receipt from the director of environmental protection of a notice issued under rules adopted under section 3704.14 of the Revised Code indicating that an owner of a motor vehicle that is required to be inspected under that section who obtained a multi-year registration for the vehicle under division (A) of this section or rules adopted under that division has not obtained a required inspection certificate or alternative emissions certificate for the vehicle, the registrar in accordance with Chapter 119. of the Revised Code shall issue an order to the owner impounding the certificate of registration and identification license plates for the vehicle. The order also shall prohibit the owner from obtaining or renewing a multi-year registration for any vehicle that is required to be inspected under that section, the district of registration of which is or is located in the same county as the county named in the order during the number of years after expiration of the current multi-year registration that equals the number of years for which the current multi-year registration was issued.

An order issued under this division shall require the owner to surrender to the registrar the certificate of registration and license plates for the vehicle named in the order within five days after its issuance. If the owner fails to do so within that time, the registrar shall certify that fact to the county sheriff or local police officials who shall recover the certificate of registration and license plates for the vehicle.

(E) Upon the occurrence of either of the following circumstances, the registrar in accordance with Chapter 119. of the Revised Code shall issue to the owner a modified order rescinding the provisions of the order issued under division (D) of this section impounding the certificate of registration and license plates for the vehicle named in that original order:

(1) Receipt from the director of environmental protection of a subsequent notice under rules adopted under section 3704.14 of the Revised Code that the owner has obtained the inspection certificate or alternative emissions certificate for the vehicle as required under those rules;

(2) Presentation to the registrar by the owner of the required inspection certificate or alternative emissions certificate for the vehicle.

(F) The owner of a motor vehicle for which the certificate of registration and license plates have been impounded pursuant to an order issued under division (D) of this section, upon issuance of a modified order under division (E) of this section, may apply to the registrar for their return. A fee of two dollars and fifty cents shall be charged for the return of the certificate of registration and license plates for each vehicle named in the application.

Sec. 4503.183. (A) No person shall use a replica motor vehicle for general transportation.

However, a person may operate a replica motor vehicle registered under this section on the public roads and highways as follows:

(1) For club activities, exhibitions, tours, parades, and similar uses;

(2) To and from a location where maintenance is performed on the replica motor vehicle.

(B) In lieu of the annual license tax levied in sections 4503.02 and 4503.04 of the Revised Code, the registrar of motor vehicles or a deputy registrar shall collect a license fee of ten dollars for the registration of a replica motor vehicle under this section. The fee shall be deposited into the public safety - highway purposes fund established in section 4501.06 of the Revised Code.

(C) A person who owns a replica motor vehicle and applies for registration and a replica license plate under this section shall execute an affidavit that the replica motor vehicle for which the plate is requested is owned and operated solely for the purposes enumerated in division (A) of this section. The affidavit also shall set forth that the replica motor vehicle has been inspected and found safe to operate on the public roads and highways in the state. No registration issued pursuant to this section need specify the weight of the replica motor vehicle.

(D) The owner of a replica motor vehicle registered under this section shall display in plain view on the rear of the replica motor vehicle a replica license plate issued by the registrar. A replica license plate shall not display a date, but shall display the inscription "Replica Motor Vehicle--Ohio" and the registration number assigned to that replica motor vehicle.

(E) A replica license plate is valid without renewal as long as the replica motor vehicle for which it was issued or procured is in existence. A replica license plate is issued for the owner's use only for such replica motor vehicle unless later transferred to another replica motor vehicle owned by that person. In order to effect such a transfer, the owner of the replica motor vehicle that originally displayed the replica license plate shall comply with division (C) of this section. In the event of a transfer of title, the transferor shall surrender the replica license plate or transfer it to another replica motor vehicle owned by the transferor. The registrar may revoke any replica license plate issued under this section, for cause shown and after a hearing, for failure of the applicant to comply with this section. Upon revocation, a replica license plate shall be surrendered.

Sec. 4503.21. (A)(1) ~~No~~Subject to section 4503.211 of the Revised Code, no person who is the owner or operator of a motor vehicle shall fail to display in plain view on the rear of the motor vehicle a license plate that displays the distinctive number and registration mark assigned to the motor vehicle by the director of public safety, including any county identification sticker and any validation sticker when required by and issued under sections 4503.19 and 4503.191 of the Revised Code. However, a commercial tractor shall display the license plate on the front of the commercial tractor.

(2) The license plate shall be securely fastened so as not to swing, and shall not be covered by any material that obstructs its visibility.

(3) ~~No~~Subject to section 4503.211 of the Revised Code, no person to whom a temporary motor vehicle license registration has been issued for the use of a motor vehicle under section

4503.182 of the Revised Code, and no operator of that motor vehicle, shall fail to display the temporary motor vehicle license registration in plain view from the rear of the vehicle either in the rear window or on an external rear surface of the motor vehicle.

(4) No person shall cover a temporary motor vehicle license registration by any material that obstructs its visibility.

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

(C) The offenses established under division (A) of this section are strict liability offenses and section 2901.20 of the Revised Code does not apply. The designation of these offenses as strict liability offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

Sec. 4503.211. (A) As used in this section:

(1) "Motor vehicle renting dealer" means any person engaged in the business of regularly making available, offering to make available, or arranging for another person to use a motor vehicle pursuant to a bailment, rental agreement, or other contractual arrangement for a period of thirty days or less under which a charge is made for the motor vehicle's use at a specified rate and the title to the motor vehicle is in a person other than the operator, but does not mean a manufacturer or its affiliate renting to its employees or to dealers.

(2) "Operator" means a person driving or otherwise in control of a motor vehicle.

(3) "Registered owner" means any person or entity identified by the bureau of motor vehicles or any other state motor vehicle registration bureau, department, or office as the owner of a motor vehicle.

(B) No operator shall be charged with or convicted of a violation of division (A)(1) or (3) of section 4503.21 of the Revised Code when operating a motor vehicle on a public highway when all of the following apply:

(1) The operator has a valid written rental agreement with a motor vehicle renting dealer and such agreement is in effect at the time of the offense described in division (A)(1) or (3) of section 4503.21 of the Revised Code.

(2) At the time of the offense, the operator provides the valid written agreement to the peace officer or state highway patrol officer enforcing the prohibition.

(3) The operator has not removed, concealed, or modified the license plate or validation sticker as placed or attached by the motor vehicle renting dealer or its affiliate.

(C) If divisions (B)(1) and (3) of this section apply, but the operator is unable to produce a valid written agreement at the time of the offense, the operator may submit a copy of the valid written agreement to the court at any time before or during the operator's court hearing. If such agreement is presented to the court, the court shall dismiss any ticket, citation, or summons issued to the operator for the offense.

(D) If division (B) or (C) of this section applies, the registered owner of the motor vehicle that was the subject of a violation of division (A)(1) or (3) of section 4503.21 of the Revised Code is

solely liable for any fees, fines, or penalties for the violation.

Sec. 4505.072. (A) The owner of a motor vehicle seeking to obtain a certificate of title indicating that the motor vehicle is a replica motor vehicle shall do all of the following:

(1) Have that motor vehicle inspected by the state highway patrol in the manner specified in section 4505.111 of the Revised Code and obtain an inspection report from the state highway patrol;

(2) Obtain a signed written statement from a person or nonprofit corporation with expertise in historical motor vehicles that the owner's motor vehicle reasonably replicates the make, model, and model year of motor vehicle that the owner is intending to replicate;

(3) Sign the written statement and have it notarized by a notary public.

(B) When a clerk of a court of common pleas issues a physical or electronic certificate of title for a replica motor vehicle, the certificate of title shall indicate that the motor vehicle is a replica motor vehicle.

When a clerk of a court of common pleas issues a duplicate certificate of title or memorandum certificate of title for a replica motor vehicle, that certificate of title shall be identical to the existing certificate of title.

Prior to issuance of the certificate of title, the owner of the replica motor vehicle shall surrender to the clerk any existing certificate of title, a copy of the inspection report, and the signed notarized written statement described in division (A) of this section.

(C)(1) Upon compliance with divisions (A) and (B) of this section and payment of the fee prescribed in section 4505.09 of the Revised Code, the clerk shall issue to the owner a certificate of title that complies with this section.

(2) The clerk shall use reasonable care in performing the duties imposed on the clerk by this section in issuing a certificate of title pursuant to this section, but the clerk is not liable for any of the clerk's errors or omissions or those of the clerk's deputies, or the automated title processing system in the performance of those duties.

(D)(1) The registrar of motor vehicles shall ensure that the certificate of title of a replica motor vehicle issued under this section complies with all of the following:

(a) It is in the same form as the original certificate of title.

(b) It displays the word "REPLICA" in black boldface letters on its face.

(c) It includes the make, model, and model year of motor vehicle that the owner is intending the motor vehicle to replicate.

(d) It includes the year the replica motor vehicle was constructed, assembled, or modified.

(2) The registrar shall determine the exact location on the face of the certificate of title of the word "REPLICA," the make, model, and model year of motor vehicle the owner is intending to replicate, and the year the replica motor vehicle was constructed, assembled, or modified. The registrar shall develop an automated procedure within the automated title processing system for purposes of this section.

(3) Every memorandum certificate of title or duplicate certificate of title issued for a replica

motor vehicle for which a certificate of title has been issued under this section shall display the same information as is required under division (D)(1) of this section.

Any subsequent certificate of title issued for a replica motor vehicle for which a certificate of title has been issued under this section shall display the same information as is required under division (D)(1) of this section.

(E)(1) The owner of a replica motor vehicle who titles that vehicle as a replica motor vehicle under this section shall obtain replica license plates and comply with the requirements of section 4503.183 of the Revised Code.

(2) The owner of a replica motor vehicle who does not title that motor vehicle as a replica motor vehicle under this section is not required to obtain replica motor vehicle license plates and comply with the requirements of section 4503.183 of the Revised Code. Such an owner is subject to the general registration requirements of Chapter 4503., the titling requirements of Chapter 4505., and the equipment requirements of Chapter 4513. of the Revised Code.

Sec. 4505.08. (A) When the clerk of a court of common pleas issues a physical certificate of title, the clerk shall issue the certificate of title on a form and in a manner prescribed by the registrar of motor vehicles. The clerk shall file a copy of the physical evidence for the creation of the certificate of title in a manner prescribed by the registrar. A clerk may retain digital images of documents used as evidence for issuance of a certificate of title. Certified printouts of documents retained as digital images shall have the same evidentiary value as the original physical documents. The record of the issuance of the certificate of title shall be maintained in the automated title processing system. The clerk shall sign and affix the clerk's seal to the original certificate of title and, if there are no liens on the motor vehicle, shall deliver the certificate to the applicant or the selling dealer. If there are one or more liens on the motor vehicle, the certificate of title shall be delivered to the holder of the first lien or the selling dealer, who shall deliver the certificate of title to the holder of the first lien.

The registrar shall prescribe a uniform method of numbering certificates of title, and such numbering shall be in such manner that the county of issuance is indicated. The clerk shall assign numbers to certificates of title in the manner prescribed by the registrar. The clerk shall file all certificates of title according to rules to be prescribed by the registrar, and the clerk shall maintain in the clerk's office indexes for the certificates of title.

The clerk need not retain on file any current certificates of title, current duplicate certificates of title, current memorandum certificates of title, or current salvage certificates of title, or supporting evidence of them covering any motor vehicle or manufactured or mobile home for a period longer than seven years after the date of its filing; thereafter, the documents and supporting evidence may be destroyed. The clerk need not retain on file any inactive records, including certificates of title, duplicate certificates of title, or memorandum certificates of title, or supporting evidence of them, including the electronic record described in division (A) of section 4505.06 of the Revised Code, covering any motor vehicle or manufactured or mobile home for a period longer than five years after

the date of its filing; thereafter, the documents and supporting evidence may be destroyed.

The automated title processing system shall contain all active records and an index of the active records, a record and index of all inactive titles for ten years, and a record and index of all inactive titles for manufactured and mobile homes for thirty years. If the clerk provides a written copy of any information contained in the database, the copy shall be considered the original for purposes of the clerk certifying the record of the information for use in any legal proceeding.

(B)(1) If the clerk issues a certificate of title for a motor vehicle that was last previously registered in another state, the clerk shall record verbatim, where practicable, in the space on the title described in division (B)(19) of section 4505.07 of the Revised Code, the words that appear as a notation to the vehicle on the title issued by the previous state. These notations may include, but are not limited to, words to the effect that the vehicle was considered or was categorized by the state in which it was last previously registered to be a law enforcement vehicle or a taxicab or was once in a flood.

(2) If the clerk, while issuing a certificate of title for a motor vehicle that was last previously registered in another state, receives information from the automated title processing system indicating that a title to the vehicle previously was issued by this state and that the previous title contained notations that appeared in the space described in division (B)(19) or (20) of section 4505.07 of the Revised Code, the clerk shall enter the notations that appeared on the previous certificate of title issued by this state on the new certificate of title in the space described in division (B)(19) or (20) of section 4505.07 of the Revised Code, irrespective of whether the notations appear on the certificate of title issued by the state in which the vehicle was last previously registered.

(3) If the clerk, while issuing a certificate of title for a motor vehicle that was last previously registered in another state, receives information from the automated title processing system indicating that the vehicle was previously issued a title by this state and that the previous title bore the notation "REBUILT SALVAGE" as required by division (E) of section 4505.11 of the Revised Code, or the previous title to the vehicle issued by this state was a salvage certificate of title, the clerk shall cause the certificate of title the clerk issues to bear the notation "REBUILT SALVAGE" in the location prescribed by the registrar pursuant to that division.

(4) If the clerk, while issuing a certificate of title for a motor vehicle that was last previously registered in another state, receives information from the automated title processing system indicating that the vehicle was previously issued a title by this state and that the previous title included the notation "REPLICA" in accordance with section 4505.072 of the Revised Code, or the previous title to the vehicle issued by another state indicates that the vehicle is a replica motor vehicle, the clerk shall cause the certificate of title the clerk issues to display the notation "REPLICA" in the location prescribed by the registrar pursuant to that section.

(C) When the clerk issues a certificate of title for a motor vehicle that was last previously registered in this state and was a law enforcement vehicle or a taxicab or was once in a flood, the clerk shall record that information in the space on the title described in division (B)(20) of section

4505.07 of the Revised Code. The registrar, by rule, may prescribe any additional uses of or happenings to a motor vehicle that the registrar has reason to believe should be noted on the certificate of title as provided in this division.

(D) The clerk shall use reasonable care in recording or entering onto titles the clerk issues any notation and information the clerk is required by divisions (B) and (C) of this section to record or enter and in causing the titles the clerk issues to bear any notation required by those divisions, but the clerk is not liable for any of the clerk's errors or omissions or those of the clerk's deputies, or the automated title processing system, in the performance of the duties imposed on the clerk by this section.

(E) The clerk may issue a duplicate title, when duly applied for, of any title that has been destroyed as herein provided.

(F) Except as provided in section 4505.021 of the Revised Code, the clerk shall issue a physical certificate of title to an applicant unless the applicant specifically requests the clerk not to issue a physical certificate of title and instead to issue an electronic certificate of title. The fact that a physical certificate of title is not issued for a motor vehicle does not affect ownership of the vehicle. In that case, when the clerk completes the process of entering certificate of title application information into the automated title processing system, the effect of the completion of the process is the same as if the clerk actually issued a physical certificate of title for the motor vehicle.

(G) An electronic motor vehicle dealer who applies for a certificate of title on behalf of a customer who purchases a motor vehicle from the dealer may print a non-negotiable evidence of ownership for the customer if the customer so requests. The authorization to print the non-negotiable evidence of ownership shall come from the clerk with whom the dealer makes application for the certificate of title for the customer, but the printing by the dealer does not create an agency relationship of any kind between the dealer and the clerk.

(H) The owner of a motor vehicle may apply at any time to a clerk of a court of common pleas for a non-negotiable evidence of ownership for the motor vehicle.

(I) In accordance with rules adopted by the registrar, a clerk may issue a certificate of title applied for by an agent of a licensed motor vehicle dealer when that agent has a properly executed power of attorney from the dealer.

Sec. 4506.01. As used in this chapter:

(A) "Alcohol concentration" means the concentration of alcohol in a person's blood, breath, or urine. When expressed as a percentage, it means grams of alcohol per the following:

- (1) One hundred milliliters of whole blood, blood serum, or blood plasma;
- (2) Two hundred ten liters of breath;
- (3) One hundred milliliters of urine.

~~(B)(1)(B)~~ "Commercial driver's license" means a license issued in accordance with this chapter that authorizes an individual to drive a commercial motor vehicle. ~~Except as otherwise specifically provided, "commercial driver's license" includes an "enhanced commercial driver's~~

license."

(2) ~~"Enhanced commercial driver's license" means a commercial driver's license issued in accordance with sections 4507.021 and 4506.072 of the Revised Code that denotes citizenship and identity and is approved by the United States secretary of homeland security or other designated federal agency for purposes of entering the United States.~~

(C) "Commercial driver's license information system" means the information system established pursuant to the requirements of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 3207-171, 49 U.S.C.A. App. 2701.

(D) Except when used in section 4506.25 of the Revised Code, "commercial motor vehicle" means any motor vehicle designed or used to transport persons or property that meets any of the following qualifications:

(1) Any combination of vehicles with a gross vehicle weight or combined gross vehicle weight rating of twenty-six thousand one pounds or more, provided the gross vehicle weight or gross vehicle weight rating of the vehicle or vehicles being towed is in excess of ten thousand pounds;

(2) Any single vehicle with a gross vehicle weight or gross vehicle weight rating of twenty-six thousand one pounds or more;

(3) Any single vehicle or combination of vehicles that is not a class A or class B vehicle, but is designed to transport sixteen or more passengers including the driver;

(4) Any school bus with a gross vehicle weight or gross vehicle weight rating of less than twenty-six thousand one pounds that is designed to transport fewer than sixteen passengers including the driver;

(5) Is transporting hazardous materials for which placarding is required under subpart F of 49 C.F.R. part 172, as amended;

(6) Any single vehicle or combination of vehicles that is designed to be operated and to travel on a public street or highway and is considered by the federal motor carrier safety administration to be a commercial motor vehicle, including, but not limited to, a motorized crane, a vehicle whose function is to pump cement, a rig for drilling wells, and a portable crane.

(E) "Controlled substance" means all of the following:

(1) Any substance classified as a controlled substance under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 U.S.C.A. 802(6), as amended;

(2) Any substance included in schedules I through V of 21 C.F.R. part 1308, as amended;

(3) Any drug of abuse.

(F) "Conviction" means an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(G) "Disqualification" means any of the following:

(1) The suspension, revocation, or cancellation of a person's privileges to operate a commercial motor vehicle;

(2) Any withdrawal of a person's privileges to operate a commercial motor vehicle as the result of a violation of state or local law relating to motor vehicle traffic control other than parking, vehicle weight, or vehicle defect violations;

(3) A determination by the federal motor carrier safety administration that a person is not qualified to operate a commercial motor vehicle under 49 C.F.R. 391.

(H) "Domiciled" means having a true, fixed, principal, and permanent residence to which an individual intends to return.

(I) "Downgrade" means any of the following, as applicable:

(1) A change in the commercial driver's license, or commercial driver's license temporary instruction permit, holder's self-certified status as described in division (A)(1) of section 4506.10 of the Revised Code;

(2) A change to a lesser class of vehicle;

(3) Removal of commercial driver's license privileges from the individual's driver's license.

(J) "Drive" means to drive, operate, or be in physical control of a motor vehicle.

(K) "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle or is required to have a commercial driver's license.

(L) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes an individual to drive.

(M) "Drug of abuse" means any controlled substance, dangerous drug as defined in section 4729.01 of the Revised Code, harmful intoxicant as defined in section 2925.01 of the Revised Code, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes.

(N) "Electronic device" includes a cellular telephone, a personal digital assistant, a pager, a computer, and any other device used to input, write, send, receive, or read text.

(O) "Eligible unit of local government" means a village, township, or county that has a population of not more than three thousand persons according to the most recent federal census.

(P) "Employer" means any person, including the federal government, any state, and a political subdivision of any state, that owns or leases a commercial motor vehicle or assigns a person to drive such a motor vehicle.

(Q) "Endorsement" means an authorization on a person's commercial driver's license that is required to permit the person to operate a specified type of commercial motor vehicle.

(R) "Farm truck" means a truck controlled and operated by a farmer for use in the transportation to or from a farm, for a distance of not more than one hundred fifty miles, of products of the farm, including livestock and its products, poultry and its products, floricultural and horticultural products, and in the transportation to the farm, from a distance of not more than one

hundred fifty miles, of supplies for the farm, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production, and livestock, poultry, and other animals and things used for breeding, feeding, or other purposes connected with the operation of the farm, when the truck is operated in accordance with this division and is not used in the operations of a motor carrier, as defined in section 4923.01 of the Revised Code.

(S) "Fatality" means the death of a person as the result of a motor vehicle accident occurring not more than three hundred sixty-five days prior to the date of death.

(T) "Felony" means any offense under federal or state law that is punishable by death or specifically classified as a felony under the law of this state, regardless of the penalty that may be imposed.

(U) "Foreign jurisdiction" means any jurisdiction other than a state.

(V) "Gross vehicle weight rating" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination vehicle. The gross vehicle weight rating of a combination vehicle is the gross vehicle weight rating of the power unit plus the gross vehicle weight rating of each towed unit.

(W) "Hazardous materials" means any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73, as amended.

(X) "Imminent hazard" means the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury, or endangerment.

(Y) "Medical variance" means one of the following received by a driver from the federal motor carrier safety administration that allows the driver to be issued a medical certificate:

(1) An exemption letter permitting operation of a commercial motor vehicle under 49 C.F.R. 381, subpart C or 49 C.F.R. 391.64;

(2) A skill performance evaluation certificate permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. 391.49.

(Z) "Mobile telephone" means a mobile communication device that falls under or uses any commercial mobile radio service as defined in 47 C.F.R. 20, except that mobile telephone does not include two-way or citizens band radio services.

(AA) "Motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power used on highways, except that such term does not include a vehicle, machine, tractor, trailer, or semitrailer operated exclusively on a rail.

(BB) "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, local, Canadian, or Mexican jurisdiction declaring that a driver, commercial motor vehicle, or commercial motor carrier operation is out of service as defined in 49 C.F.R. 390.5.

(CC) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.

(DD) "Portable tank" means a liquid or gaseous packaging designed primarily to be loaded onto or temporarily attached to a vehicle and equipped with skids, mountings, or accessories to facilitate handling of the tank by mechanical means.

(EE) "Public safety vehicle" has the same meaning as in divisions (E)(1) and (3) of section 4511.01 of the Revised Code.

(FF) "Recreational vehicle" includes every vehicle that is defined as a recreational vehicle in section 4501.01 of the Revised Code and is used exclusively for purposes other than engaging in business for profit.

(GG) "Residence" means any person's residence determined in accordance with standards prescribed in rules adopted by the registrar.

(HH) "School bus" has the same meaning as in section 4511.01 of the Revised Code.

(II) "Serious traffic violation" means any of the following:

(1) A conviction arising from a single charge of operating a commercial motor vehicle in violation of any provision of section 4506.03 of the Revised Code;

(2)(a) Except as provided in division (II)(2)(b) of this section, a violation while operating a commercial motor vehicle of a law of this state, or any municipal ordinance or county or township resolution, or any other substantially similar law of another state or political subdivision of another state prohibiting either of the following:

(i) Texting while driving;

(ii) Using a handheld mobile telephone.

(b) It is not a serious traffic violation if the person was texting or using a handheld mobile telephone to contact law enforcement or other emergency services.

(3) A conviction arising from the operation of any motor vehicle that involves any of the following:

(a) A single charge of any speed in excess of the posted speed limit by fifteen miles per hour or more;

(b) Violation of section 4511.20 or 4511.201 of the Revised Code or any similar ordinance or resolution, or of any similar law of another state or political subdivision of another state;

(c) Violation of a law of this state or an ordinance or resolution relating to traffic control, other than a parking violation, or of any similar law of another state or political subdivision of another state, that results in a fatal accident;

(d) Violation of section 4506.03 of the Revised Code or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license with the proper class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported;

(e) Violation of section 4506.03 of the Revised Code or a substantially similar municipal

ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license being in the person's possession;

(f) Violation of section 4511.33 or 4511.34 of the Revised Code, or any municipal ordinance or county or township resolution substantially similar to either of those sections, or any substantially similar law of another state or political subdivision of another state;

(g) Violation of any other law of this state, any law of another state, or any ordinance or resolution of a political subdivision of this state or another state that meets both of the following requirements:

(i) It relates to traffic control, other than a parking violation;

(ii) It is determined to be a serious traffic violation by the United States secretary of transportation and is designated by the director as such by rule.

(JJ) "State" means a state of the United States and includes the District of Columbia.

(KK) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks that are either permanently or temporarily attached to the vehicle or its chassis and have an individual rated capacity of more than one hundred nineteen gallons and an aggregate rated capacity of one thousand gallons or more. "Tank vehicle" does not include a commercial motor vehicle transporting an empty storage container tank that is not designed for transportation, has a rated capacity of one thousand gallons or more, and is temporarily attached to a flatbed trailer.

(LL) "Tester" means a person or entity acting pursuant to a valid agreement entered into pursuant to division (B) of section 4506.09 of the Revised Code.

(MM) "Texting" means manually entering alphanumeric text into, or reading text from, an electronic device. Texting includes short message service, e-mail, instant messaging, a command or request to access a world wide web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone, or engaging in any other form of electronic text retrieval or entry, for present or future communication. Texting does not include the following:

(1) Using voice commands to initiate, receive, or terminate a voice communication using a mobile telephone;

(2) Inputting, selecting, or reading information on a global positioning system or navigation system;

(3) Pressing a single button to initiate or terminate a voice communication using a mobile telephone; or

(4) Using, for a purpose that is not otherwise prohibited by law, a device capable of performing multiple functions, such as a fleet management system, a dispatching device, a mobile telephone, a citizens band radio, or a music player.

(NN) "Texting while driving" means texting while operating a commercial motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control

device, or other momentary delays. Texting while driving does not include operating a commercial motor vehicle with or without the motor running when the driver has moved the vehicle to the side of, or off, a highway and is stopped in a location where the vehicle can safely remain stationary.

(OO) "United States" means the fifty states and the District of Columbia.

(PP) "Upgrade" means a change in the class of vehicles, endorsements, or self-certified status as described in division (A)(1) of section 4506.10 of the Revised Code, that expands the ability of a current commercial driver's license holder to operate commercial motor vehicles under this chapter;

(QQ) "Use of a handheld mobile telephone" means:

- (1) Using at least one hand to hold a mobile telephone to conduct a voice communication;
- (2) Dialing or answering a mobile telephone by pressing more than a single button; or
- (3) Reaching for a mobile telephone in a manner that requires a driver to maneuver so that the driver is no longer in a seated driving position, or restrained by a seat belt that is installed in accordance with 49 C.F.R. 393.93 and adjusted in accordance with the vehicle manufacturer's instructions.

(RR) "Vehicle" has the same meaning as in section 4511.01 of the Revised Code.

Sec. 4506.09. (A) The registrar of motor vehicles, subject to approval by the director of public safety, shall adopt rules conforming with applicable standards adopted by the federal motor carrier safety administration as regulations under Pub. L. No. 103-272, 108 Stat. 1014 to 1029 (1994), 49 U.S.C.A. 31301 to 31317. The rules shall establish requirements for the qualification and testing of persons applying for a commercial driver's license, which are in addition to other requirements established by this chapter. Except as provided in division (B) of this section, the highway patrol or any other employee of the department of public safety the registrar authorizes shall supervise and conduct the testing of persons applying for a commercial driver's license.

(B) The director may adopt rules, in accordance with Chapter 119. of the Revised Code and applicable requirements of the federal motor carrier safety administration, authorizing the skills test specified in this section to be administered by any person, by an agency of this or another state, or by an agency, department, or instrumentality of local government. Each party authorized under this division to administer the skills test may charge a ~~maximum divisible fee of one hundred fifteen dollars~~ for each skills test given as part of a commercial driver's license examination. ~~The fee shall consist of not more than twenty-seven dollars for the pre-trip inspection portion of the test, not more than twenty-seven dollars for the off-road maneuvering portion of the test, and not more than sixty-one dollars for the on-road portion of the test.~~ Each such party may require an appointment fee in the same manner provided in division (E)(2) of this section, ~~except that the maximum amount such a party may require as an appointment fee is one hundred fifteen dollars.~~ The skills test administered by another party under this division shall be the same as otherwise would be administered by this state. The other party shall enter into an agreement with the director that, without limitation, does all of the following:

(1) Allows the director or the director's representative and the federal motor carrier safety administration or its representative to conduct random examinations, inspections, and audits of the other party, whether covert or overt, without prior notice;

(2) Requires the director or the director's representative to conduct on-site inspections of the other party at least annually;

(3) Requires that all examiners of the other party meet the same qualification and training standards as examiners of the department of public safety, including criminal background checks and the standards applicable to the class of vehicle and endorsements for which an applicant taking the skills test is applying, to the extent necessary to conduct skills tests in the manner required by 49 C.F.R. 383.110 through 383.135. In accordance with federal guidelines, any examiner employed on July 1, 2017, shall have a criminal background check conducted at least once, and any examiner hired after July 1, 2015, shall have a criminal background check conducted after the examiner is initially hired.

(4) Requires either that state employees take, at least annually and as though the employees were test applicants, the tests actually administered by the other party, that the director test a sample of drivers who were examined by the other party to compare the test results, or that state employees accompany a test applicant during an actual test;

(5) Unless the other party is a governmental entity, requires the other party to initiate and maintain a bond in an amount determined by the director to sufficiently pay for the retesting of drivers in the event that the other party or its skills test examiners are involved in fraudulent activities related to skills testing;

(6) Requires the other party to use only skills test examiners who have successfully completed a commercial driver's license examiner training course as prescribed by the director, and have been certified by the state as a commercial driver's license skills test examiner qualified to administer the applicable skills tests;

(7) Requires the other party to use designated road test routes that have been approved by the director;

(8) Requires the other party to schedule all skills test appointments through a system or method provided by the director. If a system or method is not provided by the director, the other party shall submit a schedule of skills test appointments to the director weekly. The director may request that any additions to the schedule of skills test appointments, made after the weekly submission, be submitted to the director not later than two business days prior to the additional skills test appointment.

(9) Requires the other party to maintain copies of the following records at its principal place of business:

(a) The other party's commercial driver's license skills testing program certificate;

(b) Each skills test examiner's certificate of authorization to administer skills tests for the classes and types of commercial motor vehicles listed in the certificate;

(c) Each completed skills test scoring sheet for the current calendar year as well as the prior two calendar years;

(d) A complete list of the test routes that have been approved by the director;

(e) A complete and accurate copy of each examiner's training record;

(f) A copy of the agreement that the other party made with the director.

(10) If the other party also is a driver training school, prohibits its skills test examiners from administering skills tests to applicants that the examiner personally trained;

(11) Requires each skills test examiner to administer a complete skills test to a minimum of ten different individuals per calendar year;

(12) Reserves to this state the right to take prompt and appropriate remedial action against the other party and its skills test examiners if the other party or its skills test examiners fail to comply with standards of this state or federal standards for the testing program or with any other terms of the contract.

(C) The director shall enter into an agreement with the department of education and workforce authorizing the skills test specified in this section to be administered by the department at any location operated by the department for purposes of training and testing school bus drivers, provided that the agreement between the director and the department complies with the requirements of division (B) of this section. Skills tests administered by the department shall be limited to persons applying for a commercial driver's license with a school bus endorsement.

(D)(1) The director shall adopt rules, in accordance with Chapter 119. of the Revised Code, authorizing waiver of the skills test specified in this section for any applicant for a commercial driver's license who meets all of the following requirements:

(a) As authorized under 49 C.F.R. 383.77, the applicant operates a commercial motor vehicle for military purposes and is one of the following:

(i) Active duty military personnel;

(ii) A member of the military reserves;

(iii) A member of the national guard on active duty, including full-time national guard duty, part-time national guard training, and national guard military technicians;

(iv) Active duty U.S. coast guard personnel.

(b) The applicant certifies that, during the two-year period immediately preceding application for a commercial driver's license, all of the following apply:

(i) The applicant has not had more than one license, excluding any military license.

(ii) The applicant has not had any license suspended, revoked, or canceled.

(iii) The applicant has not had any convictions for any type of motor vehicle for the offenses for which disqualification is prescribed in section 4506.16 of the Revised Code.

(iv) The applicant has not had more than one conviction for any type of motor vehicle for a serious traffic violation.

(v) The applicant has not had any violation of a state or local law relating to motor vehicle

traffic control other than a parking violation arising in connection with any traffic accident and has no record of an accident in which the applicant was at fault.

(c) In accordance with rules adopted by the director, the applicant certifies and also provides evidence of all of the following:

(i) That the applicant is or was regularly employed in a military position requiring operation of a commercial motor vehicle;

(ii) That the applicant was exempt from the requirements of this chapter under division (B)(6) of section 4506.03 of the Revised Code;

(iii) That, for at least two years immediately preceding the date of application or at least two years immediately preceding the date the applicant separated from military service or employment, the applicant regularly operated a vehicle representative of the commercial motor vehicle type that the applicant operates or expects to operate.

(2) The waiver established under division (D)(1) of this section does not apply to United States reserve technicians.

(E)(1) The department of public safety may charge and collect a divisible fee of fifty dollars for each skills test given as part of a commercial driver's license examination. The fee shall consist of ten dollars for the pre-trip inspection portion of the test, ten dollars for the off-road maneuvering portion of the test, and thirty dollars for the on-road portion of the test.

(2) No applicant is eligible to take the skills test until a minimum of fourteen days have elapsed since the initial issuance of a commercial driver's license temporary instruction permit to the applicant. The director may require an applicant for a commercial driver's license who schedules an appointment with the highway patrol or other authorized employee of the department of public safety to take all portions of the skills test and to pay an appointment fee of fifty dollars at the time of scheduling the appointment. If the applicant appears at the time and location specified for the appointment and takes all portions of the skills test during that appointment, the appointment fee serves as the skills test fee. If the applicant schedules an appointment to take all portions of the skills test and fails to appear at the time and location specified for the appointment, the director shall not refund any portion of the appointment fee. If the applicant schedules an appointment to take all portions of the skills test and appears at the time and location specified for the appointment, but declines or is unable to take all portions of the skills test, the director shall not refund any portion of the appointment fee. If the applicant cancels a scheduled appointment forty-eight hours or more prior to the time of the appointment time, the applicant shall not forfeit the appointment fee.

An applicant for a commercial driver's license who schedules an appointment to take one or more, but not all, portions of the skills test is required to pay an appointment fee equal to the costs of each test scheduled, as prescribed in division (E)(1) of this section, when scheduling such an appointment. If the applicant appears at the time and location specified for the appointment and takes all the portions of the skills test during that appointment that the applicant was scheduled to take, the appointment fee serves as the skills test fee. If the applicant schedules an appointment to

take one or more, but not all, portions of the skills test and fails to appear at the time and location specified for the appointment, the director shall not refund any portion of the appointment fee. If the applicant schedules an appointment to take one or more, but not all, portions of the skills test and appears at the time and location specified for the appointment, but declines or is unable to take all portions of the skills test that the applicant was scheduled to take, the director shall not refund any portion of the appointment fee. If the applicant cancels a scheduled appointment forty-eight hours or more prior to the time of the appointment time, the applicant shall not forfeit the appointment fee.

(3) The department of public safety shall deposit all fees it collects under division (E) of this section in the public safety - highway purposes fund established in section 4501.06 of the Revised Code.

(F)(1) Unless an applicant for a commercial driver's license has successfully completed the training required under 49 C.F.R. 380, subpart F, the applicant is not eligible to do any of the following:

(a) Take the skills test required for initial issuance of a class A or a class B commercial driver's license;

(b) Take the skills test required for initial issuance of a passenger (P) or school bus (S) endorsement on the applicant's commercial driver's license;

(c) Take the knowledge test required for initial issuance of a hazardous materials (H) endorsement on the applicant's commercial driver's license.

Before an applicant takes the applicable skills or knowledge test, the registrar shall electronically verify, through the federal motor carrier safety administration's training provider registry, that an applicant has completed the required training under 49 C.F.R. 380, subpart F.

(2) The training required under 49 C.F.R. 380, subpart F, and under division (F)(1) of this section may be provided by either of the following:

(a) A driver training school pursuant to section 4508.031 of the Revised Code;

(b) An authorized driver training provider listed on the federal motor carrier safety administration's training provider registry.

(G) A person who has successfully completed commercial driver's license training in this state but seeks a commercial driver's license in another state where the person is domiciled may schedule an appointment to take the skills test in this state and shall pay the appropriate appointment fee. Upon the person's completion of the skills test, this state shall electronically transmit the applicant's results to the state where the person is domiciled. If a person who is domiciled in this state takes a skills test in another state, this state shall accept the results of the skills test from the other state. If the person passed the other state's skills test and meets all of the other licensing requirements set forth in this chapter and rules adopted under this chapter, the registrar of motor vehicles or a deputy registrar shall issue a commercial driver's license to that person.

(H) Unless otherwise specified, the director or the director's representative shall conduct the examinations, inspections, audits, and test monitoring set forth in divisions (B)(2),(3), and (4) of this

section at least annually. If the other party or any of its skills test examiners fail to comply with state or federal standards for the skills testing program, the director or the director's representative shall take prompt and appropriate remedial action against the party and its skills test examiners. Remedial action may include termination of the agreement or revocation of a skills test examiner's certification.

(I) As used in this section, "skills test" means a test of an applicant's ability to drive the type of commercial motor vehicle for which the applicant seeks a commercial driver's license by having the applicant drive such a motor vehicle while under the supervision of an authorized state driver's license examiner or tester.

Sec. 4506.11. (A) Every commercial driver's license shall be marked "commercial driver's license" or "CDL" and shall be of such material and so designed as to prevent its reproduction or alteration without ready detection. The commercial driver's license for licensees under twenty-one years of age shall have characteristics prescribed by the registrar of motor vehicles distinguishing it from that issued to a licensee who is twenty-one years of age or older. Every commercial driver's license shall display all of the following information:

- (1) The name and residence address of the licensee;
- (2) A photograph of the licensee showing the licensee's uncovered face;
- (3) A physical description of the licensee, including sex, height, weight, and color of eyes and hair;
- (4) The licensee's date of birth;
- (5) The licensee's social security number if the person has requested that the number be displayed in accordance with section 4501.31 of the Revised Code or if federal law requires the social security number to be displayed and any number or other identifier the director of public safety considers appropriate and establishes by rules adopted under Chapter 119. of the Revised Code and in compliance with federal law;
- (6) The licensee's signature;
- (7) The classes of commercial motor vehicles the licensee is authorized to drive and any endorsements or restrictions relating to the licensee's driving of those vehicles;
- (8) The name of this state;
- (9) The dates of issuance and of expiration of the license;
- (10) If the licensee has certified willingness to make an anatomical gift under section 2108.05 of the Revised Code, any symbol chosen by the registrar of motor vehicles to indicate that the licensee has certified that willingness;
- (11) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument;

(12) If the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States;

(13) If the licensee is a noncitizen of the United States, a notation designating that the licensee is a noncitizen;

(14) Any other information the registrar considers advisable and requires by rule.

~~(B) Every enhanced commercial driver's license shall have any additional characteristics established by the rules adopted under section 4507.021 of the Revised Code.~~

~~(C)~~ The registrar may establish and maintain a file of negatives of photographs taken for the purposes of this section.

~~(D)~~(C) Neither the registrar nor any deputy registrar shall issue a commercial driver's license to anyone under twenty-one years of age that does not have the characteristics prescribed by the registrar distinguishing it from the commercial driver's license issued to persons who are twenty-one years of age or older.

~~(E)~~(D) Whoever violates division ~~(D)~~(C) of this section is guilty of a minor misdemeanor.

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

"Driver's license" means a class D license issued to any person to operate a motor vehicle or motor-driven cycle, other than a commercial motor vehicle, and includes "probationary license," "restricted license," "limited term license," and any operator's or chauffeur's license issued before January 1, 1990. ~~Except as otherwise specifically provided, "driver's license" includes an "enhanced driver's license."~~

~~"Enhanced driver's license" means a driver's license issued in accordance with sections 4507.021 and 4507.063 of the Revised Code that denotes citizenship and identity and is approved by the United States secretary of homeland security or other designated federal agency for purposes of entering the United States.~~

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

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

"Commercial driver's license" means the license issued to a person under Chapter 4506. of the Revised Code to operate a commercial motor vehicle.

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

"Motorcycle operator's temporary instruction permit, license, or endorsement" includes a

temporary instruction permit, license, or endorsement for a motor-driven cycle or motor scooter unless otherwise specified.

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

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

"Identification card" means a card issued under sections 4507.50 to 4507.52 of the Revised Code. ~~Except as otherwise specifically provided, "identification card" includes an "enhanced identification card."~~

~~"Enhanced identification card" means an identification card issued in accordance with sections 4507.021 and 4507.511 of the Revised Code that denotes citizenship and identity and is approved by the United States secretary of homeland security or other designated federal agency for purposes of entering the United States.~~

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

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

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

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

The registrar also shall provide at each place where an application for a driver's or commercial driver's license or identification card may be made the necessary equipment to take a photograph of the applicant for such license or card as required under section 4506.11 or 4507.06 of the Revised Code, and to conduct the vision screenings required by section 4507.12 of the Revised Code.

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

(C) No agent for any insurance company, writing automobile insurance, shall be appointed deputy registrar, and any such appointment is void. No deputy registrar shall in any manner solicit

any form of automobile insurance, nor in any manner advise, suggest, or influence any licensee or applicant for license for or against any kind or type of automobile insurance, insurance company, or agent, nor have the deputy registrar's office directly connected with the office of any automobile insurance agent, nor impart any information furnished by any applicant for a license or identification card to any person, except the registrar. This division shall not apply to any nonprofit corporation appointed deputy registrar.

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

Sec. 4507.061. (A) The registrar of motor vehicles may authorize the online renewal of a driver's license, commercial driver's license, or identification card issued by the bureau of motor vehicles for eligible applicants. An applicant is eligible for online renewal if all of the following apply:

(1) The applicant's current driver's license, commercial driver's license, or identification card was processed in person at a deputy registrar office.

(2) The applicant has a photo on file with the bureau of motor vehicles from the applicant's current driver's license, commercial driver's license, or identification card.

(3) The applicant's current driver's license, commercial driver's license, or identification card expires on the birthday of the applicant in the fourth year after the date it was issued.

(4) The applicant is applying for a driver's license, commercial driver's license, or identification card that expires on the birthday of the applicant in the fourth year after the date it is issued.

(5) The applicant's current driver's license, commercial driver's license, or identification card is unexpired or expired not more than six months prior to the date of the application.

(6) The applicant is a citizen or a permanent resident of the United States and a permanent resident of this state.

(7) The applicant's current driver's license, commercial driver's license, or identification card was ~~issue~~issued when the applicant was twenty-one years of age or older.

(8) If the applicant is renewing a driver's license or commercial driver's license, the applicant is less than sixty-five years of age.

(9) The applicant's current driver's license, commercial driver's license, or driving privileges are not suspended, canceled, revoked, or restricted, and the applicant is not otherwise prohibited by law from obtaining a driver's license, commercial driver's license, or identification card.

(10) The applicant has no changes to the applicant's name or personal information, other than a change of address.

(11) The applicant has no medical restrictions that would require the applicant to apply for a driver's license, commercial driver's license, or identification card in person at a deputy registrar office. The registrar shall determine the medical restrictions that require in person applications.

(12) For a commercial driver's license, the applicant complies with all the requirements of

Chapter 4506. of the Revised Code, including self-certification and medical certificate requirements.

(13) For a commercial driver's license, the applicant is not under any restriction specified by any federal regulation.

(B) An applicant may not submit an application online for any of the following:

(1) A temporary instruction permit;

(2) A commercial driver's license temporary instruction permit;

(3) An initial issuance of an Ohio driver's license, commercial driver's license, or identification card;

(4) An initial issuance of a federally compliant driver's license or identification card;

(5) ~~An initial issuance of an enhanced driver's license, commercial driver's license, or enhanced identification card;~~

~~(6) An ignition interlock license;~~

~~(7)(6) A limited term driver's license or nonrenewable commercial driver's license.~~

(C) The registrar may require an applicant to provide a digital copy of any identification documents and supporting documents as required by statute or administrative rule to comply with current state and federal requirements.

(D) Except as otherwise provided, an applicant shall comply with all other applicable laws related to the issuance of a driver's license, commercial driver's license, or identification card in order to renew a driver's license, commercial driver's license, or identification card under this section.

(E) The registrar may adopt rules in accordance with Chapter 119. of the Revised Code to implement and administer this section.

Sec. 4507.13. (A)(1) The registrar of motor vehicles shall issue a driver's license to every person licensed as an operator of motor vehicles other than commercial motor vehicles. No person licensed as a commercial motor vehicle driver under Chapter 4506. of the Revised Code need procure a driver's license, but no person shall drive any commercial motor vehicle unless licensed as a commercial motor vehicle driver.

(2) Every driver's license shall display all of the following information:

(a) The distinguishing number assigned to the licensee;

(b) The licensee's name and date of birth;

(c) The licensee's residence address and county of residence;

(d) A photograph of the licensee;

(e) A brief description of the licensee for the purpose of identification;

(f) A facsimile of the signature of the licensee as it appears on the application for the license;

(g) A notation, in a manner prescribed by the registrar, indicating any condition described in division (D)(3) of section 4507.08 of the Revised Code to which the licensee is subject;

(h) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and

has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument;

(i) If the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States;

(j) If the licensee is a noncitizen of the United States, a notation designating that the licensee is a noncitizen;

(k) Any additional information that the registrar requires by rule.

(3) No license shall display the licensee's social security number unless the licensee specifically requests that the licensee's social security number be displayed on the license. If federal law requires the licensee's social security number to be displayed on the license, the social security number shall be displayed on the license notwithstanding this section.

(4) The driver's license for licensees under twenty-one years of age shall have characteristics prescribed by the registrar distinguishing it from that issued to a licensee who is twenty-one years of age or older, except that a driver's license issued to a person who applies no more than thirty days before the applicant's twenty-first birthday shall have the characteristics of a license issued to a person who is twenty-one years of age or older.

(5) The limited term license issued to a temporary resident shall contain the ~~word~~-words "limited term" and shall have any additional characteristics prescribed by the registrar distinguishing it from a license issued to a resident.

~~(6) Every enhanced driver's license shall have any additional characteristics established by the rules adopted under section 4507.021 of the Revised Code.~~

~~(7)~~ Every driver's or commercial driver's license displaying a motorcycle operator's endorsement and every restricted license to operate a motor vehicle also shall display the designation "novice," if the endorsement or license is issued to a person who is eighteen years of age or older and previously has not been licensed to operate a motorcycle by this state or another jurisdiction recognized by this state. The "novice" designation shall be effective for one year after the date of issuance of the motorcycle operator's endorsement or license.

~~(8)~~(7) Each license issued under this section shall be of such material and so designed as to prevent its reproduction or alteration without ready detection.

(B) Except in regard to a driver's license issued to a person who applies no more than thirty days before the applicant's twenty-first birthday, neither the registrar nor any deputy registrar shall issue a driver's license to anyone under twenty-one years of age that does not have the characteristics prescribed by the registrar distinguishing it from the driver's license issued to persons who are twenty-one years of age or older.

(C) The registrar shall ensure that driver's licenses issued in accordance with the federal "Real ID Act," 49 U.S.C. 30301, et seq., comply with the regulations specified in 6 C.F.R. part 37.

(D) Whoever violates division (B) of this section is guilty of a minor misdemeanor.

Sec. 4507.21. (A) Except as provided in section 4507.061 of the Revised Code, each applicant for a driver's license shall file an application in the office of the registrar of motor vehicles or of a deputy registrar.

(B)(1) ~~Each~~ Except as provided in division (B)(4) of this section, each person under eighteen years of age applying for a driver's license issued in this state and each person eighteen years of age or older applying for an initial limited term license in this state shall present satisfactory evidence of having successfully completed any one of the following:

(a) ~~A driver education course approved by the state department of education and workforce prior to December 31, 2003.~~

~~(b)~~ A driver training course approved by the director of public safety.

~~(c)~~ (b) A driver training course comparable to a driver education or driver training course described in division (B)(1)(a) or (b) of this section and administered by a branch of the armed forces of the United States and completed by the applicant while residing outside this state for the purpose of being with or near any person serving in the armed forces of the United States.

(2) Each person under eighteen years of age applying for a driver's license also shall present, on a form prescribed by the registrar, an affidavit signed by an eligible adult attesting that the person has acquired at least fifty hours of actual driving experience, with at least ten of those hours being at night.

(3) Except as provided in division (B)(4) of this section, each person eighteen years of age or older applying for an initial limited term license in this state also shall present, on a form prescribed by the registrar, an affidavit signed by an adult who holds a current valid driver's or commercial driver's license issued by this state that the applicant has acquired at least fifty hours of actual driving experience, with at least ten of those hours being at night, accompanied by the signing adult.

(4) Both of the following individuals are exempt from the requirements specified in divisions (B)(1) and (3) of this section:

(a) A person who receives a waiver of the examination by the registrar in accordance with section 4507.10 of the Revised Code;

(b) An initial limited term license applicant eighteen years of age or older who is from a country with which the registrar has a reciprocal arrangement in accordance with section 4507.101 of the Revised Code.

(C)(1) An applicant for an initial driver's license shall present satisfactory evidence of successful completion of the abbreviated driver training course for adults, approved by the director of public safety under section 4508.02 of the Revised Code, if all of the following apply:

(a) The applicant is eighteen years of age or older.

(b) The applicant failed the road or maneuverability test required under division (A)(2) of

section 4507.11 of the Revised Code.

(c) In the twelve months immediately preceding the date of application, the applicant has not successfully completed a driver training course.

(2) An applicant shall present satisfactory evidence as required under division (C)(1) of this section prior to attempting the test a second or subsequent time.

(D) If the registrar or deputy registrar determines that the applicant is entitled to the driver's license, it shall be issued. If the application shows that the applicant's license has been previously canceled or suspended, the deputy registrar shall forward the application to the registrar, who shall determine whether the license shall be granted.

(E) An applicant shall file an application under this section in duplicate, and the deputy registrar issuing the license shall immediately forward to the office of the registrar the original copy of the application, together with the duplicate copy of any certificate of completion if issued for purposes of division (B) of this section. The registrar shall prescribe rules as to the manner in which the deputy registrar files and maintains the applications and other records. The registrar shall file every application for a driver's or commercial driver's license and index them by name and number, and shall maintain a suitable record of all licenses issued, all convictions and bond forfeitures, all applications for licenses denied, and all licenses that have been suspended or canceled.

(F) For purposes of section 2313.06 of the Revised Code, the registrar shall maintain accurate and current lists of the residents of each county who are eighteen years of age or older, have been issued, on and after January 1, 1984, driver's or commercial driver's licenses that are valid and current, and would be electors if they were registered to vote, regardless of whether they actually are registered to vote. The lists shall contain the names, addresses, dates of birth, duration of residence in this state, citizenship status, and social security numbers, if the numbers are available, of the licensees, and may contain any other information that the registrar considers suitable.

(G) Each person under eighteen years of age applying for a motorcycle operator's endorsement or a restricted license enabling the applicant to operate a motorcycle shall present satisfactory evidence of having completed the courses of instruction in the motorcycle safety and education program described in section 4508.08 of the Revised Code or a comparable course of instruction administered by a branch of the armed forces of the United States and completed by the applicant while residing outside this state for the purpose of being with or near any person serving in the armed forces of the United States. If the registrar or deputy registrar then determines that the applicant is entitled to the endorsement or restricted license, it shall be issued.

(H) No person shall knowingly make a false statement in an affidavit presented in accordance with division (B)(2) of this section.

(I) As used in this section, "eligible adult" means any of the following persons:

(1) A parent, guardian, or custodian of the applicant;

(2) A person over the age of twenty-one who acts in loco parentis of the applicant and who maintains proof of financial responsibility with respect to the operation of a motor vehicle owned by

the applicant or with respect to the applicant's operation of any motor vehicle.

(J) Whoever violates division (H) of this section is guilty of a minor misdemeanor and shall be fined one hundred dollars.

Sec. 4507.52. (A)(1) Each identification card issued by the registrar of motor vehicles or a deputy registrar shall display a distinguishing number assigned to the cardholder, and shall display the following inscription:

"STATE OF OHIO IDENTIFICATION CARD

This card is not valid for the purpose of operating a motor vehicle. It is provided solely for the purpose of establishing the identity of the bearer described on the card."

(2) The identification card shall display substantially the same information as contained in the application and as described in division (A)(1) of section 4507.51 of the Revised Code, including, if the cardholder is a noncitizen of the United States, a notation designating that the cardholder is a noncitizen. The identification card shall not display the cardholder's social security number unless the cardholder specifically requests that the cardholder's social security number be displayed on the card. If federal law requires the cardholder's social security number to be displayed on the identification card, the social security number shall be displayed on the card notwithstanding this section.

(3) The identification card also shall display the photograph of the cardholder.

(4) If the cardholder has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the cardholder wishes the identification card to indicate that the cardholder has executed either type of instrument, the card also shall display any symbol chosen by the registrar to indicate that the cardholder has executed either type of instrument.

(5) If the cardholder has specified that the cardholder wishes the identification card to indicate that the cardholder is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the cardholder's DD-214 form or an equivalent document, the card also shall display any symbol chosen by the registrar to indicate that the cardholder is a veteran, active duty, or reservist of the armed forces of the United States.

(6) The card shall be designed as to prevent its reproduction or alteration without ready detection.

(7) The identification card for persons under twenty-one years of age shall have characteristics prescribed by the registrar distinguishing it from that issued to a person who is twenty-one years of age or older, except that an identification card issued to a person who applies no more than thirty days before the applicant's twenty-first birthday shall have the characteristics of an identification card issued to a person who is twenty-one years of age or older.

(8) Every identification card issued to a resident of this state shall display the expiration date of the card, in accordance with section 4507.501 of the Revised Code.

(9) Every identification card issued to a temporary resident shall expire in accordance with

section 4507.501 of the Revised Code and rules adopted by the registrar and is limited term. Every limited term identification card and limited term temporary identification card shall contain the words "limited term" and shall have any additional characteristics prescribed by the registrar distinguishing it from an identification card issued to a resident.

~~(10) Every enhanced identification card shall have any additional characteristics established by the rules adopted under section 4507.021 of the Revised Code.~~

(B)(1) If a card is lost, destroyed, or mutilated, the person to whom the card was issued may obtain a duplicate by doing both of the following:

(a) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar or a deputy registrar;

(b) Filing an application and presenting documentary evidence under section 4507.51 of the Revised Code.

(2) A cardholder may apply to obtain a reprint of the cardholder's identification card through electronic means in accordance with section 4507.40 of the Revised Code.

(3) A cardholder may obtain a replacement identification card that reflects any change of the cardholder's name by furnishing suitable proof of the change to the registrar or a deputy registrar.

(4) Except as provided in division (B)(5) or (6) of this section, when a cardholder applies for a duplicate, reprint, or replacement identification card, the cardholder shall pay the following fees:

(a) Two dollars and fifty cents;

(b) A deputy registrar or service fee equal to the amount established under section 4503.038 of the Revised Code.

(5) The following cardholders may apply for a duplicate, reprint, or replacement identification card without payment of any fee prescribed in division (B)(4) of this section:

(a) A disabled veteran who has a service-connected disability rated at one hundred per cent by the veterans' administration;

(b) A resident who is permanently or irreversibly disabled;

(c) A resident who is in the custody of the department of rehabilitation and correction or the department of youth services.

(6) A cardholder who is seventeen years of age or older may apply for a replacement identification card without payment of any fee prescribed in division (B)(4) of this section.

(7) A duplicate, reprint, or replacement identification card expires on the same date as the card it replaces.

(C) The registrar shall cancel any card upon determining that the card was obtained unlawfully, issued in error, or was altered.

(D)(1) No agent of the state or its political subdivisions shall condition the granting of any benefit, service, right, or privilege upon the possession by any person of an identification card. Nothing in this section shall preclude any publicly operated or franchised transit system from using an identification card for the purpose of granting benefits or services of the system.

(2) No person shall be required to apply for, carry, or possess an identification card.

(E) Except in regard to an identification card issued to a person who applies no more than thirty days before the applicant's twenty-first birthday, neither the registrar nor any deputy registrar shall issue an identification card to a person under twenty-one years of age that does not have the characteristics prescribed by the registrar distinguishing it from the identification card issued to persons who are twenty-one years of age or older.

(F) The registrar shall ensure that identification cards issued in accordance with the federal "Real ID Act," 49 U.S.C. 30301, et seq., comply with the regulations specified in 6 C.F.R. part 37.

(G) Whoever violates division (E) of this section is guilty of a minor misdemeanor.

Sec. 4508.02. (A)(1) The director of public safety, subject to Chapter 119. of the Revised Code, shall adopt and prescribe such rules concerning the administration and enforcement of this chapter as are necessary to protect the public. The rules shall require an assessment of the holder of a probationary instructor license. The director shall inspect the school facilities and equipment of applicants and licensees and examine applicants for instructor's licenses.

(2) The director shall adopt rules governing online driver education courses that may be completed via the internet to satisfy the classroom instruction under division (C) of this section. The rules shall do all of the following:

(a) Establish standards that an online driver training enterprise must satisfy to be licensed to offer an online driver education course via the internet, including, at a minimum, proven expertise in providing driver education and an acceptable infrastructure capable of providing secure online driver education in accord with advances in internet technology. The rules shall allow an online driver training enterprise to be affiliated with a licensed driver training school offering in-person classroom instruction, but shall not require such an affiliation.

(b) Establish content requirements that an online driver education course must satisfy to be approved as equivalent to twenty-four hours of in-person classroom instruction;

(c) Establish attendance standards, including a maximum number of course hours that may be completed in a twenty-four-hour period;

(d) Allow an enrolled applicant to begin the required eight hours of actual behind-the-wheel instruction upon completing all twenty-four hours of course instruction;

(e) Establish any other requirements necessary to regulate online driver education.

(B) The director shall administer and enforce this chapter.

(C) The rules shall require twenty-four hours of completed in-person classroom instruction or the completion of an approved, equivalent online driver education course offered via the internet by a licensed online driver training enterprise, followed by eight hours of actual behind-the-wheel instruction conducted on public streets and highways of this state for all beginning drivers of noncommercial motor vehicles who are ~~under age eighteen~~required to complete the training under section 4507.21 of the Revised Code. The rules also shall require the classroom instruction or online driver education course for such drivers to include instruction on both of the following:

(1) The dangers of driving a motor vehicle while distracted, including while using an electronic wireless communications device, or engaging in any other activity that distracts a driver from the safe and effective operation of a motor vehicle;

(2) The dangers of driving a motor vehicle while under the influence of a controlled substance, prescription medication, or alcohol.

(D) The rules shall state the minimum hours for classroom and behind-the-wheel instruction required for beginning drivers of commercial trucks, commercial cars, buses, and commercial tractors, trailers, and semitrailers.

(E)(1) The department of public safety may charge a fee to each online driver training enterprise in an amount sufficient to pay the actual expenses the department incurs in the regulation of online driver education courses.

(2) The department shall supply to each licensed online driver training enterprise certificates to be used for certifying an applicant's enrollment in an approved online driver education course and a separate certificate to be issued upon successful completion of an approved online driver education course. The certificates shall be numbered serially. The department may charge a fee to each online driver training enterprise per certificate supplied to pay the actual expenses the department incurs in supplying the certificates.

(F) The director shall adopt rules in accordance with Chapter 119. of the Revised Code governing an abbreviated driver training course for adults.

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

(A) "Vehicle" means every device, including a bicycle, motorized bicycle, and an electric bicycle, in, upon, or by which any person or property may be transported or drawn upon a highway; ~~except that "vehicle".~~ "Vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, any low-speed micromobility device, any personal delivery device as defined in section 4511.513 of the Revised Code, any device that is moved by power collected from overhead electric trolley wires or that is used exclusively upon stationary rails or tracks, or any device, ~~other than a bicycle,~~ that is moved by human power.

(B) "Motor vehicle" means every vehicle propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires, except motorized bicycles, electric bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, hole-digging machinery, well-drilling machinery, ditch-digging machinery, farm machinery, and trailers designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of no more than ten miles and at a speed of twenty-five miles per hour or less.

(C) "Motorcycle" means every motor vehicle, other than a tractor, having a seat or saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, including, but not limited to, motor vehicles known as "motor-driven cycle," "motor

scooter," "autocycle," "cab-enclosed motorcycle," or "motorcycle" without regard to weight or brake horsepower.

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

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

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

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

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

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

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

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

(F) "School bus" means every bus designed for carrying more than nine passengers that is owned by a public, private, or governmental agency or institution of learning and operated for the transportation of children to or from a school session or a school function, or owned by a private person and operated for compensation for the transportation of children to or from a school session or a school function, ~~provided "school bus" does not include a~~ "School bus" does not include a ~~any of the following:~~

(1) A bus operated by a municipally owned transportation system, a mass transit company operating exclusively within the territorial limits of a municipal corporation, or within such limits and the territorial limits of municipal corporations immediately contiguous to such municipal corporation, nor a common passenger carrier certified by the public utilities commission unless such bus is devoted exclusively to the transportation of children to and from a school session or a school function, ~~and "school bus" does not include a~~;

(2) A van or bus used by a licensed child care center or type A family child care home to

transport children from the child care center or type A family child care home to a school if the van or bus does not have more than fifteen children in the van or bus at any time;

(3) An alternative vehicle as defined in section 4511.76 of the Revised Code.

(G) "Bicycle" means ~~every device, other than a device that is designed solely for use as a play vehicle by a child, that is propelled solely by human power upon which a person may ride, and that has two or more wheels, any of which is more than fourteen inches in diameter~~ a pedal-powered vehicle upon which a human operator sits, including an electric bicycle.

(H) "Motorized bicycle" or "moped" means any vehicle having either two tandem wheels or one wheel in the front and two wheels in the rear, that may be pedaled, and that is equipped with a helper motor of not more than fifty cubic centimeters piston displacement that produces not more than one brake horsepower and is capable of propelling the vehicle at a speed of not greater than twenty miles per hour on a level surface. "Motorized bicycle" or "moped" does not include an electric bicycle.

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

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

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

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

(M) "Trailer" means every vehicle designed or used for carrying persons or property wholly on its own structure and for being drawn by a motor vehicle, including any such vehicle when formed by or operated as a combination of a "semitrailer" and a vehicle of the dolly type, such as that commonly known as a "trailer dolly," a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a street or highway at a speed greater than twenty-five miles per hour, and a vehicle designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of more than ten miles or at a speed of more than twenty-five miles per hour.

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

(O) "Pole trailer" means every trailer or semitrailer attached to the towing vehicle by means

of a reach, pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

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

(Q) "~~Railroad train~~ Train" means ~~a steam engine or an electric or other motor, with or without cars coupled thereto, operated by a railroad~~ one or more locomotives coupled, with or without cars, that operates on rails or tracks and to which all other traffic is required by law to yield the right-of-way at highway-rail grade crossings.

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

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

(T) "Explosives" means any chemical compound or mechanical mixture that is intended for the purpose of producing an explosion that contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by a detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects, or of destroying life or limb. Manufactured articles shall not be held to be explosives when the individual units contain explosives in such limited quantities, of such nature, or in such packing, that it is impossible to procure a simultaneous or a destructive explosion of such units, to the injury of life, limb, or property by fire, by friction, by concussion, by percussion, or by a detonator, such as fixed ammunition for small arms, firecrackers, or safety fuse matches.

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

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

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

(X) "Pedestrian" means any ~~natural person~~ afoot on foot, in a motorized or non-motorized wheelchair, or using another equivalent device, such as skates or a skateboard. "Pedestrian" includes a personal delivery device as defined in section 4511.513 of the Revised Code unless the context clearly suggests otherwise.

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

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

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

(BB) "Street" or "highway" means ~~the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular~~ a general term for denoting a public way for purposes of travel by vehicles, streetcars, trackless trolleys, and vulnerable road users, including the entire area within the right-of-way.

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

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

(EE) "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel and parking lanes, except not including the berm, sidewalk, or shoulder, even if the berm, sidewalk, or shoulder is used by a person operating a bicycle or other human-powered vehicle. If a highway includes two or more separate roadways the term "roadway" means any such roadway separately but not all such roadways collectively.

(FF) "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines or easements of private property, that is paved or improved, and is intended for the use of pedestrians.

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

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

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

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

(KK) "Intersection" means:

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

(2) If a highway includes two roadways ~~that are thirty feet or more apart~~ separated by a

median, then every crossing of each roadway of such divided highway by an intersecting highway constitutes a separate intersection if the opposing left-turn paths cross and there is sufficient interior storage for the design vehicle. ~~If both intersecting highways include two roadways thirty feet or more apart, then every crossing of any two roadways of such highways constitutes a separate intersection~~ As used in this division, "design vehicle" means the longest vehicle authorized under section 5577.05 of the Revised Code to operate on that roadway without a permit.

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

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

(b) Where a stop line, yield line, or crosswalk ~~line~~ is designated on the roadway on the intersection approach, the area within the crosswalk and any area beyond the designated stop line or yield line constitute part of the intersection.

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

(LL) "Crosswalk" means:

(1) That part of a roadway at ~~intersections ordinarily an intersection~~ included within the ~~real or projected prolongation of property lines and curb lines connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or, in the absence of curbs, from the edges of the traversable roadway, and in the absence of a sidewalk on one side of the roadway, the part of a roadway included within the extension of the lateral lines of the sidewalk at right angles to the center line;~~

(2) Any portion of a roadway at an intersection or elsewhere, distinctly indicated for pedestrian crossing by lines or other markings on the surface, which might be supplemented by contrasting pavement texture, style, or color;

(3) Notwithstanding divisions (LL)(1) and (2) of this section, ~~there shall not be a~~ "crosswalk" does not include an area where local authorities have placed signs indicating no crossing.

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

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

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

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

(QQ) "Traffic control device" means a flagger, sign, signal, marking, channelization device, or other device used to regulate, warn, or guide traffic, placed on, over, or adjacent that uses colors, shapes, symbols, words, sounds, or tactile information for the primary purpose of communicating a regulatory, warning, or guidance message to road users on a street, highway, private road-site roadway open to public travel, pedestrian facility, or shared-use path by authority of a public agency or official having jurisdiction, or, in the case of a private road open to public travel, by authority of the private owner or private official having jurisdiction bikeway, or pathway.

(RR) "Traffic control signal" means any a highway traffic signal by which placed at an intersection, movable bridge, fire station, midblock crosswalk, alternating one-way sections of a single lane road, private driveway, or other location that requires conflicting traffic is alternately to be directed to stop and permitted to proceed in an orderly manner. "Traffic control signal" includes a vehicular signal indication, a pedestrian signal indication, and a bicycle symbol signal indication. "Traffic control signal" does not include an emergency-vehicle hybrid beacon or a pedestrian hybrid beacon.

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

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

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

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

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

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

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

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

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

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

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

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

(CCC) "Arterial street or highway" means ~~any United States or state numbered route, controlled access highway, or other major radial or circumferential~~ a street or highway primarily used by through traffic, usually on a continuous route or a street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system of streets or highways.

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

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

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

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

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

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

(1) A violation of section 4511.03, 4511.051, 4511.12, 4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 4511.522, 4511.53,

4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code;

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

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

(4) A violation of section 4511.214 of the Revised Code;

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

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

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

(LLL) "Hybrid beacon" means a special type of beacon that is intentionally placed in a dark mode where no indications are displayed between periods of operation ~~where no indications are displayed~~ and, when ~~in operation~~ operated, displays both steady and flashing highway traffic control ~~control~~ signal indications. "Hybrid beacon" includes both of the following:

(1) An emergency-vehicle hybrid beacon used to warn and control traffic at an otherwise unsignalized location to assist authorized emergency vehicles in entering or crossing a street or highway;

(2) A pedestrian hybrid beacon used to warn and control traffic at an otherwise unsignalized location to assist pedestrians in crossing a street or highway at a marked crosswalk.

(MMM) "Highway traffic signal" means a power-operated traffic control device by which traffic is warned or directed to take some specific action. "Highway traffic signal" includes a beacon, an in-road warning light, a lane-use control signal, and a traffic control signal. "Highway traffic signal" does not include a power-operated sign, steadily illuminated pavement marker, gate, flashing light signal, warning light, or steady burning electric lamp.

(NNN) "Median" means the portion of a highway separating opposing directions of the traveled way or the area between two roadways of a divided highway, measured from edge of traveled way to edge of traveled way, ~~but excluding~~. The median excludes turn lanes. The width of a median may be different between intersections, ~~between~~ interchanges, and at opposite approaches of the same intersection.

(OOO) ~~"Private road"~~ Site roadway open to public travel means a ~~private toll road or road,~~ including any adjacent sidewalks that generally run parallel to the road, within roadway or bikeway on site of a shopping center, office park, airport, school, university, sports arena, recreational park, or other similar business, government, or recreation facility that is publicly or privately owned but

where the public is allowed to travel without full-time access restrictions. "~~Private road~~ Site roadway open to public travel" ~~includes a gated toll road but~~ does not include a ~~road within a private gated property roadway~~ where access is restricted at all times by gates or guards to residents, employees, or other specifically authorized persons, a parking area, a driving aisle within a parking area, or a private highway-rail grade crossing.

(PPP) "Shared-use path" means a bikeway outside the traveled way and physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent alignment. A shared-use path also may be used by pedestrians, including skaters, joggers, users of manual and motorized wheelchairs, and other authorized motorized and non-motorized users. A shared-use path does not include any trail that is intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail that has historically been reserved for nonmotorized use.

(QQQ) "Highway maintenance vehicle" means a vehicle used in snow and ice removal or road surface maintenance, including a snow plow, traffic line striper, road sweeper, mowing machine, asphalt distributing vehicle, or other such vehicle designed for use in specific highway maintenance activities.

(RRR) "Waste collection vehicle" means a vehicle used in the collection of garbage, refuse, trash, or recyclable materials.

(SSS) "Electric bicycle" means a "class 1 electric bicycle," a "class 2 electric bicycle," or a "class 3 electric bicycle" as defined in this section.

(TTT) "Class 1 electric bicycle" means a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour.

(UUU) "Class 2 electric bicycle" means a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that may provide assistance regardless of whether the rider is pedaling and is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour.

(VVV) "Class 3 electric bicycle" means a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour.

(WWW) "Low-speed micromobility device" means a device weighing less than one hundred pounds that has handlebars, is propelled by an electric motor or human power, and has an attainable speed on a paved level surface of not more than twenty miles per hour when propelled by the electric motor.

(XXX) "Natural resources officer" means an officer appointed pursuant to section 1501.24 of the Revised Code.

(YYY) "Wildlife officer" means an officer designated pursuant to section 1531.13 of the Revised Code.

(ZZZ) "In-road warning light" means a special type of highway traffic signal that is installed in the roadway surface to warn road users that they are approaching a condition on or adjacent to the roadway that might not be readily apparent and might require the road users to reduce speed or come to a complete stop.

(AAAA) "Lane-use control signal" means a signal face or comparable display on a full-matrix changeable message sign that displays indications to permit or prohibit the use of specific lanes of a roadway or a shoulder where driving is sometimes authorized or to indicate the impending prohibition of such use.

(BBBB) "Bicycle box" means a designated area on the approach to a signalized intersection, between an advance motorist stop line and the crosswalk or intersection, that is intended to provide bicyclists a visible location to wait in front of stopped motorists during the red signal phase.

(CCCC) "Two-stage bicycle turn box" means a designated area at an intersection that is intended to provide bicyclists a place to wait for traffic to clear before proceeding in a different direction of travel.

(DDDD) "Bicycle lane" means a portion of a roadway that has been designated for preferential or exclusive use by bicyclists and is often delineated from the adjacent general-purpose lanes by longitudinal pavement markings and either a bicycle lane symbol, words, or signs. "Bicycle lane" includes all of the following:

(1) A buffer-separated bicycle lane, which is separated from the adjacent general-purpose lanes by a pattern of standard longitudinal pavement markings that are wider than a normal or wide-lane pavement marking;

(2) A counter-flow bicycle lane, which is a one-directional bicycle lane that provides a lawful path of travel for bicycles in the opposite direction from the general traffic on a roadway that otherwise requires the general traffic to travel in only one direction. A counter-flow bicycle lane is designated by the traffic control devices used for other bicycle lanes;

(3) A separated bicycle lane, which is an exclusive facility for bicyclists that is located within or directly adjacent to the roadway and is physically separated from the motor vehicle traffic with a vertical element.

(EEEE) "Bicycle signal face" means a signal face that displays only bicycle symbol signal indications in accordance with section 4511.15 of the Revised Code, that exclusively controls a bicyclist's movement from a designated bicycle lane or from a separate facility, and that displays signal indications that are applicable only to a bicyclist's movement.

(FFFF) "Bicycle signal sign" means a sign meant to inform road users that the signal indications in the bicycle signal face are intended only for bicyclists, and to inform bicyclists which bicyclist movements are controlled by that bicycle signal face.

(GGGG) "Bikeway" means any road, street, path, or way that in some manner is specifically

designated for bicycle travel, regardless of whether the facility is designated for the exclusive use of bicycles or if it is shared with other modes of transportation.

(HHHH) "Busway" means a traveled way that is used exclusively by buses.

(IIII) "Driveway" means an access from a roadway to a building, site, or abutting property.

(JJJJ) "Roundabout" means a circular intersection with a yield control at each entry, which permits a vehicle on the circulatory roadway to proceed, with deflection of the approaching vehicles counter-clockwise around a central island.

(KKKK) "Shoulder" means a longitudinal area contiguous with the traveled way that is used for accommodating vehicles that are stopped for an emergency and for lateral support of base and surface courses; graded for emergency stopping; either paved or unpaved; and when paved, may be open for part-time travel by some or all vehicles or may also be available for use by pedestrians or bicycles in the absence of other pedestrian or bicycle facilities.

(LLLL) "Autocycle," "cab-enclosed motorcycle," "electronic," "farm machinery," "motor-driven cycle or motor scooter," "limited driving privileges," and "state" have the same meanings as in section 4501.01 of the Revised Code.

Sec. 4511.031. ~~(A)(1)-(A)~~ As used in this section:

(1) "Highway maintenance vehicle" means a vehicle used in snow and ice removal, including a snow plow, when it is owned by a political subdivision and operated by an employee of that political subdivision.

(2) "Peace officer" has the same meaning as in divisions (A)(1), (12), (14), and (19) of section 109.71 of the Revised Code.

(3) "Portable signal preemption device" means a device that, if activated by a person, is capable of changing a highway traffic signal to green out of sequence.

(4) "Public safety vehicle" has the same meaning as in divisions (E)(1), (3), and (4) of section 4511.01 of the Revised Code.

(B) Except as provided in divisions (C) and (D) of this section:

(1) No person shall possess a portable signal preemption device.

(2) No person shall use a portable signal preemption device to affect the operation of the highway traffic control signal.

~~(B)-(C)~~ Division ~~(A)(1)-(B)(1)~~ of this section does not apply to any of the following persons and division (A)(2) of this section does not apply to any of the following persons when responding to an emergency call:

(1) A peace officer, as defined in division (A)(1), (12), (14), or (19) of section 109.71 of the Revised Code;

(2) A state highway patrol trooper;

(3) A person while occupying a public safety vehicle as defined in division (E)(1), (3), or (4) of section 4511.01 of the Revised Code;

(4) The authorized employee operator of a highway maintenance vehicle.

~~(C)-(D)~~ Division (B)(2) of this section does not apply under either of the following circumstances:

(1) When a person listed in divisions (C)(1) to (3) of this section is responding to an emergency call;

(2) When a person listed in division (C)(4) of this section is responding to an emergency level two or level three weather event.

(E) Whoever violates division ~~(A)(1)-(B)(1)~~ of this section is guilty of a misdemeanor of the fourth degree. Whoever violates division ~~(A)(2)-(B)(2)~~ of this section is guilty of a misdemeanor of the first degree.

~~(D)~~ As used in this section, "portable signal preemption device" means a device that, if activated by a person, is capable of changing a traffic control signal to green out of sequence.

Sec. 4511.09. The department of transportation shall adopt a manual for a uniform system of traffic control devices, including signs denoting names of streets and highways, for use upon any street, highway, bikeway, or ~~private road~~ site roadway open to public travel within this state. Such uniform system shall correlate with, and so far as possible conform to, the system approved by the federal highway administration.

Sec. 4511.091. (A) The driver of any motor vehicle that has been checked by radar, or by any electrical or mechanical timing device to determine the speed of the motor vehicle over a measured distance of a highway or a measured distance of a private road ~~or driveway~~, and found to be in violation of any of the provisions of section 4511.21 or 4511.211 of the Revised Code, may be arrested until a warrant can be obtained, provided the arresting officer has observed the recording of the speed of the motor vehicle by the radio microwaves, electrical or mechanical timing device, or has received a radio message from the officer who observed the speed of the motor vehicle recorded by the radio microwaves, electrical or mechanical timing device; provided, in case of an arrest based on such a message, the radio message has been dispatched immediately after the speed of the motor vehicle was recorded and the arresting officer is furnished a description of the motor vehicle for proper identification and the recorded speed.

(B) If the driver of a motor vehicle being driven on a public street or highway of this state is observed violating any provision of this chapter other than section 4511.21 or 4511.211 of the Revised Code by a law enforcement officer situated at any location, including in any type of airborne aircraft or airship, that law enforcement officer may send a radio message to another law enforcement officer, and the other law enforcement officer may arrest the driver of the motor vehicle until a warrant can be obtained or may issue the driver a citation for the violation; provided, if an arrest or citation is based on such a message, the radio message is dispatched immediately after the violation is observed and the law enforcement officer who observes the violation furnishes to the law enforcement officer who makes the arrest or issues the citation a description of the alleged violation and the motor vehicle for proper identification.

(C)(1) No person shall be arrested, charged, or convicted of a violation of any provision of

divisions (B) to (O) of section 4511.21 or section 4511.211 of the Revised Code or a substantially similar municipal ordinance based on a peace officer's unaided visual estimation of the speed of a motor vehicle, trackless trolley, or streetcar. This division does not do any of the following:

(a) Preclude the use by a peace officer of a stopwatch, radar, laser, or other electrical, mechanical, or digital device to determine the speed of a motor vehicle;

(b) Apply regarding any violation other than a violation of divisions (B) to (O) of section 4511.21 or section 4511.211 of the Revised Code or a substantially similar municipal ordinance;

(c) Preclude a peace officer from testifying that the speed of operation of a motor vehicle, trackless trolley, or streetcar was at a speed greater or less than a speed described in division (A) of section 4511.21 of the Revised Code, the admission into evidence of such testimony, or preclude a conviction of a violation of that division based in whole or in part on such testimony.

(2) As used in this division, "peace officer" has the same meaning as in section 2935.01 of the Revised Code.

Sec. 4511.092. As used in sections 4511.092 to 4511.0914 of the Revised Code:

(A) "Designated party" means the person whom the registered owner of a motor vehicle, upon receipt of a ticket based upon images recorded by a traffic law photo-monitoring device that indicate a traffic law violation, identifies as the person who was operating the vehicle of the registered owner at the time of the violation.

(B) "Law enforcement officer" means a ~~sheriff, deputy sheriff, marshal, deputy marshal, police officer of a police department of any municipal corporation, police constable of any township, or police officer of a township or joint police district,~~ police officer who is employed on a permanent, full-time basis by the law enforcement agency of a local authority that assigns such person to the location of a traffic law photo-monitoring device.

(C) "Local authority" means a municipal corporation, ~~county, or township.~~

(D) "Motor vehicle leasing dealer" has the same meaning as in section 4517.01 of the Revised Code.

(E) "Motor vehicle renting dealer" has the same meaning as in section 4549.65 of the Revised Code.

(F) "Recorded images" means any of the following images recorded by a traffic law photo-monitoring device that show, on at least one image or on a portion of the videotape, the rear of a motor vehicle and the letters and numerals on the rear license plate of the vehicle:

(1) Two or more photographs, microphotographs, electronic images, or digital images;

(2) Videotape.

(G) "Registered owner" means all of the following:

(1) Any person or entity identified by the bureau of motor vehicles or any other state motor vehicle registration bureau, department, or office as the owner of a motor vehicle;

(2) The lessee of a motor vehicle under a lease of six months or longer;

(3) The renter of a motor vehicle pursuant to a written rental agreement with a motor vehicle

renting dealer.

(H) "System location" means the approach to an intersection or area of roadway toward which a traffic law photo-monitoring device is directed and is in operation.

(I) "Ticket" means any traffic ticket, citation, summons, or other ticket issued in response to an alleged traffic law violation detected by a traffic law photo-monitoring device, that represents a civil violation.

(J) "Traffic law photo-monitoring device" means an electronic system consisting of a photographic, video, or electronic camera and a means of sensing the presence of a motor vehicle that automatically produces recorded images.

(K) "Traffic law violation" means either of the following:

(1) A violation of section 4511.12 of the Revised Code based on the failure to comply with section 4511.13 of the Revised Code or a substantially equivalent municipal ordinance that occurs at an intersection due to failure to obey a highway traffic control signal;

(2) A violation of section 4511.21 or 4511.211 of the Revised Code or a substantially equivalent municipal ordinance due to failure to observe the applicable speed limit.

Sec. 4511.093. (A) A local authority may utilize a traffic law photo-monitoring device for the purpose of detecting traffic law violations. ~~If the local authority is a county or township, the board of county commissioners or the board of township trustees may adopt such resolutions as may be necessary to enable the county or township to utilize traffic law photo-monitoring devices~~No county, township, or representative of a county or township shall utilize a traffic law photo-monitoring device to detect and enforce traffic law violations.

(B) The use of a traffic law photo-monitoring device is subject to the following conditions:

(1) A local authority shall use a traffic law photo-monitoring device to detect and enforce traffic law violations only if a law enforcement officer is present at the location of the device at all times during the operation of the device and if the local authority complies with sections 4511.094 and 4511.095 of the Revised Code.

(2) A law enforcement officer who is present at the location of any traffic law photo-monitoring device and who personally witnesses a traffic law violation may issue a ticket for the violation. Such a ticket shall be issued in accordance with section 2935.26 of the Revised Code and is not subject to sections 4511.096 to 4511.0910 and section 4511.912 of the Revised Code.

(3) If a traffic law photo-monitoring device records a traffic law violation and the law enforcement officer who was present at the location of the traffic law photo-monitoring device does not issue a ticket as provided under division (B)(2) of this section, the local authority may only issue a ticket in accordance with sections 4511.096 to 4511.0912 of the Revised Code.

~~(4) If the local authority utilizing traffic law photo-monitoring devices is a county or township, a law enforcement officer of the county or township shall use only a handheld traffic law photo-monitoring device held by the law enforcement officer.~~

~~(C) No township constable appointed under section 509.01 of the Revised Code, member of~~

~~a police force of a township or joint police district created under section 505.48 or 505.482 of the Revised Code, or other representative of a township shall utilize a traffic law photo-monitoring device to detect and enforce traffic law violations on an interstate highway.~~

Sec. 4511.094. (A) No local authority shall use traffic law photo-monitoring devices to detect or enforce any traffic law violation until after it has done both of the following:

(1) Erected signs on every highway that is not a freeway that is part of the state highway system and that enters that local authority informing inbound traffic that the local authority utilizes traffic law photo-monitoring devices to enforce traffic laws;

(2) Beginning on ~~the effective date of this amendment~~ March 23, 2015, erected signs at each fixed system location informing motorists that a traffic law photo-monitoring device is present at the location.

The local authority shall erect the signs within the first three hundred feet of the boundary of the local authority or within three hundred feet of the fixed system location, as applicable. If the signs cannot be located within the first three hundred feet of the boundary of the local authority or within three hundred feet of the fixed system location, the local authority shall erect the signs as close to that distance as possible. If a particular highway enters and exits the territory of a local authority multiple times, the local authority shall erect the signs as required by division (A)(1) of this section at the locations in each direction of travel where inbound traffic on the highway first enters the territory of the local authority and is not required to erect additional signs along such highway each time the highway reenters the territory of the local authority. The local authority is responsible for all costs associated with the erection, maintenance, and replacement, if necessary, of the signs. The local authority shall ensure that all signs erected under this division conform in size, color, location, and content to standards contained in the manual adopted by the department of transportation pursuant to section 4511.09 of the Revised Code and shall remain in place for as long as the local authority utilizes traffic law photo-monitoring devices to enforce any traffic law.

(B) A ticket issued by or on behalf of the local authority for any traffic law violation based upon evidence recorded by a traffic law photo-monitoring device is invalid under the following circumstances:

(1) If the ticket was issued after March 12, 2009, but before the signs required under division (A)(1) of this section were erected;

(2) If the ticket was issued after ~~the effective date of this amendment~~ March 23, 2015, but before the signs required under division (A)(2) of this section were erected.

However, if a local authority is in substantial compliance with the requirements of division (A)(1) or (2) of this section, as applicable, a ticket issued by the local authority under sections 4511.096 to 4511.0912 of the Revised Code is valid.

(C) A local authority is deemed to be in substantial compliance with the requirement of division (A)(1) or (2) of this section, as applicable, to erect the advisory signs if the authority does both of the following:

(1) First erects all signs as required by division (A)(1) or (2) of this section, as applicable, and subsequently maintains and replaces the signs as needed so that at all times at least ninety per cent of the required signs are in place and functional;

(2) Annually documents and upon request certifies its compliance with division (C)(1) of this section.

(D) A local authority that uses traffic law photo-monitoring devices to detect or enforce any traffic law violation at an intersection where traffic is controlled by highway traffic ~~control~~-signals that exhibit different colored lights or colored lighted arrows shall time the operation of the yellow lights and yellow arrows of those highway traffic ~~control~~-signals so that the steady yellow indication exceeds by one second the minimum duration for yellow indicators at similar intersections as established by the provisions of the manual adopted by the department of transportation under section 4511.09 of the Revised Code.

Sec. 4511.11. (A) Local authorities in their respective jurisdictions shall place and maintain traffic control devices in accordance with the department of transportation manual for a uniform system of traffic control devices, adopted under section 4511.09 of the Revised Code, upon highways under their jurisdiction as are necessary to indicate and to carry out sections 4511.01 to 4511.76 and 4511.99 of the Revised Code, local traffic ordinances, or to regulate, warn, or guide traffic.

(B) The director of transportation may require to be removed any traffic control device that does not conform to the manual for a uniform system of traffic control devices on the extensions of the state highway system within municipal corporations.

(C) No village shall place or maintain any highway traffic ~~control~~-signal upon an extension of the state highway system within the village without first obtaining the permission of the director. The director may revoke the permission and may require to be removed any highway traffic ~~control~~ signal that has been erected without the director's permission on an extension of a state highway within a village, or that, if erected under a permit granted by the director, does not conform to the state manual, or that is not operated in accordance with the terms of the permit.

(D) All traffic control devices erected on any street, highway, alley, bikeway, or ~~private road~~ site roadway open to public travel shall conform to the state manual.

(E) No person, firm, or corporation shall sell or offer for sale to local authorities any traffic control device that does not conform to the state manual, except by permission of the director.

(F) No local authority shall purchase or manufacture any traffic control device that does not conform to the state manual, except by permission of the director.

(G) Whoever violates division (E) of this section is guilty of a misdemeanor of the third degree.

Sec. 4511.13. Highway traffic signal indications for vehicles and pedestrians shall have the following meanings:

(A) Steady green signal indication:

(1)(a) Vehicular traffic, streetcars, and trackless trolleys facing a circular green signal indication are permitted to proceed straight through or turn right or left or make a u-turn movement except as such movement is modified by a lane-use sign, turn prohibition sign, lane marking, roadway design, separate turn signal indication, or other traffic control device. Such vehicular traffic, including vehicles turning right or left or making a u-turn movement, shall yield the right-of-way to both of the following:

- (i) Pedestrians lawfully within an associated crosswalk;
- (ii) Other vehicles lawfully within the intersection.

(b) In addition, vehicular traffic turning left or making a u-turn movement to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when such turning vehicle is moving across or within the intersection.

(2) Vehicular traffic, streetcars, and trackless trolleys facing a green arrow signal indication, displayed alone or in combination with another signal indication, are permitted to cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications displayed at the same time. Such vehicular traffic, streetcars, and trackless trolleys, including vehicles turning right or left or making a u-turn movement, shall yield the right-of-way to both of the following:

- (a) Pedestrians lawfully within an associated crosswalk;
- (b) Other traffic lawfully using the intersection.

(3)(a) Unless otherwise directed by a pedestrian signal indication, as provided in section 4511.14 of the Revised Code, pedestrians facing a circular green signal indication are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. The pedestrian shall yield the right-of-way to vehicles lawfully within the intersection or so close as to create an immediate hazard at the time that the green signal indication is first displayed.

(b) Pedestrians facing a green arrow signal indication, unless otherwise directed by a pedestrian signal indication or other traffic control device, shall not cross the roadway.

(B) Steady yellow signal indication:

(1) Vehicular traffic, streetcars, and trackless trolleys facing a steady circular yellow signal indication are thereby warned that the related green movement or the related flashing arrow movement is being terminated or that a steady red signal indication will be exhibited immediately thereafter when vehicular traffic, streetcars, and trackless trolleys shall not enter the intersection. The provisions governing vehicular operation under the movement being terminated shall continue to apply while the steady circular yellow signal indication is displayed.

(2) Vehicular traffic facing a steady yellow arrow signal indication is thereby warned that the related green arrow movement or the related flashing arrow movement is being terminated. The provisions governing vehicular operation under the movement being terminated shall continue to apply while the steady yellow arrow signal indication is displayed.

(3) Pedestrians facing a steady circular yellow or yellow arrow signal indication, unless otherwise directed by a pedestrian signal indication as provided in section 4511.14 of the Revised Code or other traffic control device, shall not start to cross the roadway.

(C) Steady red signal indication:

(1)(a) Vehicular traffic, streetcars, and trackless trolleys facing a steady circular red signal indication, unless entering the intersection to make another movement permitted by another signal indication, shall stop at a clearly marked stop line; but if there is no stop line, traffic shall stop before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, then before entering the intersection; and shall remain stopped until a signal indication to proceed is displayed except as provided in divisions (C)(1), (2), and (3) of this section.

(b) Except when a traffic control device is in place prohibiting a turn on red or a steady red arrow signal indication is displayed, vehicular traffic facing a steady circular red signal indication is permitted, after stopping, to enter the intersection to turn right, or to turn left from a one-way street into a one-way street. The right to proceed with the turn shall be subject to the provisions that are applicable after making a stop at a stop sign.

(2)(a) Vehicular traffic, streetcars, and trackless trolleys facing a steady red arrow signal indication shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make another movement permitted by another signal indication, shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, then before entering the intersection; and shall remain stopped until a signal indication or other traffic control device permitting the movement indicated by such red arrow is displayed.

(b) When a traffic control device is in place permitting a turn on a steady red arrow signal indication, vehicular traffic facing a steady red arrow indication is permitted, after stopping, to enter the intersection to turn right, or to turn left from a one-way street into a one-way street. The right to proceed with the turn shall be limited to the direction indicated by the arrow and shall be subject to the provisions that are applicable after making a stop at a stop sign.

(3) Unless otherwise directed by a pedestrian signal indication as provided in section 4511.14 of the Revised Code or other traffic control device, pedestrians facing a steady circular red or steady red arrow signal indication shall not enter the roadway.

(4) Local authorities by ordinance, or the director of transportation on state highways, may prohibit a right or a left turn against a steady red signal at any intersection, which shall be effective when signs giving notice thereof are posted at the intersection.

(D) A flashing green signal indication has no meaning and shall not be used.

(E) Flashing yellow signal indication:

(1)(a) Vehicular traffic, on an approach to an intersection, facing a flashing circular yellow signal indication, is permitted to cautiously enter the intersection to proceed straight through or turn right or left or make a u-turn movement except as such movement is modified by lane-use signs, turn

prohibition signs, lane markings, roadway design, separate turn signal indications, or other traffic control devices. Such vehicular traffic, including vehicles turning right or left or making a u-turn movement, shall yield the right-of-way to both of the following:

- (i) Pedestrians lawfully within an associated crosswalk;
- (ii) Other vehicles lawfully within the intersection.

(b) In addition, vehicular traffic turning left or making a u-turn to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when such turning vehicle is moving across or within the intersection.

(2)(a) Vehicular traffic, on an approach to an intersection, facing a flashing yellow arrow signal indication, displayed alone or in combination with another signal indication, is permitted to cautiously enter the intersection only to make the movement indicated by such arrow, or other such movement as is permitted by other signal indications displayed at the same time. Such vehicular traffic, including vehicles turning right or left or making a u-turn, shall yield the right-of-way to both of the following:

- (i) Pedestrians lawfully within an associated crosswalk;
- (ii) Other vehicles lawfully within the intersection.

(b) In addition, vehicular traffic turning left or making a u-turn to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when such turning vehicle is moving across or within the intersection.

(3) Pedestrians facing any flashing yellow signal indication at an intersection, unless otherwise directed by a pedestrian signal indication or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing yellow signal indication is first displayed.

(4) When a flashing circular yellow signal indication is displayed as a beacon to supplement another traffic control device, road users are notified that there is a need to pay additional attention to the message contained thereon or that the regulatory or warning requirements of the other traffic control device, which might not be applicable at all times, are currently applicable.

(F) Flashing red signal indication:

(1) Vehicular traffic, on an approach to an intersection, facing a flashing circular red signal indication, shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. The right to proceed shall be subject to the provisions that are applicable after making a stop at a stop sign.

(2) Pedestrians facing any flashing red signal indication at an intersection, unless otherwise

directed by a pedestrian signal indication or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. Pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that the flashing red signal indication is first displayed.

(3) When a flashing circular red signal indication is displayed as a beacon to supplement another traffic control device, road users are notified that there is a need to pay additional attention to the message contained thereon or that the regulatory requirements of the other traffic control device, which might not be applicable at all times, are currently applicable. Use of this signal indication shall be limited to supplementing stop, do not enter, or wrong way signs, and to applications where compliance with the supplemented traffic control device requires a stop at a designated point.

(4) Vehicular traffic, on an approach to an intersection, facing a flashing red arrow signal indication and if intending to turn in the direction indicated by the arrow, shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. The right to proceed shall be subject to the provisions that are applicable after making a stop at a stop sign.

(G) Transit vehicle signal indication:

(1) Light rail and mass transit system bus traffic, on an approach to an intersection from a designated busway or other designated transit vehicle lane or tracks shall do all of the following:

(a) Stop when facing a steady horizontal white line;

(b) Proceed straight ahead when facing a steady vertical white line;

(c) Only turn or proceed left when facing a steady diagonal white line that begins in the lower right corner and angles up and to the left;

(d) Only turn or proceed right when facing a steady diagonal white line that begins in the lower left corner and angles up and to the right;

(e) Prepare to stop when facing a flashing vertical white line.

(2) As used in division (G)(1) of this section, "mass transit system" and "bus" have the same meanings as in section 4511.78 of the Revised Code.

(H) In the event an official ~~traffic control~~ highway traffic signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

~~(H)~~(I) This section does not apply at railroad grade crossings. Conduct of drivers of vehicles, trackless trolleys, and streetcars approaching railroad grade crossings shall be governed by sections 4511.61 and 4511.62 of the Revised Code.

Sec. 4511.131. The meanings of lane-use control signal indications are as follows:

(A) A steady downward green arrow:

~~A road user is permitted to drive in~~ means that the lane over which the arrow signal indication is located is open to vehicle travel in that direction.

(B) A steady yellow "X":

~~A road user is to prepare to vacate~~ means that the lane over which the signal indication is located because a lane control change is being made to is about to be closed to vehicle traffic in that direction and will be followed by a steady red "X" signal indication, either within the same signal face or in a downstream signal face.

(C) A steady white two-way left-turn arrow:

~~A road user is permitted to use a~~ means that the lane over which the signal indication is located for is open to traffic making a left turn from either direction of travel, but not for through travel, with the understanding that common use of the lane by oncoming road users for left turns also is permitted.

(D) A steady white one-way left-turn arrow:

~~A road user is permitted to use a~~ means that the lane over which the signal indication is located for is open to traffic making a left turn in that direction, without opposing turns in the same lane, but not for through travel.

(E) A steady red "X":

~~A road user is not permitted to use~~ means that the lane over which the signal indication is located and that this signal indication shall modify accordingly the meaning of other traffic controls present is closed to vehicle traffic in the direction viewed by the road user.

Sec. 4511.132. (A) The driver of a vehicle, streetcar, or trackless trolley who approaches an intersection where traffic is controlled by highway traffic control signals shall do all of the following if the signal facing the driver exhibits no colored lights or colored lighted arrows, exhibits a combination of such lights or arrows that fails to clearly indicate the assignment of right-of-way, or, if the vehicle is a bicycle or an electric bicycle, the signals are otherwise malfunctioning due to the failure of a vehicle detector to detect the presence of the bicycle or electric bicycle:

(1) Stop at a clearly marked stop line, but if none, stop before entering the crosswalk on the near side of the intersection, or, if none, stop before entering the intersection;

(2) Yield the right-of-way to all vehicles, streetcars, or trackless trolleys in the intersection or approaching on an intersecting road, if the vehicles, streetcars, or trackless trolleys will constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways;

(3) Exercise ordinary care while proceeding through the intersection.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is

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

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

Sec. 4511.15. Bicycle symbol signal indications have the following meanings:

(A) A steady green bicycle signal indication means that bicyclists are permitted to enter the intersection only to make the movement indicated by the lane-use arrow displayed on the bicycle signal sign that is located immediately adjacent to the bicycle signal face. Bicyclists proceeding into the intersection during the display of the indication shall yield the right-of-way to both of the following:

(1) Pedestrians lawfully within an associated crosswalk;

(2) Other vehicles lawfully within the intersection.

(B) A steady yellow bicycle signal indication means that bicyclists are warned that the related green movement is being terminated and that a steady red bicycle signal indication will be displayed immediately thereafter when bicyclists shall not enter the intersection. The provisions governing bicyclist operations under the movement being terminated continue to apply while the steady yellow bicycle signal indication is displayed.

(C)(a) A steady red bicycle signal indication means that bicyclists shall not enter the intersection to make the movement indicated by the lane-use arrow displayed on the bicycle signal sign that is located immediately adjacent to the bicycle signal face. Unless the bicyclist is entering the intersection to make another movement permitted by another bicycle symbol signal indication, the bicyclist shall stop at a clearly marked stop line; but if there is no stop line, shall stop before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, shall stop before entering the intersection; and shall remain stopped until a green bicycle signal indication to proceed is displayed.

(b) Except when a traffic control device is in place prohibiting a turn on red, bicyclists facing a steady red bicycle signal indication are permitted to enter the intersection to turn right if there are no approach lanes for motor vehicle traffic to their right. The right to proceed with the turn is subject to the provisions that are applicable after making a stop at a stop sign.

(D) A flashing green bicycle signal indication and a flashing yellow bicycle signal indication have no meaning and shall not be used.

(E) A flashing red bicycle signal indication means that bicyclists shall stop at a clearly marked stop line; but if there is no stop line, shall stop before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, shall stop at the point nearest the intersecting roadway where the bicyclists have a view of approaching traffic on that roadway before entering the intersection. The right to make the movement indicated by the lane-use arrow displayed on the

bicycle signal sign that is located immediately adjacent to the bicycle signal face is subject to the provisions that are applicable after making a stop at a stop sign.

Sec. 4511.18. (A) As used in this section, "traffic control device" means any sign, highway traffic ~~control~~-signal, or other device conforming to and placed or erected in accordance with the manual adopted under section 4511.09 of the Revised Code by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic, including signs denoting the names of streets and highways, but does not mean any pavement marking.

(B) No individual shall buy or otherwise possess, or sell, a traffic control device, except when one of the following applies:

(1) In the course of the individual's employment by the state or a local authority for the express or implied purpose of manufacturing, providing, erecting, moving, or removing such a traffic control device;

(2) In the course of the individual's employment by any manufacturer of traffic control devices other than a state or local authority;

(3) For the purpose of demonstrating the design and function of a traffic control device to state or local officials;

(4) When the traffic control device has been purchased from the state or a local authority at a sale of property that is no longer needed or is unfit for use;

(5) The traffic control device has been properly purchased from a manufacturer for use on private property and the person possessing the device has a sales receipt for the device or other acknowledgment of sale issued by the manufacturer.

(C) This section does not preclude, and shall not be construed as precluding, prosecution for theft in violation of section 2913.02 of the Revised Code or a municipal ordinance relating to theft, or for receiving stolen property in violation of section 2913.51 of the Revised Code or a municipal ordinance relating to receiving stolen property.

(D) Whoever violates this section is guilty of a misdemeanor of the third degree.

Sec. 4511.204. (A) No person shall operate a motor vehicle, trackless trolley, or streetcar on any street, highway, or property open to the public for vehicular traffic while using, holding, or physically supporting with any part of the person's body an electronic wireless communications device.

(B) Division (A) of this section does not apply to any of the following:

(1) A person using an electronic wireless communications device to make contact, for emergency purposes, with a law enforcement agency, hospital or health care provider, fire department, or other similar emergency agency or entity;

(2) A person driving a public safety vehicle while using an electronic wireless communications device in the course of the person's duties;

(3) A person using an electronic wireless communications device when the person's motor vehicle is in a stationary position and is outside a lane of travel, at a highway traffic ~~control~~-signal

that is currently directing traffic to stop, or parked on a road or highway due to an emergency or road closure;

(4) A person using and holding an electronic wireless communications device directly near the person's ear for the purpose of making, receiving, or conducting a telephone call, provided that the person does not manually enter letters, numbers, or symbols into the device;

(5) A person receiving wireless messages on an electronic wireless communications device regarding the operation or navigation of a motor vehicle; safety-related information, including emergency, traffic, or weather alerts; or data used primarily by the motor vehicle, provided that the person does not hold or support the device with any part of the person's body;

(6) A person using the speaker phone function of the electronic wireless communications device, provided that the person does not hold or support the device with any part of the person's body;

(7) A person using an electronic wireless communications device for navigation purposes, provided that the person does not do either of the following during the use:

- (a) Manually enter letters, numbers, or symbols into the device;
- (b) Hold or support the device with any part of the person's body.

(8) A person using a feature or function of the electronic wireless communications device with a single touch or single swipe, provided that the person does not do either of the following during the use:

- (a) Manually enter letters, numbers, or symbols into the device;
- (b) Hold or support the device with any part of the person's body.

(9) A person operating a commercial truck while using a mobile data terminal that transmits and receives data;

(10) A person operating a utility service vehicle or a vehicle for or on behalf of a utility, if the person is acting in response to an emergency, power outage, or circumstance that affects the health or safety of individuals;

(11) A person using an electronic wireless communications device in conjunction with a voice-operated or hands-free feature or function of the vehicle or of the device without the use of either hand except to activate, deactivate, or initiate the feature or function with a single touch or swipe, provided the person does not hold or support the device with any part of the person's body;

(12) A person using technology that physically or electronically integrates the device into the motor vehicle, provided that the person does not do either of the following during the use:

- (a) Manually enter letters, numbers, or symbols into the device;
- (b) Hold or support the device with any part of the person's body.

(13) A person storing an electronic wireless communications device in a holster, harness, or article of clothing on the person's body.

(C)(1) On January 31 of each year, the department of public safety shall issue a report to the general assembly that specifies the number of citations issued for violations of this section during

the previous calendar year.

(2) If a law enforcement officer issues an offender a ticket, citation, or summons for a violation of division (A) of this section, the officer shall do both of the following:

(a) Report the issuance of the ticket, citation, or summons to the officer's law enforcement agency;

(b) Ensure that such report indicates the offender's race.

(D) Whoever violates division (A) of this section is guilty of operating a motor vehicle while using an electronic wireless communication device, an unclassified misdemeanor, and shall be punished as provided in divisions (D)(1) to (5) of this section.

(1) The offender shall be fined, and is subject to a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege, as follows:

(a) Except as provided in divisions (D)(1)(b), (c), (d), and (2) of this section, the court shall impose upon the offender a fine of not more than one hundred fifty dollars.

(b) If, within two years of the violation, the offender has been convicted of or pleaded guilty to one prior violation of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than two hundred fifty dollars.

(c) If, within two years of the violation, the offender has been convicted of or pleaded guilty to two or more prior violations of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than five hundred dollars. The court also may impose a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for ninety days.

(d) Notwithstanding divisions (D)(1)(a) to (c) of this section, if the offender was operating the motor vehicle at the time of the violation in a construction zone where a sign was posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the amount imposed for the violation under division (D)(1)(a), (b), or (c) of this section, as applicable.

(2) If the offender is in the category of offenders to whom division (D)(1)(a) of this section applies, in lieu of payment of the fine of one hundred fifty dollars under division (D)(1)(a) of this section and the assessment of points under division (D)(4) of this section, the offender instead may elect to attend the distracted driving safety course, as described in section 4511.991 of the Revised Code. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall not be required to pay the fine and shall not have the points assessed against that offender's driver's license if the offender submits the written evidence to the court within 90 days of the violation of division (A) of this section. However, successful completion of the course does not result in a dismissal of the charges for the violation, and the violation is a prior offense under divisions (D)(1)(b) and (c) of this section if the offender commits a subsequent violation or violations of division (A) of this

section within two years of the offense for which the course was completed. This division does not apply with respect to any offender in the category of offenders to whom division (D)(1)(b), (c), or (d) of this section applies.

(3) The court may impose any other penalty authorized under sections 2929.21 to 2929.28 of the Revised Code. However, the court shall not impose a fine or a suspension not otherwise specified in division (D)(1) of this section. The court also shall not impose a jail term or community residential sanction.

(4) Except as provided in division (D)(2) of this section, points shall be assessed for a violation of division (A) of this section in accordance with section 4510.036 of the Revised Code.

(5) The offense established under this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(E) This section shall not be construed as invalidating, preempting, or superseding a substantially equivalent municipal ordinance that prescribes penalties for violations of that ordinance that are greater than the penalties prescribed in this section for violations of this section.

(F) A prosecution for an offense in violation of this section does not preclude a prosecution for an offense in violation of a substantially equivalent municipal ordinance based on the same conduct. However, the two offenses are allied offenses of similar import under section 2941.25 of the Revised Code.

(G)(1) A law enforcement officer does not have probable cause and shall not stop the operator of a motor vehicle for purposes of enforcing this section unless the officer visually observes the operator using, holding, or physically supporting with any part of the person's body the electronic wireless communications device.

(2) A law enforcement officer who stops the operator of a motor vehicle, trackless trolley, or streetcar for a violation of division (A) of this section shall inform the operator that the operator may decline a search of the operator's electronic wireless communications device. The officer shall not do any of the following:

(a) Access the device without a warrant, unless the operator voluntarily and unequivocally gives consent for the officer to access the device;

(b) Confiscate the device while awaiting the issuance of a warrant to access the device;

(c) Obtain consent from the operator to access the device through coercion or any other improper means. Any consent by the operator to access the device shall be voluntary and unequivocal before the officer may access the device without a warrant.

(H) As used in this section:

(1) "Electronic wireless communications device" includes any of the following:

(a) A wireless telephone;

(b) A text-messaging device;

- (c) A personal digital assistant;
- (d) A computer, including a laptop computer and a computer tablet;
- (e) Any device capable of displaying a video, movie, broadcast television image, or visual image;
- (f) Any other substantially similar wireless device that is designed or used to communicate text, initiate or receive communication, or exchange information or data.

An "electronic wireless communications device" does not include a two-way radio transmitter or receiver used by a person who is licensed by the federal communications commission to participate in the amateur radio service.

(2) "Voice-operated or hands-free feature or function" means a feature or function that allows a person to use an electronic wireless communications device without the use of either hand, except to activate, deactivate, or initiate the feature or function with a single touch or single swipe.

(3) "Utility" means an entity specified in division (A), (C), (D), (E), or (G) of section 4905.03 of the Revised Code.

(4) "Utility service vehicle" means a vehicle owned or operated by a utility.

Sec. 4511.21. (A) No person shall operate a motor vehicle, trackless trolley, or streetcar at a speed greater or less than is reasonable or proper, having due regard to the traffic, surface, and width of the street or highway and any other conditions, and no person shall drive any motor vehicle, trackless trolley, or streetcar in and upon any street or highway at a greater speed than will permit the person to bring it to a stop within the assured clear distance ahead.

(B) It is prima-facie lawful, in the absence of a lower limit declared or established pursuant to this section by the director of transportation or local authorities, for the operator of a motor vehicle, trackless trolley, or streetcar to operate the same at a speed not exceeding the following:

(1)(a) Twenty miles per hour in school zones during school recess and while children are going to or leaving school during the opening or closing hours, and when twenty miles per hour school speed limit signs are erected; except that, on controlled-access highways and expressways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by division (B)(4) of this section and on freeways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by divisions (B)(10) and (11) of this section. The end of every school zone may be marked by a sign indicating the end of the zone. Nothing in this section or in the manual and specifications for a uniform system of traffic control devices shall be construed to require school zones to be indicated by signs equipped with flashing or other lights, or giving other special notice of the hours in which the school zone speed limit is in effect.

(b) As used in this section and in section 4511.212 of the Revised Code, "school" means all of the following:

- (i) Any school chartered under section 3301.16 of the Revised Code;
- (ii) Any nonchartered school that during the preceding year filed with the department of

education and workforce in compliance with rule 3301-35-08 of the Ohio Administrative Code, a copy of the school's report for the parents of the school's pupils certifying that the school meets Ohio minimum standards for nonchartered, nontax-supported schools and presents evidence of this filing to the jurisdiction from which it is requesting the establishment of a school zone;

(iii) Any special elementary school that in writing requests the county engineer of the county in which the special elementary school is located to create a school zone at the location of that school. Upon receipt of such a written request, the county engineer shall create a school zone at that location by erecting the appropriate signs.

(iv) Any preschool education program operated by an educational service center that is located on a street or highway with a speed limit of forty-five miles per hour or more, when the educational service center in writing requests that either the director of transportation or the county engineer of the county in which the program is located, as applicable based on who has jurisdiction of the street or highway, to create a school zone at the location of that program. Upon receipt of such a written request, the director or the county engineer shall create a school zone at that location by erecting the appropriate signs.

(c) As used in this section, "school zone" means that portion of a street or highway passing a school fronting upon the street or highway that is encompassed by projecting the school property lines to the fronting street or highway, and also includes that portion of a state highway. Upon request from local authorities for streets and highways under their jurisdiction and that portion of a state highway under the jurisdiction of the director of transportation or a request from a county engineer in the case of a school zone for a special elementary school, the director may extend the traditional school zone boundaries. The distances in divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not exceed three hundred feet per approach per direction and are bounded by whichever of the following distances or combinations thereof the director approves as most appropriate:

(i) The distance encompassed by projecting the school building lines normal to the fronting highway and extending a distance of three hundred feet on each approach direction;

(ii) The distance encompassed by projecting the school property lines intersecting the fronting highway and extending a distance of three hundred feet on each approach direction;

(iii) The distance encompassed by the special marking of the pavement for a principal school pupil crosswalk plus a distance of three hundred feet on each approach direction of the highway.

Nothing in this section shall be construed to invalidate the director's initial action on August 9, 1976, establishing all school zones at the traditional school zone boundaries defined by projecting school property lines, except when those boundaries are extended as provided in divisions (B)(1)(a) and (c) of this section.

(d) As used in this division, "crosswalk" has the meaning given that term in division (LL)(2) of section 4511.01 of the Revised Code.

The director may, upon request by resolution of the legislative authority of a municipal corporation, the board of trustees of a township, or a county board of developmental disabilities

created pursuant to Chapter 5126. of the Revised Code, and upon submission by the municipal corporation, township, or county board of such engineering, traffic, and other information as the director considers necessary, designate a school zone on any portion of a state route lying within the municipal corporation, lying within the unincorporated territory of the township, or lying adjacent to the property of a school that is operated by such county board, that includes a crosswalk customarily used by children going to or leaving a school during recess and opening and closing hours, whenever the distance, as measured in a straight line, from the school property line nearest the crosswalk to the nearest point of the crosswalk is no more than one thousand three hundred twenty feet. Such a school zone shall include the distance encompassed by the crosswalk and extending three hundred feet on each approach direction of the state route.

(e) As used in this section, "special elementary school" means a school that meets all of the following criteria:

- (i) It is not chartered and does not receive tax revenue from any source.
- (ii) It does not educate children beyond the eighth grade.
- (iii) It is located outside the limits of a municipal corporation.
- (iv) A majority of the total number of students enrolled at the school are not related by blood.

(v) The principal or other person in charge of the special elementary school annually sends a report to the superintendent of the school district in which the special elementary school is located indicating the total number of students enrolled at the school, but otherwise the principal or other person in charge does not report any other information or data to the superintendent.

(2) Twenty-five miles per hour in all other portions of a municipal corporation, except on state routes outside business districts, through highways outside business districts, and alleys;

(3) Thirty-five miles per hour on all state routes or through highways within municipal corporations outside business districts, except as provided in divisions (B)(4) and (6) of this section;

(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations, except as provided in divisions (B)(12), (13), (14), (15), and (16) of this section;

(5) Fifty-five miles per hour on highways outside municipal corporations, other than highways within island jurisdictions as provided in division (B)(8) of this section, highways as provided in divisions (B)(9) and (10) of this section, and highways, expressways, and freeways as provided in divisions (B)(12), (13), (14), and (16) of this section;

(6) Fifty miles per hour on state routes within municipal corporations outside urban districts unless a lower prima-facie speed is established as further provided in this section;

(7) Fifteen miles per hour on all alleys within the municipal corporation;

(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;

(9) Thirty-five miles per hour on through highways, except state routes, that are outside municipal corporations and that are within a national park with boundaries extending through two or

more counties;

(10) Sixty miles per hour on two-lane state routes outside municipal corporations as established by the director under division (H)(2) of this section;

(11) Fifty-five miles per hour on freeways with paved shoulders inside municipal corporations, other than freeways as provided in divisions (B)(14) and (16) of this section;

(12) Sixty miles per hour on rural expressways with traffic control signals and on all portions of rural divided highways, except as provided in divisions (B)(13) and (14) of this section;

(13) Sixty-five miles per hour on all rural expressways without traffic control signals;

(14) Seventy miles per hour on all rural freeways;

(15) Fifty-five miles per hour on all portions of freeways or expressways in congested areas as determined by the director and that are located within a municipal corporation or within an interstate freeway outerbelt, except as provided in division (B)(16) of this section;

(16) Sixty-five miles per hour on all portions of freeways or expressways without traffic control signals in urbanized areas.

(C) It is prima-facie unlawful for any person to exceed any of the speed limitations in divisions (B)(1)(a), (2), (3), (4), (6), (7), (8), and (9) of this section, or any declared or established pursuant to this section by the director or local authorities and it is unlawful for any person to exceed any of the speed limitations in division (D) of this section. No person shall be convicted of more than one violation of this section for the same conduct, although violations of more than one provision of this section may be charged in the alternative in a single affidavit.

(D) No person shall operate a motor vehicle, trackless trolley, or streetcar upon a street or highway as follows:

(1) At a speed exceeding fifty-five miles per hour, except upon a two-lane state route as provided in division (B)(10) of this section and upon a highway, expressway, or freeway as provided in divisions (B)(12), (13), (14), and (16) of this section;

(2) At a speed exceeding sixty miles per hour upon a two-lane state route as provided in division (B)(10) of this section and upon a highway as provided in division (B)(12) of this section;

(3) At a speed exceeding sixty-five miles per hour upon an expressway as provided in division (B)(13) or upon a freeway as provided in division (B)(16) of this section, except upon a freeway as provided in division (B)(14) of this section;

(4) At a speed exceeding seventy miles per hour upon a freeway as provided in division (B)(14) of this section;

(5) At a speed exceeding the posted speed limit upon a highway, expressway, or freeway for which the director has determined and declared a speed limit pursuant to division (I)(2) or (L)(2) of this section.

(E) In every charge of violation of this section the affidavit and warrant shall specify the time, place, and speed at which the defendant is alleged to have driven, and in charges made in reliance upon division (C) of this section also the speed which division (B)(1)(a), (2), (3), (4), (6),

(7), (8), or (9) of, or a limit declared or established pursuant to, this section declares is prima-facie lawful at the time and place of such alleged violation, except that in affidavits where a person is alleged to have driven at a greater speed than will permit the person to bring the vehicle to a stop within the assured clear distance ahead the affidavit and warrant need not specify the speed at which the defendant is alleged to have driven.

(F) When a speed in excess of both a prima-facie limitation and a limitation in division (D) of this section is alleged, the defendant shall be charged in a single affidavit, alleging a single act, with a violation indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of this section, or of a limit declared or established pursuant to this section by the director or local authorities, and of the limitation in division (D) of this section. If the court finds a violation of division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or established pursuant to, this section has occurred, it shall enter a judgment of conviction under such division and dismiss the charge under division (D) of this section. If it finds no violation of division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or established pursuant to, this section, it shall then consider whether the evidence supports a conviction under division (D) of this section.

(G) Points shall be assessed for violation of a limitation under division (D) of this section in accordance with section 4510.036 of the Revised Code.

(H)(1) Whenever the director determines upon the basis of criteria established by an engineering study, as defined by the director, that any speed limit set forth in divisions (B)(1)(a) to (D) of this section is greater or less than is reasonable or safe under the conditions found to exist at any portion of a street or highway under the jurisdiction of the director, the director shall determine and declare a reasonable and safe prima-facie speed limit, which shall be effective when appropriate signs giving notice of it are erected at the location.

(2) Whenever the director determines upon the basis of criteria established by an engineering study, as defined by the director, that the speed limit of fifty-five miles per hour on a two-lane state route outside a municipal corporation is less than is reasonable or safe under the conditions found to exist at that portion of the state route, the director may determine and declare a speed limit of sixty miles per hour for that portion of the state route, which shall be effective when appropriate signs giving notice of it are erected at the location.

(3)(a) For purposes of the safe and orderly movement of traffic upon any portion of a street or highway under the jurisdiction of the director, the director may establish a variable speed limit that is different than the speed limit established by or under this section on all or portions of interstate six hundred seventy, interstate two hundred seventy-five, and interstate ninety commencing at the intersection of that interstate with interstate seventy-one and continuing to the border of the state of Ohio with the state of Pennsylvania. The director shall establish criteria for determining the appropriate use of variable speed limits and shall establish variable speed limits in accordance with the criteria. The director may establish variable speed limits based upon the time of day, weather conditions, traffic incidents, or other factors that affect the safe speed on a street or

highway. The director shall not establish a variable speed limit that is based on a particular type or class of vehicle. A variable speed limit established by the director under this section is effective when appropriate signs giving notice of the speed limit are displayed at the location.

(b) Except for variable speed limits established under division (H)(3)(a) of this section, the director shall establish a variable speed limit under the authority granted to the director by this section on not more than two additional highways and only pursuant to criteria established in rules adopted in accordance with Chapter 119. of the Revised Code. The rules shall be based on the criteria described in division (H)(3)(a) of this section. The rules also shall establish the parameters of any engineering study necessary for determining when variable speed limits are appropriate.

(4) Nothing in this section shall be construed to limit the authority of the director to establish speed limits within a construction zone as authorized under section 4511.98 of the Revised Code.

(I)(1) Except as provided in divisions (I)(2), (J), (K), and (N) of this section, whenever local authorities determine upon the basis of criteria established by an engineering study, as defined by the director, that the speed permitted by divisions (B)(1)(a) to (D) of this section, on any part of a highway under their jurisdiction, is greater than is reasonable and safe under the conditions found to exist at such location, the local authorities may by resolution request the director to determine and declare a reasonable and safe prima-facie speed limit. Upon receipt of such request the director may determine and declare a reasonable and safe prima-facie speed limit at such location, and if the director does so, then such declared speed limit shall become effective only when appropriate signs giving notice thereof are erected at such location by the local authorities. The director may withdraw the declaration of a prima-facie speed limit whenever in the director's opinion the altered prima-facie speed limit becomes unreasonable. Upon such withdrawal, the declared prima-facie speed limit shall become ineffective and the signs relating thereto shall be immediately removed by the local authorities.

(2) A local authority may determine on the basis of criteria established by an engineering study, as defined by the director, that the speed limit of sixty-five or seventy miles per hour on a portion of a freeway under its jurisdiction is greater than is reasonable or safe under the conditions found to exist at that portion of the freeway. If the local authority makes such a determination, the local authority by resolution may request the director to determine and declare a reasonable and safe speed limit of not less than fifty-five miles per hour for that portion of the freeway. If the director takes such action, the declared speed limit becomes effective only when appropriate signs giving notice of it are erected at such location by the local authority.

(J) Local authorities in their respective jurisdictions may authorize by ordinance higher prima-facie speeds than those stated in this section upon through highways, or upon highways or portions thereof where there are no intersections, or between widely spaced intersections, provided signs are erected giving notice of the authorized speed, but local authorities shall not modify or alter the basic rule set forth in division (A) of this section or in any event authorize by ordinance a speed in excess of the maximum speed permitted by division (D) of this section for the specified type of

highway.

Alteration of prima-facie limits on state routes by local authorities shall not be effective until the alteration has been approved by the director. The director may withdraw approval of any altered prima-facie speed limits whenever in the director's opinion any altered prima-facie speed becomes unreasonable, and upon such withdrawal, the altered prima-facie speed shall become ineffective and the signs relating thereto shall be immediately removed by the local authorities.

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this section, "unimproved highway" means a highway consisting of any of the following:

- (a) Unimproved earth;
- (b) Unimproved graded and drained earth;
- (c) Gravel.

(2) Except as otherwise provided in divisions (K)(4) and (5) of this section, whenever a board of township trustees determines upon the basis of criteria established by an engineering study, as defined by the director, that the speed permitted by division (B)(5) of this section on any part of an unimproved highway under its jurisdiction and in the unincorporated territory of the township is greater than is reasonable or safe under the conditions found to exist at the location, the board may by resolution declare a reasonable and safe prima-facie speed limit of fifty-five but not less than twenty-five miles per hour. An altered speed limit adopted by a board of township trustees under this division becomes effective when appropriate traffic control devices, as prescribed in section 4511.11 of the Revised Code, giving notice thereof are erected at the location, which shall be no sooner than sixty days after adoption of the resolution.

(3)(a) Whenever, in the opinion of a board of township trustees, any altered prima-facie speed limit established by the board under this division becomes unreasonable, the board may adopt a resolution withdrawing the altered prima-facie speed limit. Upon the adoption of such a resolution, the altered prima-facie speed limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed.

(b) Whenever a highway ceases to be an unimproved highway and the board has adopted an altered prima-facie speed limit pursuant to division (K)(2) of this section, the board shall, by resolution, withdraw the altered prima-facie speed limit as soon as the highway ceases to be unimproved. Upon the adoption of such a resolution, the altered prima-facie speed limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed.

(4)(a) If the boundary of two townships rests on the centerline of an unimproved highway in unincorporated territory and both townships have jurisdiction over the highway, neither of the boards of township trustees of such townships may declare an altered prima-facie speed limit pursuant to division (K)(2) of this section on the part of the highway under their joint jurisdiction unless the boards of township trustees of both of the townships determine, upon the basis of criteria established by an engineering study, as defined by the director, that the speed permitted by division (B)(5) of this section is greater than is reasonable or safe under the conditions found to exist at the

location and both boards agree upon a reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour for that location. If both boards so agree, each shall follow the procedure specified in division (K)(2) of this section for altering the prima-facie speed limit on the highway. Except as otherwise provided in division (K)(4)(b) of this section, no speed limit altered pursuant to division (K)(4)(a) of this section may be withdrawn unless the boards of township trustees of both townships determine that the altered prima-facie speed limit previously adopted becomes unreasonable and each board adopts a resolution withdrawing the altered prima-facie speed limit pursuant to the procedure specified in division (K)(3)(a) of this section.

(b) Whenever a highway described in division (K)(4)(a) of this section ceases to be an unimproved highway and two boards of township trustees have adopted an altered prima-facie speed limit pursuant to division (K)(4)(a) of this section, both boards shall, by resolution, withdraw the altered prima-facie speed limit as soon as the highway ceases to be unimproved. Upon the adoption of the resolution, the altered prima-facie speed limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed.

(5) As used in division (K)(5) of this section:

(a) "Commercial subdivision" means any platted territory outside the limits of a municipal corporation and fronting a highway where, for a distance of three hundred feet or more, the frontage is improved with buildings in use for commercial purposes, or where the entire length of the highway is less than three hundred feet long and the frontage is improved with buildings in use for commercial purposes.

(b) "Residential subdivision" means any platted territory outside the limits of a municipal corporation and fronting a highway, where, for a distance of three hundred feet or more, the frontage is improved with residences or residences and buildings in use for business, or where the entire length of the highway is less than three hundred feet long and the frontage is improved with residences or residences and buildings in use for business.

Whenever a board of township trustees finds upon the basis of criteria established by an engineering study, as defined by the director, that the prima-facie speed permitted by division (B)(5) of this section on any part of a highway under its jurisdiction that is located in a commercial or residential subdivision, except on highways or portions thereof at the entrances to which vehicular traffic from the majority of intersecting highways is required to yield the right-of-way to vehicles on such highways in obedience to stop or yield signs or traffic control signals, is greater than is reasonable and safe under the conditions found to exist at the location, the board may by resolution declare a reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour at the location. An altered speed limit adopted by a board of township trustees under this division shall become effective when appropriate signs giving notice thereof are erected at the location by the township. Whenever, in the opinion of a board of township trustees, any altered prima-facie speed limit established by it under this division becomes unreasonable, it may adopt a resolution withdrawing the altered prima-facie speed, and upon such withdrawal, the altered prima-

facie speed shall become ineffective, and the signs relating thereto shall be immediately removed by the township.

(L)(1) The director of transportation, based upon an engineering study, as defined by the director, of a highway, expressway, or freeway described in division (B)(12), (13), (14), (15), or (16) of this section, in consultation with the director of public safety and, if applicable, the local authority having jurisdiction over the studied highway, expressway, or freeway, may determine and declare that the speed limit established on such highway, expressway, or freeway under division (B)(12), (13), (14), (15), or (16) of this section either is reasonable and safe or is more or less than that which is reasonable and safe.

(2) If the established speed limit for a highway, expressway, or freeway studied pursuant to division (L)(1) of this section is determined to be more or less than that which is reasonable and safe, the director of transportation, in consultation with the director of public safety and, if applicable, the local authority having jurisdiction over the studied highway, expressway, or freeway, shall determine and declare a reasonable and safe speed limit for that highway, expressway, or freeway.

(M)(1)(a) If the boundary of two local authorities rests on the centerline of a highway and both authorities have jurisdiction over the highway, the speed limit for the part of the highway within their joint jurisdiction shall be either one of the following as agreed to by both authorities:

- (i) Either prima-facie speed limit permitted by division (B) of this section;
- (ii) An altered speed limit determined and posted in accordance with this section.

(b) If the local authorities are unable to reach an agreement, the speed limit shall remain as established and posted under this section.

(2) Neither local authority may declare an altered prima-facie speed limit pursuant to this section on the part of the highway under their joint jurisdiction unless both of the local authorities determine, upon the basis of criteria established by an engineering study, as defined by the director, that the speed permitted by this section is greater than is reasonable or safe under the conditions found to exist at the location and both authorities agree upon a uniform reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour for that location. If both authorities so agree, each shall follow the procedure specified in this section for altering the prima-facie speed limit on the highway, and the speed limit for the part of the highway within their joint jurisdiction shall be uniformly altered. No altered speed limit may be withdrawn unless both local authorities determine that the altered prima-facie speed limit previously adopted becomes unreasonable and each adopts a resolution withdrawing the altered prima-facie speed limit pursuant to the procedure specified in this section.

(N) The legislative authority of a municipal corporation or township in which a boarding school is located, by resolution or ordinance, may establish a boarding school zone. The legislative authority may alter the speed limit on any street or highway within the boarding school zone and shall specify the hours during which the altered speed limit is in effect. For purposes of determining

the boundaries of the boarding school zone, the altered speed limit within the boarding school zone, and the hours the altered speed limit is in effect, the legislative authority shall consult with the administration of the boarding school and with the county engineer or other appropriate engineer, as applicable. A boarding school zone speed limit becomes effective only when appropriate signs giving notice thereof are erected at the appropriate locations.

(O) As used in this section:

(1) "Interstate system" has the same meaning as in 23 U.S.C. 101.

(2) "Commercial bus" means a motor vehicle designed for carrying more than nine passengers and used for the transportation of persons for compensation.

(3) "Noncommercial bus" includes but is not limited to a school bus or a motor vehicle operated solely for the transportation of persons associated with a charitable or nonprofit organization.

(4) "Outerbelt" means a portion of a freeway that is part of the interstate system and is located in the outer vicinity of a major municipal corporation or group of municipal corporations, as designated by the director.

(5) "Rural" means an area outside urbanized areas and outside of a business or urban district, and areas that extend within urbanized areas where the roadway characteristics remain mostly unchanged from those outside the urbanized areas.

(6) "Urbanized area" has the same meaning as in 23 U.S.C. 101.

(7) "Divided" means a roadway having two or more travel lanes for vehicles moving in opposite directions and that is separated by a median of more than four feet, excluding turn lanes.

(P)(1) A violation of any provision of this section is one of the following:

(a) Except as otherwise provided in divisions (P)(1)(b), (1)(c), (2), and (3) of this section, a minor misdemeanor;

(b) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two violations of any provision of this section or of any provision of a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the fourth degree;

(c) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to three or more violations of any provision of this section or of any provision of a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the third degree.

(2) If the offender operated a motor vehicle faster than thirty-five miles an hour in a business district of a municipal corporation, faster than fifty miles an hour in other portions of a municipal corporation, or faster than thirty-five miles an hour in a school zone during recess or while children are going to or leaving school during the school's opening or closing hours, a misdemeanor of the fourth degree. Division (P)(2) of this section does not apply if penalties may be imposed under division (P)(1)(b) or (c) of this section.

(3) Notwithstanding division (P)(1) of this section, if the offender operated a motor vehicle in a construction zone where a sign was then posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the usual amount imposed for the violation. No court shall impose a fine of two times the usual amount imposed for the violation upon an offender if the offender alleges, in an affidavit filed with the court prior to the offender's sentencing, that the offender is indigent and is unable to pay the fine imposed pursuant to this division and if the court determines that the offender is an indigent person and unable to pay the fine.

(4) If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

Sec. 4511.211. (A) The owner of a private road ~~or driveway~~ located in a private residential area containing twenty or more dwelling units may establish a speed limit on the road ~~or driveway~~ by complying with all of the following requirements:

(1) The speed limit is not less than twenty-five miles per hour and is indicated by a sign that is in a proper position, is sufficiently legible to be seen by an ordinarily observant person, and meets the specifications for the basic speed limit sign included in the manual adopted by the department of transportation pursuant to section 4511.09 of the Revised Code;

(2) The owner has posted a sign at the entrance of the private road ~~or driveway~~ that is in plain view and clearly informs persons entering the road ~~or driveway~~ that they are entering private property, a speed limit has been established for the road ~~or driveway~~, and the speed limit is enforceable by law enforcement officers under state law.

(B) No person shall operate a vehicle upon a private road ~~or driveway~~ as provided in division (A) of this section at a speed exceeding any speed limit established and posted pursuant to that division.

(C) When a speed limit is established and posted in accordance with division (A) of this section, any law enforcement officer may apprehend a person violating the speed limit of the residential area by utilizing any of the means described in section 4511.091 of the Revised Code or by any other accepted method of determining the speed of a motor vehicle and may stop and charge the person with exceeding the speed limit.

(D) Points shall be assessed for violation of a speed limit established and posted in accordance with division (A) of this section in accordance with section 4510.036 of the Revised Code.

(E) As used in this section:

(1) "Owner" includes but is not limited to a person who holds title to the real property in fee simple, a condominium owners' association, a property owner's association, the board of directors or trustees of a private community, and a nonprofit corporation governing a private community.

(2) "Private residential area containing twenty or more dwelling units" does not include a

Chautauqua assembly as defined in section 4511.90 of the Revised Code.

(F)(1) A violation of division (B) of this section is one of the following:

(a) Except as otherwise provided in divisions (F)(1)(b) and (c) of this section, a minor misdemeanor;

(b) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two violations of division (B) of this section or of any municipal ordinance that is substantially similar to division (B) of this section, a misdemeanor of the fourth degree;

(c) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to three or more violations of division (B) of this section or of any municipal ordinance that is substantially similar to division (B) of this section, a misdemeanor of the third degree.

(2) If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

Sec. 4511.214. ~~(A)(1)~~(A) As used in this section and sections 4511.215 and 4511.216 of the Revised Code, "low-speed vehicle," "mini-truck," "under-speed vehicle," and "utility vehicle" have the same meanings as in section 4501.01 of the Revised Code.

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

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

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

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

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

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

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

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

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

~~(D)~~(E) Except as otherwise provided in this division, whoever violates division ~~(A)~~(B) of this section is guilty of a minor misdemeanor. If within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

Sec. 4511.432. (A) The owner of a private road ~~or driveway~~ located in a private residential area containing twenty or more dwelling units may erect stop signs at places where the road ~~or driveway~~ intersects with another private road ~~or driveway~~ in the residential area, in compliance with all of the following requirements:

(1) The stop sign is sufficiently legible to be seen by an ordinarily observant person and meets the specifications of and is placed in accordance with the manual adopted by the department of transportation pursuant to section 4511.09 of the Revised Code.

(2) The owner has posted a sign at the entrance of the private road ~~or driveway~~ that is in plain view and clearly informs persons entering the road ~~or driveway~~ that they are entering private property, stop signs have been posted and must be obeyed, and the signs are enforceable by law enforcement officers under state law. The sign required by division (A)(2) of this section, where appropriate, may be incorporated with the sign required by division (A)(2) of section 4511.211 of the Revised Code.

(B) Division (A) of section 4511.43 and section 4511.46 of the Revised Code shall be deemed to apply to the driver of a vehicle on a private road ~~or driveway~~ where a stop sign is placed in accordance with division (A) of this section and to a pedestrian crossing such a road ~~or driveway~~ at an intersection where a stop sign is in place.

(C) When a stop sign is placed in accordance with division (A) of this section, any law enforcement officer may apprehend a person found violating the stop sign and may stop and charge the person with violating the stop sign.

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

(E) As used in this section, and for the purpose of applying division (A) of section 4511.43 and section 4511.46 of the Revised Code to conduct under this section:

(1) "Intersection" means:

(a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two private roads ~~or driveways~~ which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon

different private roads ~~or driveways~~ joining at any other angle may come in conflict.

(b) Where a private road ~~or driveway~~ includes two roadways thirty feet or more apart, then every crossing of two roadways of such private roads ~~or driveways~~ shall be regarded as a separate intersection.

(2) "Roadway" means that portion of a private road ~~or driveway~~ improved, designed, or ordinarily used for vehicular travel and parking lanes, except not including the berm, sidewalk, or shoulder, even if the berm, sidewalk, or shoulder is used by a person operating a bicycle or other human-powered vehicle. If a private road ~~or driveway~~ includes two or more separate roadways, the term "roadway" means any such roadway separately but not all such roadways collectively.

(3) "Owner" and "private residential area containing twenty or more dwelling units" have the same meanings as in section 4511.211 of the Revised Code.

Sec. 4511.46. (A) When highway traffic ~~control~~ signals are not in place, not in operation, or are not clearly assigning the right-of-way, the driver of a vehicle, trackless trolley, or streetcar shall yield the right of way, slowing down or stopping if need be to so yield or if required by section 4511.132 of the Revised Code, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(B) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle, trackless trolley, or streetcar which is so close as to constitute an immediate hazard.

(C) Division (A) of this section does not apply under the conditions stated in division (B) of section 4511.48 of the Revised Code.

(D) Whenever any vehicle, trackless trolley, or streetcar is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle, trackless trolley, or streetcar approaching from the rear shall not overtake and pass the stopped vehicle.

(E) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

Sec. 4511.48. (A) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles, trackless trolleys, or streetcars upon the roadway.

(B) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all traffic upon the roadway.

(C) Between adjacent intersections at which highway traffic ~~control~~-signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

(D) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.

(E) This section does not relieve the operator of a vehicle, streetcar, or trackless trolley from exercising due care to avoid colliding with any pedestrian upon any roadway.

(F) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

Sec. 4511.512. (A)(1) Electric personal assistive mobility devices, as defined in section 4501.01 of the Revised Code, may be operated on the public streets, highways, sidewalks, and paths and portions of roadways set aside for the exclusive use of bicycles in accordance with this section.

(2) Except as otherwise provided in this section, those sections of this chapter that by their nature are applicable to an electric personal assistive mobility device apply to the device and the person operating it whenever it is operated upon any public street, highway, sidewalk, or path or upon any portion of a roadway set aside for the exclusive use of bicycles.

(3) A local authority may regulate or prohibit the operation of electric personal assistive mobility devices on public streets, highways, sidewalks, and paths, and portions of roadways set aside for the exclusive use of bicycles, under its jurisdiction.

(B) No operator of an electric personal assistive mobility device shall do any of the following:

(1) Fail to yield the right-of-way to all pedestrians and human-powered vehicles at all times;

(2) Fail to give an audible signal before overtaking and passing a pedestrian;

(3) Operate the device at night unless the device or its operator is equipped with or wearing both of the following:

(a) A lamp pointing to the front that emits a white light visible from a distance of not less than five hundred feet;

(b) A red reflector facing the rear that is visible from all distances from one hundred feet to six hundred feet when directly in front of lawful lower beams of head lamps on a motor vehicle.

(4) Operate the device on any portion of a street or highway that has an established speed limit of fifty-five miles per hour or more;

(5) Operate the device upon any path set aside for the exclusive use of pedestrians or other

specialized use when an appropriate sign giving notice of the specialized use is posted on the path;

(6) If under eighteen years of age, operate the device unless wearing a protective helmet on the person's head with the chin strap properly fastened;

(7) If under sixteen years of age, operate the device unless, during the operation, the person is under the direct visual and audible supervision of another person who is eighteen years of age or older and is responsible for the immediate care of the person under sixteen years of age.

(C) No person who is under fourteen years of age shall operate an electric personal assistive mobility device.

(D) No person shall distribute or sell an electric personal assistive mobility device unless the device is accompanied by a written statement that is substantially equivalent to the following: "WARNING: TO REDUCE THE RISK OF SERIOUS INJURY, USE ONLY WHILE WEARING FULL PROTECTIVE EQUIPMENT – HELMET, WRIST GUARDS, ELBOW PADS, AND KNEE PADS."

(E) Nothing in this section affects or shall be construed to affect any rule of the director of natural resources or a board of park district commissioners governing the operation of vehicles on lands under the control of the director or board, as applicable.

(F)(1) Whoever violates division (B) or (C) of this section is guilty of a minor misdemeanor and shall be punished as follows:

(a) The offender shall be fined ten dollars.

(b) If the offender previously has been convicted of or pleaded guilty to a violation of division (B) or (C) of this section or a substantially similar municipal ordinance, the court, in addition to imposing the fine required under division (F)(1) of this section, shall do one of the following:

(i) Order the impoundment for not less than one day but not more than thirty days of the electric personal assistive mobility device that was involved in the current violation of that division. The court shall order the device to be impounded at a safe indoor location designated by the court and may assess storage fees of not more than five dollars per day, provided the total storage, processing, and release fees assessed against the offender or the device in connection with the device's impoundment or subsequent release shall not exceed fifty dollars.

(ii) If the court does not issue an impoundment order pursuant to division (F)(1)(b)(i) of this section, issue an order prohibiting the offender from operating any electric personal assistive mobility device on the public streets, highways, sidewalks, and paths and portions of roadways set aside for the exclusive use of bicycles for not less than one day but not more than thirty days.

(2) Whoever violates division (D) of this section is guilty of a minor misdemeanor.

Sec. 4511.61. (A) As used in this section, "~~active-grade~~ Grade crossing warning devicesystem" means ~~signs, the flashing-light signals, with or without automatic gates, or other protective devices erected or installed at a public highway-railway crossing at common grade and activated by an electrical circuit~~ together with the necessary control equipment that is used to inform

road users of the approach and presence of rail traffic at a grade crossing.

(B) The department of transportation and local authorities in their respective jurisdictions, with the approval of the department, may designate dangerous highway crossings over railroad tracks whether on state, county, or township highways or on streets or ways within municipal corporations, and erect stop signs thereat.

(C)(1) The department and local authorities shall erect stop signs at a railroad highway grade crossing in either of the following circumstances:

(a) New warning devices that are not ~~active-grade crossing warning devices~~ systems are being installed at the grade crossing, and railroad crossbucks were the only warning devices at the grade crossing prior to the installation of the new warning devices.

(b) The grade crossing is constructed after July 1, 2013, and only warning devices that are not ~~active-grade crossing warning devices~~ systems are installed at the grade crossing.

(2) Division (C)(1) of this section does not apply to a railroad highway grade crossing that the director of transportation has exempted from that division because of traffic flow or other considerations or factors.

(D) When stop signs are erected pursuant to division (B) or (C) of this section, the operator of any vehicle, streetcar, or trackless trolley shall stop within fifty, but not less than fifteen, feet from the nearest rail of the railroad tracks and shall exercise due care before proceeding across such grade crossing.

(E) Except as otherwise provided in this division, whoever violates division (D) of this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

Sec. 4511.62. (A)(1) Whenever any person driving a vehicle or trackless trolley approaches a railroad grade crossing, the person shall stop within fifty feet, but not less than fifteen feet from the nearest rail of the railroad if any of the following circumstances exist at the crossing:

(a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a train or other on-track equipment.

(b) A crossing gate is lowered.

(c) A flagperson gives or continues to give a signal of the approach or passage of a train or other on-track equipment.

(d) There is insufficient space on the other side of the railroad grade crossing to accommodate the vehicle or trackless trolley the person is operating without obstructing the passage

of other vehicles, trackless trolleys, pedestrians, or ~~railroad~~ trains, notwithstanding any highway traffic ~~control~~-signal indication to proceed.

(e) An approaching train is emitting an audible signal or is plainly visible and is in hazardous proximity to the crossing.

(f) There is insufficient undercarriage clearance to safely negotiate the crossing.

(g) There is insufficient space on the other side of the railroad grade crossing to accommodate the vehicle or trackless trolley the person is operating without obstructing the passage of other on-track equipment.

(h) Approaching on-track equipment is emitting an audible signal or is plainly visible and is in hazardous proximity to the crossing.

(2)(a) A person who is driving a vehicle or trackless trolley and who approaches a railroad grade crossing shall not proceed as long as any of the circumstances described in divisions (A)(1)(a) to (f) of this section exist at the crossing.

(b) A person who is driving a vehicle or trackless trolley and who approaches a railroad grade crossing shall not recklessly proceed as long as any of the circumstances described in division (A)(1)(g) or (h) of this section exist at the crossing.

(B) No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while the gate or barrier is closed or is being opened or closed unless the person is signaled by a law enforcement officer or flagperson that it is permissible to do so.

(C)(1) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

(2) In lieu of a fine or jail term for a violation of this section, a court may instead order the offender to attend and successfully complete a remedial safety training or presentation regarding rail safety that is offered by an authorized and qualified organization that is selected by the court. The offender shall complete the presentation within a time frame determined by the court, not to exceed one hundred eighty days after the court issues the order. The offender shall notify the court of the successful completion of the presentation. When the offender notifies the court of the successful completion of the presentation, the court shall waive any fine or jail term that it otherwise would have imposed for a violation of this section.

Sec. 4511.64. (A) No person shall operate or move any crawler-type tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed of six or less miles per hour or a vertical body or load clearance of less than nine inches above the level surface of a roadway, upon or across any tracks at a railroad grade crossing without first complying with divisions (A)(1) and (2) of this section.

(1) Before making any such crossing, the person operating or moving any such vehicle or equipment shall first stop the same, and while stopped the person shall listen and look in both directions along such track for any approaching train or other on-track equipment and for signals indicating the approach of a train or other on-track equipment, and shall proceed only upon exercising due care.

(2) No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagperson or otherwise of the immediate approach of a ~~railroad~~-train or car or other on-track equipment.

(B) If the normal sustained speed of such vehicle, equipment, or structure is not more than three miles per hour, the person owning, operating, or moving the same shall also give notice of such intended crossing to a station agent or superintendent of the railroad, and a reasonable time shall be given to such railroad to provide proper protection for such crossing. Where such vehicles or equipment are being used in constructing or repairing a section of highway lying on both sides of a railroad grade crossing, and in such construction or repair it is necessary to repeatedly move such vehicles or equipment over such crossing, one daily notice specifying when such work will start and stating the hours during which it will be prosecuted is sufficient.

(C) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

Sec. 4511.65. (A) All state routes are hereby designated as through highways, provided that stop signs, yield signs, or highway traffic ~~control~~-signals shall be erected at all intersections with such through highways by the department of transportation as to highways under its jurisdiction and by local authorities as to highways under their jurisdiction, except as otherwise provided in this section. Where two or more state routes that are through highways intersect and no highway traffic ~~control~~-signal is in operation, stop signs or yield signs shall be erected at one or more entrances thereto by the department, except as otherwise provided in this section.

Whenever the director of transportation determines on the basis of an engineering and traffic investigation that stop signs are necessary to stop traffic on a through highway for safe and efficient operation, nothing in this section shall be construed to prevent such installations. When circumstances warrant, the director also may omit stop signs on roadways intersecting through highways under ~~his~~ the director's jurisdiction. Before the director either installs or removes a stop sign under this division, ~~he~~ the director shall give notice, in writing, of that proposed action to the affected local authority at least thirty days before installing or removing the stop sign.

(B) Other streets or highways, or portions thereof, are hereby designated through highways if they are within a municipal corporation, if they have a continuous length of more than one mile between the limits of said street or highway or portion thereof, and if they have "stop" or "yield" signs or highway traffic ~~control~~-signals at the entrances of the majority of intersecting streets or

highways. For purposes of this section, the limits of said street or highway or portion thereof shall be a municipal corporation line, the physical terminus of the street or highway, or any point on said street or highway at which vehicular traffic thereon is required by regulatory signs to stop or yield to traffic on the intersecting street, provided that in residence districts a municipal corporation may by ordinance designate said street or highway, or portion thereof, not to be a through highway and thereafter the affected residence district shall be indicated by official traffic control devices. Where two or more through highways designated under this division intersect and no highway traffic ~~control~~-signal is in operation, stop signs or yield signs shall be erected at one or more entrances thereto by the department or by local authorities having jurisdiction, except as otherwise provided in this section.

(C) The department or local authorities having jurisdiction need not erect stop signs at intersections they find to be so constructed as to permit traffic to safely enter a through highway without coming to a stop. Signs shall be erected at such intersections indicating that the operator of a vehicle shall yield the right-of-way to or merge with all traffic proceeding on the through highway.

(D) Local authorities with reference to highways under their jurisdiction may designate additional through highways and shall erect stop signs, yield signs, or highway traffic ~~control~~-signals at all streets and highways intersecting such through highways, or may designate any intersection as a stop or yield intersection and shall erect like signs at one or more entrances to such intersection.

Sec. 4511.68. (A) No person shall stand or park a trackless trolley or vehicle, except when necessary to avoid conflict with other traffic or to comply with sections 4511.01 to 4511.78, 4511.99, and 4513.01 to 4513.37 of the Revised Code, or while obeying the directions of a police officer or a traffic control device, in any of the following places:

- (1) On a sidewalk, except as provided in division (B) of this section;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within ten feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within twenty feet of a crosswalk at an intersection;
- (7) Within thirty feet of, and upon the approach to, any ~~flashing beacon~~yield sign, stop sign, or highway traffic ~~control device~~signal;
- (8) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a traffic control device;
- (9) Within fifty feet of the nearest rail of a railroad crossing;
- (10) Within twenty feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy-five feet of the entrance when it is properly posted with signs;
- (11) Alongside or opposite any street excavation or obstruction when such standing or

parking would obstruct traffic;

- (12) Alongside any vehicle stopped or parked at the edge or curb of a street;
- (13) Upon any bridge or elevated structure upon a highway, or within a highway tunnel;
- (14) At any place where signs prohibit stopping;
- (15) Within one foot of another parked vehicle;
- (16) On the roadway portion of a freeway, expressway, or thruway;
- (17) On a bicycle lane.

(B) A person is permitted, without charge or restriction, to stand or park on a sidewalk a motor-driven cycle or motor scooter that has an engine not larger than one hundred fifty cubic centimeters, a low-speed micromobility device, or a bicycle or electric bicycle, provided that the motor-driven cycle, motor scooter, low-speed micromobility device, bicycle, or electric bicycle does not impede the normal flow of pedestrian traffic. This division does not authorize any person to operate a vehicle in violation of section 4511.711 of the Revised Code.

(C) Except as otherwise provided in this division, whoever violates division (A) of this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

Sec. 4511.701. (A) As used in this section:

(1) "Fifth wheel trailer," "mobile home," and "travel trailer" have the same meanings as in section 4501.01 of the Revised Code.

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

(B) Except as provided in division (B)(C) of this section, no person shall occupy any travel trailer, fifth wheel trailer, or manufactured or mobile home while it is being used as a conveyance upon a street or highway.

(B)(C) Division (A)(B) of this section does not apply to a fifth wheel trailer when both of the following apply:

(1) Any child riding in the fifth wheel trailer is properly secured in the manner provided in section 4511.81 of the Revised Code;

(2) The operator of the vehicle towing the fifth wheel trailer has some means of viable communication with the passengers riding in the trailer.

As used in this division, "viable communication" includes a cellular or satellite telephone, a radio, or any other similar electronic wireless communications device.

(C)(D) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this

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

~~(2)~~ (E) The offense established under this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

Sec. 4511.712. (A) No driver shall enter an intersection or marked crosswalk or drive onto any railroad grade crossing unless there is sufficient space on the other side of the intersection, crosswalk, or grade crossing to accommodate the vehicle, streetcar, or trackless trolley the driver is operating without obstructing the passage of other vehicles, streetcars, trackless trolleys, pedestrians, or ~~railroad~~ trains, notwithstanding any highway traffic ~~control~~-signal indication to proceed.

(B) This section does not apply to a bicyclist using a two-stage bicycle turn box.

(C) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

Sec. 4511.76. (A) The department of public safety, by and with the advice of the department of education and workforce, shall adopt and enforce rules relating to the construction, design, and equipment, including lighting equipment required by section 4511.771 of the Revised Code, of all school buses both publicly and privately owned and operated in this state.

(B) The department of education and workforce, by and with the advice of the director of public safety, shall adopt and enforce rules relating to the operation of all vehicles used for pupil transportation.

(C) No person shall operate a vehicle used for pupil transportation within this state in violation of the rules of the department of education and workforce or the department of public safety. No person, being the owner thereof or having the supervisory responsibility therefor, shall permit the operation of a vehicle used for pupil transportation within this state in violation of the rules of the department of education and workforce or the department of public safety.

(D) The department of public safety shall adopt and enforce rules relating to the issuance of a license under section 4511.763 of the Revised Code. The rules may relate to the condition of the equipment to be operated; the liability and property damage insurance carried by the applicant; the posting of satisfactory and sufficient bond; and such other rules as the director of public safety

determines reasonably necessary for the safety of the pupils to be transported.

(E) A chartered nonpublic school or a community school may own and operate, or contract with a vendor that supplies, ~~a vehicle originally designed for not more than nine passengers, not including the driver,~~ alternative vehicles to transport students to and from regularly scheduled school sessions, school-related activities, and school-sanctioned events when one of the following applies:

(1) A student's school district of residence has declared the transportation of the student impractical pursuant to section 3327.02 of the Revised Code;

(2) A student does not live within thirty minutes of the chartered nonpublic school or the community school, as applicable, and the student's school district is not required to transport the student under section 3327.01 of the Revised Code;

(3) The governing authority of the chartered nonpublic school or the community school has offered to provide the transportation for its students in lieu of the students being transported by their school district of residence.

(F) A school district may own and operate, or contract with a vendor that supplies, ~~a vehicle originally designed for not more than nine passengers, not including the driver,~~ alternative vehicles to transport students to and from regularly scheduled school sessions, ~~if both of the following apply to the operation of that vehicle:-~~

~~(1) The number of students to be transported is not more than nine;~~

~~(2) The students attend a chartered nonpublic school or a community school, and the school district regularly transports students to that chartered nonpublic school or that community school;~~ school-related activities, and school-sanctioned events.

(G) A school district or the governing authority of a chartered nonpublic school or community school that uses ~~a~~ an alternative vehicle ~~originally designed for not more than nine passengers, not including the driver,~~ in accordance with division (E) or (F) of this section, shall ensure that all of the following apply to the operation of that vehicle:

(1) A qualified mechanic inspects the vehicle not fewer than two times each year and determines that it is safe for pupil transportation;

(2) The driver of the vehicle does not stop on the roadway to load or unload passengers;

(3) The driver of the vehicle meets the requirements specified for a driver of a school bus or motor van under section 3327.10 of the Revised Code and any corresponding rules adopted by the department of education and workforce. Notwithstanding that section or any department rules to the contrary, the driver is not required to have a commercial driver's license but shall have a current, valid driver's license, and shall be accustomed to operating the vehicle used to transport the students;

(4) The driver and all passengers in the vehicle comply with the requirements of sections 4511.81 and 4513.263 of the Revised Code, as applicable.

(H) As used in this section, ~~"vehicle";~~

(1) "Alternative vehicle" means a motor vehicle originally manufactured and designed for not more than twelve passengers, not including the driver.

(2) "Vehicle used for pupil transportation" means any vehicle that is identified as such by the department of education and workforce by rule and that is subject to Chapter 3301-83 of the Administrative Code.

(I) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If the offender previously has been convicted of or pleaded guilty to one or more violations of this section or section 4511.63, 4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the Revised Code or a municipal ordinance that is substantially similar to any of those sections, whoever violates this section is guilty of a misdemeanor of the fourth degree.

Sec. 4511.765. (A) The director of education and workforce, by and with the advice of the director of public safety, shall amend any rules adopted under section 4511.76 of the Revised Code pertaining to pre-trip inspections of a school bus. The amendment shall remove any requirement that the following equipment be included in the pre-trip inspection:

- (1) The turbo charger;
- (2) The alternator;
- (3) The water pump;
- (4) The power steering pump;
- (5) The air pump;
- (6) Any part of the steering system;
- (7) Any part of the suspension;
- (8) Any part of the air brakes;
- (9) Any part of the brake equipment, including drums or rotors;
- (10) The springs and spring mounts;
- (11) The air bags.

(B) The state highway patrol shall still examine all of the equipment listed in division (A) of this section during its school bus inspections conducted in accordance with section 4511.761 of the Revised Code.

Sec. 4513.071. (A) Every motor vehicle, trailer, semitrailer, and pole trailer when operated upon a highway shall be equipped with two or more stop lights, except that passenger cars manufactured or assembled prior to January 1, 1967, motorcycles, and motor-driven cycles shall be equipped with at least one stop light. Stop lights shall be mounted on the rear of the vehicle, actuated upon application of the service brake, and may be incorporated with other rear lights. Such stop lights when actuated shall emit a red light visible from a distance of five hundred feet to the rear, provided that in the case of a train of vehicles only the stop lights on the rear-most vehicle need be visible from the distance specified.

Such stop lights when actuated shall give a steady warning light to the rear of a vehicle or train of vehicles to indicate the intention of the operator to diminish the speed of or stop a vehicle or train of vehicles.

When stop lights are used as required by this section, they shall be constructed or installed so

as to provide adequate and reliable illumination and shall conform to the appropriate rules and regulations established under section 4513.19 of the Revised Code.

~~Historical—A historical motor vehicle as defined in section 4503.181 of the Revised Code, vehicle that was not originally manufactured with stop lights, are or a replica motor vehicle that replicates a motor vehicle that was not originally manufactured with stop lights is not subject to this section.~~

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

(C) As used in this section, "replica motor vehicle" means a replica motor vehicle for which a certificate of title is issued under section 4505.072 of the Revised Code.

Sec. 4513.38. (A) No person shall be prohibited from owning or operating a licensed collector's vehicle—~~or, historical motor vehicle, or replica motor vehicle~~ that is equipped with a feature of design, type of material, or article of equipment that was not in violation of any motor vehicle equipment law of this state or of its political subdivisions in effect during the calendar year the vehicle was manufactured or the calendar year that it replicates, and no licensed collector's vehicle—~~or, historical motor vehicle, or replica motor vehicle~~ shall be prohibited from displaying or using any such feature of design, type of material, or article of equipment.

No person shall be prohibited from owning or operating a licensed collector's vehicle—~~or, historical motor vehicle, or replica motor vehicle~~ for failing to comply with an equipment provision contained in Chapter 4513. of the Revised Code or in any state rule that was enacted or adopted in a year subsequent to that in which the vehicle was manufactured or the calendar year that it replicates, and no licensed collector's vehicle—~~or, historical motor vehicle, or replica motor vehicle~~ shall be required to comply with an equipment provision enacted into Chapter 4513. of the Revised Code or adopted by state rule subsequent to the calendar year in which it was manufactured or the calendar year that it replicates. No political subdivision shall require an owner of a licensed collector's vehicle ~~or, historical motor vehicle, or replica motor vehicle~~ to comply with equipment provisions contained in laws or rules that were enacted or adopted subsequent to the calendar year in which the vehicle was manufactured or the calendar year that it replicates, and no political subdivision shall prohibit the operation of a licensed collector's vehicle—~~or, historical motor vehicle, or replica motor vehicle~~ for failure to comply with any such equipment laws or rules.

(B) As used in this section, "replica motor vehicle" means a replica motor vehicle for which a certificate of title is issued under section 4505.072 of the Revised Code.

Sec. 4513.41. (A) No owner of a licensed collector's vehicle, a historical motor vehicle, a replica motor vehicle, or a collector's vehicle that is an agricultural tractor or traction engine shall be required to comply with an emission, noise control, or fuel usage provision contained in a law or rule of this state or its political subdivisions that was enacted or adopted subsequent to the calendar year in which the vehicle was manufactured or the calendar year that it replicates.

(B) No person shall be prohibited from operating a licensed collector's vehicle, a historical motor vehicle, a replica motor vehicle, or a collector's vehicle that is an agricultural tractor or

traction engine for failing to comply with an emission, noise control, or fuel usage law or rule of this state or its political subdivisions that was enacted or adopted subsequent to the calendar year in which his vehicle was manufactured or the calendar year that it replicates.

(C) Except as provided in section 4505.061 of the Revised Code, no person shall be required to submit ~~his~~ the person's collector's vehicle to a physical inspection prior to or in connection with an issuance of title to, or the sale or transfer of ownership of such vehicle, except that a police officer may inspect it to determine ownership.

In accordance with section 1.51 of the Revised Code, this section shall, without exception, prevail over any special or local provision of the Revised Code that requires owners or operators of collector's vehicles to comply with standards of emission, noise, fuel usage, or physical condition in connection with an issuance of title to, or the sale or transfer of ownership of such vehicle or part thereof.

(D) As used in this section, "replica motor vehicle" means a replica motor vehicle for which a certificate of title is issued under section 4505.072 of the Revised Code.

Sec. 4517.02. (A) Except as otherwise provided in this section, no person shall do any of the following:

(1) Engage in the business of displaying or selling at retail new motor vehicles or assume to engage in that business, unless the person is licensed as a new motor vehicle dealer under sections 4517.01 to 4517.45 of the Revised Code, or is a salesperson employed by a licensed new motor vehicle dealer;

(2) Engage in the business of offering for sale, displaying for sale, or selling at retail or wholesale used motor vehicles or assume to engage in that business, unless the person is licensed as a new motor vehicle dealer, used motor vehicle dealer, or motor vehicle leasing dealer under sections 4517.01 to 4517.45 of the Revised Code, is a salesperson employed by a licensed used motor vehicle dealer or licensed new motor vehicle dealer, or the person holds a construction equipment auction license issued under section 4517.17 of the Revised Code;

(3) Engage in the business of regularly making available, offering to make available, or arranging for another person to use a motor vehicle, in the manner described in division (M) of section 4517.01 of the Revised Code, unless the person is licensed as a motor vehicle leasing dealer under sections 4517.01 to 4517.45 of the Revised Code;

(4) Engage in the business of motor vehicle auctioning or assume to engage in that business, unless the person is licensed as a motor vehicle auction owner under sections 4517.01 to 4517.45 of the Revised Code and the person uses an auctioneer who is licensed under Chapter 4707. of the Revised Code to conduct the motor vehicle auctions or the person holds a construction equipment auction license issued under section 4517.17 of the Revised Code;

(5) Engage in the business of distributing motor vehicles or assume to engage in that business, unless the person is licensed as a distributor under sections 4517.01 to 4517.45 of the Revised Code;

(6) Make more than five casual sales of motor vehicles in a twelve-month period, commencing with the day of the month in which the first such sale is made, nor provide a location or space for the sale of motor vehicles at a flea market, without obtaining a license as a dealer under sections 4517.01 to 4517.45 of the Revised Code, provided that nothing in this section shall be construed to prohibit the disposition without a license of a motor vehicle originally acquired and held for purposes other than sale, rental, or lease to an employee, retiree, officer, or director of the person making the disposition, to a corporation affiliated with the person making the disposition, or to a person licensed under sections 4517.01 to 4517.45 of the Revised Code;

(7) Engage in the business of auctioning both large construction or transportation equipment and also motor vehicles incident thereto, unless the person is a construction equipment auctioneer or the person is licensed as a motor vehicle auction owner and the person uses an auctioneer who is licensed under Chapter 4707. of the Revised Code to conduct the auction;

(8) Engage in the business of displaying or selling at retail adaptive mobility vehicles or assume to engage in that business, unless the person is licensed as an adaptive mobility dealer under sections 4517.01 to 4517.45 of the Revised Code, or is a salesperson employed by a licensed adaptive mobility dealer, except that a any licensed ~~new~~ motor vehicle dealer may sell at retail a used adaptive mobility vehicle.

(B) Nothing in this section shall be construed to require an auctioneer licensed under sections 4707.01 to 4707.19 of the Revised Code to obtain a motor vehicle auction owner's license under sections 4517.01 to 4517.45 of the Revised Code when engaged in auctioning for a licensed motor vehicle auction owner.

The establishment of a construction equipment auction license by Am. Sub. H.B. 114 of the 129th general assembly shall not in any way modify, limit, or restrict in any manner the conduct of auctions by persons licensed under Chapter 4707. of the Revised Code who are acting in compliance with that chapter.

(C) Sections 4517.01 to 4517.45 of the Revised Code do not apply to any of the following:

(1) Persons engaging in the business of selling commercial tractors, trailers, or semitrailers incidentally to engaging primarily in business other than the selling or leasing of motor vehicles;

(2) Mortgagees selling at retail only those motor vehicles that have come into their possession by a default in the terms of a mortgage contract;

(3) The leasing, rental, and interchange of motor vehicles used directly in the rendition of a public utility service by regulated motor carriers.

(D) When a partnership licensed under sections 4517.01 to 4517.45 of the Revised Code is dissolved by death, the surviving partners may operate under the license for a period of sixty days, and the heirs or representatives of deceased persons and receivers or trustees in bankruptcy appointed by any competent authority may operate under the license of the person succeeded in possession by that heir, representative, receiver, or trustee in bankruptcy.

(E) No remanufacturer shall engage in the business of selling at retail any new motor vehicle

without having written authority from the manufacturer or distributor of the vehicle to sell new motor vehicles and to perform repairs under the terms of the manufacturer's or distributor's new motor vehicle warranty, unless, at the time of the sale of the vehicle, each customer is furnished with a binding agreement ensuring that the customer has the right to have the vehicle serviced or repaired by a new motor vehicle dealer who is franchised to sell and service vehicles of the same line-make as the chassis of the remanufactured vehicle purchased by the customer and whose service or repair facility is located within either twenty miles of the remanufacturer's location and place of business or twenty miles of the customer's residence or place of business. If there is no such new motor vehicle dealer located within twenty miles of the remanufacturer's location and place of business or the customer's residence or place of business, the binding agreement furnished to the customer may be with the new motor vehicle dealer who is franchised to sell and service vehicles of the same line-make as the chassis of the remanufactured vehicle purchased by the customer and whose service or repair facility is located nearest to the remanufacturer's location and place of business or the customer's residence or place of business. Additionally, at the time of sale of any vehicle, each customer of the remanufacturer shall be furnished with a warranty issued by the remanufacturer for a term of at least one year.

(F) No adaptive mobility dealer shall do any of the following:

- (1) Represent that the dealer is engaged in the business of selling new motor vehicles;
- (2) Sell, transfer, or offer to sell or transfer a new motor vehicle unless that new motor vehicle is purchased through a licensed new motor vehicle dealer;
- (3) Sell or offer to sell an adaptive mobility vehicle without written documentation proving that the vehicle was adapted or modified in accordance with 49 C.F.R. part 568 or 595.

(G) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor and shall be subject to a mandatory fine of one hundred dollars. If the offender previously has been convicted of or pleaded guilty to a violation of this section, whoever violates this section is guilty of a misdemeanor of the first degree and shall be subject to a mandatory fine of one thousand dollars.

(H) The offenses established under this section are strict liability offenses and section 2901.20 of the Revised Code does not apply. The designation of these offenses as strict liability offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

Sec. 4517.24. (A) No two motor vehicle dealers shall engage in business at the same location, unless they agree to be jointly, severally, and personally liable for any liability arising from their engaging in business at the same location. The agreement shall be filed with the motor vehicle dealers board, and shall also be made a part of the articles of incorporation of each such dealer filed with the secretary of state. Whenever the board has reason to believe that a dealer who has entered into such an agreement has revoked the agreement but continues to engage in business at the same location, the board shall revoke the dealer's license.

(B) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

(C) This section does not apply to a licensed adaptive mobility dealer and a licensed remanufacturer owned or operated by the same company engaging in business at the same location.

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

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

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

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

Sec. 4923.12. For purposes of the federal motor carrier safety administration's national hazardous materials route registry, the public utilities commission shall not designate the portion of state route number three hundred fifteen between interstate route number two hundred seventy and United States route number twenty-three as a hazardous materials route, including for nonradioactive hazardous materials. The commission shall notify the administration of any changes necessary for the registry and designate other routes, as applicable, for the transportation of hazardous materials to their final destination.

Sec. 4955.50. (A) As used in this section and ~~section~~sections 4955.51 to 4955.57 of the Revised Code:

(1) "Wayside detector system" means an electronic device or a series of connected devices that scan passing trains, rolling stock, on-track equipment, and their component equipment and parts for defects.

(2) "Defects" include hot wheel bearings, hot wheels, defective bearings that are detected through acoustics, dragging equipment, excessive height or weight, shifted loads, low hoses, rail temperature, and wheel condition.

(3) "Class I carrier," "class II carrier," and "class III carrier" have the same meanings as defined in 49 C.F.R. Part 1201 1-1.

(B) The public utilities commission in conjunction with the department of transportation shall work with each railroad company that does business in this state to ensure that wayside detector systems are installed and are operating along railroad tracks on which the railroad operates and to ensure that such systems meet all of following standards:

(1) The systems are properly installed, maintained, repaired, and operational in accordance with ~~section~~sections 4955.51 to 4955.57 of the Revised Code and the latest guidelines issued by the United States department of transportation, the federal railroad administration, and the association of American railroads.

(2) Any expired, nonworking, or outdated wayside detector system or component parts of a system are removed and replaced with new parts or an entirely new system that reflects the current best practices and standards of the industry.

(3) The distance between wayside detector systems is appropriate when accounting for the requirements of ~~section~~sections 4955.51 to 4955.57 of the Revised Code, the natural terrain surrounding the railroad track on which the railroad operates, and the safety of the trains, rolling stock, on-track equipment, their operators, their passengers, and the persons and property in the vicinity of such railroad track so that if defects are detected operators have sufficient time to do the following:

- (a) Respond to the alerts projected by the wayside detector system;
- (b) Stop the train, rolling stock, or on-track equipment, if necessary;
- (c) Make all necessary repairs or, if repair is impossible at the location, to remove the component parts or equipment that is defective.

(4) The railroad company has defined, written standards and training for its employees pertaining to wayside detector system defect alerts, the course of action that employees are required to take to respond to an alert, and appropriate monitoring and responses by the company if employees fail to take the required course of action.

(C) If a railroad company refuses to work or otherwise cooperate with the public utilities commission and the department of transportation in good faith in accordance with this section, the commission and department shall investigate that railroad company's safety practices and standards in accordance with 49 C.F.R. Part 212. The commission and department shall determine whether the company appears to be in compliance with federal railroad safety laws, as defined in 49 C.F.R. Part 209.

(D)(1) If a railroad company does not appear to be in compliance with the applicable federal standards based on an investigation conducted under division (C) of this section, not later than sixty days after the conclusion of the investigation, the commission and department shall make a report to the federal railroad administration. The report shall detail the results of the investigation and recommend that the administration take enforcement action in accordance with its authority against the railroad company for the safety violations discovered through that investigation.

(2) The commission and department shall send a copy of the report to the governor, the president of the senate, the speaker of the house of representatives, and the minority leaders of both the senate and the house of representatives.

Sec. 4955.51. ~~(A)(1) Except as otherwise provided in division (A)(2) of this section~~sections 4955.55 and 4955.57 of the Revised Code, any person responsible for the installation of wayside detector systems alongside or on a railroad shall ensure that each system location is ~~not more than ten miles~~the following distance from the adjacent system location:

- (A) For a class I carrier railroad, not more than ten miles;
- (B) For a class II carrier railroad, not more than twenty-five miles;

(C) For a class III carrier railroad, not more than thirty-five miles.

~~(2) If the natural terrain does not allow for the placement of the next adjacent system location within ten miles from the prior system location, the next adjacent system location shall be installed not more than fifteen miles from the prior system location.~~

~~(B) When a wayside detector system detects a defect in a passing train, rolling stock, on-track equipment, or its component equipment and parts, if the message regarding the defect is not immediately sent to the operator of that train, rolling stock, or on-track equipment, the person that receives the message shall immediately notify the operator of the defect.~~

~~(C) The department of transportation and the public utilities commission, as part of their work with each railroad company under division (B) of section 4955.50 of the Revised Code, shall ensure both of the following:~~

~~(1) The manner in which wayside detector systems are installed and placed complies with division (A) of this section;~~

~~(2) The manner in which wayside detector system messages are sent and received complies with division (B) of this section.~~

Sec. 4955.52. When a wayside detector system detects a defect in a passing train, rolling stock, on-track equipment, or its component equipment and parts, if the message regarding the defect is not immediately sent to the operator of that train, rolling stock, or on-track equipment, the person that receives the message shall immediately notify the operator of the defect.

Sec. 4955.53. The department of transportation and the public utilities commission, as part of their work with each railroad company under division (B) of section 4955.50 of the Revised Code, shall ensure both of the following:

(A) The manner in which wayside detector systems are installed and placed complies with section 4955.51 of the Revised Code;

(B) The manner in which wayside detector system messages are sent and received complies with section 4955.52 of the Revised Code.

Sec. 4955.55. (A) If the natural terrain or any other reason does not allow for the placement of the next adjacent wayside detector system location to be within the spacing requirements described in section 4955.51 of the Revised Code, the next adjacent system location shall be not more than five miles from the maximum spacing allowed in that section.

(B) For class II carriers and class III carriers, prior to the installation of a wayside detector system outside the applicable spacing requirements in divisions (B) and (C) of section 4955.51 of the Revised Code, the carrier shall submit to the public utilities commission a written explanation for the deviation.

Sec. 4955.57. Any railroad track owned or leased by a class II carrier or class III carrier that has a speed limit of ten miles per hour or less is exempt from the requirements stated in sections 4955.50 to 4955.52 of the Revised Code.

Sec. 5501.041. (A) The director of transportation shall create an advanced air mobility

division within the department of transportation. The director shall appoint a deputy director of that division and shall assign the duties, powers, and functions of that deputy director in accordance with section 5501.04 of the Revised Code.

(B) The purpose of the division is to integrate advanced air mobility capabilities into existing public service networks within the state and to support advanced air mobility public safety and national security objectives.

(C) The responsibilities of the division shall include:

(1) Incorporating advanced air mobility into state public transportation by:

(a) Establishing an operational state-based advanced air mobility air traffic management system;

(b) Ensuring that the system described in division (C)(1)(a) of this section integrates with the existing federal aviation administration air traffic management system;

(c) Developing advanced air mobility tracking and information support infrastructure;

(d) Establishing advanced air mobility overflight and liability regulations with consideration of existing federal regulations.

(2) Supporting advanced air mobility solutions for law enforcement, fire departments, and emergency medical services by establishing standard operating procedures for use of advanced air mobility by those entities;

(3) Supporting public safety and national security objectives by establishing advanced air mobility critical infrastructure protection policies.

(D) The division may coordinate with the office of aviation within the department of transportation and with any other federal, state, or local government agency, office, or department in advancing its purpose and fulfilling its responsibilities.

Sec. 5501.20. (A) As used in this section:

(1) "Career professional service" means that part of the competitive classified service that consists of employees of the department of transportation who, regardless of job classification, meet both of the following qualifications:

(a) They are supervisors, professional employees who are not in a collective bargaining unit, confidential employees, or management level employees, all as defined in section 4117.01 of the Revised Code.

(b) They exercise authority that is not merely routine or clerical in nature and report only to a higher level unclassified employee or employee in the career professional service.

(2) "Demoted" means that an employee is placed in a position where the employee's wage rate equals, or is not more than twenty per cent less than, the employee's wage rate immediately prior to demotion or where the employee's job responsibilities are reduced, or both.

(3) "Employee in the career professional service with restoration rights" means an employee in the career professional service who has been in the classified civil service for at least two years and who has a cumulative total of at least ten years of continuous service with the department of

transportation.

(4) "Egregious" means a type of conduct or offense that is especially serious in nature, including theft in office, illegal drug use while working, discrimination or harassment, assault, or any other similar conduct or offense.

(B) The director shall adopt a rule in accordance with section 111.15 of the Revised Code that identifies specific positions within the department of transportation that are included in the career professional service. The director may amend the rule that identifies the specific positions included in the career professional service whenever the director determines necessary. Any rule adopted under this division is subject to review and invalidation by the joint committee on agency rule review as provided in division (D) of section 111.15 of the Revised Code. The director shall provide a copy of any rule adopted under this division to the director of budget and management.

An employee in the career professional service is subject to the provisions of Chapter 124. of the Revised Code that govern employees in the classified civil service.

~~(C)(C)(1)~~ An employee in the career professional service shall receive a written performance review at least once each year or as often as the director considers necessary. ~~The~~

(2) Except as provided in division (C)(3) of this section, the department shall may give an employee whose performance is unsatisfactory an opportunity to improve performance for a period of at least six months, by means of a written performance improvement plan, before the department takes any disciplinary action under this section.

(3) If an employee's conduct or committed offense is egregious, the department shall take immediate disciplinary action without giving the employee an opportunity to improve performance by means of a written performance improvement plan.

(D) An employee in the career professional service may be suspended, demoted, or removed pursuant to division (C) of this section or for disciplinary reasons under section 124.34 or 124.57 of the Revised Code. An employee in the career professional service may appeal only the employee's removal to the state personnel board of review. An employee in the career professional service may appeal a demotion or a suspension of more than three days pursuant to rules the director adopts in accordance with section 111.15 of the Revised Code.

(E) An employee in the career professional service with restoration rights has restoration rights if demoted because of performance, but not if involuntarily demoted or removed for any of the reasons described in section 124.34 or for a violation of section 124.57 of the Revised Code. The director shall demote an employee who has restoration rights of that nature to a position in the classified service that in the director's judgment is similar in nature to the position the employee held immediately prior to being appointed to the position in the career professional service. The director shall assign to an employee who is demoted to a position in the classified service as provided in this division a wage rate that equals, or that is not more than twenty per cent less than, the wage rate assigned to the employee in the career professional service immediately prior to the employee's demotion.

Sec. 5501.41. (A) ~~The Except as provided in division (C) of this section, the~~ director of transportation may remove snow and ice from state highways, purchase the necessary equipment including snow fences, employ the necessary labor, and make all contracts necessary to enable such removal. The director may remove snow and ice from the state highways within municipal corporations, but before doing so the director must obtain the consent of the legislative authority of such municipal corporation. The board of county commissioners on county highways, and the board of township trustees on township roads, shall have the same authority to purchase equipment for the removal of and to remove snow and ice as the director has on the state highway system.

(B)(1) ~~The Except as provided in division (C) of this section, the~~ director may provide road salt to a political subdivision if all of the following apply:

- (a) The director has excess road salt.
- (b) The political subdivision is otherwise unable to acquire road salt.
- (c) The political subdivision is in an emergency situation.

(2) The director shall seek reimbursement from a political subdivision for road salt provided under this division. The reimbursement amount shall equal the price at which the director purchased the road salt.

(C)(1) The director shall provide snow and ice removal and road salt application assistance to a village if both of the following apply:

(a) The legislative authority of the village requests assistance from the department of transportation.

(b) The snow and ice removal and road salt application is for a state highway within the corporate limits of the village.

(2) The director shall not seek reimbursement for the assistance provided under division (C) (1) of this section from the village if reimbursement presents a significant financial hardship for the village.

(3) Nothing in division (C) of this section requires the department to reimburse or pay a village for snow and ice removal and road salt application that is performed by either an employee of the village or a third party on behalf of the village.

Sec. 5501.421. (A) The director of transportation shall establish and administer a grass removal assistance support and safety program. Under the program, the department of transportation shall provide supplemental grass, weed, and other natural growth removal to a village when all of the following apply:

- (1) The grass, weeds, or other natural growth are within the right-of-way of a state highway.
- (2) The state highway is within the corporate limits of the village.
- (3) The location of the grass, weeds, or other natural growth makes removal, pruning, or trimming difficult, dangerous, presents a significant financial hardship for the village, or is imperative for maintaining clear visibility for drivers along the highway.
- (4) The legislative authority of the village requests assistance from the department through

the program.

(B) Under the program, the department shall provide support to a village through cutting, trimming, mowing, or any other substantially similar activity. All support shall be provided in a manner that is in accordance with department standards for maintaining grass, weeds, and other natural growth.

(C) The director shall establish procedures for the program that include:

(1) The application process;

(2) A system for verifying the location and necessity of the aid requested;

(3) A process for administering the grass, weed, and natural growth removal for qualified village applicants;

(4) Any other procedures and requirements necessary for the department to administer this section.

(D) The department shall provide the grass, weed, and natural growth removal assistance to each qualified applicant. The director shall not seek reimbursement for the assistance provided under this section from a village if reimbursement presents a significant financial hardship for the village.

(E) Nothing in this section requires the department to reimburse or pay a village for grass, weed, and natural growth removal that is performed by either an employee of the village or a third party on behalf of the village.

Sec. 5501.441. (A) As used in this section, "private toll transportation facility" means any person, as defined by section 1.59 of the Revised Code, or other business entity engaged in the collecting or charging of tolls on a toll bridge that was previously owned by a municipal corporation.

(B) The governor, or the governor's designee, may enter into agreements with other states that govern the reciprocal enforcement of highway, bridge, and tunnel toll violations. Such agreements shall pertain to any public toll transportation facility and may include any private toll transportation facility located in those other states. The governor, or the governor's designee, shall make such agreements in consultation with the director of public safety.

(C) Any agreement governing enforcement of toll violations made under the authority of division (B) of this section shall provide for all of the following:

(1) That a driver of a motor vehicle that is registered in one state that is a party to the agreement and who is operating in another state that is a party to the agreement receive the same benefits, privileges, and exemptions as are accorded to a driver of a motor vehicle that is registered in that other state;

(2) That refusal of an application for motor vehicle registration or transfer of motor vehicle registration, in accordance with the laws of the state in which the toll violation occurred, is one mechanism by which toll violations shall be enforced pursuant to the agreement;

(3) That provision of notice between the states regarding toll violations and enforcement of those violations be made by electronic means.

(D) In addition to the authority granted under division (B) of this section, the director of

public safety may enter into an agreement with any private toll transportation facility located in another state that governs the collection and enforcement of tolls for a highway, bridge, or tunnel operated by the private toll transportation facility. Any agreement entered into under this division applies only to tolls charged to a driver on and after the effective date of this amendment.

Sec. 5512.07. (A) There is hereby created the transportation review advisory council. No member of the general assembly shall be a member of the council. The council shall consist of nine members, one of whom is the director of transportation. Six members shall be appointed by the governor with the advice and consent of the senate. One member shall be appointed by the speaker of the house of representatives and one member shall be appointed by the president of the senate. In making their appointments, the governor, the speaker of the house of representatives, and the president of the senate shall consult with each other so that of the total number of eight appointed members, at least two are affiliated with the major political party not represented by the governor. In making the governor's appointments, the governor shall appoint persons who reside in different geographic areas of the state. Within ninety days after June 30, 1997, the governor, speaker, and president shall make the initial appointments to the council.

Appointed members shall have no conflict of interest with the position. For purposes of this section, "conflict of interest" means taking any action that violates any provision of Chapter 102. or 2921. of the Revised Code.

Each of the members the governor appoints shall have experience either in the area of transportation or in that of business or economic development.

~~One such member shall be selected from a list of five names provided by the Ohio public expenditure council.~~

(B) Of the governor's initial appointments made to the council, one shall be for a term ending one year after June 30, 1997, one shall be for a term ending two years after June 30, 1997, one shall be for a term ending four years after June 30, 1997, and one shall be for a term ending five years after June 30, 1997. Within ninety days after September 16, 1998, the governor shall make two appointments to the council. Of these appointments, one shall be for a term ending June 30, 2001, and one shall be for a term ending June 30, 2002. The speaker's and president's initial appointments made to the council shall be for a term ending three years after June 30, 1997. Thereafter, all terms of office, including the terms for those persons who are appointed to succeed the persons whose appointments are made within ninety days after September 16, 1998, shall be for five years, with each term ending on the same day of the same month as did the term that it succeeds. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Members may be reappointed. Vacancies shall be filled in the manner provided for original appointments. Any member appointed to fill another member's unexpired term shall hold office for the remainder of that unexpired term. A member shall continue in office subsequent to the expiration of the member's term until the member's successor takes office.

(C) The director of transportation is the chairperson of the council.

Sec. 5513.01. (A) The director of transportation shall make all purchases of ~~machinery, materials, supplies, or other articles~~ products, and services in the manner provided in this section. In all cases except those in which the director provides written authorization for purchases by district deputy directors of transportation, the director shall make all such purchases at the central office of the department of transportation in Columbus. ~~Before making any purchase at that office, the director, as provided in this section, shall give notice to bidders of the director's intention to purchase.~~ Where the expenditure does not exceed the amount applicable to the purchase of supplies, products, or services specified in division (A) of section 125.05 of the Revised Code, the director shall give such notice as the director considers proper, or the director may make the purchase without notice. Where the expenditure exceeds the amount applicable to the purchase of supplies, products, or services specified in division (A) of section 125.05 of the Revised Code, the director shall give notice by posting for not less than ten days ~~a written, typed, or printed invitation to bidders on a bulletin board.~~ The director shall locate the notice in a place in the offices assigned to the department and open to the public during business hours the intention to purchase on the electronic procurement system established by the department of administrative services under section 125.073 of the Revised Code. The director shall use a competitive selection process in the purchase of supplies, products, or services.

~~Producers or distributors of any product may notify the director, in writing, of the class of articles for the furnishing of which they desire to bid and their post-office addresses. In that circumstance, the director shall mail copies of all invitations to bidders relating to the purchase of such articles to such persons by regular first class mail at least ten days prior to the time fixed for taking bids. The director also may mail copies of all invitations to bidders to news agencies or other agencies or organizations distributing information of this character. Requests for invitations are not valid and do not require action by the director unless renewed by the director, either annually or after such shorter period as the director may prescribe by a general rule.~~

~~The director shall include in an invitation to bidders a brief statement of the general character of the article that it is intended to purchase, the approximate quantity desired, and a statement of the time and place where bids will be received, and may relate to and describe as many different articles as the director thinks proper.~~ may post multiple supplies, products, or services in a single listing on the electronic procurement system, it being the intent and purpose of this section to authorize the inclusion in a single invitation-solicitation of as many different articles-supplies, products, or services as the director desires to invite bids upon purchase at any given time. ~~The director shall give invitations issued during each calendar year consecutive numbers, and ensure that the number assigned to each invitation appears on all copies thereof. In all cases where notice is required by this section, the director shall require sealed bids, on forms prescribed and furnished by the director.~~ The director shall not permit the modification of bids after they have been opened.

(B) The director may permit a state agency, the Ohio turnpike and infrastructure commission, any political subdivision, and any state university or college to participate in contracts

into which the director has entered for the purchase of ~~machinery, materials,~~ supplies, products, or ~~other articles or services.~~ The turnpike and infrastructure commission and any political subdivision or state university or college desiring to participate in such purchase contracts shall file with the director a certified copy of the bylaws or rules of the turnpike and infrastructure commission or the ordinance or resolution of the legislative authority, board of trustees, or other governing board requesting authorization to participate in such contracts and agreeing to be bound by such terms and conditions as the director prescribes. Purchases made by a state agency, the turnpike and infrastructure commission, political subdivisions, or state universities or colleges under this division are exempt from any competitive bidding required by law for the purchase of ~~machinery, materials,~~ supplies, products, or ~~other articles or services.~~

(C) As used in this section:

(1) "Competitive selection," "products," "purchase," "services," and "supplies" have the same meanings as in section 125.01 of the Revised Code.

(2) "Political subdivision" means any county, township, municipal corporation, conservancy district, township park district, park district created under Chapter 1545. of the Revised Code, port authority, regional transit authority, regional airport authority, regional water and sewer district, county transit board, school district as defined in section 5513.04 of the Revised Code, regional planning commission formed under section 713.21 of the Revised Code, regional council of government formed under section 167.01 of the Revised Code, or other association of local governments established pursuant to an agreement under sections 307.14 to 307.19 of the Revised Code.

(2)(3) "State university or college" has the same meaning as in division (A)(1) of section 3345.32 of the Revised Code.

(3)(4) "Ohio turnpike and infrastructure commission" means the commission created by section 5537.02 of the Revised Code.

(4)(5) "State agency" means every organized body, office, board, authority, commission, or agency established by the laws of the state for the exercise of any governmental or quasi-governmental function of state government, regardless of the funding source for that entity, other than any state institution of higher education, the office of the governor, lieutenant governor, auditor of state, treasurer of state, secretary of state, or attorney general, the general assembly, the courts or any judicial agency, or any state retirement system or retirement program established by or referenced in the Revised Code.

Sec. 5515.01. The director of transportation may upon formal application being made to the director, grant a permit to any individual, firm, or corporation to use or occupy such portion of a road or highway on the state highway system as will not incommode the traveling public. Such permits, when granted, shall be upon the following conditions:

(A) The director may issue a permit to any individual, firm, or corporation for any use of a road or highway on the state highway system that is consistent with applicable federal law or federal

regulations.

(B) Such location shall be changed as prescribed by the director when the director deems such change necessary for the convenience of the traveling public, or in connection with or contemplation of the construction, reconstruction, improvement, relocating, maintenance, or repair of such road or highway.

(C) The placing of objects or things shall be at a grade and in accordance with such plans, specifications, or both, as shall be first approved by the director.

(D) The road or highway in all respects shall be fully restored to its former condition of usefulness and at the expense of such individual, firm, or corporation.

(E) Such individual, firm, or corporation shall maintain all objects and things in a proper manner, promptly repair all damages resulting to such road or highway on account thereof, and in event of failure to so repair such road or highway to pay to the state all costs and expenses that may be expended by the director in repairing any damage.

(F) Such other conditions as may seem reasonable to the director, but no condition shall be prescribed that imposes the payment of a money consideration for the privilege granted. Nothing in this division prohibits the director from requiring payment of money consideration for a lease, easement, license, or other interest in a transportation facility under control of the department of transportation.

(G) Permits may be revoked by the director at any time for a noncompliance with the conditions imposed.

(H) As a condition precedent to the issuance of any permit for telecommunications facilities or carbon capture and storage pipelines, the director shall require the applicant to provide proof it is party to a lease, easement, or license for the construction, placement, or operation of such facility or pipeline in or on a transportation facility.

Except as otherwise provided in this section and section 5501.311 of the Revised Code, Chapters 5501., 5503., 5511., 5513., 5515., 5516., 5517., 5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 5533., and 5535. of the Revised Code do not prohibit telephone and electric light and power companies from constructing, maintaining, and using telephone or electric light and power lines along and upon such roads or highways under section 4933.14 or other sections of the Revised Code, or to affect existing rights of any such companies, or to require such companies to obtain a permit from the director, except with respect to the location of poles, wires, conduits, and other equipment comprising lines on or beneath the surface of such road or highways.

This section does not prohibit steam or electric railroad companies from constructing tracks across such roads or highways, nor authorize the director to grant permission to any company owning, operating, controlling, or managing a steam railroad or interurban railway in this state to build a new line of railroad, or to change or alter the location of existing tracks across any road or highway on the state highway system at grade. No such company shall change the elevation of any of its tracks across such road or highway except in accordance with plans and specifications first

approved by the director.

This section does not relieve any individual, firm, or corporation from the obligation of satisfying any claim or demand of an owner of lands abutting on such road or highway on the state highway system on account of placing in such road or highway a burden in addition to public travel.

(I) No person shall knowingly use or occupy a portion of a road or highway on the state highway system if the director revokes that person's permit under division (G) of this section.

Sec. 5515.02. (A) As used in this section, "road" or "highway" has the same meaning as in section 5501.01 of the Revised Code and also includes any part of the right-of-way.

(B) All individuals, firms, and corporations using or occupying any part of a road or highway on the state highway system with telegraph or telephone lines, steam, electrical, or industrial railways, oil, gas, water, or other pipes, mains, conduits, or any object or structure, other than by virtue of a franchise or permit granted and in force, shall remove from the bounds of the road or highway, their poles and wires connected therewith, and any tracks, switches, spurs, or oil, gas, water, or other pipes, mains, conduits, or other objects or structures, when in the opinion of the director of transportation they constitute obstructions, or they interfere or may interfere with the contemplated construction, reconstruction, improvement, maintenance, repair, or use by the traveling public of the roads or highways.

(C) All individuals, firms, or corporations so occupying any road or highway on the state highway system, under and by virtue of a franchise or permit granted and in force, shall relocate their properties and all parts thereof within the bounds of the road or highway when in the opinion of the director they constitute obstructions, or they interfere with or may interfere with the contemplated construction, reconstruction, improvement, maintenance, repair, or use of the road or highway. The relocation within the bounds of the road or highway shall be in the manner and to the extent prescribed by the director.

(D) If, in the opinion of the director, such individuals, firms, or corporations have obstructed any road or highway on the state highway system, or if any of their properties are so located that they do or may interfere with the contemplated construction, reconstruction, improvement, maintenance, repair, or use of the road or highway, the director shall notify such individual, firm, or corporation directing the removal of the obstruction or properties, or the relocation of the properties. If the individual, firm, or corporation does not within five days from the service of the notice proceed to remove or relocate the obstruction or properties and complete the removal or relocation within a reasonable time, the director may remove or relocate the same by employing the necessary labor, tools, and equipment. Any notice required under this section shall be made by personal service, certified mail, or express mail.

(E) If, in the director's opinion, the obstruction or properties present an immediate and serious threat to the safety of the traveling public, the director may remove or relocate the obstruction or properties without prior notice.

(F) When the director performs a removal or relocation under this section, the costs and

expenses shall be paid by the director out of any appropriation of the department of transportation available for the establishment, construction, reconstruction, improvement, maintenance, or repair of highways, and the amount thereof shall be certified to the attorney general for collection by civil action.

~~As used in this section, "road" or "highway" has the same meaning as in section 5501.01 of the Revised Code and also includes any part of the right of way.~~

(G) No person shall knowingly fail to remove or relocate an obstruction or property when required to do so under this section.

Sec. 5515.10. (A) As used in this section:

(1) "Telecommunications carrier" has the same meaning as in section 4927.01 of the Revised Code.

(2) "Telecommunications or utility structure" means any facility, line, pipe, cable, or other equipment used by a telecommunications carrier or utility provider to provide service.

(3) "Utility provider" means any entity described in section 4905.03 of the Revised Code, regardless of whether the entity is a public utility under section 4905.02 of the Revised Code.

(4) "Abandoned" does not include a change in ownership of the telecommunications or utility structure.

(B) The department of transportation shall make reasonable attempts to identify the owner of an abandoned telecommunications or utility structure in, upon, under, or otherwise occupying a road or highway of the state highway system or right-of-way.

(C) If all reasonable attempts to identify the owner under division (A) of this section have failed, the department may remove or cause the removal of the abandoned telecommunications or utility structure. The department may retain a third party to remove the abandoned telecommunications or utility structure.

Sec. 5515.99. (A) Whoever violates section 5515.01 of the Revised Code shall be fined not more than five hundred dollars for a first offense; for a subsequent offense such person shall be fined not more than two thousand five hundred dollars.

(B) Whoever violates division (G) of section 5515.02 of the Revised Code shall be fined not more than one hundred dollars for each day that the person remains in violation of that division.

(C) Whoever violates section 5515.07 of the Revised Code or any rule or regulation adopted pursuant to such section shall be fined not more than one hundred dollars for a first offense; for a subsequent offense such person shall be fined not more than five hundred dollars.

Sec. 5517.012. (A) As used in this section, "indefinite delivery indefinite quantity contract" means a contract for an unspecified quantity, within stated limits, of supplies or services that will be delivered by the awarded bidder over a defined period.

(B) Notwithstanding section 5517.01 of the Revised Code, the director of transportation may enter into indefinite delivery indefinite quantity construction contracts for highway maintenance limited to guardrail, highway lighting, and traffic signal maintenance.

(C) The total value of a contract entered into under this section shall not exceed two million dollars per project.

(D) Each district of the department of transportation is limited to two indefinite delivery indefinite quantity construction contracts for highway maintenance at any given time.

(E) The duration of a contract entered into under this section shall not exceed two years per project.

(F) For purposes of entering into indefinite delivery indefinite quantity contracts, the Director shall do all of the following:

(1) Prepare bidding documents;

(2) Establish contract forms;

(3) Determine contract terms and conditions, including the following:

(a) The maximum overall value of the contract that, notwithstanding division (C) of this section, may include an increase of two hundred thousand dollars or ten percent of the advertised contract value, whichever is less;

(b) The duration of the contract that, notwithstanding division (E) of this section, may include a time extension of up to one year if determined appropriate by the director;

(c) The defined geographical area to which the contract applies, which shall be not greater than the size of one district of the department.

(4) Advertise and seek bids;

(5) Award to the successful bidder;

(6) Develop and implement an indefinite delivery indefinite quantity process to provide the awarded bidder adequate notice of requested supplies or services, the anticipated quantities of supplies, and work location information for each work order;

(7) Establish any policies and procedures necessary to fulfill the duties and obligations of the director under this section.

(G) Section 5525.01 of the Revised Code applies to indefinite delivery indefinite quantity contracts. Section 5525.14 of the Revised Code does not apply to the procurement of indefinite delivery indefinite quantity construction contracts.

Sec. 5517.02. (A) Before undertaking the construction, reconstruction by widening or resurfacing, or improvement of a state highway, or a bridge or culvert thereon, or the installation of a ~~highway~~ highway traffic control signal on a state highway, the director of transportation, except as provided in section 5517.021 of the Revised Code, shall make an estimate of the cost of the work using the force account project assessment form developed by the auditor of state under section 117.16 of the Revised Code. When a force account project assessment form is required, the estimate shall include costs for subcontracted work and any competitively bid component costs.

(B)(1) After complying with division (A) of this section, the director may proceed without competitive bidding with maintenance or repair work by employing labor, purchasing materials, and furnishing equipment, if the total estimated cost of the completed operation, or series of connected

operations, does not exceed the following, as adjusted under division (B)(2) of this section:

(a) Thirty thousand dollars per centerline mile of highway, exclusive of structures and highway traffic ~~control~~-signals;

(b) Sixty thousand dollars for any single highway traffic ~~control~~-signal or any other single project.

(2) On the first day of July of every odd-numbered year beginning in 2015, the director shall increase the amounts established in division (B)(1) of this section by an amount not to exceed the lesser of three per cent, or the percentage amount of any increase in the department of transportation's construction cost index as annualized and totaled for the prior two calendar years. The director shall publish the applicable amounts on the department's internet web site.

(C) The director may proceed by furnishing equipment, purchasing materials, and employing labor in the erection of temporary bridges or the making of temporary repairs to a highway or bridge rendered necessary by flood, landslide, or other extraordinary emergency. If the director determines inability to complete such emergency work by force account, the director may contract for any part of the work, with or without advertising for bids, as the director considers for the best interest of the department of transportation.

(D) When a project proceeds by force account under this section or section 5517.021 of the Revised Code, the department of transportation shall perform the work in compliance with any project requirements and specifications that would have applied if a contract for the work had been let by competitive bidding. The department shall retain in the project record all records documenting materials testing compliance, materials placement compliance, actual personnel and equipment hours usage, and all other documentation that would have been required if a contract for the work had been let by competitive bidding.

(E) The director shall proceed by competitive bidding to let work to the lowest competent and responsible bidder after advertisement as provided in section 5525.01 of the Revised Code in both of the following situations:

(1) When the scope of work exceeds the limits established in section 5517.021 of the Revised Code;

(2) When the estimated cost for a project, other than work described in section 5517.021 of the Revised Code, exceeds the amounts established in division (B) of this section, as adjusted.

Sec. 5517.021. (A)(1) The director of transportation may proceed without competitive bidding by employing labor, purchasing materials, and furnishing equipment to do any of the following work:

(a) Replace any single span bridge in its substantial entirety or widen any single span bridge, including necessary modifications to accommodate widening the existing substructure and wing walls. The director shall proceed under division (A)(1)(a) of this section only if the deck area of the new or widened bridge does not exceed seven hundred square feet as measured around the outside perimeter of the deck.

(b) Replace the bearings, beams, and deck of any bridge on that bridge's existing foundation if the deck area of the rehabilitated structure does not exceed eight hundred square feet;

(c) Construct or replace any single cell or multi-cell culvert whose total waterway opening does not exceed fifty-two square feet;

(d) Pave or patch an asphalt surface if the operation does not exceed one hundred twenty tons of asphalt per lane-mile of roadway length, except that the department shall not perform a continuous resurfacing operation under this section if the cost of the work exceeds the amount established in division (B)(1)(a) of section 5517.02 of the Revised Code, as adjusted;

(e) Chip seal or fog seal an asphalt surface if both of the following apply:

(i) The operation does not exceed twenty-eight feet in width, excluding turn lanes.

(ii) Chip seal or fog seal operations statewide are not more than two hundred cumulative centerline miles of asphalt surface per year.

(2) Work performed in accordance with division (A)(1) of this section may include approach roadway work, extending not more than one hundred fifty feet as measured from the back side of the bridge abutment wall or outside edge of the culvert, as applicable. The length of an approach guardrail shall be in accordance with department of transportation design requirements and shall not be included in the approach work size limitation.

(B) The requirements of section 117.16 of the Revised Code shall not apply to work described in division (A) of this section and the work shall be exempt from audit for force account purposes except to determine compliance with the applicable size or tonnage restrictions.

Sec. 5517.08. (A) As used in this section, "start date" means one of the following, as applicable:

(1) The date that the department of transportation will advertise for competitive bids related to the chip sealing or fog sealing of an asphalt surface on a state highway project;

(2) The date that the department will begin chip sealing or fog sealing an asphalt surface on a state highway project through force account in accordance with division (A)(1)(e) of section 5517.021 of the Revised Code.

(B) Not less than thirty days prior to the start date of a chip sealing or fog sealing project, the director of transportation shall notify the appropriate board of county commissioners or board of township trustees of the sealing project.

Sec. 5521.01. The director of transportation, upon the request by and the approval of the legislative authority of a village, shall maintain, repair, and apply standard longitudinal pavement marking lines as the director considers appropriate, or may establish, construct, reconstruct, improve, or widen any section of a state highway within the limits of a village. The director also may erect regulatory and warning signs, as defined in the manual adopted under section 4511.09 of the Revised Code, on any section of a state highway within the limits of a village. The director may establish, construct, reconstruct, improve, widen, maintain, or repair any section of state highway within the limits of a city, including the elimination of railway grade crossings, and pay the entire or

any part of the cost and expense thereof from state funds, but in all cases the director first shall obtain the consent of the legislative authority of the municipal corporation, except that the director need not obtain the consent of the municipal corporation if the existing highway being changed or the location of an additional highway being established was not within the corporate limits of the municipal corporation at the time the director determines the establishment or change should be made, or if the director is acting pursuant to section 5501.49 of the Revised Code.

Any written agreement for street maintenance and repairs, including maintenance and repairs of a state highway located within a municipal corporation, that was entered into by the Ohio department of highways is binding on any of its successors, including the Ohio department of transportation.

Except as provided in section 5501.49 of the Revised Code, when in the opinion of the director there is urgent need to establish a state highway, which is to be designated a federal aid highway, or a federal aid interstate highway within a municipal corporation or, in the opinion of the director, any federal aid highway or interstate federal aid highway is in urgent need of repair, reconstruction, widening, improvement, or relocation, so as to accommodate the traveling public, the director shall submit a written request to the legislative authority of the municipal corporation for its consent to the desired establishment or improvement. The legislative authority, within sixty days after the written request has been received from the director, either shall grant its consent to the establishment or improvement or refuse consent by filing in writing with the director a statement of its reasons for refusing consent and any alternate proposals it considers reasonable. If the legislative authority fails to act or refuses consent, the director, upon consideration of the reasons for rejection, may make a resolution declaring the necessity of the establishment or improvement, and then proceed in the same manner as if consent had been given. A certified copy of the resolution shall be served upon the municipal legislative authority, which, within twenty days from the date of service, may appeal to the court of common pleas of the county in which the municipal corporation is situated, upon the reasonableness and necessity of the action provided for in the resolution. In the hearing upon appeal, the director shall introduce the record of the director's proceedings, including the director's findings with respect to factors referred to in section 5521.011 of the Revised Code, and such other competent evidence as the director desires in support of the director's resolution, and the municipality likewise may introduce competent evidence opposing the resolution, and findings. The court may affirm or revoke the resolution. The decision of the common pleas court may be appealed to the court of appeals and the supreme court as in other cases. If the court affirms the resolution, the director may proceed with the establishment or improvement with or without the cooperation of the municipal corporation. Any such municipal corporation may cooperate with the director in the work and pay such portion of the cost as is agreed upon between the municipal corporation and the director. The legislative authority of any municipal corporation desiring to cooperate, by resolution, may propose such cooperation to the director, and a copy of the resolution, which shall set forth the proportion of the cost and expense to be contributed by the municipal

corporation, shall be filed with the director. The director shall cause to be prepared the necessary surveys, plans, profiles, cross sections, estimates, and specifications and shall file copies of them with the legislative authority of the municipal corporation. After the legislative authority has approved the surveys, plans, profiles, cross sections, estimates, and specifications, and after the municipal corporation has provided the funds necessary to meet the portion of the cost of the work assumed by it, the municipal corporation shall enter into a contract with the state providing for payment by the municipal corporation of the agreed portion of the cost. The form of the contract shall be prescribed by the attorney general, and such contracts shall be submitted to the director and approved before the receipt of bids. Section 5705.41 of the Revised Code applies to such contract to be made by the municipal corporation, and a duplicate of the certificate of the chief fiscal officer of the municipal corporation shall be filed in the office of the director. That part of the cost of the work assumed by the municipal corporation shall be paid from the proceeds of taxes or special assessments, or both, or from the proceeds of notes or bonds issued and sold in anticipation of the collection of the taxes and assessments. For the purpose of providing funds for the payment of that part of the cost of the work assumed by the municipal corporation, the municipal corporation has the same authority to make special assessments, levy taxes, and issue bonds or notes, in anticipation of the collection of the same, as it has with respect to improvements constructed under the sole supervision and control of the municipal corporation. All such assessments shall be made, taxes levied, and bonds or notes issued and sold under such conditions and restrictions as may be provided with respect to assessments, taxes, bonds, or notes made, levied, issued, or sold in connection with improvements of the same class and character constructed under the sole supervision and control of the municipal corporation. The improvement shall be constructed under the sole supervision of the director. The proportion of the cost and expense payable by the municipal corporation shall be paid by the proper officers thereof, upon the requisition of the director, and at times during the progress of the work as may be determined by the director or as may be otherwise provided by law.

Sec. 5525.03. (A) All prospective bidders other than environmental remediators and specialty contractors for which there are no classes of work provided for in the rules adopted by the director of transportation shall apply for qualification on forms prescribed and furnished by the director. The application shall be accompanied by a certificate of compliance with affirmative action programs issued pursuant to section 9.47 of the Revised Code and dated no earlier than one hundred eighty days before the date fixed for the opening of bids-award of the contract for a particular project.

(B) The director shall act upon an application for qualification within thirty days after it is presented to the director. Upon the receipt of any application for qualification, the director shall examine the application to determine whether the applicant is competent and responsible and possesses the financial resources required by section 5525.04 of the Revised Code. If the applicant is found to possess the qualifications prescribed by sections 5525.02 to 5525.09 of the Revised Code and by rules adopted by the director, including a certificate of compliance with affirmative action

programs, a certificate of qualification shall be issued to the applicant, which shall be valid for the period of one year or such shorter period of time as the director prescribes, unless revoked by the director for cause as defined by rules adopted by the director under section 5525.05 of the Revised Code.

(C) The certificate of qualification shall contain a statement fixing the aggregate amount of work, for any or all owners, that the applicant may have under construction and uncompleted at any one time and may contain a statement limiting such bidder to the submission of bids upon a certain class of work. Subject to any restriction as to amount or class of work therein contained, the certificate of qualification shall authorize its holder to bid on all work on which bids are taken by the department of transportation during the period of time therein specified.

(D) An applicant who has received a certificate of qualification and desires to amend the certificate by the dollar amount or by the classes of work may submit to the director such documentation as the director considers appropriate. The director shall review the documentation submitted by the applicant and, within fifteen days, shall either amend the certificate of qualification or deny the request. If the director denies the request to amend the certificate, the applicant may appeal that decision to the director's prequalification review board in accordance with section 5525.07 of the Revised Code. Two or more persons, partnerships, or corporations may bid jointly on any one project, but only on condition that prior to the time bids are taken on the project the bidders make a joint application for qualification and obtain a joint certificate qualification.

(E) The director may debar from participating in future contracts with the department any bidding company as well as any partner of a partnership, or the officers and directors of an association or corporation if the certificate of qualification of the company, partnership, association, or corporation is revoked or not renewed by the director. When the director reasonably believes that grounds for revocation and debarment exist, the director shall send the bidding company and any individual involved a notice of proposed revocation and debarment indicating the grounds for such action as established in rules adopted by the director under section 5525.05 of the Revised Code and the procedure for requesting a hearing. The notice and hearing shall be in accordance with Chapter 119. of the Revised Code. If the bidding company or individual does not respond with a request for a hearing in the manner specified in Chapter 119. of the Revised Code, the director shall revoke the certificate and issue the debarment decision without a hearing and shall notify the bidding company or individual of the decision by certified mail, return receipt requested.

(F) The debarment period may be of any length determined by the director and the director may modify or rescind the debarment at any time. During the period of debarment, the director shall not issue a certificate of qualification for any company, partnership, association, or corporation affiliated with a debarred individual. After the debarment period expires, the bidding company or individual, and any partnership, association, or corporation affiliated with the individual may make an application for qualification if such entity or individual is not otherwise debarred.

Sec. 5525.04. No bidder shall be given a certificate of qualification unless the bidder's

financial statement and the investigation made by the director of transportation show that the bidder possesses net current assets or working capital sufficient, in the judgment of the director, to render it probable that the bidder can satisfactorily execute the bidder's contracts and meet all contractual obligations. Any applicant desiring a certificate of qualification in an amount of ~~five~~ten million dollars or more shall submit on forms prescribed by the director a financial audit prepared and attested as correct by an independent certified public accountant. Any applicant desiring a certificate of qualification in an amount that is less than ~~five~~ten million dollars shall submit a financial review on forms prescribed by the director. The aggregate amount of work set forth in either type of certificate of qualification shall not exceed ten times the applicant's net current assets or working capital. At the time of ~~bidding~~award of the contract, a bidder's qualification is determined by the bidder's qualification amount minus all of the bidder's pending work.

Applicants for qualification shall expressly authorize the director to obtain any information that the director considers pertinent, with respect to the financial worth, assets, and liabilities of the applicant, from banks or other financial institutions, surety companies, dealers in material, equipment, or supplies, or other persons having business transactions with the applicant. Applicants shall expressly authorize all such financial institutions or other persons to furnish any such information requested from them by the director. All information filed with or furnished to the director by applicants or other persons, in connection with the administration of sections 5525.02 to 5525.09 of the Revised Code, shall be kept in confidence by the director and not revealed to any person, except upon proper order of a court. Failure to submit the required information or to expressly grant the director authority to obtain the required information shall result in the denial of a certificate of qualification. The director or the director's subordinates shall have access to the books of account and financial records of all applicants, unless the financial statement furnished by any applicant is prepared and attested as correct by a certified public accountant.

If an applicant for either type of certificate of qualification is or has been an employer in this state the application shall be accompanied by satisfactory evidence that the applicant has complied with Chapter 4123. of the Revised Code.

The director may require all qualified bidders to file financial statements at such intervals as the director prescribes. Sections 5525.02 to 5525.09 of the Revised Code shall be administered without reference to the residence of applicants, and the rules of the director shall apply equally to residents and nonresidents of this state. Sections 5525.02 to 5525.09 of the Revised Code, do not apply to the purchase of material, equipment, or supplies.

Sec. 5525.08. Except as otherwise provided in this section, the director of transportation shall not consider any bid filed with the director by any person who has not been qualified to bid by the time the contract is awarded. ~~Bids from unqualified bidders discovered by the director prior to the reading thereof to be from such persons shall be returned without being read.~~ If the director finds, subsequent to the opening of bids, that facts exist that would disqualify the lowest bidder, or that such bidder either is not competent and responsible or has submitted a nonresponsive bid, the

director shall reject such bid, despite ~~the fact of any~~ prior qualification of such bidder. No contract shall be awarded to any bidder not qualified to bid thereon at the time ~~fixed for receiving bids of~~ awarding the contract, except that the director may award contracts for environmental remediation and specialty work not set out in the director's rules governing classes of work to bidders that are not qualified under sections 5525.02 to 5525.09 of the Revised Code.

Sec. 5525.14. (A) Notwithstanding sections 125.01 to 125.11 of the Revised Code, the director of transportation, by written instruction to the contractor, may increase the quantities of any item specified or not specified in a competitively bid construction contract but, except as provided in division (B) of this section, the additional cost incurred by the increase shall not exceed the lesser of one hundred thousand dollars or five per cent of the total contract price. Any such provision for increased quantities or extra work shall be made in the form of a written change to the original contract and does not require competitive bidding.

(B) ~~The one hundred thousand dollar or five per cent restriction~~ monetary threshold established in division (A) of this section does not apply to change orders or extra work contracts when the total dollar amount of the increase is ~~twenty-five-fifty~~ thousand dollars or less, or to change orders or extra work contracts resulting from any of the following:

(1) An increase in the plan quantity that is determined during the final measurement of an item of work.

(2) Federally mandated requirements that did not exist at the time of the original contract award.

(3) Circumstances that would create a life-, safety-, or health-threatening situation or would unduly delay the completion of a project and increase its costs, but only if the director makes a finding of such fact, declares an emergency, and issues the finding. Extra work that the director contracts for in these circumstances may include not only construction needed to complete a project, but also adjustments needed to meet changed conditions, alterations in original plans, unforeseen contingencies, or payments necessitated by contract terminations or suspensions.

All change orders or extra work contracts set forth in division (B) of this section shall be reported to the controlling board quarterly in writing.

(C) The director, by written instruction to the contractor, may decrease or cancel the quantity of any item specified in a contract or portion of a contract and authorize payment to the contractor for reasonable costs incurred to date.

Sec. 5525.16. (A) Before entering into a contract, the director of transportation shall require a contract performance bond and a payment bond with sufficient sureties, as follows:

(1) A contract performance bond in an amount equal to one hundred per cent of the contract amount, conditioned, among other things, that the contractor will perform the work upon the terms proposed, within the time prescribed, ~~and in accordance with the plans and specifications, and~~ will indemnify the state against any damage that may result from any failure of the contractor to so perform, ~~and, further, in case of a grade separation will indemnify any railroad company involved~~

~~against any damage that may result by reason of the negligence of the contractor in making the improvement.~~

(2) A payment bond in an amount equal to one hundred per cent of the contract amount, conditioned for the payment by the contractor and all subcontractors for labor or work performed or materials furnished in connection with the work, improvement, or project involved.

(B) After entering into a contract and the initial issuance of a contract performance bond and payment bond in accordance with division (A) of this section, both of the following apply, as applicable:

(1) If the contract amount increases or decreases by forty thousand dollars or more during the term of the contract, the final bond amount shall be adjusted to account for the change from the original contract value to the actual final contract value. The director shall do all of the following:

(a) Determine the final bond premium amount for the contract performance bond and payment bond based on the actual final contract value;

(b) Finalize any bond premium adjustments after receiving written consent from the affected sureties confirming that the sureties increased or decreased the penal sums, as applicable;

(c) Determine what, if any, additional payments or refunds are necessary under the contract as a result of the adjusted final bond premium amount.

(2) A contractor shall provide the director with new surety bonds, in the form and amount required by this section, within twenty-one days of any of the following occurring to a surety providing a surety bond for the project:

(a) It is adjudged bankrupt or has made a general assignment for the benefit of its creditors;

(b) It has liquidated all assets or has made a general assignment for the benefit of its creditors;

(c) It is placed in receivership;

(d) It petitions a state or federal court for protection from its creditors;

(e) It allows its license to do business in this state to lapse or to be revoked.

(C)(1) In no case is the state liable for damages sustained in the construction of any work, improvement, or project under this chapter and Chapters 5501., 5503., 5511., 5513., 5515., 5516., 5517., 5519., 5521., 5523., 5527., 5528., 5529., 5531., 5533., and 5535. of the Revised Code.

(2) This section does not require the director to take bonds as described in division (A) or (B) of this section in connection with any force account work, but the director may require those bonds in connection with force account work.

(3) If any bonds taken under this section are executed by a surety company, the director may not approve such bonds unless there is attached a certificate of the superintendent of insurance that the company is authorized to transact business in this state, and a copy of the power of attorney of the agent of the company. The superintendent, upon request, shall issue to any licensed agent of such company the certificate without charge.

(4) The bonds required to be taken under this section shall be executed by the same surety,

approved by the director as to sufficiency of the sureties, and be in the form prescribed by the attorney general.

(D) Any person to whom any money is due for labor or work performed or materials furnished in connection with a work, improvement, or project, at any time after performing the labor or furnishing the materials but not later than ninety days after the acceptance of the work, improvement, or project by the director, may furnish to the sureties on the payment bond a statement of the amount due the person. If the indebtedness is not paid in full at the expiration of sixty days after the statement is furnished, the person may commence an action in the person's own name upon the bond as provided in sections 2307.06 and 2307.07 of the Revised Code.

An action shall not be commenced against the sureties on a payment bond until sixty days after the furnishing of the statement described in this section or, notwithstanding section 2305.12 of the Revised Code, later than one year after the date of the acceptance of the work, improvement, or project.

(E) When the total contract amount is greater than five hundred million dollars, the director may authorize either of the following for purposes of meeting the requirements of division (A) of this section:

(1) The issuance of multiple contract performance bonds or multiple contract payment bonds to meet the requirement that the bonding amount equals one hundred per cent of the contract amount;

(2) The issuance of contract performance bonds and contract payment bonds in succession to align with the phases of the contract to meet the requirement that the bonding amount equals one hundred per cent of the contract amount.

(F) As used in this section:

(1) "Improvement," "subcontractor," "material supplier," and "materials" have the same meanings as in section 1311.01 of the Revised Code, and "contractor" has the same meaning as "original contractor" as defined in that section.

(2) "Actual final contract value" is the final sum of money, excluding any bond premium adjustments, that is paid by the department to the contractor as a result of the contractor completing the agreed upon work.

Sec. 5537.02. (A) There is hereby created a commission to be known on and after July 1, 2013, as the "Ohio turnpike and infrastructure commission." The commission is a body both corporate and politic, constituting an instrumentality of the state, and the exercise by it of the powers conferred by this chapter in the construction, operation, and maintenance of the Ohio turnpike system, and also in entering into agreements with the department of transportation to pay the cost or a portion of the costs of infrastructure projects, are and shall be held to be essential governmental functions of the state, ~~but the commission shall not be immune from liability by reason thereof.~~ Chapter 2744. of the Revised Code applies to the commission and the commission is a political subdivision of the state for purposes of that chapter. The commission is subject to all provisions of

law generally applicable to state agencies which do not conflict with this chapter.

(B)(1) The commission shall consist of ten members as follows:

(a) Six members appointed by the governor with the advice and consent of the senate, no more than three of whom shall be members of the same political party;

(b) The director of transportation, or the director's designee, who shall be a voting member, and the director of budget and management, or the director's designee. The directors or their designees, as applicable, shall serve as ex officio members, without compensation;

(c) One member of the senate, appointed by the president of the senate, who shall represent either a district in which is located or through which passes a portion of a turnpike project that is part of the Ohio turnpike system or a district located in the vicinity of a turnpike project that is part of the Ohio turnpike system;

(d) One member of the house of representatives, appointed by the speaker of the house of representatives, who shall represent either a district in which is located or through which passes a portion of a turnpike project that is part of the Ohio turnpike system or a district located in the vicinity of a turnpike project that is part of the Ohio turnpike system.

(2) The members appointed by the governor shall be residents of the state, shall have been qualified electors therein for a period of at least five years next preceding their appointment. In making the appointments, the governor may appoint persons who reside in different geographic areas of the state, taking into consideration the various turnpike and infrastructure projects in the state. Members appointed to the commission prior to July 1, 2013, shall serve terms of eight years commencing on the first day of July and ending on the thirtieth day of June. Thereafter, members appointed by the governor shall serve terms of five years commencing on the first day of July and ending on the thirtieth day of June. Those members appointed by the president of the senate or the speaker of the house of representatives shall serve a term of the remainder of the general assembly during which the senator or representative is appointed. Each appointed member shall hold office from the date of appointment until the end of the term for which the member was appointed. If a commission member dies or resigns, or if a senator or representative who is a member of the commission ceases to be a senator or representative, or if an ex officio member ceases to hold the applicable office, the vacancy shall be filled in the same manner as provided in division (B)(1) of this section. Any member who fills a vacancy occurring prior to the end of the term for which the member's predecessor was appointed shall, if appointed by the governor, hold office for the remainder of such term or, if appointed by the president of the senate or the speaker of the house of representatives, shall hold office for the remainder of the term or for a shorter period of time as determined by the president or the speaker. Any member appointed by the governor shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. A member of the commission is eligible for reappointment. Each member of the commission appointed by the governor, before entering upon the member's duties, shall take an oath as provided by Section 7 of

Article XV, Ohio Constitution. The governor, the president of the senate, or the speaker of the house of representatives, may at any time remove their respective appointees to the commission for misfeasance, nonfeasance, or malfeasance in office.

(3)(a) A member of the commission who is appointed by the president of the senate or the speaker of the house of representatives shall not participate in any vote of the commission. Serving as an appointed member of the commission under divisions (B)(1)(c), (1)(d), or (2) of this section does not constitute grounds for resignation from the senate or the house of representatives under section 101.26 of the Revised Code.

(b) The director of budget and management shall not participate in any vote of the commission.

(C) The voting members of the commission shall elect one of the voting members as chairperson and another as vice-chairperson, and shall appoint a secretary-treasurer who need not be a member of the commission. Four of the voting members of the commission constitute a quorum, and the affirmative vote of four voting members is necessary for any action taken by the commission. No vacancy in the membership of the commission impairs the rights of a quorum to exercise all the rights and perform all the duties of the commission.

(D) Each member of the commission appointed by the governor shall give a surety bond to the commission in the penal sum of twenty-five thousand dollars and the secretary-treasurer shall give such a bond in at least the penal sum of fifty thousand dollars. The commission may require any of its officers or employees to file surety bonds including a blanket bond as provided in section 3.06 of the Revised Code. Each such bond shall be in favor of the commission and shall be conditioned upon the faithful performance of the duties of the office, executed by a surety company authorized to transact business in this state, approved by the governor, and filed in the office of the secretary of state. The costs of the surety bonds shall be paid or reimbursed by the commission from revenues. Each member of the commission appointed by the governor shall receive an annual salary of five thousand dollars, payable in monthly installments. Each member shall be reimbursed for the member's actual expenses necessarily incurred in the performance of the member's duties. All costs and expenses incurred by the commission in carrying out this chapter shall be payable solely from revenues and state taxes, and no liability or obligation shall be incurred by the commission beyond the extent to which revenues have been provided for pursuant to this chapter.

Sec. 5571.01. (A) A board of township trustees may construct, reconstruct, resurface, or improve any public road or part thereof under its jurisdiction, or any county road, intercounty highway, or state highway within its township. In the case of a county road, the plans and specifications for the proposed improvement first shall be submitted to the board of county commissioners of the county and receive its approval. In the case of an intercounty or state highway, the plans and specifications first shall be submitted to the director of transportation and receive the director's approval. The board of township trustees may widen, straighten, or change the direction of any part of a road in connection with the proceedings for its improvement.

(B) The board of township trustees may construct, improve, maintain, or repair the berm of any road under its jurisdiction, in order to provide a hard surface or other improved approach to rural mail boxes located on public highways.

(C) A board of township trustees, in conformity with the manual and uniform system of traffic control devices adopted under section 4511.09 of the Revised Code, may erect and maintain at intersecting roads, at least one of which is a township road, suitable signposts showing the names and numbers of the roads. The cost of the signs shall be paid from the township road fund.

(D) Subject to division (F) of this section, a board of township trustees, in conformity with the manual and uniform system of traffic control devices adopted under section 4511.09 of the Revised Code, may erect and maintain at intersecting roads, at least one of which is a township road, suitable signposts showing the direction and distance to any nearby municipal corporation. The costs of the signs shall be paid from the township road fund.

(E) Subject to divisions (F) and (G) of this section, a board of township trustees may purchase or lease and erect and maintain at intersecting roads, at least one of which is a township road, suitable traffic control devices and highway traffic ~~control~~-signals. The traffic control devices and highway traffic ~~control~~-signals and their placement and maintenance shall conform with the manual and specifications adopted under section 4511.09 of the Revised Code. In purchasing or leasing and erecting and maintaining the traffic control devices and highway traffic ~~control~~-signals, the board may expend any moneys that are available to it that legally may be expended for that purpose.

(F) If one of the intersecting highways as provided in divisions (D) and (E) of this section is a state highway, both of the following apply:

(1) No signpost showing the direction and distance to any nearby municipal corporation shall be placed at or near the intersection, and no traffic control device or highway traffic ~~control~~-signal shall be erected at the intersection, without prior permission of the director as required by section 4511.10 of the Revised Code.

(2) The department of transportation shall maintain any highway traffic ~~control~~-signal erected by the board of township trustees at that intersection.

(G) If one of the intersecting roads as provided in division (E) of this section is a county road, a board of township trustees shall not erect a traffic control device or highway traffic ~~control~~ signal at the intersection without prior permission of the county engineer of the county in which the intersection is located.

(H) No contract for the construction or repair of a bridge, the entire cost of which construction or repair exceeds fifty thousand dollars, shall be entered into by the township unless the plans are first approved by the director.

Sec. 5747.502. (A) As used in this section:

(1) "~~Local authority~~" and "~~traffic~~-Traffic law photo-monitoring device" ~~have~~has the same ~~meanings meaning~~ as in section 4511.092 of the Revised Code.

(2) "School zone" has the same meaning as in section 4511.21 of the Revised Code.

(3) "Transportation district" means a territorial district established by the director of transportation under section 5501.14 of the Revised Code.

(4) "District deputy director" means the person appointed and assigned by the director of transportation under section 5501.14 of the Revised Code to administer the activities of a transportation district.

(5) "Gross amount" means the entire amount of traffic camera fines and fees paid by a driver.

(6) "Local government fund adjustment" or "LGF adjustment" means the sum of:

(a) The gross amount of all traffic camera fines collected by a local authority during the preceding fiscal year, as reported under division (B)(1) of this section, if such a report is required; plus

(b) The residual adjustment computed for the local authority under division (B)(4) of this section, if such an adjustment applies.

(7) "Local government fund payments" or "LGF payments" means the payments a local authority would receive under sections ~~5747.50~~5747.503, 5747.51, and 5747.53, and division (C) of section 5747.50 of the Revised Code, as applicable, if not for the reductions required by divisions (C) and (D) of this section.

(8) "Residual adjustment" means the most recent LGF adjustment computed for a local authority under division (B)(2) or (3) of this section minus the sum of the reductions applied after that computation under division (C) of this section to the local authority's LGF payments.

(9) "Traffic camera fines" means civil fines for any violation of any local ordinance or resolution that are based upon evidence recorded by a traffic law photo-monitoring device.

(10) "Qualifying village" has the same meaning as in section 5747.503 of the Revised Code.

(11) "Local authority" means a municipal corporation, county, or township.

(B)(1) Annually, on or before the thirty-first day of July, any local authority that directly or indirectly collected traffic camera fines during the preceding fiscal year shall file a report with the tax commissioner that includes a detailed statement of the gross amount of all traffic camera fines the local authority collected during that period and the gross amount of such fines that the local authority collected for violations that occurred within a school zone.

(2) Annually, on or before the tenth day of August, the commissioner shall compute a local government fund adjustment for each local authority that files a report under division (B)(1) of this section or with respect to which a residual adjustment applies. Subject to division (B)(3) of this section, the LGF adjustment shall be used by the commissioner to determine the amount of the reductions required under division (C) of this section for each of the next twelve months, starting with the month in which the LGF adjustment is computed. After those twelve months, the LGF adjustment ceases to apply and, if an LGF adjustment continues to be required, the amount of the reductions required under division (C) of this section shall be determined based on an updated LGF

adjustment computed under this division.

(3) Upon receipt of a report described by division (B)(1) of this section that is not timely filed, the commissioner shall do both of the following:

(a) If one or more payments to the local authority has been withheld under division (D) of this section because of the local authority's failure to file the report, notify the county auditor and county treasurer of the appropriate county that the report has been received and that, subject to division (C) of this section, payments to the local authority from the undivided local government fund are to resume.

(b) Compute the local authority's LGF adjustment using the information in the report. An LGF adjustment computed under this division shall be used by the commissioner to determine the amount of the reductions required under division (C) of this section starting with the next required reduction. The LGF adjustment ceases to apply on the thirty-first day of the ensuing July, following which, if an LGF adjustment continues to be required, the amount of the reductions required under division (C) of this section shall be determined based on an updated LGF adjustment computed under division (B)(2) of this section.

(4) Annually, on or before the tenth day of August, the commissioner shall compute a residual adjustment for each local authority whose LGF adjustment for the preceding year exceeds the amount by which the local authority's LGF payments were reduced during that year under division (C) of this section. The residual adjustment shall be used to compute the LGF adjustment for the ensuing year under division (B)(2) of this section.

(C) The commissioner shall do the following, as applicable, respecting any local authority to which an LGF adjustment computed under division (B) of this section applies:

(1) If the local authority is a municipal corporation with a population of one thousand or more, reduce payments to the municipal corporation under division (C) of section 5747.50 of the Revised Code by one-twelfth of the LGF adjustment. If one-twelfth of the LGF adjustment exceeds the amount of money the municipal corporation would otherwise receive under division (C) of section 5747.50 of the Revised Code, the commissioner also shall reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to the lesser of (a) one-twelfth of the excess, or (b) the amount of the payment the municipal corporation would otherwise receive from the fund under section 5747.51 or 5747.53 of the Revised Code.

(2) If the local authority is a township or qualifying village, reduce the supplemental payments to the appropriate county undivided local government fund under section 5747.503 of the Revised Code by the lesser of one-twelfth of the LGF adjustment, or the amount of money the township or qualifying village would otherwise receive under that section. If one-twelfth of the LGF adjustment exceeds the amount of money the township or qualifying village would otherwise receive under section 5747.503 of the Revised Code, the commissioner also shall reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the

Revised Code by an amount equal to the lesser of (a) one-twelfth of the excess, or (b) the amount of the payment the township or qualifying village would otherwise receive from the fund under section 5747.51 or 5747.53 of the Revised Code.

(3) If the local authority is a county, reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to the lesser of (a) one-twelfth of the LGF adjustment, or (b) the amount of the payment the county would otherwise receive from the fund under section 5747.51 or 5747.53 of the Revised Code.

(4) For any local authority, on or before the tenth day of each month a reduction is made under division (C)(1), (2), or (3) of this section, make a payment to the local authority in an amount equal to the lesser of (a) one-twelfth of the gross amount of traffic camera fines the local authority collected in the preceding fiscal year for violations that occurred within a school zone, as indicated on the report filed by the local authority pursuant to division (B)(1) of this section, or (b) the amount by which the local authority's LGF payments were reduced that month pursuant to division (C)(1), (2), or (3) of this section. Payments received by a local authority under this division shall be used by the local authority for school safety purposes.

(D) Upon discovery, based on information in the commissioner's possession, that a local authority required to file a report under division (B)(1) of this section has failed to do so, the commissioner shall do the following, as applicable:

(1) If the local authority is a municipal corporation with a population of one thousand or more, cease providing for payments to the municipal corporation under section 5747.50 of the Revised Code beginning with the next required payment and until such time as the report is received by the commissioner;

(2) If the local authority is a township or qualifying village, reduce the supplemental payments to the appropriate county undivided local government fund under section 5747.503 of the Revised Code by an amount equal to the amount of such payments the local authority would otherwise receive under that section, beginning with the next required payment and until such time as the report is received by the commissioner;

(3) For any local authority, reduce payments to the appropriate county undivided local government fund under division (B) of section 5747.50 of the Revised Code by an amount equal to the amount of such payments the local authority would otherwise receive under section 5747.51 or 5747.53 of the Revised Code, beginning with the next required payment and until such time as the report is received by the commissioner;

(4) For any local authority, notify the county auditor and county treasurer that such payments are to cease until the commissioner notifies the auditor and treasurer under division (E) of this section that the payments are to resume.

(E) The commissioner shall notify the county auditor and county treasurer on or before the day the commissioner first reduces a county undivided local government fund payment to that

county under division (C) of this section. The notice shall include the full amount of the reduction, a list of the local authorities to which the reduction applies, and the amount of reduction attributed to each such local authority. The commissioner shall send an updated notice to the county auditor and county treasurer any time the amount the reduction attributed to any local authority changes.

A county treasurer that receives a notice from the commissioner under this division or division (B)(3)(a) or (D)(4) of this section shall reduce, cease, or resume payments from the undivided local government fund to the local authority that is the subject of the notice as specified by the commissioner in the notice. Unless otherwise specified in the notice, the payments shall be reduced, ceased, or resumed beginning with the next required payment.

(F) There is hereby created in the state treasury the Ohio highway and transportation safety fund. On or before the tenth day of each month, the commissioner shall deposit in the fund an amount equal to the total amount by which payments to local authorities were reduced or ceased under division (C) or (D) of this section minus the total amount of payments made under division (C)(4) of this section. The amount deposited with respect to a local authority shall be credited to an account to be created in the fund for the transportation district in which that local authority is located. If the local authority is located within more than one transportation district, the amount credited to the account of each such transportation district shall be prorated on the basis of the number of centerline miles of public roads and highways in both the local authority and the respective districts. Amounts credited to a transportation district's account shall be used by the department of transportation and the district deputy director exclusively to enhance public safety on public roads and highways within that transportation district.

SECTION 101.02. That existing sections 101.27, 117.12, 154.01, 306.30, 306.35, 306.43, 717.02, 1548.061, 2935.03, 3503.11, 3704.14, 4501.01, 4503.10, 4503.102, 4503.103, 4503.21, 4505.08, 4506.01, 4506.09, 4506.11, 4507.01, 4507.061, 4507.13, 4507.21, 4507.52, 4508.02, 4511.01, 4511.031, 4511.09, 4511.091, 4511.092, 4511.093, 4511.094, 4511.11, 4511.13, 4511.131, 4511.132, 4511.18, 4511.204, 4511.21, 4511.211, 4511.214, 4511.432, 4511.46, 4511.48, 4511.512, 4511.61, 4511.62, 4511.64, 4511.65, 4511.68, 4511.701, 4511.712, 4511.76, 4513.071, 4513.38, 4513.41, 4517.02, 4517.24, 4519.401, 4955.50, 4955.51, 5501.20, 5501.41, 5501.441, 5512.07, 5513.01, 5515.01, 5515.02, 5515.99, 5517.02, 5517.021, 5521.01, 5525.03, 5525.04, 5525.08, 5525.14, 5525.16, 5537.02, 5571.01, and 5747.502 of the Revised Code are hereby repealed.

SECTION 105.01. That sections 4506.072, 4507.021, 4507.063, 4507.511, 4511.351, 4511.491, and 5501.60 of the Revised Code are hereby repealed.

SECTION 201.10. Except as otherwise provided in this act, all appropriation items in this act are appropriated out of any moneys in the state treasury to the credit of the designated fund that are

not otherwise appropriated. For all appropriations made in this act, the amounts in the first column are for fiscal year 2026 and the amounts in the second column are for fiscal year 2027.

SECTION 203.10.

	1	2	3	4	5
A	DOT DEPARTMENT OF TRANSPORTATION				
B	Highway Operating Fund Group				
C	2120	772426	Highway Infrastructure Bank - Federal	\$5,750,500	\$5,750,500
D	2120	772427	Highway Infrastructure Bank - State	\$15,099,500	\$15,099,500
E	2130	772431	Roadway Infrastructure Bank - State	\$3,750,000	\$3,750,000
F	2130	777477	Aviation Infrastructure Bank - State	\$2,400,000	\$2,400,000
G	5XI0	772504	Ohio Highway Transportation Safety	\$13,500,000	\$7,000,000
H	7002	770003	Transportation Facilities Lease Rental Bond Payments	\$23,000,000	\$23,000,000
I	7002	771411	Planning and Research - State	\$34,583,813	\$35,352,350
J	7002	771412	Planning and Research - Federal	\$57,095,074	\$57,095,074
K	7002	772421	Highway Construction - State	\$1,166,495,043	\$849,676,092
L	7002	772422	Highway Construction - Federal	\$1,950,000,000	\$1,950,000,000
M	7002	772424	Highway Construction - Other	\$83,500,000	\$83,500,000
N	7002	772437	Major New State Infrastructure	\$18,500,000	\$18,500,000

Bond Debt Service - State					
O	7002	772438	Major New State Infrastructure Bond Debt Service - Federal	\$132,500,000	\$132,500,000
P	7002	773431	Highway Maintenance - State	\$701,557,065	\$681,557,065
Q	7002	775452	Public Transportation - Federal	\$63,120,485	\$63,276,002
R	7002	775454	Public Transportation - Other	\$3,570,000	\$3,570,000
S	7002	776462	Grade Crossings - Federal	\$14,068,961	\$14,068,961
T	7002	777472	Airport Improvements - Federal	\$405,000	\$405,000
U	7002	777475	Aviation Administration	\$6,973,124	\$7,106,246
V	7002	779491	Administration - State	\$118,136,702	\$120,735,709
W	Highway Operating Fund Group Total			\$4,414,005,267	\$4,074,342,499
X	Dedicated Purpose Fund Group				
Y	4N40	776664	Rail Transportation - Other	\$2,210,047	\$2,237,389
Z	5W90	777615	County Airport Maintenance	\$620,000	\$620,000
AA	Dedicated Purpose Fund Group Total			\$2,830,047	\$2,857,389
AB	Capital Projects Fund Group				
AC	7042	772723	Highway Construction - Bonds	\$210,000,000	\$210,000,000
AD	7045	772428	Highway Infrastructure Bank - Bonds	\$210,000,000	\$210,000,000
AE	Capital Projects Fund Group Total			\$420,000,000	\$420,000,000
AF	TOTAL ALL BUDGET FUND GROUPS			\$4,836,835,314	\$4,497,199,888

SECTION 203.20. TRANSPORTATION FACILITIES LEASE RENTAL BOND PAYMENTS

The foregoing appropriation item 770003, Transportation Facilities Lease Rental Bond Payments, shall be used to meet all payments during the period from July 1, 2025, through June 30, 2027, pursuant to the leases and agreements for facilities made under Chapter 154. of the Revised Code. These appropriations are the source of funds pledged for bond service charges on related obligations issued under Chapter 154. of the Revised Code.

Should the appropriation in appropriation item 770003, Transportation Facilities Lease Rental Bond Payments, exceed the associated debt service payments in either fiscal year of the biennium ending June 30, 2027, the balance may be transferred to appropriation item 772421, Highway Construction – State, or 773431, Highway Maintenance – State, upon the written request of the Director of Transportation and with the approval of the Director of Budget and Management. The transfers are hereby appropriated and shall be reported to the Controlling Board.

SECTION 203.25. PLANNING AND RESEARCH - STATE

Of the foregoing appropriation item 771411, Planning and Research - State, up to \$1,500,000 in FY 2026 shall be used to conduct a feasibility study for the creation of an Interstate Route 73 corridor connecting the municipal corporation of Toledo to the municipal corporation of Chesapeake in accordance with Section 755.50 of this act.

Of the foregoing appropriation item 771411, Planning and Research - State, up to \$500,000 in fiscal year 2026 shall be used to conduct a study of the Department's pavement-selection process in accordance with Section 755.20 of this act.

Of the foregoing appropriation item 771411, Planning and Research - State, up to \$500,000 in FY 2026 shall be used by the Department of Transportation and Ohio Turnpike and Infrastructure Commission to establish a joint plan regarding the feasibility of connecting U.S. Route 23 to Interstate Route 71 in accordance with Section 755.60 of this act.

SECTION 203.30. ROADS FOR DNR, METROPOLITAN PARKS, EXPOSITIONS COMMISSION, AND HISTORY CONNECTION

(A) Notwithstanding section 5511.06 of the Revised Code, in each fiscal year of the biennium ending June 30, 2027, the Director of Transportation shall determine portions of the foregoing appropriation item 772421, Highway Construction – State, which shall be used for the construction, reconstruction, or maintenance of public access roads, including support features, to and within state facilities owned or operated by the Department of Natural Resources.

(B) Notwithstanding section 5511.06 of the Revised Code, of the foregoing appropriation item 772421, Highway Construction – State, \$2,562,000 in each fiscal year shall be used for the construction, reconstruction, or maintenance of park drives or park roads within the boundaries of metropolitan parks.

(C) Notwithstanding section 5511.06 of the Revised Code, of the foregoing appropriation

item 772421, Highway Construction - State, \$500,000 in each fiscal year shall be used for the construction, reconstruction, or maintenance of park drives or park roads within the boundaries of state parks and wildlife areas greater than 10,000 contiguous acres that were purchased in a single, or series, of transactions, and \$500,000 in each fiscal year shall be used for construction, reconstruction, or maintenance of drives and roads leading to such state parks and wildlife areas.

(D) The Department of Transportation may use the foregoing appropriation item 772421, Highway Construction – State, to perform:

(1) Related road work on behalf of the Ohio Expositions Commission at the state fairgrounds, including reconstruction or maintenance of public access roads and support features to and within fairgrounds facilities, as requested by the Commission and approved by the Director of Transportation; and

(2) Related road work on behalf of the Ohio History Connection, including reconstruction or maintenance of public access roads and support features to and within Ohio History Connection facilities, as requested by the Ohio History Connection and approved by the Director of Transportation.

SECTION 203.40. TRANSPORTATION IMPROVEMENT DISTRICTS

(A) Of the foregoing appropriation item 772421, Highway Construction – State, \$9,000,000 in each fiscal year shall be made available for distribution by the Director of Transportation to Transportation Improvement Districts that have facilitated funding for the cost of a project or projects in conjunction with and through other governmental agencies.

(B) A Transportation Improvement District shall submit requests for project funding to the Director of Transportation by a day determined by the Director. The Department shall notify the Transportation Improvement District whether the Department has approved or disapproved the project funding request within ninety days after the day the request was submitted by the Transportation Improvement District.

(C) Any funding provided to a Transportation Improvement District specified in this section shall not be used for the purposes of administrative costs or administrative staffing and must be used to fund a specific project or projects within that District's area. The total amount of a specific project's cost shall not be fully funded by the amount of funds provided under this section. The total amount of funding provided for each project is limited to \$500,000 per fiscal year. Transportation Improvement Districts that are co-sponsoring a specific project may individually apply for up to \$500,000 for that project per fiscal year.

(D) Funding provided under this section may be used for preliminary engineering, detailed design, right-of-way acquisition, and construction of the specific project and such other project costs that are defined in section 5540.01 of the Revised Code and approved by the Director of Transportation. Upon receipt of a copy of an invoice for work performed on the specific project, the Director shall reimburse a Transportation Improvement District for the expenditures described

above, subject to the requirements of this section.

(E) A Transportation Improvement District that is requesting funds under this section shall register with the Director of Transportation. The Director shall register a Transportation Improvement District only if the district has a specific, eligible project and may cancel the registration of a Transportation Improvement District that is not eligible to receive funds under this section. The Director shall not provide funds to any Transportation Improvement District under this section if the district is not registered.

(F) For the purposes of this section:

(1) "Project" has the same meaning as in division (C) of section 5540.01 of the Revised Code.

(2) "Governmental agency" has the same meaning as in division (B) of section 5540.01 of the Revised Code.

(3) "Cost" has the same meaning as in division (D) of section 5540.01 of the Revised Code.

SECTION 203.43. HIGHWAY CONSTRUCTION - FEDERAL

Of the foregoing appropriation item 772422, Highway Construction - Federal, \$33,000,000 in each fiscal year shall be used to support public transportation statewide through the Federal Highway Administration (FHWA) flexible funding program.

WORKFORCE MOBILITY PARTNERSHIP PROGRAM

Of the foregoing appropriation item 772422, Highway Construction - Federal, \$13,500,000 in each fiscal year shall be used to administer the Ohio Workforce Mobility Partnership Program.

SECTION 203.45. REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS

Of the foregoing appropriation item 772422, Highway Construction - Federal, \$3,000,000 in each fiscal year shall be used by Regional Transportation Planning Organizations to conduct a rural transportation planning grant program.

SECTION 203.47. BRENT SPENCE BRIDGE CORRIDOR PROJECT

All spending related to the Brent Spence Bridge Corridor Project shall be documented in the Ohio Administrative Knowledge System (OAKS) and made visible in the Ohio State and Local Government Expenditure Database pursuant to section 113.71 of the Revised Code.

SECTION 203.49. RAIL SAFETY CROSSING MATCH

An amount equal to the unexpended, unencumbered balance of appropriation item 776505, Rail Safety Crossing Match, at the end of fiscal year 2025 is hereby reappropriated for the same purpose in fiscal year 2026.

SECTION 203.50. BOND ISSUANCE AUTHORIZATION

The Treasurer of State, upon the request of the Director of Transportation, is authorized to issue and sell, in accordance with Section 2m of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.06 of the Revised Code, obligations, including bonds and notes, in the aggregate amount of \$238,500,000 in addition to the original issuance of obligations authorized by prior acts of the General Assembly.

The obligations shall be issued and sold from time to time in amounts necessary to provide sufficient moneys to the credit of the Highway Capital Improvement Fund (Fund 7042) created by section 5528.53 of the Revised Code to pay costs charged to the fund when due as estimated by the Director of Transportation, provided, however, that not more than \$220,000,000 original principal amount of obligations, plus the principal amount of obligations that in prior fiscal years could have been, but were not, issued within the \$220,000,000 limit, may be issued in any fiscal year, and not more than \$1,200,000,000 original principal amount of such obligations are outstanding at any one time.

SECTION 203.60. APPROPRIATION TRANSFERS, APPROPRIATION INCREASES, AND CASH TRANSFERS**(A) TRANSFERS OF HIGHWAY OPERATING FUND APPROPRIATIONS: EMERGENCIES, INCLEMENT WEATHER, AND FEDERAL FUNDING CHANGES**

The Director of Transportation may request the Controlling Board to approve transfers between Highway Operating Fund (Fund 7002) appropriations for planning and research (appropriation items 771411 and 771412), highway construction and debt service (appropriation items 772421, 772422, 772424, 772425, 772437, 772438, 772603, 772604, 772605, and 770003), highway maintenance (appropriation item 773431), public transportation - federal (appropriation item 775452), rail grade crossings (appropriation item 776462), aviation (appropriation item 777475), airport improvement (appropriation item 777472), and administration (appropriation item 779491). The Director of Transportation may not seek requests of appropriation transfers out of debt service appropriation items unless the Director determines that the appropriated amounts exceed the actual and projected debt service requirements.

This transfer request authorization is intended to provide for emergency situations or for the purchase of goods and services relating to dangerous inclement weather that arise during the biennium ending June 30, 2027. It also is intended to allow the Department to adjust to circumstances affecting the obligation and expenditure of federal funds.

(B) TRANSFERS OF FEDERAL AND LOCAL FUNDED APPROPRIATIONS: HIGHWAY, PLANNING, TRANSIT, RAIL, AND AVIATION

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations between appropriation items 772422, Highway Construction - Federal, 771412, Planning and Research - Federal, 775452, Public Transportation - Federal, 775454, Public

Transportation - Other, 776475, Federal Rail Administration, 776462, Grade Crossing - Federal, and 777472, Airport Improvements - Federal.

(C) TRANSFERS OF APPROPRIATIONS AND CASH: STATE INFRASTRUCTURE BANK

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations and cash of the Infrastructure Bank funds created in section 5531.09 of the Revised Code, including transfers between fiscal years 2026 and 2027.

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations and cash from the Highway Operating Fund (Fund 7002) to the Infrastructure Bank funds created in section 5531.09 of the Revised Code. The Director of Budget and Management may transfer from the Infrastructure Bank funds to Fund 7002 up to the amounts originally transferred to the Infrastructure Bank funds under this section. However, the Director may not make transfers between modes or transfers between different funding sources.

(D) TRANSFERS OF APPROPRIATIONS AND CASH: TOLLING FUNDS

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations and cash of the Ohio Toll Fund and any subaccounts created in section 5531.14 of the Revised Code, including transfers between fiscal years 2026 and 2027.

(E) INCREASING APPROPRIATIONS: STATE FUNDS

In the event that receipts or unexpended balances credited to the Highway Operating Fund (Fund 7002) exceed the estimates upon which the appropriations have been made in this act, upon the request of the Director of Transportation, the Controlling Board may approve expenditures, in excess of the amounts appropriated, from the Highway Operating Fund in the manner prescribed in section 131.35 of the Revised Code. The amounts approved by the Controlling Board under this division are hereby appropriated.

(F) INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS

In the event that receipts or unexpended balances credited to the Highway Operating Fund (Fund 7002) or apportionments or allocations made available from the federal and local governments exceed the estimates upon which the appropriations have been made in this act, upon the request of the Director of Transportation, the Controlling Board may approve expenditures, in excess of the amounts appropriated, from the Highway Operating Fund in the manner prescribed in section 131.35 of the Revised Code. The amounts approved by the Controlling Board under this division are hereby appropriated.

(G) TRANSFERS OF CASH BETWEEN THE HIGHWAY OPERATING FUND AND THE HIGHWAY CAPITAL IMPROVEMENT FUND

Upon the request of the Director of Transportation, and subject to Controlling Board approval, the Director of Budget and Management may transfer cash from the Highway Operating Fund (Fund 7002) to the Highway Capital Improvement Fund (Fund 7042) created in section 5528.53 of the Revised Code. The Director of Budget and Management may transfer cash from Fund

7042 to Fund 7002 up to the amount of cash previously transferred to Fund 7042 under this section.

(H) DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING

On July 1 and January 1 of each year in the biennium ending June 30, 2027, or as soon as possible thereafter, respectively, the Director of Budget and Management shall transfer \$200,000 cash, for each semiannual period, from the Highway Operating Fund (Fund 7002) to the Deputy Inspector General for ODOT Fund (Fund 5FA0).

The Inspector General, with the consent of the Director of Budget and Management, may request the Controlling Board to approve additional transfers of cash and expenditures in excess of the amount appropriated under appropriation item 965603, Deputy Inspector General for ODOT, if additional amounts are necessary. The amounts approved by the Controlling Board are hereby appropriated.

(I) LIQUIDATION OF UNFORESEEN LIABILITIES

Any appropriation made from the Highway Operating Fund (Fund 7002) not otherwise restricted by law is available to liquidate unforeseen liabilities arising from contractual agreements of prior years when the prior year encumbrance is insufficient.

(J) ELECTRIC VEHICLE EXPENDITURES

The Director of Transportation shall request Controlling Board approval for any expenditure of funds received under the federal "Infrastructure Investment and Jobs Act," Pub. L. No. 117-58, that are to be used for the construction or maintenance of electric vehicle charging stations. Any such expenditures approved by the Controlling Board are hereby appropriated.

SECTION 203.65. REAPPROPRIATIONS

In each year of the biennium ending June 30, 2027, the Director of Budget and Management may request the Controlling Board to approve the expenditure of any remaining unencumbered balances of prior years' appropriations to the Highway Operating Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 7042), and the Infrastructure Bank funds created in section 5531.09 of the Revised Code for the same purpose in the following fiscal year. The amounts approved by the Controlling Board are hereby reappropriated.

Prior to the Director of Budget and Management's seeking approval of the Controlling Board, the Director of Transportation shall develop a reappropriation request plan that identifies the appropriate fund and appropriation item of the reappropriation, and the reappropriation request amount and submit the plan to the Director of Budget and Management for evaluation. The Director of Budget and Management may request additional information necessary for evaluating the reappropriation request plan, and the Director of Transportation shall provide the requested information to the Director of Budget and Management. Based on the information provided by the Director of Transportation, the Director of Budget and Management shall determine amounts to be reappropriated by fund and appropriation item to submit to the Controlling Board for its approval.

Any balances of prior years' unencumbered appropriations to the Highway Operating Fund

(Fund 7002), the Highway Capital Improvement Fund (Fund 7042), and the Infrastructure Bank funds created in section 5531.09 of the Revised Code for which reappropriations are requested and approved are subject to the availability of revenue in the funds.

SECTION 203.70. MAINTENANCE OF INTERSTATE HIGHWAYS

The Department of Transportation has the responsibility to maintain all interstate highways in the state. The Director of Transportation may enter into an agreement with a political subdivision to allow the political subdivision to remove snow and ice and maintain, repair, improve, or provide lighting upon interstate highways that are located within the boundaries of the political subdivision, in a manner adequate to meet the requirements of federal law.

When agreed in writing by the Director of Transportation and the legislative authority of a political subdivision and notwithstanding sections 125.01 and 125.11 of the Revised Code, the Department of Transportation may reimburse a political subdivision for all or any part of the costs, as provided by such agreement, incurred by the political subdivision in maintaining, repairing, lighting, and removing snow and ice from the interstate system.

SECTION 203.80. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS

The Director of Transportation may use revenues from the state motor vehicle fuel tax to match approved federal grants awarded to the Department of Transportation, regional transit authorities, or eligible public transportation systems, for public transportation highway purposes, or to support local or state-funded projects for public transportation highway purposes.

Public transportation highway purposes include (1) the construction or repair of high-occupancy vehicle traffic lanes, (2) the acquisition or construction of park-and-ride facilities, (3) the acquisition or construction of public transportation vehicle loops, (4) the construction or repair of bridges used by public transportation vehicles or that are the responsibility of a regional transit authority or other public transportation system, or (5) other similar construction that is designated as an eligible public transportation highway purpose. Motor vehicle fuel tax revenues may not be used for operating assistance or for the purchase of vehicles, equipment, or maintenance facilities.

SECTION 203.90. AGREEMENTS WITH FEDERAL AGENCIES FOR ENVIRONMENTAL REVIEW PURPOSES

The Director of Transportation may enter into agreements as provided in this section with the United States or any department or agency of the United States, including, but not limited to, the United States Army Corps of Engineers, the United States Forest Service, the United States Environmental Protection Agency, and the United States Fish and Wildlife Service. An agreement entered into pursuant to this section shall be solely for the purpose of dedicating staff to the expeditious and timely review of environmentally related documents submitted by the Director of

Transportation, as necessary for the approval of federal permits.

The agreements may include provisions for advance payment by the Director of Transportation for labor and all other identifiable costs of the United States or any department or agency of the United States providing the services, as may be estimated by the United States, or the department or agency of the United States.

The Director shall submit a request to the Controlling Board indicating the amount of the agreement, the services to be performed by the United States or the department or agency of the United States, and the circumstances giving rise to the agreement.

SECTION 207.10.

1	2	3	4	5
A	DEV DEPARTMENT OF DEVELOPMENT			
B	Dedicated Purpose Fund Group			
C	4W00 195629	Roadwork Development	\$15,200,000	\$15,200,000
D	Dedicated Purpose Fund Group Total		\$15,200,000	\$15,200,000
E	TOTAL ALL BUDGET FUND GROUPS		\$15,200,000	\$15,200,000

SECTION 207.20. ROADWORK DEVELOPMENT

The foregoing appropriation item 195629, Roadwork Development, shall be used for road improvements associated with economic development opportunities that will retain or attract businesses for Ohio, including the construction, reconstruction, maintenance, or repair of public roads that provide access to a public airport or are located within a public airport. "Road improvements" are improvements to public roadway facilities located on, or serving or capable of serving, a project site, and include the construction, reconstruction, maintenance or repair of public roads that provide access to a public airport or are located within a public airport. The appropriation item may be used in conjunction with any other state funds appropriated for infrastructure improvements.

The Director of Budget and Management, pursuant to a plan submitted by the Director of Development or as otherwise determined by the Director of Budget and Management, shall set a cash transfer schedule to meet the cash needs of the Roadwork Development Fund (Fund 4W00) used by the Department of Development, less any other available cash. The Director of Budget and Management shall transfer such cash amounts from the Highway Operating Fund (Fund 7002) to

Fund 4W00 at such times as determined by the transfer schedule.

The Director of Transportation, under the direction of the Director of Development, shall provide these funds in accordance with all guidelines and requirements established for other Department of Development programs, including Controlling Board review and approval, as well as the requirements for usage of motor vehicle fuel tax revenue prescribed in Section 5a of Article XII, Ohio Constitution. Should the Department of Development require the assistance of the Department of Transportation to bring a project to completion, the Department of Transportation shall use its authority under Title 55 of the Revised Code to provide such assistance and may enter into contracts on behalf of the Department of Development.

SECTION 209.10.

	1	2	3	4	5
A	PWC PUBLIC WORKS COMMISSION				
B	Dedicated Purpose Fund Group				
C	7052	150402	Local Transportation Improvement Program - Operating	\$324,768	\$330,375
D	7052	150701	Local Transportation Improvement Program	\$62,000,000	\$67,000,000
E	Dedicated Purpose Fund Group Total			\$62,324,768	\$67,330,375
F	TOTAL ALL BUDGET FUND GROUPS			\$62,324,768	\$67,330,375

SECTION 209.20. REAPPROPRIATIONS

All capital appropriations from the Local Transportation Improvement Program Fund (Fund 7052) in H.B. 23 of the 135th General Assembly remaining unencumbered as of June 30, 2025, may be reappropriated for use during the period July 1, 2025, through June 30, 2026, for the same purpose.

Notwithstanding division (B) of section 127.14 of the Revised Code, all capital appropriations and reappropriations from the Local Transportation Improvement Program Fund (Fund 7052) in this act remaining unencumbered as of June 30, 2026, are reappropriated for use during the period July 1, 2026, through June 30, 2027, for the same purposes, subject to the availability of revenue as determined by the Director of the Public Works Commission.

TEMPORARY TRANSFERS

Notwithstanding section 127.14 of the Revised Code, the Director of Budget and Management may transfer cash from the Local Transportation Improvement Fund (Fund 7052) to the State Capital Improvement Fund (Fund 7038) and the Clean Ohio Conservation Fund (Fund 7056). The Director of Budget and Management may approve temporary cash transfers if such transfers are needed for capital outlays for which notes or bonds will be issued. When there is a sufficient cash balance in the fund that receives a cash transfer under this section, the Director of Budget and Management shall transfer cash from that fund to Fund 7052 in order to repay Fund 7052 for the amount of the temporary cash transfers made under this section. Any transfers executed under this section shall be reported to the Controlling Board within thirty days of the transfer.

SECTION 221.10.

1	2	3	4	5
A	RDF STATE REVENUE DISTRIBUTIONS			
B	Revenue Distribution Fund Group			
C	7060	110652 Gasoline Excise Tax Fund - Municipal	\$413,400,000	\$421,900,000
D	7060	110653 Gasoline Excise Tax Fund - Township	\$214,000,000	\$218,400,000
E	7060	110654 Gasoline Excise Tax Fund - County	\$359,800,000	\$367,200,000
F	TOTAL Revenue Distribution Fund Group		\$987,200,000	\$1,007,500,000
G	TOTAL ALL BUDGET FUND GROUPS		\$987,200,000	\$1,007,500,000

The foregoing appropriation item, 110652 Gasoline Excise Tax Fund - Municipal, shall be used to make payments to municipalities under sections 5735.051 and 5735.27 of the Revised Code. The foregoing appropriation item, 110653 Gasoline Excise Tax Fund - Township, shall be used to make payments to townships under those sections. The foregoing appropriation item, 110654 Gasoline Excise Tax Fund – County, shall be used to make payments to counties under those sections. The foregoing appropriation item, 110654 Gasoline Excise Tax Fund - County, shall also be used to make payments to the Ohio Turnpike and Infrastructure Commission under section 5735.051

of the Revised Code.

Appropriation items in Section 221.10 of this act shall be used for the purpose of administering and distributing the designated revenue distribution fund according to the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

SECTION 501.10. LIMITATION ON USE OF CAPITAL APPROPRIATIONS

The capital appropriations made in this act for buildings or structures, including remodeling and renovations, are limited to:

- (A) Acquisition of real property or interests in real property;
- (B) Buildings and structures, which includes construction, demolition, complete heating and cooling, lighting and lighting fixtures, and all necessary utilities, ventilating, plumbing, sprinkling, water, and sewer systems, when such systems are authorized or necessary;
- (C) Architectural, engineering, and professional services expenses directly related to the projects;
- (D) Machinery that is a part of structures at the time of initial acquisition or construction;
- (E) Acquisition, development, and deployment of new computer systems, including the redevelopment or integration of existing and new computer systems, but excluding regular or ongoing maintenance or support agreements;
- (F) Furniture, fixtures, or equipment that meets all the following criteria:
 - (1) Is essential in bringing the facility up to its intended use or is necessary for the functioning of the particular facility or project;
 - (2) Has a unit cost, and not the individual parts of a unit, of about \$100 or more; and
 - (3) Has a useful life of five years or more.

Furniture, fixtures, or equipment that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated shall not be paid from these appropriations.

SECTION 503.10. STATE ARBITRAGE REBATE AUTHORIZATION

If it is determined that a payment is necessary in the amount computed at the time to represent the portion of investment income to be rebated or amounts in lieu of or in addition to any rebate amount to be paid to the federal government in order to maintain the exclusion from gross income for federal income tax purposes of interest on those state obligations under section 148(f) of the Internal Revenue Code, such amount is hereby appropriated from those funds designated by or pursuant to the applicable proceedings authorizing the issuance of state obligations.

Payments for this purpose shall be approved and vouchered by the Office of Budget and Management.

SECTION 509.10. AUTHORIZATION FOR TREASURER OF STATE AND OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS

The Office of Budget and Management shall process payments from lease rental payment appropriation items during the period from July 1, 2025, to June 30, 2027, pursuant to the lease and other agreements relating to bonds or notes issued under Section 2i of Article VIII of the Ohio Constitution and Chapter 154. of the Revised Code, and acts of the General Assembly. Payments shall be made upon certification by the Treasurer of State of the dates and amounts due on those dates.

SECTION 509.20. LEASE AND DEBT SERVICE PAYMENTS

Certain appropriations are in this act for the purpose of paying debt service and financing costs on general obligation bonds or notes of the state and for the purpose of making lease rental and other payments under leases and agreements relating to bonds or notes issued under the Ohio Constitution, Revised Code, and acts of the General Assembly. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

SECTION 511.10. The Indian Lake Advocacy Group shall not spend any funds granted to it from the One Time Strategic Community Investments Fund (Fund 5AY1) unless the expenditures directly benefit the current needs of Indian Lake water quality, infestations, dredging, or creation of enhanced waterways and erosion control. Beginning on the effective date of this section, the Group shall apply for and receive approval from the Ohio Department of Natural Resources prior to making any expenditures of granted funds.

SECTION 620.10. That Section 755.20 of H.B. 23 of the 135th General Assembly be amended to read as follows:

Sec. 755.20. (A) As used in this section:

(1) "Economically significant employment center" means a single site, multiple adjoining sites, or a business park where the employers located at the site or park employ not less than two hundred fifty full-time employees who work onsite.

(2) "Rural or urban transit authorities" means regional transit authorities that are established pursuant to sections 306.30 to 306.53 of the Revised Code and that serve either a rural population, an urban population, or both populations.

(B) ~~There is hereby established the~~ The Ohio Workforce Mobility Partnership Program is continued for fiscal years 2026 and 2027. The Department of Transportation shall administer the Program. Under the Program, one or more boards of trustees of rural or urban transit authorities may either singularly or jointly apply for competitive grant funding for individual or collaborative projects. All grant funding shall be spent in accordance with division (C) of this section.

(C) Any boards of trustees awarded grants under this section shall use the grant funding for purposes of transporting resident workforce members between the service territories of the joint rural or urban transit authorities. The boards shall also use the grant money to focus on transportation that supports the employment needs of economically significant employment centers located within or near the service territories of the rural or urban transit authorities. Such support shall include efforts to easily, efficiently, and economically transport a resident workforce that either lives within a service territory that has little or no public transit service to an employment center or lives within one service territory but is employed full-time within another service territory.

(D) The Director of Transportation shall establish any procedures and requirements necessary to administer this section, including grant application, evaluation of applications, and award processes, and any conditions for the expenditure of grant funding awarded under the Program.

~~(E) This section expires two years after its effective date.~~

SECTION 620.11. That existing Section 755.20 of H.B. 23 of the 135th General Assembly is hereby repealed.

SECTION 620.30. That Sections 200.20, 200.30 (as amended by S.B. 54 of the 135th General Assembly), 243.10, and 243.20 of H.B. 2 of the 135th General Assembly be amended to read as follows:

Sec. 200.20.

1	2	3	4	5
A	OBM OFFICE OF BUDGET AND MANAGEMENT			
B	Dedicated Purpose Fund Group			
C	5AY1 042509	One Time Strategic Community Investments	\$0	\$717,800,000
				<u>\$714,300,000</u>
D	TOTAL DPF Dedicated Purpose Fund Group		\$0	\$717,800,000
				<u>\$714,300,000</u>
E	TOTAL ALL BUDGET FUND GROUPS		\$0	\$717,800,000
				<u>\$714,300,000</u>

Sec. 200.30. ONE TIME STRATEGIC COMMUNITY INVESTMENTS

On June 28, 2024, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$17,800,000 cash from the General Revenue Fund to the One Time Strategic Community Investments Fund (Fund 5AY1).

The foregoing appropriation item 042509, One Time Strategic Community Investments, shall be used by the Office of Budget and Management to provide grants for the projects listed in this section in the amounts listed. Prior to disbursing a grant to a recipient, the Office of Budget and Management shall enter into a grant agreement with the recipient. As part of the grant agreement, the recipient shall agree to complete a final report, in a form and manner to be prescribed by the Office of Budget and Management, detailing how the recipient used the grant and submit the report to the Office of Budget and Management.

An amount equal to the unexpended, unencumbered balance of the foregoing appropriation item 042509, One Time Strategic Community Investments, at the end of fiscal year 2025 is hereby reappropriated for the same purpose in fiscal year 2026.

	1	2
A	Project	Amount
B	Adams County Fairgrounds Improvements	\$400,000
C	Adams County Welcome Center	\$350,000
D	Adams County Community Foundation	\$200,000
E	West Union Wastewater Plant Improvements	\$200,000
F	Lima Veterans Memorial Hall Improvements	\$10,000,000
G	Allen County Airport Fuel Farm	\$1,000,000
H	Rhodes State Advanced Manufacturing Equipment and Lab	\$440,000
I	Allen County Child Support Enforcement Agency Facility	\$375,000
J	Heir Force Community School Land Acquisition	\$250,000
K	Temple Christian School Building Expansion	\$250,000
L	Boys and Girls Club of Lima	\$100,000

M	Ashland County Fair	\$1,100,000
N	Cinnamon Lake Sewer District Lift Station	\$1,000,000
O	Charles Mill Marina Houseboat and Path Renovation	\$910,000
P	Hugo Young Theatre	\$248,554
Q	Davy McClure Outdoor Education Shelter	\$200,000
R	Ashland County Fire Training Facility	\$200,000
S	Hickory Street Sanitary Sewer Lift Station	\$76,000
T	Rowsburg Community Center	\$30,000
U	Hayesville Pedestrian Walkway	\$25,000
V	SPIRE Institute	\$1,000,000
W	Ashtabula Juvenile Court Improvements	\$800,000
X	Boys and Girls Club of Ashtabula	\$132,274
Y	Country Neighbor Program	\$101,600
Z	VFW Roof Repairs Geneva Post 6846	\$99,037
AA	Ashtabula Arts Center Restroom Project	\$45,000
AB	Athens Regional Training Center	\$2,500,000
AC	The Appalachian Center for Economic Networks Food Sector Accelerator Project	\$700,000
AD	Nelsonville-York Elementary School (NYES) Playground Renovation	\$250,000
AE	York Township VFD Project	\$250,000

AF	City of Nelsonville Dog Park	\$139,731
AG	Boys and Girls Club of Athens	\$100,000
AH	Buchtel Village Park Project	\$100,000
AI	Edna Brooks Domestic Violence Shelter	\$36,800
AJ	Village of Waynesfield Veteran's Park Enhancement	\$352,950
AK	Saint Mary's Reservoir Mill	\$250,000
AL	New Bremen Public Library Renovation	\$200,000
AM	YMCA Auglaize-Mercer Recreation Complex	\$200,000
AN	Barton VFD Station	\$1,000,000
AO	Belmont Volunteer Fire Department New Station	\$1,000,000
AP	The Sargus Center Revitalization and Sustainability Initiative	\$500,000
AQ	Mead Township Hall and Garage Project	\$300,000
AR	VFW Roof Repairs Powhatan Point Post 5565	\$24,900
AS	Future Plans Sanctuary	\$3,000,000
AT	Brown County Junior Fair Covered Horse Arena	\$400,000
AU	Water Infrastructure Bramel Mobile Home Park	\$400,000
AV	Millikin Interchange Improvements	\$8,500,000
AW	Madison Township Firehouse Improvements	\$1,750,000
AX	BCRTA Outdoor Workforce Training	\$1,000,000
AY	Riversedge Amphitheater Expansion	\$1,000,000
AZ	Shuler Benninghofen Mixed-Use Project	\$1,000,000

BA	VOA MetroPark Museum Grand Entrance	\$1,000,000
BB	Oxford Student Safety Project	\$800,000
BC	Liberty Playground Replacement Project	\$500,000
BD	Madison Township Park Revitalization	\$500,000
BE	Welding Lab Program Expansion in Fairfield Township	\$450,000
BF	Monroe Plaza South Project	\$400,000
BG	Hamilton YWCA Domestic Violence Project	\$400,000
BH	World Class Clubs: Repairing Community Gymnasium	\$225,000
BI	Boys and Girls Club of West Chester/Liberty	\$218,796
BJ	VFW Roof Repairs West Chester Post 7696	\$15,560
BK	Carroll County Annex Building Rehab	\$500,000
BL	Seven Ranges Scout Reservation Facility Upgrades	\$500,000
BM	Dellroy Village Storm Drain and Street Repair	\$250,000
BN	Carroll County Agricultural Service Center	\$200,000
BO	Minerva Downtown Revitalization Project	\$200,000
BP	Dellroy Village Offices/Garage Renovations	\$195,250
BQ	Champaign Aviation Museum Improvements	\$20,000
BR	Champion City Sports and Wellness Center	\$4,000,000
BS	A.B. Graham Memorial	\$750,000
BT	Champion Center Arena Improvements	\$250,000
BU	Goshen Fire Department Station 18 Rebuild	\$2,500,000

BV	Felicity Veterans Village Housing Project	\$1,000,000
BW	Milford Five Points Landing	\$400,000
BX	Union Township Community Splash Pad	\$268,125
BY	Nisbet Park Amphitheater	\$250,000
BZ	Moscow Ohio River Stabilization, Phase III	\$240,000
CA	Williamsburg Township Emergency Services Upgrades	\$150,000
CB	Owensville Historical Society Museum	\$132,000
CC	Williamsburg Community Park Trail Extension	\$86,770
CD	VFW Roof Repairs Loveland Post 5354	\$28,505
CE	VFW Roof Repairs New Richmond Post 6770	\$20,894
CF	Boys and Girls Club of Clermont	\$18,921
CG	Wilmington Runway Reopening and Improvements	\$3,500,000
CH	Doan-Walnut-Short Street Water Main	\$500,000
CI	Columbiana County Annex/Drug Task Force Building	\$2,900,000
CJ	Utica Shale Academy Improvements	\$2,500,000
CK	East Palestine Village Safety Complex	\$1,000,000
CL	Hanover Township Fire and Emergency Medical Services Expansion Initiative	\$250,000
CM	Lepper Restoration Project	\$175,000
CN	City of Coshocton Fire Training Tower	\$1,000,000
CO	Coshocton Skip's Landing and Downtown Revitalization	\$750,000

CP	City of Coshocton Roscoe Cemetery Improvements	\$460,000
CQ	City of Coshocton Pickleball Court Upgrades	\$300,000
CR	City of Coshocton Water Plant Electrical Upgrades	\$300,000
CS	City of Coshocton Town Hall Roof Project	\$240,000
CT	City of Coshocton Emergency Generator Project	\$200,000
CU	Coshocton County Library Masonry Project	\$48,000
CV	Maplecrest Community Center	\$500,000
CW	The Galion Depot Canopy Restoration Project	\$200,000
CX	The New Washington Veteran's Memorial Park Project	\$34,460
CY	Cuyahoga County Northcoast Connector	\$20,000,000
CZ	Bedrock Riverfront Development	\$8,000,000
DA	Rock and Roll Hall of Fame Museum Expansion and Renovation Project	\$7,000,000
DB	Cleveland Port Bulk Terminal Modernization	\$5,000,000
DC	Flats River Development	\$3,500,000
DD	West Side Market in Cleveland	\$2,400,000
DE	Cahoon Park	\$2,000,000
DF	Cleveland Zoo Primate Forest	\$2,000,000
DG	Irishtown Bend Park	\$2,000,000
DH	Valor Acres Brecksville Veterans Affairs Hospital Site Redevelopment	\$2,000,000

DI	Blue Abyss	\$1,800,000
DJ	Two Foundation Building Purchase and Renovation	\$1,625,000
DK	Park Synagogue	\$1,500,000
DL	The Music Settlement – Gries House Redevelopment	\$1,500,000
DM	Brook Park Community Center Restoration	\$1,000,000
DN	Cleveland Women’s Soccer Stadium	\$1,000,000
DO	Electric Building Renovation	\$1,000,000
DP	Independence Selig Drive Emergency Access	\$1,000,000
DQ	Shaker Heights Doan Brook Park	\$1,000,000
DR	YMCA of Greater Cleveland – New Facility Construction	\$1,000,000
DS	Argonaut Project - Advancing Aviation and Maritime Pipeline	\$800,000
DT	Birthing Beautiful Communities Birth Center	\$800,000
DU	Connecting the Circle	\$800,000
DV	Glenville YMCA	\$800,000
DW	Saint Edwards High School Sustainable Urban Agriculture	\$800,000
DX	Cleveland Public Square Improvements	\$750,000
DY	University Heights Municipal Sewer Project	\$700,000
DZ	University Hospitals Breast Center - Parma	\$700,000
EA	Cleveland Habitat Building Project	\$507,500
EB	Cleveland Airport NEOFIX	\$500,000

EC	Euclid Public Library Green Branch Improvements	\$500,000
ED	Hospice of the Western Reserve Center for Community Engagement and Hospice Care	\$500,000
EE	JumpStart Northern Ohio Operations	\$500,000
EF	Ohio Aerospace Institute Sensitive Information Research Facility	\$500,000
EG	Rocky River Fire Station Improvements	\$500,000
EH	Saint Casimir Parish Improvements	\$500,000
EI	Seven Hills Fire Department	\$500,000
EJ	Vocational Guidance Services Renovation Cleveland Facility	\$500,000
EK	YWCA of Greater Cleveland	\$500,000
EL	Boys and Girls Club of Broadway in Cuyahoga County	\$485,005
EM	Maltz Museum of Jewish Heritage	\$480,000
EN	Richmond Heights Salt Bin	\$450,000
EO	Magnolia Clubhouse	\$400,000
EP	Middleburg Heights Central Park Phase 1	\$400,000
EQ	Cleveland Institute of Art - Interactive Media Lab	\$365,000
ER	Greenstone Lifeline Connection Improvements	\$327,867
ES	Chagrin Valley Volunteer Fire Station	\$300,000
ET	Berea City Hall and Police Station Upgrades	\$250,000
EU	Jenning's Center for Older Adults	\$250,000

EV	Journey Center for Safety and Healing/Domestic Violence Shelter	\$200,000
EW	Lyndhurst Community Center Audio Visual Project	\$200,000
EX	MetroHealth Emergency Department Refresh	\$200,000
EY	Northeast Ohio Music Arts Development Hub	\$200,000
EZ	Olmsted Falls Visibility Project	\$200,000
FA	Camp Cheerful Reimagined	\$175,000
FB	VFW Roof Repairs Solon Post 1863	\$88,787
FC	VFW Roof Repairs Parma Post 1974	\$28,633
FD	VFW Roof Repairs Cleveland Post 2533	\$17,208
FE	Western Ohio Regional Fire Training Facility	\$750,000
FF	Eldora Speedway Public Safety Upgrades	\$400,000
FG	Historic Bear's Mill Infrastructure Restoration	\$275,000
FH	The Darke County Fish and Game Association	\$120,000
FI	Ney/Washington Township Fire Department Building	\$300,000
FJ	Veterans Memorial Park at Latty's Grove Rehabilitation Project	\$200,000
FK	Little Brown Jug Grandstand Renovation	\$2,500,000
FL	Sunbury Ohio-to-Erie Trail Expansion	\$1,250,000
FM	Boardman Arts Park Improvements Whimsy Venue	\$1,000,000
FN	Stockhands Horses for Healing, Capital Improvement Project	\$908,000

FO	Dempsey Wildlife and Education Renovation	\$600,000
FP	Delaware County Bicentennial Barn Renovation	\$500,000
FQ	Powell Adventure Park Expansion	\$480,000
FR	"Smuirfield" Golf Project	\$225,000
FS	Ohio Fallen Heroes Memorial	\$70,000
FT	VFW Roof Repairs Sunbury Post 8736	\$58,440
FU	Worenstaff Memorial Public Library Renovation	\$34,000
FV	The Landing in Erie County	\$3,000,000
FW	Battery Park Coastal Improvements	\$1,000,000
FX	NW Ohio Water Quality Improvements/Cold Creek Foundation	\$800,000
FY	Camp Timberlane Infrastructure Improvements	\$600,000
FZ	Kelley's Island East Lakeshore Shoreline Protection	\$400,000
GA	Erie County Fairgrounds Infrastructure Improvements	\$250,000
GB	Erie County Jail Surveillance Upgrades	\$200,000
GC	Huron Boat Basin and Amphitheater Capital Improvement Project	\$200,000
GD	Sawmill Creek Wastewater Treatment Plant Expansion	\$200,000
GE	Violet Township Event Center	\$2,100,000
GF	Gateway Mixed Use District	\$2,000,000
GG	Government Services Building Acquisition and Renovation	\$2,000,000

GH	Wendel Pool Dehumidification System Replacement	\$550,000
GI	Walnut Township Flood Mitigation	\$500,000
GJ	Pickerington Covered Bridge Rehabilitation	\$350,000
GK	Pickerington Connects	\$234,410
GL	Elmwood Playground	\$225,000
GM	Expanding Horizons – Meals on Wheels Senior Services Center	\$200,000
GN	Historic Lancaster Bell and Clock Tower	\$150,000
GO	Sycamore Creek Park Pond Restoration	\$125,000
GP	Wagnalls Memorial Window Project	\$50,000
GQ	American Legion Post 283 Improvements	\$20,000
GR	Rushville Union Lions Club Accessible Parking	\$5,500
GS	Jeffersonville Rattlesnake Water System Improvements	\$1,000,000
GT	Wayne Township Firehouse Community Shelter	\$175,000
GU	The Ohio Center for Advanced Technologies	\$20,000,000
GV	Columbus Symphony Orchestra – Music for All	\$18,500,000
GW	Downtown Columbus Capital Line	\$10,000,000
GX	Heritage Trail Expansion	\$8,000,000
GY	John Glenn International Airport Improvements	\$7,500,000
GZ	OP Chaney Grain Elevator Restoration	\$2,800,000
HA	Downtown Security Command Center	\$1,500,000

HB	Unverferth House Revitalization and Expansion Campaign	\$1,500,000
HC	Historic Dublin Riverfront Revitalization	\$1,230,000
HD	Heartland Music Incubator	\$1,000,000
HE	Norwich Township Fire Department Station 84	\$1,000,000
HF	Westland Mall Renovations	\$1,000,000
HG	Hilliard First Responders Park	\$800,500
HH	Green Lawn Cemetery Chapel	\$750,000
HI	Heinzerling Facility Improvements	\$750,000
HJ	Whitehall Police Department Emergency Facility	\$605,220
HK	Knoll View Place	\$600,000
HL	Tolles Cybersecurity Lab Renovation	\$600,000
HM	Edison Welding Institute Renovations	\$500,000
HN	Elevate Northland	\$500,000
HO	LifeTown Kindness Center	\$500,000
HP	National Center for Urban Solutions Facility	\$500,000
HQ	Scioto Rise Place	\$500,000
HR	Dublin Brand Road Pedestrian Tunnel Flood Mitigation	\$468,000
HS	OZEM Gardner House Rehabilitation	\$375,000
HT	Somali Community Link Center	\$350,000
HU	The Refuge	\$250,000
HV	Grandview Heights Fire EMS Police Facility	\$200,000

HW	Grandview Heights McKinley Field Park	\$200,000
HX	Tawnya Salyer Memorial Statue	\$200,000
HY	Columbus Urban League Career Connect Hub	\$150,000
HZ	Boys and Girls Club of J. Ashburn	\$138,585
IA	VFW Roof Repairs Reynoldsburg Post 9473	\$32,695
IB	Building the Future of 4-H Camp Palmer	\$1,825,000
IC	Community Event and Recreational Facility Renovation in Wauseon	\$500,000
ID	Fulton County Fairgrounds Arts and Craft Building	\$80,000
IE	Gallia County Council on Aging New Facility	\$2,500,000
IF	Reservoir Enhancement Project	\$2,250,000
IG	Gallia County Sheriff Office Renovation	\$225,000
IH	Hambden Fire Station Project	\$2,000,000
II	Montville Fire Station Construction	\$1,250,000
IJ	Chardon Fire Department Equipment Project	\$1,000,000
IK	Burton Berkshire Local Schools Career Pathways Program	\$915,037
IL	Geauga County Fair	\$500,000
IM	Russell Township Community Building	\$370,905
IN	Chester Township Police Department Building Renovation	\$348,875
IO	Chardon Memorial Stadium Restroom and Concession Project	\$250,000

IP	Geauga County Safety Center Parking Lot	\$250,000
IQ	Salt Dome Structural Repairs	\$155,000
IR	St. Mary School Playground Enhancements	\$4,000
IS	Cedarville Opera House	\$12,000,000
IT	Clifton Union School Improvements	\$3,900,000
IU	Future Development of Wright-Patterson	\$3,500,000
IV	Clifton Opera House	\$1,900,000
IW	Skyway SCIF Center	\$1,000,000
IX	Spring House Park: Phase One	\$1,000,000
IY	WSU: Archive Facility Upgrades	\$500,000
IZ	OhioMeansJobs Greene County Improving Accessibility Project	\$175,000
JA	Ohio Veterans' Children's Home Expansion and Upgrade, Phase 1	\$150,000
JB	Cambridge YMCA	\$3,000,000
JC	Route 40 East Sewer Extension	\$1,000,000
JD	Cambridge Fire Department Renovations	\$560,000
JE	Old Washington Community VFD Station	\$250,000
JF	Hamilton County Convention Center District Development	\$46,000,000
JG	University of Cincinnati Health	\$16,750,000
JH	Xavier University College of Osteopathic Medicine	\$9,750,000

JJ	Riverbend 2.0	\$8,000,000
JJ	Blue Line Foundation HQ and Regional Training Center	\$1,000,000
JK	605 Plum Convention Center Garage Renovation	\$945,771
JL	Boys and Girls Club of Taft	\$300,978
JM	Boys and Girls Club of East Hamilton	\$194,722
JN	Boys and Girls Club of Sheakley	\$58,529
JO	Findlay YMCA	\$1,250,000
JP	Hancock County Fair	\$500,000
JQ	Hancock County Park District	\$250,000
JR	Owens State Community College CDL Facilities	\$250,000
JS	Ada War Memorial Park	\$500,000
JT	Hardin County Fair	\$500,000
JU	Kenton Fire Department	\$500,000
JV	Ohio Northern University HealthWise Mobile Health Clinic	\$500,000
JW	Pump House Funding – Rodney Hensel	\$200,000
JX	Hardin County Veterans Memorial Park District	\$50,000
JY	Alger Baseball Field	\$40,000
JZ	Harrison County Fairground Replacement and Enhancement	\$720,000
KA	Regional Safety Center at Tappan Lake	\$650,000
KB	Jewett Fire and Emergency Equipment Storage Building	\$325,000
KC	Village of Bowerston VFD	\$205,000

KD	Village of Bowerston Maintenance Building	\$100,000
KE	Napoleon Public Library Improvements	\$1,000,000
KF	The Henry County Community Event Center Office Addition	\$1,000,000
KG	Corn City Regional Fire District New Fire Station	\$500,000
KH	Napoleon Water Tower Upgrades	\$135,000
KI	Core Networking Equipment at The Center for Child and Family Advocacy (CCFA) in Henry County	\$72,000
KJ	Malinta Community Historical Society Site Project	\$45,000
KK	Highland County Engineer Truck Barn	\$1,000,000
KL	Camp Wyandot Historic Camper Cabin Project	\$50,000
KM	Union Furnace / Starr Township Improvements	\$35,000
KN	Agricultural Society Millersburg Expo	\$750,000
KO	Safe Harbor Ohio	\$500,000
KP	Winesburg Park Improvements	\$250,000
KQ	West Holmes Local Schools Robotics Program	\$22,000
KR	Norwalk Theater Restoration	\$2,000,000
KS	Norwalk Public Library Rehab	\$400,000
KT	Feichtner Memorial Building Improvements	\$250,000
KU	Huron County Transfer Station Scale Replacement	\$202,000
KV	Jackson County Memorial Building Renovation	\$2,500,000
KW	City of Jackson Park and Trail Revitalization	\$1,000,000

KX	Jackson County Courthouse Building and Grounds Renovation	\$600,000
KY	Blamer Park Renovation	\$392,038
KZ	Wellston Food Pantry Turn-Key Renovation	\$200,000
LA	Wellston Fire Department Training Academy	\$175,000
LB	Jefferson County Agricultural Society Small Animal Barn	\$35,000
LC	Mount Vernon Police Station	\$2,000,000
LD	Fredericktown Water Infrastructure Improvements	\$750,000
LE	Family Fun Grounds in Knox County	\$125,000
LF	Willoughby Osborne Park Shoreline Protection	\$2,000,000
LG	Uptown Mentor Revitalization	\$1,500,000
LH	ISTEM Painesville Township Haden Facility and Crowns Project	\$1,000,000
LI	Mentor Fire Station	\$1,000,000
LJ	University Hospitals TriPoint Breast Center - Painesville	\$938,750
LK	Concord Township Waterline Extension Project	\$500,000
LL	Lake Erie College Center for Health Sciences	\$500,000
LM	Lake Metro Parks Lakefront Trail	\$500,000
LN	Kirtland Public Library Roof Project	\$340,625
LO	Mentor on the Lake – Lake Overlook	\$300,000
LP	Rabbit Run Theater Improvements	\$100,000

LQ	VFW Roof Repairs Mentor Post 9295	\$35,478
LR	Resources for Restoring Lives and Providing Safety and Security	\$15,328
LS	Wayne National Forest Welcome Center	\$5,000,000
LT	Coal Grove Village Riverfront Park	\$1,250,000
LU	Lawrence County School Communications	\$750,000
LV	Necco Center Improvements	\$375,000
LW	Boys and Girls Club of Portsmouth	\$100,000
LX	Buckeye Lake North Shore Park and Pier	\$8,500,000
LY	Memorial Health Systems Education and Event Center	\$3,000,000
LZ	Johnstown - Mink Street Water Infrastructure	\$500,000
MA	Newark Towne Center Project	\$1,854,000
MB	Buckeye Valley Family YMCA Pataskala Childcare Center	\$200,000
MC	Mary Ann Township Fire Department	\$66,000
MD	Hanover Hains Hill Drive Drainage Improvements	\$52,000
ME	Junior Achievement - Regional Satellite Learning Center	\$50,000
MF	Boys and Girls Club of Newark	\$46,195
MG	Indian Lake Advocacy Group	\$5,000,000
MH	Logan County Sewer District Flat Branch Upgrades	\$1,500,000
MI	Bellefontaine Calvary Christian School	\$250,000
MJ	Indian Lake Pickleball	\$150,000

MK	Lorain County Community College Desich Entrepreneurship Center 3rd Floor Microelectronics Training Hub	\$2,500,000
ML	Lorain County Fairs	\$2,500,000
MM	Boys and Girls Club of Elyria South	\$1,000,000
MN	Lorain County PACE Site Modifications	\$1,000,000
MO	The Nord Center Capital Improvement Project	\$1,000,000
MP	French Creek Sports Complex	\$925,000
MQ	Lorain County Administrative Building	\$750,000
MR	North Ridgeville Cypress Avenue Project	\$700,000
MS	Sheffield Lake Field House Rec Complex	\$600,000
MT	Black River Landing Amphitheater	\$500,000
MU	Haven Center Emergency Shelter / Neighborhood Alliance	\$500,000
MV	Vocational Guidance Services (VGS) Project - Lorain	\$500,000
MW	Lorain County Health and Dental Facility	\$375,000
MX	Elyria Public Library West River Branch	\$300,000
MY	Lorain Hispanic Veterans Memorial	\$300,000
MZ	Lorain County Kennel Project	\$250,000
NA	El Centro Facility Improvements	\$200,000
NB	Good Knights Bed Building Center	\$150,000
NC	Sheffield Village Colorado Avenue Side Path	\$150,000
ND	Carlisle Township Hall Project	\$100,000

NE	VFW Roof Repairs Wellington Post 6941	\$12,276
NF	Lucas County Seawall and River Edge Reconstruction Project	\$3,000,000
NG	Toledo Innovation Center	\$3,000,000
NH	Inclusive Multigenerational Community and Recreation Center (IMCRC)	\$2,900,000
NI	Virginia Stranahan Trail and Senior Affordable Housing/Senior Center Development	\$2,700,000
NJ	Eugene F. Kranz Toledo Express Airport Terminal Renovation Project	\$2,000,000
NK	Toledo YWCA Domestic Shelter Project	\$2,000,000
NL	Toledo Zoo Reptile House	\$1,740,000
NM	Toledo Fire and Rescue Department Facility Repairs	\$1,600,000
NN	Ottawa Park Revitalization Phase 1	\$950,000
NO	Imagination Station; Toledo Science Center World of Discovery Exhibit	\$750,000
NP	Homer Hanham Boys and Girls Club Renovation	\$650,000
NQ	Toledo Seagate Food Bank	\$650,000
NR	Pre-Medical and Health Science Academy at Mercy College	\$500,000
NS	Toledo School for the Performing Arts Replacement Windows	\$500,000
NT	Sylvania Township Safety Training and Grounds Improvement	\$485,000
NU	Toledo Safe Haven Ronald McDonald Facility	\$300,000

NV	Whitney Manor	\$300,000
NW	Toledo Hensville Entertainment District	\$250,000
NX	Ottawa Hills Walk Path Project	\$175,000
NY	Glass City Mural Wall Lighting (Toledo)	\$100,000
NZ	Lucas County Sheriff Substation Renovation	\$100,000
OA	Toledo Broadway Commercial Redevelopment Project	\$100,000
OB	Madison County Airport Improvements	\$35,938
OC	Animal Charity of Ohio Infrastructure Expansion	\$1,500,000
OD	Community Learning Center	\$1,000,000
OE	West Branch Regional Community Education and Wellness Training Center in Mahoning County	\$875,000
OF	Mahoning Valley Historical Society Expansion and Improvement	\$750,000
OG	Campbell Access and Safety Project	\$660,000
OH	Mahoning County Veterans Center	\$650,000
OI	Salem Airpark Improvements	\$600,000
OJ	Youngstown Area Jewish Federation Building Expansion	\$501,389
OK	Mahoning Valley Regional Multi-Jurisdictional Infrastructure Initiative	\$450,000
OL	Boys and Girls Club of Youngstown	\$300,000
OM	Youngstown Playhouse Roof	\$238,000
ON	Sheridan Road Multi-Use Trail	\$185,000

OO	Boys and Girls Club of Oak Hill	\$159,131
OP	City of Struthers Mauthe Park Splash Pad	\$103,150
OQ	Rich Center for Autism Building for Tomorrow Phase 2	\$100,000
OR	OCCHA Renovado Capital Campaign	\$93,500
OS	Canfield Police Department Drone Program	\$60,000
OT	War Vet Museum Facility and Program Improvement Project	\$60,000
OU	Austintown 9-11 Memorial Park	\$50,000
OV	VFW Roof Repairs Ellsworth Post 9571	\$14,480
OW	Marion Harding Performing Arts Center	\$500,000
OX	Marion Soldiers and Sailors Memorial Chapel	\$450,000
OY	George W. King Mansion – Etowah	\$300,000
OZ	Boys and Girls Club of Oak Street	\$277,170
PA	Terradise Nature Center Interpretive Center	\$200,000
PB	Women’s History Resource Center Phase II	\$185,000
PC	City of Wadsworth Brickyard Athletic Complex and Fixler Reservation	\$2,500,000
PD	Lake Medina	\$1,500,000
PE	Akron Childrens Medina Health Center	\$1,400,000
PF	Medina County Career Center Modular Fire Training Tower	\$1,000,000
PG	Oenslager Nature Center	\$500,000
PH	City of Medina Multi-Use Uptown Loop Phase 1	\$396,000

PI	Medina County Radio System – Seville Tower	\$450,000
PJ	Medina County Sheriff Office Jail Safety Enhancement	\$200,000
PK	Equine Assisted Mental Health Community Campus	\$200,000
PL	Majestic Equine Connections	\$200,000
PM	Main Street Medina Facade Improvement	\$150,000
PN	Medina County Achievement Center Renovation and Innovative Vocational Training Building	\$100,000
PO	Serenite Restaurant and Culinary Institute Roof/Gutter Repair	\$65,000
PP	Main Street Medina South Town Gateway	\$62,000
PQ	VFW Roof Repairs Medina Post 5137	\$60,898
PR	Homer Township Tornado Siren Project	\$36,834
PS	Chippewa Lake Area Emergency Siren	\$35,000
PT	Ohio University Airport Improvements	\$2,500,000
PU	Meigs County Transportation Hub	\$1,500,000
PV	Racine Entertainment District	\$1,500,000
PW	1872 Hall Complex	\$250,000
PX	Meigs County Fair	\$250,000
PY	Fort Recovery Water Tower	\$600,000
PZ	Troy Great Miami River Recreation Connectivity Project	\$2,000,000
QA	Troy-Miami County Public Library Improvements	\$500,000
QB	Bethel Township VFD Improvements	\$400,000

QC	Graysville and Community VFD Improvements	\$250,000
QD	Bethel Community Center Improvements	\$183,000
QE	Woodsfield Government and Community Center	\$100,000
QF	Midway Community and Senior Citizens	\$70,000
QG	Laings Community Center	\$23,000
QH	VFW Roof Repairs Sardis Post 9930	\$19,836
QI	Miami Chapel Inspire Zone Youth Workforce Development Center – Boys & Girls Club	\$3,000,000
QJ	Dayton Aviation Heritage Site (Wright Factory)	\$2,000,000
QK	Dayton International Airport Concourse B	\$2,000,000
QL	Future Development of Wright-Patterson	\$1,500,000
QM	Healthy Family Market / Dayton Children's Pediatric Center	\$1,500,000
QN	Tri-Cities North Regional Wastewater Authority	\$1,500,000
QO	Kettering Business Park	\$1,250,000
QP	West Carrollton River District and Whitewater Park	\$500,000
QQ	Countryside Park Revitalization	\$1,000,000
QR	Ronald McDonald House of Dayton	\$1,000,000
QS	Schuster Center	\$1,000,000
QT	Union Ring Road Completion Project - Phase II	\$1,000,000
QU	Uptown Centerville Connectivity and Development Improvements	\$1,000,000

QV	Harrison Township Police Headquarters Renovation	\$950,000
QW	Saint Vincent de Paul Community Donation Intake Facility	\$800,000
QX	Saint Vincent de Paul Social Services Emergency Shelter for Men	\$500,000
QY	Homefull Housing, Food and Jobs Center	\$750,000
QZ	Jefferson Township Community Improvements	\$600,000
RA	BOLT Innovation Center	\$500,000
RB	Centerville Schools Safety Access	\$500,000
RC	Dayton Dream Center Transitional Housing	\$500,000
RD	East End Whole Family Services Hub Facility Expansion and Renovation in Dayton	\$500,000
RE	Union Ring Road Completion Project - Phase III	\$500,000
RF	Robinette Park	\$400,000
RG	Homefull's Healthy Start Child Care & Early Learning Center West Dayton	\$350,000
RH	Dayton Airshow	\$300,000
RI	Germantown Covered Bridge	\$275,000
RJ	Dayton Clothes that Work! Facility Improvements	\$250,000
RK	Flyghtwood Sports Life and Leadership Campus	\$250,000
RL	Grant Park Accessibility Improvements	\$250,000
RM	K-12 Gallery and TEJAS Acquisition Project	\$250,000
RN	Miami Township Public Works	\$250,000

RO	Old North Dayton Park Expansion Project	\$250,000
RP	Catholic Social Services Supervised Visitation Center	\$200,000
RQ	Dayton Alvis, Inc.	\$195,149
RR	Boys and Girls Club of Dayton	\$154,851
RS	Preservation of Dayton Woman's Club Historic Mansion	\$100,000
RT	West Memory Gardens Flood Mitigation Project	\$75,000
RU	German Township Channel Maintenance	\$60,000
RV	Miamisburg Historical Society Improvements	\$40,000
RW	Pennsville Volunteer Fire Department – New Building Construction	\$1,500,000
RX	Historic Preservation, Job Creation, and Healthcare Expansion at the Stanbery Building (McConnelsville)	\$500,000
RY	Malta/McConnelsville Equipment Project	\$325,000
RZ	Chesterhill VFD Station	\$250,000
SA	Morgan County Emergency Communications Center	\$250,000
SB	Morgan County Fair	\$250,000
SC	Reinersville Volunteer Fire Department	\$50,000
SD	Flying Horse Farms Renovation and Updates to Facilities	\$350,000
SE	Morrow County Engineers Facility	\$250,000
SF	Morrow County Health Department Renovations	\$250,000
SG	Water Filter Installation for Legacy Phosphorus Fields	\$500,000

SH	The Wilds Giraffe Barn and Innovative Guest Lodging	\$2,500,000
SI	Avondale Youth Center HVAC Upgrade	\$450,000
SJ	The Tribe Athletic Complex Track	\$1,000,000
SK	Ottawa County Workforce Hub and Center for Career Advancement	\$1,250,000
SL	Skills Academy in Ottawa County	\$250,000
SM	Ottawa County Fairgrounds Upgrades	\$200,000
SN	Put-In-Bay Downtown Promenade Renovation	\$200,000
SO	Genoa Civic Theatre Improvements	\$100,000
SP	Paulding County Agricultural Society Racetrack Lighting Improvement	\$41,000
SQ	Antwerp Rotary Basketball Court	\$40,000
SR	Perry County Community Access and Workforce Training	\$500,000
SS	Reading Township Volunteer Fire Department	\$1,250,000
ST	Thornville AMVETS 51	\$80,000
SU	South Bloomfield Corridor Improvements	\$1,500,000
SV	Ohio Christian University for Science	\$500,000
SW	Pickaway County Library	\$250,000
SX	Memorial Hall Window Replacement Project	\$200,000
SY	Pike Emergency Operations Backup Power Project	\$750,000
SZ	Ravenna Health Center	\$1,500,000

TA	Serenity House Residential Facility	\$700,000
TB	Happy Trails Farm Animal Sanctuary Welcome Center	\$500,000
TC	Kent Safety Town	\$250,000
TD	Shalersville Park	\$225,000
TE	Freedom Township Historical Society Historical Museum	\$105,000
TF	Buchert Park Improvements	\$51,000
TG	Portage County Children's Advantage HVAC	\$40,000
TH	Windham Historical Society	\$27,950
TI	Preble County Fairgrounds Stall Barns	\$700,000
TJ	Preble Gratis Well Reconstruction	\$50,000
TK	Fort Jennings Park Pedestrian Bridge and Park Improvements	\$350,000
TL	The Ottoville Park Community Wellness and Recreation Enhancement Project	\$213,000
TM	Womens Policy and Resource Center	\$100,000
TN	Buckeye Park Improvements	\$40,000
TO	Mansfield Christian School Improvements	\$1,500,000
TP	Avita Comprehensive Cancer Center	\$1,150,000
TQ	Plymouth Fire Department Building Replacement	\$600,000
TR	Mansfield Theater "Road to 100" Renovation	\$500,000
TS	YMCA-North Central Ohio Sports Complex	\$500,000
TT	Main Street Plaza Improvement Project	\$250,000

TU	Richland County Agricultural Society	\$100,000
TV	VFW Roof Repairs Mansfield Post 3494	\$27,964
TW	Ohio Genealogical Society Archives Security	\$10,000
TX	Hopewell Regional Visitor Center	\$5,000,000
TY	Union Township Fire Department Project	\$175,000
TZ	Fremont Downtown Revitalization	\$1,350,000
UA	Hayes Presidential Library Improvements	\$300,000
UB	Fremont Water Access Emergency Response	\$150,000
UC	Shawnee State University College of Health and Human Services	\$5,000,000
UD	Appalachian Youth Behavioral Health Services Expansion	\$2,000,000
UE	Scioto County Safety Operations Center	\$696,000
UF	Scioto County Fairgrounds	\$600,000
UG	Green Township Garage	\$500,000
UH	Installer Technician Registered Apprenticeship in Scioto County	\$323,150
UI	Portsmouth Courtroom Renovations	\$240,000
UJ	Bloom-Vernon Local Schools Lighting	\$51,600
UK	Seneca County Agricultural Center	\$370,000
UL	Fostoria Learning Center Security	\$352,000
UM	Seneca County Museum Interior Revitalization	\$190,000

UN	Bettsville Emergency Medical Services Renovation	\$150,000
UO	Attica-Venice Township Joint Cemetery Mausoleum	\$93,742
UP	Court Street Streetscape Project	\$50,000
UQ	Ritz Theatre Marquee Renovation	\$30,000
UR	Fort Loramie Industrial Park	\$724,000
US	Midwest Regional ESC Resilient Heights Improvements	\$600,000
UT	Shelby County Community Workforce Training Center	\$500,000
UU	Boys and Girls Club of Massillon	\$193,904
UV	VFW Roof Repairs Louisville Post 7490	\$42,970
UW	Hall of Fame Village	\$9,763,126
UX	Pro Football Hall of Fame Modernization	\$7,000,000
UY	Stark County Juvenile Detention System Demolition	\$64,200
UZ	Cascade Plaza	\$5,000,000
VA	New Franklin Sewer Project	\$3,800,000
VB	Akron-Canton Airport West Side Development for Aeronautic Activity	\$3,200,000
VC	Cuyahoga Falls Regional Fire Training Complex	\$3,000,000
VD	Akron Art Museum – Center for Digital Discovery	\$2,000,000
VE	Akron Zoo Veterinary Hospital	\$1,750,000
VF	Akron Community Health Center Addiction One Campus Expansion	\$1,250,000

VG	Barberton City Hall and Justice Center	\$1,000,000
VH	Summit County Mobile Medical Project	\$1,000,000
VI	Boston Heights Safety Center	\$986,831
VJ	Middle School Trades Education Center in Summit County	\$750,000
VK	Hudson Inclusive Playground	\$680,000
VL	Summit County Fairgrounds New Agriculture Center	\$600,000
VM	Macedonia Service Center	\$500,000
VN	Child Guidance and Family Solutions – Multi-Campus	\$450,000
VO	Boys and Girls Club - Steve Wise	\$440,913
VP	Akron Urban League Building Improvements	\$400,000
VQ	Legacy Building Project Improvements	\$400,000
VR	Bath North Fork Preserve Improvements	\$170,000
VS	Copley Road Trail East	\$150,000
VT	G.A.R. Hall Rehabilitation	\$150,000
VU	Stark State Oil and Natural Gas Job Training Equipment	\$100,000
VV	Stow First Responders Memorial	\$95,863
VW	Special Education Cornerstone Community School	\$76,393
VX	Boston Township Hall ADA Upgrades	\$50,000
VY	Cortland Safety Service Complex / Training Facility	\$2,150,000
VZ	West Warren Industrial Park Traffic and Fire Suppression Improvements	\$1,500,000

WA	Holy Trinity Orthodox Christian Academy and Preschool	\$1,000,000
WB	Eastwood Field Renovations	\$500,000
WC	Trumbull County Fairgrounds Grandstand Renovation	\$500,000
WD	Cortland's Outdoor Education & Event Space	\$350,000
WE	Bloomfield Regional Emergency Medical Services Renovation Project	\$345,000
WF	Mosquito Lake State Park Water Improvements	\$330,350
WG	Camp Sugarbush Infrastructure Improvements	\$300,000
WH	John F. Kennedy Renovation Project	\$300,000
WI	Hubbard Outpost Sanitary Sewer Project	\$175,000
WJ	Liberty Township Fencing Project	\$100,000
WK	Victory Christian School Renovation	\$100,000
WL	Tuscarawas County Facilities Investments in Health, Safety, and Election Security	\$2,500,000
WM	Tuscarawas County Engineer Building	\$1,350,000
WN	Cleveland Clinic Union Hospital Cancer Center	\$1,000,000
WO	Fire, EMT, Law Enforcement Burn Building	\$500,000
WP	Norma Johnson Center Improvements (Red Barn and Brandywine)	\$250,000
WQ	Dover Public Library Roof Replacement Project	\$85,731
WR	Transportation Research Center, Inc. Impact Lab Upgrades	\$24,000,000
WS	Richwood Pickleball	\$218,000

WT	Leesburg Township Walking Trail and Playground Project	\$162,545
WU	The Village of Richwood Fairgrounds	\$49,849
WV	Northwest State Community College Van Wert Campus Renovation	\$1,000,000
WW	Van Wert Regional Airport Runway Project	\$600,000
WX	VFW Roof Repairs Van Wert Post 5803	\$41,754
WY	Middle Point Memorial Park	\$25,000
WZ	Moser Park Concession Stand Replacement	\$19,860
XA	Wilkesville Township Outdoor Warning Siren	\$35,000
XB	Cincinnati Open Tennis Tournament	\$27,500,000
XC	Warren County Ion Exchange Project	\$200,000
XD	Waynesville and Maineville Girl Scout Camp Improvements	\$200,000
XE	VFW Roof Repairs Mason Post 9622	\$9,969
XF	Mid Ohio Valley Aquatic Center	\$750,000
XG	Decatur Township Building Construction	\$350,000
XH	Boys and Girls Club of Marietta	\$213,909
XI	Marietta Saint Mary of the Assumption Roof Project	\$150,000
XJ	Betsy Mills Drainage Project	\$79,000
XK	Marietta College Womens Softball Complex	\$50,000
XL	VFW Roof Repairs New Matamoras Post 6387	\$13,740
XM	Shreve Wastewater Treatment Plant System Improvements	\$1,750,000

XN	Wooster Community Hospital Improvements	\$1,000,000
XO	Wayne County Agricultural Society, Inc.	\$415,000
XP	Wayne County Airport Hangar Construction Project	\$350,000
XQ	Wayne County Emergency Vehicle Drivers Training Course	\$300,000
XR	Boys and Girls Club of Orrville	\$280,318
XS	Boys and Girls Club of Edgewood	\$186,771
XT	Foodsphere Commercial Kitchen/Food Marketplace	\$100,000
XU	Edgerton Community Center	\$425,000
XV	Installation of Elevator to North Annex Building in Williams County	\$187,076
XW	Wabash Cannonball Trail: Design Engineering	\$153,500
XX	Wood County Engineer Garage and Maintenance Facility (Bowling Green)	\$1,000,000
XY	Wood County Educational Service Center	\$750,000
XZ	Positive Community Connections Center Project (Bowling Green)	\$600,000
YA	Wood County Committee on Aging	\$500,000
YB	City of Perrysburg	\$200,000
YC	North Baltimore Public Library Emergency Repairs	\$100,000
YD	Wood County Public Library Heating Project	\$100,000
YE	Upper Sandusky Midway Industrial Park	\$400,000
YF	VFW Roof Repairs Carey Post 3759	\$20,712

Sec. 243.10.

1	2	3
A	PWC PUBLIC WORKS COMMISSION	
B	State Capital Improvements Fund (Fund 7038)	
C	C15000 Local Public Infrastructure	\$400,000,000
		<u>\$415,000,000</u>
D	State Capital Improvements Fund (Fund 7038) Total	\$400,000,000
		<u>\$415,000,000</u>
E	State Capital Improvements Revolving Loan Fund (Fund 7040)	
F	C15030 Revolving Loan	\$100,000,000
G	State Capital Improvements Revolving Loan Fund (Fund 7040) Total	\$100,000,000
H	Clean Ohio Conservation Fund (Fund 7056)	
I	C15060 Clean Ohio Conservation	\$75,300,000
J	Clean Ohio Conservation Fund (Fund 7056) Total	\$75,300,000
K	TOTAL ALL FUNDS	\$575,300,000
		<u>\$590,300,000</u>

LOCAL PUBLIC INFRASTRUCTURE

Capital appropriations in ~~this act~~ H.B. 2 of the 135th General Assembly made from the State Capital Improvements Fund (Fund 7038) shall be used in accordance with sections 164.01 to 164.12 of the Revised Code. The Director of the Public Works Commission may certify to the Director of Budget and Management that a need exists to appropriate investment earnings to be used in accordance with sections 164.01 to 164.12 of the Revised Code. If the Director of Budget and Management determines pursuant to division (D) of section 164.08 and section 164.12 of the Revised Code that investment earnings are available to support additional appropriations, such amounts are hereby appropriated.

If the Public Works Commission receives refunds due to project overpayments that are

discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing appropriations. If the project refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15000, Local Public Infrastructure/State CIP.

Of the foregoing appropriation item C15000, Local Public Infrastructure, \$15,000,000 under the Emergency Program shall be used to provide grants to communities to assist with road-slip emergency projects on nonstate roads or locally maintained routes and portions of interstates.

REVOLVING LOAN

Capital appropriations in ~~this act~~ H.B. 2 of the 135th General Assembly made from the State Capital Improvements Revolving Loan Fund (Fund 7040) shall be used in accordance with sections 164.01 to 164.12 of the Revised Code.

If the Public Works Commission receives refunds due to project overpayments that are discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing appropriations. If the project refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15030, Revolving Loan.

CLEAN OHIO CONSERVATION GRANT REPAYMENTS

Capital appropriations in ~~this act~~ H.B. 2 of the 135th General Assembly made from the Clean Ohio Conservation Fund (Fund 7056) shall be used in accordance with sections 164.20 to 164.27 of the Revised Code.

Any amount in grant repayments received by the Public Works Commission and deposited into the Clean Ohio Conservation Fund pursuant to section 164.261 of the Revised Code is hereby appropriated through the foregoing appropriation item C15060, Clean Ohio Conservation.

Sec. 243.20. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Sections 2p and 2s of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.08 of the Revised Code, original obligations, in an aggregate principal amount not to exceed ~~\$215,000,000~~ \$230,000,000 in addition to the original obligations

heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the State Capital Improvements Fund (Fund 7038) to pay costs of capital improvement projects of local subdivisions.

SECTION 620.31. That existing Sections 200.20, 200.30 (as amended by S.B. 54 of the 135th General Assembly), 243.10, and 243.20 of H.B. 2 of the 135th General Assembly are hereby repealed.

SECTION 701.10. The member elected House Assistant Speaker Pro Tempore shall receive the compensation set in division (A)(4) of section 101.27 of the Revised Code for calendar year 2025 at a prorated amount commensurate with the period of time the member serves in the position. This amount is in addition to other amounts to which the member is entitled under section 101.27 of the Revised Code, such as a committee supplement.

SECTION 737.10. Sections 3704.14, 4503.10, 4503.102, and 4503.103 of the Revised Code, as amended by this act, shall be known as the E-Check Ease Act.

SECTION 749.10. (A) Not later than December 31, 2028, the Public Utilities Commission shall complete a review of train derailments in Ohio using statistics from the Federal Railroad Administration to identify derailments due to bearing or axle failure over the three years proceeding from the effective date of this section.

(B) The commission shall send a copy of the review described in division (A) of this section to the following:

- (1) The Governor;
- (2) The President of the Senate;
- (3) The Speaker of the House of Representatives;
- (4) The minority leaders of both the Senate and the House of Representatives.

SECTION 755.10. (A) The Director of Transportation, in consultation with the Northeast Ohio Areawide Coordinating Agency, shall continue conducting a study, initiated in September 2024, to develop a traffic congestion management strategic plan. However, at the Director's discretion, the Northeast Ohio Areawide Coordinating Agency may lead the study. The study shall examine the area along Interstate Route 71 between the following boundaries:

- (1) To the north, U.S. Route 42;
- (2) To the south, State Route 303;

(3) To the west, U.S. Route 42;

(4) To the east, West 130th Street.

(B)(1) Not later than December 31, 2026, the Director or, as applicable, the Northeast Ohio Areawide Coordinating Agency shall complete the study and submit a report of the study's findings to all of the following:

(a) The Governor;

(b) The Speaker of the House of Representatives;

(c) The President of the Senate;

(d) The chairpersons of the committees of the House of Representatives and the Senate pertaining to transportation;

(e) The chief executive officer and the legislative authority of the municipal corporations of Strongsville, North Royalton, and Brunswick.

(2) The Director or, as applicable, the Northeast Ohio Areawide Coordinating Agency may include in the report solutions to mitigate and strategically manage any traffic congestion concerns found during the study.

SECTION 755.20. (A)(1) Upon recommendation under division (D) of this section, the Department of Transportation shall contract with a neutral third-party entity to conduct a study of the Department's pavement-selection process. The study shall include all of the following:

(a) Life-cycle cost analysis, user delay analysis, construct ability, and environmental factors related to asphalt and concrete pavements;

(b) An examination of subbase design methods, including stabilized bases in pavement design criteria, the long-term effects of cement-treated bases, and the beneficial qualities of lime, chemical, or geotextile soil reinforcement;

(c) The design and construction of durable and low-maintenance pavement materials that contribute to improved roadway resilience, reduced life-cycle costs, and environmental benefits, such as materials involving one hundred per cent recycled asphalt product and materials involving sustainable and performance-enhancing elements, including pelletized ground tire rubber.

(2) The Department shall hold the contract with the neutral third-party entity, and the contract shall be submitted to the Controlling Board for approval. The Controlling Board shall approve or disapprove the contract in the same manner in which contracts entered into under Chapter 5526. of the Revised Code are approved or disapproved. The entity shall be an individual or an academic, research, or professional association with an expertise in pavement-selection decisions and shall not be a research center for concrete or asphalt pavement.

(3) The study conducted by the neutral third-party entity shall compare and contrast the Department's pavement-selection process with those of other states and with model selection processes as described by the American Association of State Highway and Transportation Officials and the Federal Highway Administration.

(B) The Director of Transportation shall appoint an advisory council to recommend the neutral third-party entity, approve the entity's scope of study, and issue a final report with recommendations in accordance with division (D) of this section. The advisory council shall consist of the following members:

- (1) The Director of Transportation, who shall act as Chairperson of the council;
- (2) A member of the Ohio Society of Certified Public Accountants;
- (3) A member of a statewide business organization representing major corporate entities from a list of three names recommended by the Speaker of the House of Representatives;
- (4) A member of the Ohio Society of Professional Engineers;
- (5) A member of a business organization representing small or independent businesses from a list of three names recommended by the President of the Senate;
- (6) A representative of Ohio Concrete;
- (7) A representative of Flexible Pavements of Ohio.

(C) Members of the advisory council representing the Ohio Society of Certified Public Accountants, the Ohio Society of Professional Engineers, the small or independent businesses, and the major corporate entities shall have no conflict of interest with the position. For purposes of this section, "conflict of interest" means taking any action that violates any provision of Chapter 102. or 2921. of the Revised Code.

(D) The Director shall appoint the advisory council no later than July 31, 2025. The advisory council shall recommend the neutral third-party entity to the Director and shall determine the scope of the study to be conducted by the entity not later than September 1, 2025. Once appointed, the advisory council shall meet, at a minimum, every thirty days to direct and monitor the work of the neutral third-party entity, including responding to any questions raised by the neutral third-party entity. The council shall publish a schedule of meetings and provide adequate public notice of these meetings. The meetings are subject to applicable public meeting requirements.

The advisory council shall issue a final report with recommendations concerning the Department's pavement selection process to the Director. The report and recommendations shall take into account the study conducted by the neutral third-party entity. The advisory council shall allow a comment period of not less than thirty days before it issues the final report. The advisory council shall issue the report on or before June 30, 2026. Upon issuing its final report, the advisory council ceases to exist.

SECTION 755.40. (A) Not later than October 1, 2025, the Director of Transportation shall establish the Road Safety Pilot Program to assess speed compliance in construction zones. The pilot program shall operate for one year after that date.

(B) The Director shall ensure that the Road Safety Pilot Program includes both of the following in one or more construction zones:

- (1) Speed monitoring devices with flashing lights that display the speed at which a motor

vehicle operator is traveling in a construction zone;

(2) Any other methods determined by the Department that have the effect of reducing the speed at which motor vehicle operators travel in a construction zone, including lane changes, rumble strips, and single lanes. However, for purposes of the program, the Department shall not use any device that would result in an individual being issued a citation, summons, or ticket by any entity other than a peace officer who is physically present at the time of an offense.

(C) The Director shall post signs in each construction zone that is utilized under the Pilot Program that indicate that the construction zone is being monitored for speed for purposes of the Pilot Program.

(D) The Director may contract with a third party to implement the Pilot Program.

(E) Nothing in this section shall otherwise impact or impede the enforcement of any violation of any law. An operator of a motor vehicle shall not be cited for any violation of law based solely on information derived from speed cameras used in accordance with this section.

(F) Not later than three months after the termination of the pilot program, the Director shall submit to the President of the Senate, the Speaker of the House of Representatives, and the Governor a report regarding the results of the Road Safety Pilot Program. The report shall include data summarizing instances of excessive speed in construction zones that are included in the pilot program.

SECTION 755.50. The Director of Transportation shall conduct a feasibility study for the creation of an Interstate Route 73 corridor connecting the municipal corporation of Toledo to the municipal corporation of Chesapeake, primarily alongside current United States Route 23. The purpose of the new corridor is to better connect Interstate Route 74, Interstate Route 75, and the states of Michigan, Ohio, West Virginia, Virginia, North Carolina, and South Carolina along one continuous interstate route.

The feasibility study shall examine how to alleviate congestion along United States Route 23, the economic impacts of a new interstate corridor, safety concerns, connectivity issues, and methods for coordinating with the other states and the United States Department of Transportation for the creation of the corridor.

The Director shall complete the feasibility study not later than December 31, 2026.

SECTION 755.60. (A) The Department of Transportation and the Ohio Turnpike and Infrastructure Commission shall work together to create a joint plan regarding the feasibility of connecting U.S. Route 23 to Interstate Route 71 by doing one of the following:

- (1) Expanding State Route 229 in northern Delaware County;
- (2) Expanding another similar state route or other highway in northern Delaware County;
- (3) Creating a new freeway between U.S. Route 23 and Interstate Route 71 in northern Delaware County;

(4) Creating a toll road between U.S. Route 23 and Interstate Route 71 in northern Delaware County;

(5) Creating a new freeway, which may be a toll road, in the region between State Route 529 and Waldo, Ohio heading eastward toward Interstate Route 71 north of Marengo, Ohio in Marion County and Morrow County.

(B) As part of the plan, related to the options specified in divisions (A)(3) and (4) of this section, the Department and Commission shall prepare a preliminary engineering report that determines the most feasible routes for the new freeway or toll road. As part of the report, the Department and Commission shall determine five potential alignments for the freeway or toll road and specify which alignment is the preferred route.

(C) The plan shall be completed not later than three months after the effective date of this section.

(D) As part of the plan, the Department and the Commission shall determine whether construction would be best conducted by the Department or the Commission. If construction is best conducted by the Commission, the plan also shall include whether the Commission's statutory authority is sufficient to make the project a turnpike project.

(E) The Department and Commission shall submit their plan to the President of the Senate, the Speaker of the House of Representatives, the Minority Leaders of both the Senate and the House of Representatives, and the chairpersons of the respective committees of the House of Representatives and Senate responsible for transportation related matters.

SECTION 755.70. Beginning July 1, 2025, until June 30, 2027, the Department of Transportation may close a rest area that is under the Department's control and jurisdiction as established under section 5515.07 of the Revised Code only if the rest area's parking lot remains available for commercial motor vehicles as defined in section 4506.01 of the Revised Code.

SECTION 755.80. The Ohio Turnpike and Infrastructure Commission shall conduct a feasibility study for the creation of an interchange allowing access on and off of the Ohio Turnpike at approximately mile marker one hundred near the municipal corporation of Clyde in Sandusky County. The Commission shall assess the approximate cost, any barriers to establishing the interchange, and the benefits to the local community resulting from more immediate access to the Ohio Turnpike.

The Commission shall complete the feasibility study not later than December 31, 2026.

SECTION 757.10. MOTOR FUEL TAX DISTRIBUTIONS TO HIGHWAY OPERATING FUND

On the last day of each month in the biennium ending June 30, 2027, before making any of

the distributions specified in section 5735.051 of the Revised Code but after any transfers to the tax refund fund as required by that section and section 5703.052 of the Revised Code, the Treasurer of State shall deposit the first two per cent of the amount of motor fuel tax received for the preceding calendar month to the credit of the Highway Operating Fund (Fund 7002).

SECTION 757.20. MOTOR FUEL DEALER REFUNDS

Notwithstanding Chapter 5735. of the Revised Code, the following apply for the period of July 1, 2025, to June 30, 2027:

(A) For the discount under section 5735.06 of the Revised Code, if the monthly report is timely filed and the tax is timely paid, one per cent of the total number of gallons of motor fuel received by the motor fuel dealer within the state during the preceding calendar month, less the total number of gallons deducted under divisions (B)(1)(a) and (b) of section 5735.06 of the Revised Code, less one-half of one per cent of the total number of gallons of motor fuel that were sold to a retail dealer during the preceding calendar month.

(B) For the semiannual periods ending December 31, 2025, June 30, 2026, December 31, 2026, and June 30, 2027, the refund provided to retail dealers under section 5735.141 of the Revised Code shall be one-half of one per cent of the Ohio motor fuel taxes paid on fuel purchased during those semiannual periods.

SECTION 757.30. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND

The Director of Budget and Management shall transfer cash in equal monthly increments totaling \$179,054,124 in fiscal year 2026 and in equal monthly increments totaling \$187,584,952 in fiscal year 2027 from the Highway Operating Fund (Fund 7002) to the Gasoline Excise Tax Fund (Fund 7060). The monthly amounts transferred under this section shall be distributed as follows:

(A) 42.86 per cent shall be distributed among the municipal corporations within the state under division (A)(2)(b)(i) of section 5735.051 of the Revised Code;

(B) 37.14 per cent shall be distributed among the counties within the state under division (A)(2)(b)(ii) of section 5735.051 of the Revised Code; and

(C) 20 per cent shall be distributed among the townships within the state under division (A)(2)(b)(iii) of section 5735.051 of the Revised Code.

SECTION 801.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO APPROPRIATIONS

Law contained in the main operating appropriations act of the 136th General Assembly that is generally applicable to the appropriations made in the main operating appropriations act also is generally applicable to the appropriations made in this act.

SECTION 805.10. SEVERABILITY

The items of law contained in this act, and their applications, are severable. If any item of law contained in this act, or if any application of any item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be given effect without the invalid item or application.

SECTION 810.10. An item of law, other than an amending, enacting, or repealing clause, that composes the whole or part of an uncodified section contained in this act has no effect after June 30, 2027, unless its context clearly indicates otherwise.

SECTION 820.10. APPROPRIATIONS AND REFERENDUM

In this section, an "appropriation" includes another provision of law in this act that relates to the subject of the appropriation.

An appropriation of money made in this act is not subject to the referendum insofar as a contemplated expenditure authorized thereby is wholly to meet a current expense within the meaning of Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code. To that extent, the appropriation takes effect immediately when this act becomes law. Conversely, the appropriation is subject to the referendum insofar as a contemplated expenditure authorized thereby is wholly or partly not to meet a current expense within the meaning of Ohio Constitution, Article II, Section 1d. To that extent, the appropriation takes effect on the ninety-first day after this act is filed with the Secretary of State.

SECTION 820.20. The amendment, enactment, or repeal by this act of the sections listed below is exempt from the referendum under Ohio Constitution, Article II, section 1d and section 1.471 of the Revised Code and therefore takes effect immediately when this act becomes law or, if a later effective date is specified below, on that date.

Section 101.27 of the Revised Code and Section 701.10 of this act.

Section 511.10 of this act.

Sections 200.20 and 200.30 of H.B. 2 of the 135th General Assembly.

SECTION 820.30. LAWS AND REFERENDUM

Except as otherwise provided in this act, the amendment, enactment, or repeal by this act of a section of law is subject to the referendum under Ohio Constitution, Article II, Section 1c and therefore takes effect on the ninety-first day after this act is filed with the Secretary of State or, if a later effective date is specified below, on that date.

SECTION 820.40. Sections 4503.183, 4505.072, 4505.08, 4513.071, 4513.38, and 4513.41 of the Revised Code, as amended or enacted by this act, take effect one hundred eighty days after the effective date of this section.

SECTION 820.50. Sections 117.12 and 117.56 of the Revised Code, as amended or enacted by this act, take effect October 1, 2025.

SECTION 830.10. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 4511.61 of the Revised Code as amended by both H.B. 26 and H.B. 95 of the 132nd General Assembly.

Section 4511.132 of the Revised Code as amended by H.B. 9, H.B. 26, H.B. 95, and H.B. 250, all of the 132nd General Assembly.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____