

MOTOR VEHICLES (Seitz, B) To establish conditions for the operation of specialized motor vehicles, including low-speed and under-speed vehicles, scooters, cab-enclosed motorcycles, and mini-trucks; to establish conditions for operation of a motorcycle with a temporary instruction permit; to prohibit a motor vehicle manufacturer, remanufacturer, or distributor from providing to a licensed motor vehicle dealer a motor vehicle that violates window tinting standards; to increase the penalty for installing nonconforming glass or other material, including costs and attorney fees; and to impose a registration or license suspension up to 180 days on a registered motor vehicle collision repair facility or licensed motor vehicle dealer upon a second or subsequent violation for installing nonconforming glass or other material.

This Act had been signed by the Governor. Page numbers will not correspond with the final printed version, but the languages remain the same.

Passed : December 12, 2012

Signed by the Governor: December 19, 2012

Effective: 90 Days

129th General Assembly

Substitute Senate Bill Number 114

An Act

Senators: Seitz, Kearney, Patton, Wilson, Bacon, Beagle, Burke, Daniels, Hite, Hughes, LaRose, Sawyer, Schiavoni, Smith, Tavares, Turner

Representatives: Ruhl, Kozlowski, Letson, Murray, Phillips, Rosenberger, Uecker, Winburn
Speaker Batchelder

A BILL

To amend sections 2744.081, 2744.082, 4501.01,	1
4501.13, 4503.04, 4503.21, 4503.22, 4503.544,	2
4507.01, 4507.05, 4507.06, 4507.11, 4511.01,	3
4511.53, 4513.241, 4517.33, 4519.01, 4519.02,	4
4775.01, 4775.02, 4775.03, 4775.04, 4775.05,	5
4775.06, 4775.07, 4775.08, 4775.09, 4775.10,	6
4775.11, 4775.99, and 5703.21 and to enact	7
sections 4511.214, 4511.215, and 4519.401 of the	8
Revised Code to establish conditions for the	9

operation of certain specialized motor vehicles,	10
including low-speed and under-speed vehicles,	11
scooters, cab-enclosed motorcycles, and	12
mini-trucks; to establish conditions for operation	13
of a motorcycle with a temporary instruction	14
permit; to prohibit motorcycle handlebars from	15
being higher than the shoulders of the operator	16
when the operator is seated in the operator's seat	17
or saddle; to establish a motor scooter temporary	18
instruction permit and license or endorsement; to	19
prohibit a motor vehicle manufacturer,	20
remanufacturer, or distributor from providing to a	21
licensed motor vehicle dealer a motor vehicle that	22
violates window tinting standards; to increase the	23
penalty for installing nonconforming glass or	24
other material; to establish civil liability for	25
installing nonconforming glass or other material,	26
including costs and attorney fees; to rename the	27
Board of Motor Vehicle Collision Repair	28
Registration as the Motor Vehicle Repair Board and	29
to expand the jurisdiction of the Board to require	30
persons who install motor vehicle window tint to	31
register with the Board; to give the Franklin	32
County Court of Common Pleas exclusive	33
jurisdiction over motor vehicle repair	34
registration violations; to impose a registration	35
or license suspension up to 180 days on a	36
registered motor vehicle repair facility or	37
licensed motor vehicle dealer upon a second or	38
subsequent violation for installing nonconforming	39
glass or other material; to establish an exemption	40
from the motor vehicle window tinting standards	41
for vehicles used by law enforcement agencies	42
under specified circumstances; and to make certain	43
changes associated with the Political Subdivision	44

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

Section 1. That sections 2744.081, 2744.082, 4501.01, 46
4501.13, 4503.04, 4503.21, 4503.22, 4503.544, 4507.01, 4507.05, 47
4507.06, 4507.11, 4511.01, 4511.53, 4513.241, 4517.33, 4519.01, 48
4519.02, 4775.01, 4775.02, 4775.03, 4775.04, 4775.05, 4775.06, 49
4775.07, 4775.08, 4775.09, 4775.10, 4775.11, 4775.99, and 5703.21 50
be amended and sections 4511.214, 4511.215, and 4519.401 of the 51
Revised Code be enacted to read as follows: 52

Sec. 2744.081. (A) Regardless of whether a political 53
subdivision, under section 2744.08 of the Revised Code, secures a 54
policy or policies of liability insurance, establishes and 55
maintains a self-insurance program, or enters into an agreement 56
for the joint administration of a self-insurance program, the 57
political subdivision may, pursuant to a written agreement and to 58
the extent that it considers necessary, join with other political 59
subdivisions in establishing and maintaining a joint 60
self-insurance pool to provide for the payment of judgments, 61
settlement of claims, expense, loss, and damage that arises, or is 62
claimed to have arisen, from an act or omission of the political 63
subdivision or any of its employees in connection with a 64
governmental or proprietary function and to indemnify or hold 65
harmless the subdivision's employees against such loss or damage. 66

All of the following apply to a joint self-insurance pool 67
under this section: 68

(1) Such funds shall be reserved as are necessary, in the 69
exercise of sound and prudent actuarial judgment, to cover 70
potential political subdivision and employee liability, expense, 71
loss, and damage. A report of amounts so reserved and 72
disbursements made from such funds, together with a written report 73
of a member of the American academy of actuaries certifying 74
whether the amounts reserved conform to the requirements of this 75
division, are computed in accordance with accepted loss reserving 76

standards, and are fairly stated in accordance with sound loss 77
reserving principles, shall be prepared and maintained in the 78
office of the pool administrator described in division (A)(2) of 79
this section. The report shall be prepared and maintained on or 80
before the last day of March for the preceding calendar year or, 81
if the joint self-insurance pool's fiscal year is other than a 82
calendar year, not later than ninety days after the close of the 83
pool's fiscal year. 84

The report required by this division shall include, but not 85
be limited to, disbursements made for the administration of the 86
pool, including claims paid, costs of the legal representation of 87
political subdivisions and employees, and fees paid to 88
consultants. 89

The pool administrator described in division (A)(2) of this 90
section shall make the report required by this division available 91
for inspection by any person at all reasonable times during 92
regular business hours, and, upon the request of such person, 93
shall make copies of the report available at cost within a 94
reasonable period of time. 95

(2) A contract may be awarded, without the necessity of 96
competitive bidding, to any person, political subdivision, 97
nonprofit corporation organized under Chapter 1702. of the Revised 98
Code, or regional council of governments created under Chapter 99
167. of the Revised Code for purposes of administration of a joint 100
self-insurance pool. No such contract shall be entered into 101
without full, prior, public disclosure of all terms and 102
conditions. Such disclosure shall include, at a minimum, a 103
statement listing all representations made in connection with any 104
possible savings and losses resulting from such contract, and 105
potential liability of any political subdivision or employee. The 106
proposed contract and statement shall be disclosed and presented 107
at a meeting of the political subdivision not less than one week 108
prior to the meeting at which the political subdivision authorizes 109
the contract. 110

(3) A joint self-insurance pool shall include a contract with a member of the American academy of actuaries for the preparation of the written evaluation of the reserve funds required under division (A)(1) of this section.

(4) A joint self-insurance pool may allocate the costs of funding the pool among the funds or accounts in the treasuries of the political subdivisions on the basis of their relative exposure and loss experience. A joint self-insurance program may require any deductible under the program to be paid from funds or accounts in the treasury of the political subdivision from which a loss was directly attributable.

(B) Two or more political subdivisions may also authorize the establishment and maintenance of a joint risk-management program, including but not limited to the employment of risk managers and consultants, for the purpose of preventing and reducing the risks covered by insurance, self-insurance, or joint self-insurance programs.

(C) A political subdivision is not liable under a joint self-insurance pool for any amount in excess of amounts payable pursuant to the written agreement for the participation of the political subdivision in the joint self-insurance pool. Under a joint self-insurance pool agreement a political subdivision may, to the extent permitted under the written agreement, assume the risks of any other political subdivision, including the indemnification of its employees. A joint self-insurance pool, established under this section, is deemed a separate legal entity for the public purpose of enabling the members of the joint self-insurance pool to obtain insurance or to provide for a formalized, jointly administered self-insurance fund for its members. An entity created pursuant to this section is exempt from all state and local taxes.

(D) Any political subdivision may issue general obligation bonds, or special obligation bonds which are not payable from real or personal property taxes, and may also issue notes in

anticipation of such bonds, pursuant to an ordinance or resolution 145
of its legislative authority or other governing body for the 146
purpose of providing funds to pay judgments, losses, damages, and 147
the expenses of litigation or settlement of claims, whether by way 148
of a reserve or otherwise, and to pay the political subdivision's 149
portion of the cost of establishing and maintaining a joint 150
self-insurance pool or to provide for the reserve in the special 151
fund authorized by division (A)(2)(a) of section 2744.08 of the 152
Revised Code. 153

In its ordinance or resolution authorizing bonds or notes 154
under this section, a political subdivision may elect to issue 155
such bonds or notes under the procedures set forth in Chapter 133. 156
of the Revised Code. In the event of such an election, 157
notwithstanding Chapter 133. of the Revised Code, the maturity of 158
the bonds may be for any period authorized in the ordinance or 159
resolution not exceeding twenty years, which period shall be the 160
maximum maturity of the bonds for purposes of section 133.22 of 161
the Revised Code. 162

Bonds and notes issued under this section shall not be 163
considered in calculating the net indebtedness of the political 164
subdivision under sections 133.04, 133.05, 133.06, and 133.07 of 165
the Revised Code. Sections 9.98 to 9.983 of the Revised Code apply 166
to bonds or notes authorized under this section. 167

(E)(1) A joint self-insurance pool, in addition to its powers 168
to provide self-insurance against any and all liabilities under 169
this chapter, may also include any one or more of the following 170
forms of property or casualty self-insurance for the purpose of 171
covering any other liabilities or risks of the members of the 172
pool: 173

(a) Public general liability, professional liability, or 174
employees liability; 175

(b) Individual or fleet motor vehicle or automobile liability 176
and protection against other liability and loss associated with 177

the ownership, maintenance, and use of motor vehicles;	178
(c) Aircraft liability and protection against other liability	179
and loss associated with the ownership, maintenance, and use of	180
aircraft;	181
(d) Fidelity, surety, and guarantee;	182
(e) Loss or damage to property and loss of use and occupancy	183
of property by fire, lightning, hail, tempest, flood, earthquake,	184
or snow, explosion, accident, or other risk;	185
(f) Marine, inland transportation and navigation, boiler,	186
containers, pipes, engines, flywheels, elevators, and machinery;	187
(g) Environmental impairment;	188
(h) Loss or damage by any hazard upon any other risk to which	189
political subdivisions are subject, which is not prohibited by	190
statute or at common law from being the subject of casualty or	191
property insurance.	192
(2) A joint self-insurance pool is not an insurance company.	193
Its operation does not constitute doing an insurance business and	194
is not subject to the insurance laws of this state.	195
(F) A public official or employee of a political subdivision	196
who is or becomes a member of the governing body of a joint	197
self-insurance pool in which the political subdivision	198
participates is not in violation of division (D) or (E) of section	199
102.03, division (C) of section 102.04, or section 2921.42 of the	200
Revised Code as a result of the political subdivision's entering	201
under this section into the written agreement to participate in	202
the pool or into any contract with the pool.	203
(G) This section shall not be construed to affect the ability	204
of any political subdivision to self-insure under the authority	205
conferred by any other section of the Revised Code.	206

Sec. 2744.082. (A) If a political subdivision, pursuant to	207
division (A)(2)(a) of section 2744.08 of the Revised Code <u>or a</u>	208
<u>joint self-insurance pool pursuant to section 2744.081 of the</u>	209
<u>Revised Code</u> , has allocated costs to, or required the payment of	210
deductibles from, funds or accounts in the subdivision's treasury,	211
the subdivision's fiscal officer, pursuant to an ordinance or	212
resolution of the subdivision's legislative authority, shall	213
transfer amounts equal to those costs or deductibles from the	214
funds or accounts to the subdivision's general fund if both of the	215
following occur:	216
(1) The subdivision requests payment from the employee	217
responsible for the funds or accounts for those costs or	218
deductibles;	219
(2) The employee receiving the request fails to remit payment	220
within forty-five days after the date of receipt of the request.	221
(B) Sections 5705.14, 5705.15, and 5705.16 of the Revised	222
Code do not apply to transfers made pursuant to this section.	223
Sec. 4501.01. As used in this chapter and Chapters 4503.,	224
4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of the	225
Revised Code, and in the penal laws, except as otherwise provided:	226
(A) "Vehicles" means everything on wheels or runners,	227
including motorized bicycles, but does not mean electric personal	228
assistive mobility devices, vehicles that are operated exclusively	229
on rails or tracks or from overhead electric trolley wires, and	230
vehicles that belong to any police department, municipal fire	231
department, or volunteer fire department, or that are used by such	232
a department in the discharge of its functions.	233
(B) "Motor vehicle" means any vehicle, including mobile homes	234
and recreational vehicles, that is propelled or drawn by power	235
other than muscular power or power collected from overhead	236
electric trolley wires. "Motor vehicle" does not include utility	237
vehicles as defined in division (VV) of this section, <u>under-speed</u>	238
<u>vehicles as defined in division (XX) of this section, mini-trucks</u>	239

as defined in division (BBB) of this section, motorized bicycles,	240
road rollers, traction engines, power shovels, power cranes, and	241
other equipment used in construction work and not designed for or	242
employed in general highway transportation, well-drilling	243
machinery, ditch-digging machinery, farm machinery, and trailers	244
that are designed and used exclusively to transport a boat between	245
a place of storage and a marina, or in and around a marina, when	246
drawn or towed on a public road or highway for a distance of no	247
more than ten miles and at a speed of twenty-five miles per hour	248
or less.	249
(C) "Agricultural tractor" and "traction engine" mean any	250
self-propelling vehicle that is designed or used for drawing other	251
vehicles or wheeled machinery, but has no provisions for carrying	252
loads independently of such other vehicles, and that is used	253
principally for agricultural purposes.	254
(D) "Commercial tractor," except as defined in division (C)	255
of this section, means any motor vehicle that has motive power and	256
either is designed or used for drawing other motor vehicles, or is	257
designed or used for drawing another motor vehicle while carrying	258
a portion of the other motor vehicle or its load, or both.	259
(E) "Passenger car" means any motor vehicle that is designed	260
and used for carrying not more than nine persons and includes any	261
motor vehicle that is designed and used for carrying not more than	262
fifteen persons in a ridesharing arrangement.	263
(F) "Collector's vehicle" means any motor vehicle or	264
agricultural tractor or traction engine that is of special	265
interest, that has a fair market value of one hundred dollars or	266
more, whether operable or not, and that is owned, operated,	267
collected, preserved, restored, maintained, or used essentially as	268
a collector's item, leisure pursuit, or investment, but not as the	269
owner's principal means of transportation. "Licensed collector's	270
vehicle" means a collector's vehicle, other than an agricultural	271
tractor or traction engine, that displays current, valid license	272
tags issued under section 4503.45 of the Revised Code, or a	273

similar type of motor vehicle that displays current, valid license tags issued under substantially equivalent provisions in the laws of other states.	274 275 276
(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.	277 278 279 280 281
(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.	282 283 284 285 286
(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.	287 288 289 290
(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.	291 292 293
(K) "Bicycle" means every device, other than a tricycle that is designed solely for use as a play vehicle by a child, that is propelled solely by human power upon which any person may ride, and that has two tandem wheels, or one wheel in front and two wheels in the rear, or two wheels in the front and one wheel in the rear, any of which is more than fourteen inches in diameter.	294 295 296 297 298 299
(L) "Motorized bicycle" or " <u>moped</u> " means any vehicle that either has two tandem wheels or one wheel in the front and two wheels in the rear, that is capable of being <u>may be</u> 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.	300 301 302 303 304 305 306

(M) "Trailer" means any vehicle without motive power that is 307
designed or used for carrying property or persons wholly on its 308
own structure and for being drawn by a motor vehicle, and includes 309
any such vehicle that is formed by or operated as a combination of 310
a semitrailer and a vehicle of the dolly type such as that 311
commonly known as a trailer dolly, a vehicle used to transport 312
agricultural produce or agricultural production materials between 313
a local place of storage or supply and the farm when drawn or 314
towed on a public road or highway at a speed greater than 315
twenty-five miles per hour, and a vehicle that is designed and 316
used exclusively to transport a boat between a place of storage 317
and a marina, or in and around a marina, when drawn or towed on a 318
public road or highway for a distance of more than ten miles or at 319
a speed of more than twenty-five miles per hour. "Trailer" does 320
not include a manufactured home or travel trailer. 321

(N) "Noncommercial trailer" means any trailer, except a 322
travel trailer or trailer that is used to transport a boat as 323
described in division (B) of this section, but, where applicable, 324
includes a vehicle that is used to transport a boat as described 325
in division (M) of this section, that has a gross weight of no 326
more than ten thousand pounds, and that is used exclusively for 327
purposes other than engaging in business for a profit, such as the 328
transportation of personal items for personal or recreational 329
purposes. 330

(O) "Mobile home" means a building unit or assembly of closed 331
construction that is fabricated in an off-site facility, is more 332
than thirty-five body feet in length or, when erected on site, is 333
three hundred twenty or more square feet, is built on a permanent 334
chassis, is transportable in one or more sections, and does not 335
qualify as a manufactured home as defined in division (C)(4) of 336
section 3781.06 of the Revised Code or as an industrialized unit 337
as defined in division (C)(3) of section 3781.06 of the Revised 338
Code. 339

(P) "Semitrailer" means any vehicle of the trailer type that 340

does not have motive power and is so designed or used with another 341
and separate motor vehicle that in operation a part of its own 342
weight or that of its load, or both, rests upon and is carried by 343
the other vehicle furnishing the motive power for propelling 344
itself and the vehicle referred to in this division, and includes, 345
for the purpose only of registration and taxation under those 346
chapters, any vehicle of the dolly type, such as a trailer dolly, 347
that is designed or used for the conversion of a semitrailer into 348
a trailer. 349

(Q) "Recreational vehicle" means a vehicular portable 350
structure that meets all of the following conditions: 351

(1) It is designed for the sole purpose of recreational 352
travel. 353

(2) It is not used for the purpose of engaging in business 354
for profit. 355

(3) It is not used for the purpose of engaging in intrastate 356
commerce. 357

(4) It is not used for the purpose of commerce as defined in 358
49 C.F.R. 383.5, as amended. 359

(5) It is not regulated by the public utilities commission 360
pursuant to Chapter 4905., 4921., or 4923. of the Revised Code. 361

(6) It is classed as one of the following: 362

(a) "Travel trailer" or "house vehicle" means a 363
nonsell-propelled recreational vehicle that does not exceed an 364
overall length of ~~thirty-five~~forty feet, exclusive of bumper and 365
tongue or coupling, ~~and contains less than three hundred twenty~~ 366
~~square feet of space when erected on site.~~ "Travel trailer" 367
includes a tent-type fold-out camping trailer as defined in 368
section 4517.01 of the Revised Code. 369

(b) "Motor home" means a self-propelled recreational vehicle 370

that has no fifth wheel and is constructed with permanently 371
installed facilities for cold storage, cooking and consuming of 372
food, and for sleeping. 373

(c) "Truck camper" means a nonself-propelled recreational 374
vehicle that does not have wheels for road use and is designed to 375
be placed upon and attached to a motor vehicle. "Truck camper" 376
does not include truck covers that consist of walls and a roof, 377
but do not have floors and facilities enabling them to be used as 378
a dwelling. 379

(d) "Fifth wheel trailer" means a vehicle that is of such 380
size and weight as to be movable without a special highway permit, 381
~~that has a gross trailer area of four hundred square feet or less,~~ 382
that is constructed with a raised forward section that allows a 383
bi-level floor plan, and that is designed to be towed by a vehicle 384
equipped with a fifth-wheel hitch ordinarily installed in the bed 385
of a truck. 386

(e) "Park trailer" means a vehicle that is commonly known as 387
a park model recreational vehicle, meets the American national 388
standard institute standard A119.5 (1988) for park trailers, is 389
built on a single chassis, has a gross trailer area of four 390
hundred square feet or less when set up, is designed for seasonal 391
or temporary living quarters, and may be connected to utilities 392
necessary for the operation of installed features and appliances. 393

(R) "Pneumatic tires" means tires of rubber and fabric or 394
tires of similar material, that are inflated with air. 395

(S) "Solid tires" means tires of rubber or similar elastic 396
material that are not dependent upon confined air for support of 397
the load. 398

(T) "Solid tire vehicle" means any vehicle that is equipped 399
with two or more solid tires. 400

(U) "Farm machinery" means all machines and tools that are 401
used in the production, harvesting, and care of farm products, and 402

includes trailers that are used to transport agricultural produce 403
or agricultural production materials between a local place of 404
storage or supply and the farm, agricultural tractors, threshing 405
machinery, hay-baling machinery, corn shellers, hammermills, and 406
machinery used in the production of horticultural, agricultural, 407
and vegetable products. 408

(V) "Owner" includes any person or firm, other than a 409
manufacturer or dealer, that has title to a motor vehicle, except 410
that, in sections 4505.01 to 4505.19 of the Revised Code, "owner" 411
includes in addition manufacturers and dealers. 412

(W) "Manufacturer" and "dealer" include all persons and firms 413
that are regularly engaged in the business of manufacturing, 414
selling, displaying, offering for sale, or dealing in motor 415
vehicles, at an established place of business that is used 416
exclusively for the purpose of manufacturing, selling, displaying, 417
offering for sale, or dealing in motor vehicles. A place of 418
business that is used for manufacturing, selling, displaying, 419
offering for sale, or dealing in motor vehicles shall be deemed to 420
be used exclusively for those purposes even though snowmobiles or 421
all-purpose vehicles are sold or displayed for sale thereat, even 422
though farm machinery is sold or displayed for sale thereat, or 423
even though repair, accessory, gasoline and oil, storage, parts, 424
service, or paint departments are maintained thereat, or, in any 425
county having a population of less than seventy-five thousand at 426
the last federal census, even though a department in a place of 427
business is used to dismantle, salvage, or rebuild motor vehicles 428
by means of used parts, if such departments are operated for the 429
purpose of furthering and assisting in the business of 430
manufacturing, selling, displaying, offering for sale, or dealing 431
in motor vehicles. Places of business or departments in a place of 432
business used to dismantle, salvage, or rebuild motor vehicles by 433
means of using used parts are not considered as being maintained 434
for the purpose of assisting or furthering the manufacturing, 435
selling, displaying, and offering for sale or dealing in motor 436
vehicles. 437

(X) "Operator" includes any person who drives or operates a motor vehicle upon the public highways.	438 439
(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.	440 441 442 443 444 445 446 447 448
(Z) "State" includes the territories and federal districts of the United States, and the provinces of Canada.	449 450
(AA) "Public roads and highways" for vehicles includes all public thoroughfares, bridges, and culverts.	451 452
(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.	453 454 455
(CC) "Motor number" means the manufacturer's original number that is affixed to or imprinted upon the engine or motor of the vehicle.	456 457 458
(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.	459 460 461 462 463 464 465 466
(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	467 468 469

arrangements known as carpools, vanpools, and buspools.	470
(FF) "Apportionable vehicle" means any vehicle that is used	471
or intended for use in two or more international registration plan	472
member jurisdictions that allocate or proportionally register	473
vehicles, that is used for the transportation of persons for hire	474
or designed, used, or maintained primarily for the transportation	475
of property, and that meets any of the following qualifications:	476
(1) Is a power unit having a gross vehicle weight in excess	477
of twenty-six thousand pounds;	478
(2) Is a power unit having three or more axles, regardless of	479
the gross vehicle weight;	480
(3) Is a combination vehicle with a gross vehicle weight in	481
excess of twenty-six thousand pounds.	482
"Apportionable vehicle" does not include recreational	483
vehicles, vehicles displaying restricted plates, city pick-up and	484
delivery vehicles, buses used for the transportation of chartered	485
parties, or vehicles owned and operated by the United States, this	486
state, or any political subdivisions thereof.	487
(GG) "Chartered party" means a group of persons who contract	488
as a group to acquire the exclusive use of a passenger-carrying	489
motor vehicle at a fixed charge for the vehicle in accordance with	490
the carrier's tariff, lawfully on file with the United States	491
department of transportation, for the purpose of group travel to a	492
specified destination or for a particular itinerary, either agreed	493
upon in advance or modified by the chartered group after having	494
left the place of origin.	495
(HH) "International registration plan" means a reciprocal	496
agreement of member jurisdictions that is endorsed by the American	497
association of motor vehicle administrators, and that promotes and	498
encourages the fullest possible use of the highway system by	499
authorizing apportioned registration of fleets of vehicles and	500
recognizing registration of vehicles apportioned in member	501

jurisdictions.	502
(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.	503 504 505 506
(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.	507 508 509 510 511
(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.	512 513 514 515 516 517
(LL) "Chauffeured limousine" means a motor vehicle that is designed to carry nine or fewer passengers and is operated for hire on an hourly basis 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 at a fixed rate per hour or trip. "Chauffeured limousine" does not include any vehicle that is used exclusively in the business of funeral directing.	518 519 520 521 522 523 524 525 526 527 528
(MM) "Manufactured home" has the same meaning as in division (C)(4) of section 3781.06 of the Revised Code.	529 530
(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	531 532 533 534

of a new motor vehicle dealer or the inventory of a manufacturer,	535
remanufacturer, or distributor of manufactured or mobile homes.	536
(OO) "Electronic" includes electrical, digital, magnetic,	537
optical, electromagnetic, or any other form of technology that	538
entails capabilities similar to these technologies.	539
(PP) "Electronic record" means a record generated,	540
communicated, received, or stored by electronic means for use in	541
an information system or for transmission from one information	542
system to another.	543
(QQ) "Electronic signature" means a signature in electronic	544
form attached to or logically associated with an electronic	545
record.	546
(RR) "Financial transaction device" has the same meaning as	547
in division (A) of section 113.40 of the Revised Code.	548
(SS) "Electronic motor vehicle dealer" means a motor vehicle	549
dealer licensed under Chapter 4517. of the Revised Code whom the	550
registrar of motor vehicles determines meets the criteria	551
designated in section 4503.035 of the Revised Code for electronic	552
motor vehicle dealers and designates as an electronic motor	553
vehicle dealer under that section.	554
(TT) "Electric personal assistive mobility device" means a	555
self-balancing two non-tandem wheeled device that is designed to	556
transport only one person, has an electric propulsion system of an	557
average of seven hundred fifty watts, and when ridden on a paved	558
level surface by an operator who weighs one hundred seventy pounds	559
has a maximum speed of less than twenty miles per hour.	560
(UU) "Limited driving privileges" means the privilege to	561
operate a motor vehicle that a court grants under section 4510.021	562
of the Revised Code to a person whose driver's or commercial	563
driver's license or permit or nonresident operating privilege has	564
been suspended.	565

(VV) "Utility vehicle" means a self-propelled vehicle 566
designed with a bed, principally for the purpose of transporting 567
material or cargo in connection with construction, agricultural, 568
forestry, grounds maintenance, lawn and garden, materials 569
handling, or similar activities. ~~"Utility vehicle" includes a~~ 570
~~vehicle with a maximum attainable speed of twenty miles per hour~~ 571
~~or less that is used exclusively within the boundaries of state~~ 572
~~parks by state park employees or volunteers for the operation or~~ 573
~~maintenance of state park facilities.~~ 574

(WW) "Low-speed vehicle" means a three- or four-wheeled motor 575
vehicle with an attainable speed in one mile on a paved level 576
surface of more than twenty miles per hour but not more than 577
twenty-five miles per hour and with a gross vehicle weight rating 578
less than three thousand pounds. 579

(XX) "Under-speed vehicle" means a three- or four-wheeled 580
vehicle, including a vehicle commonly known as a golf cart, with 581
an attainable speed on a paved level surface of not more than 582
twenty miles per hour and with a gross vehicle weight rating less 583
than three thousand pounds. 584

(YY) "Motor-driven cycle or motor scooter" means any vehicle 585
designed to travel on not more than three wheels in contact with 586
the ground, with a seat for the driver and floor pad for the 587
driver's feet, and is equipped with a motor with a piston 588
displacement between fifty and one hundred fifty cubic centimeters 589
piston displacement that produces not more than five brake 590
horsepower and is capable of propelling the vehicle at a speed 591
greater than twenty miles per hour on a level surface. 592

(ZZ) "Motorcycle" means a motor vehicle with motive power 593
having a seat or saddle for the use of the operator, designed to 594
travel on not more than three wheels in contact with the ground, 595
and having no occupant compartment top or occupant compartment top 596
that can be installed or removed by the user. 597

(AAA) "Cab-enclosed motorcycle" means a motor vehicle with 598

motive power having a seat or saddle for the use of the operator, 599
designed to travel on not more than three wheels in contact with 600
the ground, and having an occupant compartment top or an occupant 601
compartment top that can be installed or removed by the user. 602

(BBB) "Mini-truck" means a vehicle that has four wheels, is 603
propelled by an electric motor with a rated power of seven 604
thousand five hundred watts or less or an internal combustion 605
engine with a piston displacement capacity of six hundred sixty 606
cubic centimeters or less, has a total dry weight of nine hundred 607
to two thousand two hundred pounds, contains an enclosed cabin and 608
a seat for the vehicle operator, resembles a pickup truck or van 609
with a cargo area or bed located at the rear of the vehicle, and 610
was not originally manufactured to meet federal motor vehicle 611
safety standards. 612

Sec. 4501.13. Six dollars of each registration fee 613
designated for payment to the registrar of motor vehicles in 614
division (A)~~(2)~~(1)(b) of section 4503.04 of the Revised Code shall 615
be deposited in the motorcycle safety and education fund, which is 616
hereby created in the state treasury and, unless otherwise 617
provided by law, shall be used solely to pay part or all of the 618
costs of conducting the motorcycle safety and education program 619
created by section 4508.08 of the Revised Code. 620

Sec. 4503.04. Except as provided in sections 4503.042 and 621
4503.65 of the Revised Code for the registration of commercial 622
cars, trailers, semitrailers, and certain buses, the rates of the 623
taxes imposed by section 4503.02 of the Revised Code shall be as 624
follows: 625

(A)(1) For motor vehicles having three wheels or less, the 626
license tax is: 627

~~(1)~~(a) For each motorized bicycle or moped, ten dollars; 628

~~(2)~~(b) For each motorcycle, cab-enclosed motorcycle, 629
motor-driven cycle, or motor scooter, fourteen dollars. 630

<u>(2) For each low-speed, under-speed, and utility vehicle, and each mini-truck, ten dollars.</u>	631
	632
(B) For each passenger car, twenty dollars;	633
(C) For each manufactured home, each mobile home, and each travel trailer <u>or house vehicle</u> , ten dollars;	634
	635
(D) For each noncommercial motor vehicle designed by the manufacturer to carry a load of no more than three-quarters of one ton and for each motor home, thirty-five dollars; for each noncommercial motor vehicle designed by the manufacturer to carry a load of more than three-quarters of one ton, but not more than one ton, seventy dollars;	636
	637
	638
	639
	640
	641
(E) For each noncommercial trailer, the license tax is:	642
(1) Eighty-five cents for each one hundred pounds or part thereof for the first two thousand pounds or part thereof of weight of vehicle fully equipped;	643
	644
	645
(2) One dollar and forty cents for each one hundred pounds or part thereof in excess of two thousand pounds up to and including ten thousand pounds.	646
	647
	648
(F) Notwithstanding its weight, twelve dollars for any:	649
(1) Vehicle equipped, owned, and used by a charitable or nonprofit corporation exclusively for the purpose of administering chest x-rays or receiving blood donations;	650
	651
	652
(2) Van used principally for the transportation of handicapped persons that has been modified by being equipped with adaptive equipment to facilitate the movement of such persons into and out of the van;	653
	654
	655
	656
(3) Bus used principally for the transportation of handicapped persons or persons sixty-five years of age or older.	657
	658

(G) Notwithstanding its weight, twenty dollars for any bus used principally for the transportation of persons in a ridesharing arrangement. 659
660
661

(H) For each transit bus having motor power the license tax is twelve dollars. 662
663

"Transit bus" means either a motor vehicle having a seating capacity of more than seven persons which is operated and used by any person in the rendition of a public mass transportation service primarily in a municipal corporation or municipal corporations and provided at least seventy-five per cent of the annual mileage of such service and use is within such municipal corporation or municipal corporations or a motor vehicle having a seating capacity of more than seven persons which is operated solely for the transportation of persons associated with a charitable or nonprofit corporation, but does not mean any motor vehicle having a seating capacity of more than seven persons when such vehicle is used in a ridesharing capacity or any bus described by division (F)(3) of this section. 664
665
666
667
668
669
670
671
672
673
674
675
676

The application for registration of such transit bus shall be accompanied by an affidavit prescribed by the registrar of motor vehicles and signed by the person or an agent of the firm or corporation operating such bus stating that the bus has a seating capacity of more than seven persons, and that it is either to be operated and used in the rendition of a public mass transportation service and that at least seventy-five per cent of the annual mileage of such operation and use shall be within one or more municipal corporations or that it is to be operated solely for the transportation of persons associated with a charitable or nonprofit corporation. 677
678
679
680
681
682
683
684
685
686
687

The form of the license plate, and the manner of its attachment to the vehicle, shall be prescribed by the registrar of motor vehicles. 688
689
690

(I) The Except as otherwise provided in division (A) or (J) 691

of this section, the minimum tax for any vehicle having motor 692
power other than a farm truck, a motorized bicycle, or motorcycle 693
is ten dollars and eighty cents, and for each noncommercial 694
trailer, five dollars. 695

(J)(1) Except as otherwise provided in division (J) of this 696
section, for each farm truck, except a noncommercial motor 697
vehicle, that is owned, controlled, or operated by one or more 698
farmers exclusively in farm use as defined in this section, and 699
not for commercial purposes, and provided that at least 700
seventy-five per cent of such farm use is by or for the one or 701
more owners, controllers, or operators of the farm in the 702
operation of which a farm truck is used, the license tax is five 703
dollars plus: 704

(a) Fifty cents per one hundred pounds or part thereof for 705
the first three thousand pounds; 706

(b) Seventy cents per one hundred pounds or part thereof in 707
excess of three thousand pounds up to and including four thousand 708
pounds; 709

(c) Ninety cents per one hundred pounds or part thereof in 710
excess of four thousand pounds up to and including six thousand 711
pounds; 712

(d) Two dollars for each one hundred pounds or part thereof 713
in excess of six thousand pounds up to and including ten thousand 714
pounds; 715

(e) Two dollars and twenty-five cents for each one hundred 716
pounds or part thereof in excess of ten thousand pounds; 717

(f) The minimum license tax for any farm truck shall be 718
twelve dollars. 719

(2) The owner of a farm truck may register the truck for a 720
period of one-half year by paying one-half the registration tax 721
imposed on the truck under this chapter and one-half the amount of 722

any tax imposed on the truck under Chapter 4504. of the Revised Code.	723 724
(3) A farm bus may be registered for a period of ninety days from the date of issue of the license plates for the bus, for a fee of ten dollars, provided such license plates shall not be issued for more than any two ninety-day periods in any calendar year. Such use does not include the operation of trucks by commercial processors of agricultural products.	725 726 727 728 729 730
(4) License plates for farm trucks and for farm buses shall have some distinguishing marks, letters, colors, or other characteristics to be determined by the director of public safety.	731 732 733
(5) Every person registering a farm truck or bus under this section shall furnish an affidavit certifying that the truck or bus licensed to that person is to be so used as to meet the requirements necessary for the farm truck or farm bus classification.	734 735 736 737 738
Any farmer may use a truck owned by the farmer for commercial purposes by paying the difference between the commercial truck registration fee and the farm truck registration fee for the remaining part of the registration period for which the truck is registered. Such remainder shall be calculated from the beginning of the semiannual period in which application for such commercial license is made.	739 740 741 742 743 744 745
Taxes at the rates provided in this section are in lieu of all taxes on or with respect to the ownership of such motor vehicles, except as provided in section 4503.042 and section 4503.06 of the Revised Code.	746 747 748 749
(K) Other than trucks registered under the international registration plan in another jurisdiction and for which this state has received an apportioned registration fee, the license tax for each truck which is owned, controlled, or operated by a nonresident, and licensed in another state, and which is used exclusively for the transportation of nonprocessed agricultural	750 751 752 753 754 755

products intrastate, from the place of production to the place of processing, is twenty-four dollars. 756
757

"Truck," as used in this division, means any pickup truck, 758
straight truck, semitrailer, or trailer other than a travel 759
trailer. Nonprocessed agricultural products, as used in this 760
division, does not include livestock or grain. 761

A license issued under this division shall be issued for a 762
period of one hundred thirty days in the same manner in which all 763
other licenses are issued under this section, provided that no 764
truck shall be so licensed for more than one 765
one-hundred-thirty-day period during any calendar year. 766

The license issued pursuant to this division shall consist of 767
a windshield decal to be designed by the director of public 768
safety. 769

Every person registering a truck under this division shall 770
furnish an affidavit certifying that the truck licensed to the 771
person is to be used exclusively for the purposes specified in 772
this division. 773

(L) Every person registering a motor vehicle as a 774
noncommercial motor vehicle as defined in section 4501.01 of the 775
Revised Code, or registering a trailer as a noncommercial trailer 776
as defined in that section, shall furnish an affidavit certifying 777
that the motor vehicle or trailer so licensed to the person is to 778
be so used as to meet the requirements necessary for the 779
noncommercial vehicle classification. 780

(M) Every person registering a van or bus as provided in 781
divisions (F)(2) and (3) of this section shall furnish a notarized 782
statement certifying that the van or bus licensed to the person is 783
to be used for the purposes specified in those divisions. The form 784
of the license plate issued for such motor vehicles shall be 785
prescribed by the registrar. 786

(N) Every person registering as a passenger car a motor 787

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

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

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

(P) As used in this section:

(1) "Van" means any motor vehicle having a single rear axle and an enclosed body without a second seat.	823 824
(2) "Handicapped person" means any person who has lost the use of one or both legs, or one or both arms, or is blind, deaf, or so severely disabled as to be unable to move about without the aid of crutches or a wheelchair.	825 826 827 828
(3) "Farm truck" means a truck used in the transportation from the farm 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 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.	829 830 831 832 833 834 835 836 837
(4) "Farm bus" means a bus used only for the transportation of agricultural employees and used only in the transportation of such employees as are necessary in the operation of the farm.	838 839 840
(5) "Farm supplies" includes fuel used exclusively in the operation of a farm, including one or more homes located on and used in the operation of one or more farms, and furniture and other things used in and around such homes.	841 842 843 844
Sec. 4503.21. (A) No person who is the owner or operator of a motor vehicle shall fail to display in plain view on the front and rear of the motor vehicle the distinctive number and registration mark, including any county identification sticker and any validation sticker issued under sections 4503.19 and 4503.191 of the Revised Code, furnished by the director of public safety, except that a manufacturer of motor vehicles or dealer therein, the holder of an in transit permit, and the owner or operator of a motorcycle, motorized bicycle <u>or moped, motor-driven cycle or</u> <u>motor scooter, cab-enclosed motorcycle,</u> manufactured home, mobile home, trailer, or semitrailer shall display on the rear only. A	845 846 847 848 849 850 851 852 853 854 855

motor vehicle that is issued two license plates shall display the validation sticker only on the rear license plate, except that a commercial tractor that does not receive an apportioned license plate under the international registration plan shall display the validation sticker on the front of the commercial tractor. An apportioned vehicle receiving an apportioned license plate under the international registration plan shall display the license plate only on the front of a commercial tractor and on the rear of all other vehicles. All license plates shall be securely fastened so as not to swing, and shall not be covered by any material that obstructs their visibility.

No person to whom a temporary license placard or windshield sticker 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 license placard in plain view from the rear of the vehicle either in the rear window or on an external rear surface of the motor vehicle, or fail to display the windshield sticker in plain view on the rear window of the motor vehicle. No temporary license placard or windshield sticker shall be covered by any material that obstructs its visibility.

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

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

placard, the county identification stickers as provided by section 891
4503.19 of the Revised Code, and validation stickers as provided 892
by section 4503.191 of the Revised Code, shall be adopted by the 893
director as rules under sections 119.01 to 119.13 of the Revised 894
Code. The identification license plate of motorized bicycles or 895
mopeds, motor-driven cycles or motor scooters, cab-enclosed 896
motorcycles, and ~~of motor vehicles of the type commonly called~~ 897
"motorcycles" shall consist of a single placard, the size of which 898
shall be prescribed by the director. The identification plate of a 899
vehicle registered in accordance with the international 900
registration plan shall contain the word "apportioned." The 901
director may prescribe the type of placard, or means of fastening 902
the placard, or both; the placard or means of fastening may be so 903
designed and constructed as to render difficult the removal of the 904
placard after it has been fastened to a motor vehicle. 905

Sec. 4503.544. (A) Any person who is a retired or honorably 906
discharged veteran of any branch of the armed forces of the United 907
States may apply to the registrar of motor vehicles for the 908
registration of any motorcycle, motorized bicycle or moped, 909
motor-driven cycle or motor scooter, or cab-enclosed motorcycle 910
that the person owns or leases. The application shall be 911
accompanied by written evidence that the applicant is a retired or 912
honorably discharged veteran of a branch of the armed forces of 913
the United States that the registrar shall require by rule. 914

Upon receipt of an application for registration of a 915
motorcycle under this section, presentation of satisfactory 916
evidence documenting that the applicant is a retired or honorably 917
discharged veteran of a branch of the armed forces of the United 918
States, and payment of the ~~regular motorcycle~~ applicable license 919
fee prescribed in section 4503.04 of the Revised Code and any 920
local motor vehicle license tax levied under Chapter 4504. of the 921
Revised Code, the registrar shall issue to the applicant the 922
appropriate motor vehicle registration and a license plate and a 923
validation sticker or a validation sticker alone when required by 924
section 4503.191 of the Revised Code. 925

(B) License plates issued under this section shall be	926
inscribed with the letters and numbers ordinarily inscribed on	927
motorcycle license plates, except that the registrar shall provide	928
for one of the following:	929
(1) The license plates to contain an inscription or symbol	930
representing veterans of the armed forces of the United States;	931
(2) The plates to include the word "veteran" or "vet";	932
(3) The plates to be designed to display a sticker bearing	933
the word "veteran."	934
(C) Sections 4503.77 and 4503.78 of the Revised Code do not	935
apply to license plates issued under this section.	936
Sec. 4507.01. (A) As used in this chapter, "motor vehicle,"	937
"motorized bicycle," "state," "owner," "operator," "chauffeur,"	938
and "highways" have the same meanings as in section 4501.01 of the	939
Revised Code.	940
"Driver's license" means a class D license issued to any	941
person to operate a motor vehicle or motor-driven cycle, other	942
than a commercial motor vehicle, and includes "probationary	943
license," "restricted license," and any operator's or chauffeur's	944
license issued before January 1, 1990.	945
"Probationary license" means the license issued to any person	946
between sixteen and eighteen years of age to operate a motor	947
vehicle.	948
"Restricted license" means the license issued to any person	949
to operate a motor vehicle subject to conditions or restrictions	950
imposed by the registrar of motor vehicles.	951
"Commercial driver's license" means the license issued to a	952
person under Chapter 4506. of the Revised Code to operate a	953
commercial motor vehicle.	954

"Commercial motor vehicle" has the same meaning as in section 4506.01 of the Revised Code.	955 956
<u>"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.</u>	957 958 959 960
"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."	961 962 963 964
"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.	965 966 967 968
"Identification card" means a card issued under sections 4507.50 and 4507.51 of the Revised Code.	969 970
"Resident" means a person who, in accordance with standards prescribed in rules adopted by the registrar, resides in this state on a permanent basis.	971 972 973
"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.	974 975 976
(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.	977 978 979 980 981
To carry out this chapter, the registrar shall appoint such deputy registrars in each county as are necessary.	982 983
The registrar also shall provide at each place where an	984

application for a driver's or commercial driver's license or 985
identification card may be made the necessary equipment to take a 986
color photograph of the applicant for such license or card as 987
required under section 4506.11 or 4507.06 of the Revised Code, and 988
to conduct the vision screenings required by section 4507.12 of 989
the Revised Code, and equipment to laminate licenses, motorized 990
bicycle licenses, and identification cards as required by sections 991
4507.13, 4507.52, and 4511.521 of the Revised Code. 992

The registrar shall assign one or more deputy registrars to 993
any driver's license examining station operated under the 994
supervision of the director of public safety, whenever the 995
registrar considers such assignment possible. Space shall be 996
provided in the driver's license examining station for any such 997
deputy registrar so assigned. The deputy registrars shall not 998
exercise the powers conferred by such sections upon the registrar, 999
unless they are specifically authorized to exercise such powers by 1000
such sections. 1001

(C) No agent for any insurance company, writing automobile 1002
insurance, shall be appointed deputy registrar, and any such 1003
appointment is void. No deputy registrar shall in any manner 1004
solicit any form of automobile insurance, nor in any manner 1005
advise, suggest, or influence any licensee or applicant for 1006
license for or against any kind or type of automobile insurance, 1007
insurance company, or agent, nor have the deputy registrar's 1008
office directly connected with the office of any automobile 1009
insurance agent, nor impart any information furnished by any 1010
applicant for a license or identification card to any person, 1011
except the registrar. This division shall not apply to any 1012
nonprofit corporation appointed deputy registrar. 1013

(D) The registrar shall immediately remove a deputy registrar 1014
who violates the requirements of this chapter. 1015

(E) The registrar shall periodically solicit bids and enter 1016
into a contract for the provision of laminating equipment and 1017
laminating materials to the registrar and all deputy registrars. 1018

The registrar shall not consider any bid that does not provide for the supplying of both laminating equipment and laminating materials. The laminating materials selected shall contain a security feature so that any tampering with the laminating material covering a license or identification card is readily apparent. In soliciting bids and entering into a contract for the provision of laminating equipment and laminating materials, the registrar shall observe all procedures required by law.

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

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

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

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

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

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

(a) The permit and identification card are in the holder's immediate possession;	1052 1053
(b) The holder is accompanied by a licensed operator who is at least twenty-one years of age, is actually occupying a seat beside the driver, and does not have a prohibited concentration of alcohol in the whole blood, blood serum or plasma, breath, or urine as provided in division (A) of section 4511.19 of the Revised Code;	1054 1055 1056 1057 1058 1059
(c) The total number of occupants of the vehicle does not exceed the total number of occupant restraining devices originally installed in the motor vehicle by its manufacturer, and each occupant of the vehicle is wearing all of the available elements of a properly adjusted occupant restraining device.	1060 1061 1062 1063 1064
(B) The registrar or a deputy registrar, upon receiving from any person an application for a temporary instruction permit and temporary instruction permit identification card to operate a motorcycle, <u>motor-driven cycle or motor scooter</u> , or motorized bicycle, may issue such a permit and identification card entitling the applicant, while having the permit and identification card in the applicant's immediate possession, to drive a motorcycle <u>or motor-driven cycle or motor scooter</u> , under the restrictions prescribed in section 4511.53 of the Revised Code, or to drive a motorized bicycle under restrictions determined by the registrar. A temporary instruction permit and temporary instruction permit identification card to operate a motorized bicycle may be issued to a person fourteen or fifteen years old.	1065 1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 1076 1077
(C) Any permit and identification card issued under this section shall be issued in the same manner as a driver's license, upon a form to be furnished by the registrar. A temporary instruction permit to drive a motor vehicle other than a commercial motor vehicle shall be valid for a period of one year.	1078 1079 1080 1081 1082
(D) Any person having in the person's possession a valid and current driver's license or motorcycle operator's license or	1083 1084

endorsement issued to the person by another jurisdiction	1085
recognized by this state is exempt from obtaining a temporary	1086
instruction permit for a driver's license, but shall submit to the	1087
regular examination in obtaining a driver's license or motorcycle	1088
operator's endorsement in this state.	1089
(E) The registrar may adopt rules governing the use of	1090
temporary instruction permits and temporary instruction permit	1091
identification cards.	1092
(F)(1) No holder of a permit issued under division (A) of	1093
this section shall operate a motor vehicle upon a highway or any	1094
public or private property used by the public for purposes of	1095
vehicular travel or parking in violation of the conditions	1096
established under division (A) of this section.	1097
(2) Except as provided in division (F)(2) of this section, no	1098
holder of a permit that is issued under division (A) of this	1099
section and that is issued on or after July 1, 1998, and who has	1100
not attained the age of eighteen years, shall operate a motor	1101
vehicle upon a highway or any public or private property used by	1102
the public for purposes of vehicular travel or parking between the	1103
hours of midnight and six a.m.	1104
The holder of a permit issued under division (A) of this	1105
section on or after July 1, 1998, who has not attained the age of	1106
eighteen years, may operate a motor vehicle upon a highway or any	1107
public or private property used by the public for purposes of	1108
vehicular travel or parking between the hours of midnight and six	1109
a.m. if, at the time of such operation, the holder is accompanied	1110
by the holder's parent, guardian, or custodian, and the parent,	1111
guardian, or custodian holds a current valid driver's or	1112
commercial driver's license issued by this state, is actually	1113
occupying a seat beside the permit holder, and does not have a	1114
prohibited concentration of alcohol in the whole blood, blood	1115
serum or plasma, breath, or urine as provided in division (A) of	1116
section 4511.19 of the Revised Code.	1117
(G)(1) Notwithstanding any other provision of law to the	1118

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

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

(H) As used in this section:

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

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

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

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

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

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

(I) Whoever violates division (F)(1) or (2) of this section

is guilty of a minor misdemeanor. 1149

Sec. 4507.06. (A)(1) Every application for a driver's 1150
license ~~or~~, motorcycle operator's license or endorsement, or 1151
motor-driven cycle or motor scooter license or endorsement, or 1152
duplicate of any such license or endorsement, shall be made upon 1153
the approved form furnished by the registrar of motor vehicles and 1154
shall be signed by the applicant. 1155

Every application shall state the following: 1156

(a) The applicant's name, date of birth, social security 1157
number if such has been assigned, sex, general description, 1158
including height, weight, color of hair, and eyes, residence 1159
address, including county of residence, duration of residence in 1160
this state, and country of citizenship; 1161

(b) Whether the applicant previously has been licensed as an 1162
operator, chauffeur, driver, commercial driver, or motorcycle 1163
operator and, if so, when, by what state, and whether such license 1164
is suspended or canceled at the present time and, if so, the date 1165
of and reason for the suspension or cancellation; 1166

(c) Whether the applicant is now or ever has been afflicted 1167
with epilepsy, or whether the applicant now is suffering from any 1168
physical or mental disability or disease and, if so, the nature 1169
and extent of the disability or disease, giving the names and 1170
addresses of physicians then or previously in attendance upon the 1171
applicant; 1172

(d) Whether an applicant for a duplicate driver's license, ~~or~~ 1173
duplicate license containing a motorcycle operator endorsement, or 1174
duplicate license containing a motor-driven cycle or motor scooter 1175
endorsement has pending a citation for violation of any motor 1176
vehicle law or ordinance, a description of any such citation 1177
pending, and the date of the citation; 1178

(e) Whether the applicant wishes to certify willingness to 1179
make an anatomical gift under section 2108.05 of the Revised Code, 1180

which shall be given no consideration in the issuance of a license or endorsement; 1181
1182

(f) Whether the applicant has executed a valid durable power of attorney for health care pursuant to sections 1337.11 to 1337.17 of the Revised Code or has executed a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment pursuant to sections 2133.01 to 2133.15 of the Revised Code and, if the applicant has executed either type of instrument, whether the applicant wishes the applicant's license to indicate that the applicant has executed the instrument; 1183
1184
1185
1186
1187
1188
1189
1190
1191

(g) On and after October 7, 2009, whether the applicant is a veteran, active duty, or reservist of the armed forces of the United States and, if the applicant is such, whether the applicant wishes the applicant's license to indicate that the applicant is a veteran, active duty, or reservist of the armed forces of the United States by a military designation on the license. 1192
1193
1194
1195
1196
1197

(2) Every applicant for a driver's license shall be photographed in color at the time the application for the license is made. The application shall state any additional information that the registrar requires. 1198
1199
1200
1201

(B) The registrar or a deputy registrar, in accordance with section 3503.11 of the Revised Code, shall register as an elector any person who applies for a ~~driver's license or motorcycle operator's license~~ or endorsement under division (A) of this section, or for a renewal or duplicate of the license or endorsement, if the applicant is eligible and wishes to be registered as an elector. The decision of an applicant whether to register as an elector shall be given no consideration in the decision of whether to issue the applicant a license or endorsement, or a renewal or duplicate. 1202
1203
1204
1205
1206
1207
1208
1209
1210
1211

(C) The registrar or a deputy registrar, in accordance with section 3503.11 of the Revised Code, shall offer the opportunity of completing a notice of change of residence or change of name to 1212
1213
1214

any applicant for a driver's license or endorsement under division 1215
(A) of this section, or for a renewal or duplicate of the license 1216
or endorsement, if the applicant is a registered elector who has 1217
changed the applicant's residence or name and has not filed such a 1218
notice. 1219

(D) In addition to any other information it contains, on and 1220
after October 7, 2009, the approved form furnished by the 1221
registrar of motor vehicles for an application for a ~~driver's~~ 1222
license or ~~motorcycle operator's license or~~ endorsement or an 1223
application for a duplicate of any such license or endorsement 1224
shall inform applicants that the applicant must present a copy of 1225
the applicant's DD-214 or an equivalent document in order to 1226
qualify to have the license or duplicate indicate that the 1227
applicant is a veteran, active duty, or reservist of the armed 1228
forces of the United States based on a request made pursuant to 1229
division (A)(1)(g) of this section. 1230

Sec. 4507.11. (A) The registrar of motor vehicles shall 1231
conduct all necessary examinations of applicants for temporary 1232
instruction permits, drivers' licenses, ~~or~~ motorcycle operators' 1233
endorsements, or motor-driven cycle or motor scooter endorsements. 1234
The examination shall include a test of the applicant's knowledge 1235
of motor vehicle laws, including the laws on stopping for school 1236
buses, a test of the applicant's physical fitness to drive, and a 1237
test of the applicant's ability to understand highway traffic 1238
control devices. The examination may be conducted in such a manner 1239
that applicants who are illiterate or limited in their knowledge 1240
of the English language may be tested by methods that would 1241
indicate to the examining officer that the applicant has a 1242
reasonable knowledge of motor vehicle laws and understands highway 1243
traffic control devices. An applicant for a driver's license shall 1244
give an actual demonstration of the ability to exercise ordinary 1245
and reasonable control in the operation of a motor vehicle by 1246
driving the same under the supervision of an examining officer; 1247
however, no applicant for a driver's license shall use a low-speed 1248
or under-speed vehicle or a mini-truck for the purpose of 1249
demonstrating ability to exercise ordinary and reasonable control 1250

over a vehicle. Except as provided in division (B) of this 1251
section, an applicant for a motorcycle operator's endorsement or a 1252
restricted license that permits only the operation of a motorcycle 1253
shall give an actual demonstration of the ability to exercise 1254
ordinary and reasonable control in the operation of a motorcycle 1255
by driving the same under the supervision of an examining officer; 1256
however, no applicant for such an endorsement or restricted 1257
license shall use a motor-driven cycle or motor scooter for the 1258
purpose of demonstrating ability to exercise ordinary and 1259
reasonable control in the operation of a motorcycle. Except as 1260
provided in division (B) of this section, an applicant for a 1261
motor-driven cycle or motor scooter operator's endorsement or a 1262
restricted license that permits only the operation of a 1263
motor-driven cycle or motor scooter shall give an actual 1264
demonstration of the ability to exercise ordinary and reasonable 1265
control in the operation of a motor-driven cycle or motor scooter 1266
by driving a motor-driven cycle or motor scooter under the 1267
supervision of an examining officer. Except as provided in section 1268
4507.12 of the Revised Code, the registrar shall designate the 1269
highway patrol, any law enforcement body, or any other employee of 1270
the department of public safety to supervise and conduct 1271
examinations for temporary instruction permits, drivers' licenses, 1272
and motorcycle operators' endorsements and shall provide the 1273
necessary rules and forms to properly conduct the examinations. 1274
The records of the examinations, together with the application for 1275
a temporary instruction permit, driver's license, or motorcycle 1276
operator's endorsement, shall be forwarded to the registrar by the 1277
deputy registrar, and, if in the opinion of the registrar the 1278
applicant is qualified to operate a motor vehicle, the registrar 1279
shall issue the permit, license, or endorsement. 1280

The registrar may authorize the highway patrol, other 1281
designated law enforcement body, or other designated employee of 1282
the department of public safety to issue an examiner's driving 1283
permit to an applicant who has passed the required examination, 1284
authorizing that applicant to operate a motor vehicle while the 1285
registrar is completing an investigation relative to that 1286
applicant's qualifications to receive a temporary instruction 1287

permit, driver's license, or motorcycle operator's endorsement. 1288
The examiner's driving permit shall be in the immediate possession 1289
of the applicant while operating a motor vehicle and shall be 1290
effective until final action and notification has been given by 1291
the registrar, but in no event longer than sixty days from its 1292
date of issuance. 1293

(B)(1) An applicant for a motorcycle operator's endorsement 1294
or a restricted license that permits only the operation of a 1295
motorcycle who presents to the registrar of motor vehicles or a 1296
deputy registrar a form approved by the director of public safety 1297
attesting to the applicant's successful completion within the 1298
preceding sixty days of a course of basic instruction provided by 1299
the motorcycle safety and education program approved by the 1300
director pursuant to section 4508.08 of the Revised Code shall not 1301
be required to give an actual demonstration of the ability to 1302
operate a motorcycle by driving a motorcycle under the supervision 1303
of an examining officer, as described in division (A) of this 1304
section. An applicant for a motor-driven cycle or motor scooter 1305
operator's endorsement or a restricted license that permits only 1306
the operation of a motor-driven cycle or motor scooter who 1307
presents to the registrar of motor vehicles or a deputy registrar 1308
a form approved by the director of public safety attesting to the 1309
applicant's successful completion within the preceding sixty days 1310
of a course of basic instruction provided by the motorcycle safety 1311
and education program approved by the director pursuant to section 1312
4508.08 of the Revised Code shall not be required to give an 1313
actual demonstration of the ability to operate a motor-driven 1314
cycle or motor scooter by driving a motor-driven cycle or motor 1315
scooter under the supervision of an examining officer, as 1316
described in division (A) of this section. Upon presentation of 1317
the form described in division (B)(1) of this section and 1318
compliance with all other requirements relating to the issuance of 1319
a motorcycle operator's endorsement or a restricted license that 1320
permits only the operation of a motorcycle, the registrar or 1321
deputy registrar shall issue to the applicant the endorsement or 1322
restricted license, as the case may be. 1323

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

(C) A person who holds a valid motorcycle endorsement or restricted license that permits only the operation of a motorcycle may operate a motor-driven cycle or motor scooter with that endorsement or restricted license.

Sec. 4511.01. As used in this chapter and in Chapter 4513. of the Revised Code:

(A) "Vehicle" means every device, including a motorized bicycle, in, upon, or by which any person or property may be transported or drawn upon a highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, any device that is moved by power collected from overhead electric trolley wires or that is used exclusively upon stationary rails or tracks, or any device, other than a bicycle, that is moved by human power.

(B) "Motor vehicle" means every vehicle propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires, except motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, hole-digging machinery, well-drilling machinery, ditch-digging machinery, farm machinery, and trailers designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of no more than ten miles and at a speed of twenty-five miles per hour or less.

(C) "Motorcycle" means every motor vehicle, other than a tractor, having a seat or saddle for the use of the operator and

designed to travel on not more than three wheels in contact with the ground, including, but not limited to, motor vehicles known as "motor-driven cycle," "motor scooter," "cab-enclosed motorcycle," or "motorcycle" without regard to weight or brake horsepower.

(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 1389
transporting an ill or injured person to a hospital regardless of 1390
whether such vehicle has already passed a hospital. 1391

(5) Vehicles used by the motor carrier enforcement unit for 1392
the enforcement of orders and rules of the public utilities 1393
commission as specified in section 5503.34 of the Revised Code. 1394

(F) "School bus" means every bus designed for carrying more 1395
than nine passengers that is owned by a public, private, or 1396
governmental agency or institution of learning and operated for 1397
the transportation of children to or from a school session or a 1398
school function, or owned by a private person and operated for 1399
compensation for the transportation of children to or from a 1400
school session or a school function, provided "school bus" does 1401
not include a bus operated by a municipally owned transportation 1402
system, a mass transit company operating exclusively within the 1403
territorial limits of a municipal corporation, or within such 1404
limits and the territorial limits of municipal corporations 1405
immediately contiguous to such municipal corporation, nor a common 1406
passenger carrier certified by the public utilities commission 1407
unless such bus is devoted exclusively to the transportation of 1408
children to and from a school session or a school function, and 1409
"school bus" does not include a van or bus used by a licensed 1410
child day-care center or type A family day-care home to transport 1411
children from the child day-care center or type A family day-care 1412
home to a school if the van or bus does not have more than fifteen 1413
children in the van or bus at any time. 1414

(G) "Bicycle" means every device, other than a tricycle 1415
designed solely for use as a play vehicle by a child, propelled 1416
solely by human power upon which any person may ride having two 1417
tandem wheels, or one wheel in the front and two wheels in the 1418
rear, or two wheels in the front and one wheel in the rear, any of 1419
which is more than fourteen inches in diameter. 1420

(H) "Motorized bicycle" or "moped" means any vehicle having 1421
either two tandem wheels or one wheel in the front and two wheels 1422

in the rear, that is capable of being <u>may be pedaled</u> , and <u>that is</u>	1423
equipped with a helper motor of not more than fifty cubic	1424
centimeters piston displacement that produces no more than one	1425
brake horsepower and is capable of propelling the vehicle at a	1426
speed of no greater than twenty miles per hour on a level surface.	1427
(I) "Commercial tractor" means every motor vehicle having	1428
motive power designed or used for drawing other vehicles and not	1429
so constructed as to carry any load thereon, or designed or used	1430
for drawing other vehicles while carrying a portion of such other	1431
vehicles, or load thereon, or both.	1432
(J) "Agricultural tractor" means every self-propelling	1433
vehicle designed or used for drawing other vehicles or wheeled	1434
machinery but having no provision for carrying loads independently	1435
of such other vehicles, and used principally for agricultural	1436
purposes.	1437
(K) "Truck" means every motor vehicle, except trailers and	1438
semitrailers, designed and used to carry property.	1439
(L) "Bus" means every motor vehicle designed for carrying	1440
more than nine passengers and used for the transportation of	1441
persons other than in a ridesharing arrangement, and every motor	1442
vehicle, automobile for hire, or funeral car, other than a taxicab	1443
or motor vehicle used in a ridesharing arrangement, designed and	1444
used for the transportation of persons for compensation.	1445
(M) "Trailer" means every vehicle designed or used for	1446
carrying persons or property wholly on its own structure and for	1447
being drawn by a motor vehicle, including any such vehicle when	1448
formed by or operated as a combination of a "semitrailer" and a	1449
vehicle of the dolly type, such as that commonly known as a	1450
"trailer dolly," a vehicle used to transport agricultural produce	1451
or agricultural production materials between a local place of	1452
storage or supply and the farm when drawn or towed on a street or	1453
highway at a speed greater than twenty-five miles per hour, and a	1454
vehicle designed and used exclusively to transport a boat between	1455
a place of storage and a marina, or in and around a marina, when	1456

drawn or towed on a street or highway for a distance of more than	1457
ten miles or at a speed of more than twenty-five miles per hour.	1458
(N) "Semitrailer" means every vehicle designed or used for	1459
carrying persons or property with another and separate motor	1460
vehicle so that in operation a part of its own weight or that of	1461
its load, or both, rests upon and is carried by another vehicle.	1462
(O) "Pole trailer" means every trailer or semitrailer	1463
attached to the towing vehicle by means of a reach, pole, or by	1464
being boomed or otherwise secured to the towing vehicle, and	1465
ordinarily used for transporting long or irregular shaped loads	1466
such as poles, pipes, or structural members capable, generally, of	1467
sustaining themselves as beams between the supporting connections.	1468
(P) "Railroad" means a carrier of persons or property	1469
operating upon rails placed principally on a private right-of-way.	1470
(Q) "Railroad train" means a steam engine or an electric or	1471
other motor, with or without cars coupled thereto, operated by a	1472
railroad.	1473
(R) "Streetcar" means a car, other than a railroad train, for	1474
transporting persons or property, operated upon rails principally	1475
within a street or highway.	1476
(S) "Trackless trolley" means every car that collects its	1477
power from overhead electric trolley wires and that is not	1478
operated upon rails or tracks.	1479
(T) "Explosives" means any chemical compound or mechanical	1480
mixture that is intended for the purpose of producing an explosion	1481
that contains any oxidizing and combustible units or other	1482
ingredients in such proportions, quantities, or packing that an	1483
ignition by fire, by friction, by concussion, by percussion, or by	1484
a detonator of any part of the compound or mixture may cause such	1485
a sudden generation of highly heated gases that the resultant	1486
gaseous pressures are capable of producing destructive effects on	1487
contiguous objects, or of destroying life or limb. Manufactured	1488

articles shall not be held to be explosives when the individual	1489
units contain explosives in such limited quantities, of such	1490
nature, or in such packing, that it is impossible to procure a	1491
simultaneous or a destructive explosion of such units, to the	1492
injury of life, limb, or property by fire, by friction, by	1493
concussion, by percussion, or by a detonator, such as fixed	1494
ammunition for small arms, firecrackers, or safety fuse matches.	1495
(U) "Flammable liquid" means any liquid that has a flash	1496
point of seventy degrees fahrenheit, or less, as determined by a	1497
tagliabue or equivalent closed cup test device.	1498
(V) "Gross weight" means the weight of a vehicle plus the	1499
weight of any load thereon.	1500
(W) "Person" means every natural person, firm,	1501
co-partnership, association, or corporation.	1502
(X) "Pedestrian" means any natural person afoot.	1503
(Y) "Driver or operator" means every person who drives or is	1504
in actual physical control of a vehicle, trackless trolley, or	1505
streetcar.	1506
(Z) "Police officer" means every officer authorized to direct	1507
or regulate traffic, or to make arrests for violations of traffic	1508
regulations.	1509
(AA) "Local authorities" means every county, municipal, and	1510
other local board or body having authority to adopt police	1511
regulations under the constitution and laws of this state.	1512
(BB) "Street" or "highway" means the entire width between the	1513
boundary lines of every way open to the use of the public as a	1514
thoroughfare for purposes of vehicular travel.	1515
(CC) "Controlled-access highway" means every street or	1516
highway in respect to which owners or occupants of abutting lands	1517
and other persons have no legal right of access to or from the	1518

same except at such points only and in such manner as may be	1519
determined by the public authority having jurisdiction over such	1520
street or highway.	1521
(DD) "Private road or driveway" means every way or place in	1522
private ownership used for vehicular travel by the owner and those	1523
having express or implied permission from the owner but not by	1524
other persons.	1525
(EE) "Roadway" means that portion of a highway improved,	1526
designed, or ordinarily used for vehicular travel, except the berm	1527
or shoulder. If a highway includes two or more separate roadways	1528
the term "roadway" means any such roadway separately but not all	1529
such roadways collectively.	1530
(FF) "Sidewalk" means that portion of a street between the	1531
curb lines, or the lateral lines of a roadway, and the adjacent	1532
property lines, intended for the use of pedestrians.	1533
(GG) "Laned highway" means a highway the roadway of which is	1534
divided into two or more clearly marked lanes for vehicular	1535
traffic.	1536
(HH) "Through highway" means every street or highway as	1537
provided in section 4511.65 of the Revised Code.	1538
(II) "State highway" means a highway under the jurisdiction	1539
of the department of transportation, outside the limits of	1540
municipal corporations, provided that the authority conferred upon	1541
the director of transportation in section 5511.01 of the Revised	1542
Code to erect state highway route markers and signs directing	1543
traffic shall not be modified by sections 4511.01 to 4511.79 and	1544
4511.99 of the Revised Code.	1545
(JJ) "State route" means every highway that is designated	1546
with an official state route number and so marked.	1547
(KK) "Intersection" means:	1548

(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 with a roadway or highway does not constitute an intersection unless the 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, then every crossing of each roadway of such divided highway by an intersecting highway constitutes a separate intersection. 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.

(3) At a location controlled by a 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 included within the real or projected prolongation of property

lines and curb lines or, in the absence of curbs, the edges of the	1581
traversable roadway;	1582
(2) Any portion of a roadway at an intersection or elsewhere,	1583
distinctly indicated for pedestrian crossing by lines or other	1584
markings on the surface;	1585
(3) Notwithstanding divisions (LL)(1) and (2) of this	1586
section, there shall not be a crosswalk where local authorities	1587
have placed signs indicating no crossing.	1588
(MM) "Safety zone" means the area or space officially set	1589
apart within a roadway for the exclusive use of pedestrians and	1590
protected or marked or indicated by adequate signs as to be	1591
plainly visible at all times.	1592
(NN) "Business district" means the territory fronting upon a	1593
street or highway, including the street or highway, between	1594
successive intersections within municipal corporations where fifty	1595
per cent or more of the frontage between such successive	1596
intersections is occupied by buildings in use for business, or	1597
within or outside municipal corporations where fifty per cent or	1598
more of the frontage for a distance of three hundred feet or more	1599
is occupied by buildings in use for business, and the character of	1600
such territory is indicated by official traffic control devices.	1601
(OO) "Residence district" means the territory, not comprising	1602
a business district, fronting on a street or highway, including	1603
the street or highway, where, for a distance of three hundred feet	1604
or more, the frontage is improved with residences or residences	1605
and buildings in use for business.	1606
(PP) "Urban district" means the territory contiguous to and	1607
including any street or highway which is built up with structures	1608
devoted to business, industry, or dwelling houses situated at	1609
intervals of less than one hundred feet for a distance of a	1610
quarter of a mile or more, and the character of such territory is	1611
indicated by official traffic control devices.	1612

(QQ) "Traffic control device" means a flagger, sign, signal, marking, or other device used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, private road 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.

(RR) "Traffic control signal" means any highway traffic signal by which traffic is alternately directed to stop and permitted to proceed.

(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 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.	1645 1646
(WW) "Funeral escort vehicle" means any motor vehicle, including a funeral hearse, while used to facilitate the movement of a funeral procession.	1647 1648 1649
(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.	1650 1651 1652 1653 1654 1655
(YY) "Freeway" means a divided multi-lane highway for through traffic with all crossroads separated in grade and with full control of access.	1656 1657 1658
(ZZ) "Expressway" means a divided arterial highway for through traffic with full or partial control of access with an excess of fifty per cent of all crossroads separated in grade.	1659 1660 1661
(AAA) "Thruway" means a through highway whose entire roadway is reserved for through traffic and on which roadway parking is prohibited.	1662 1663 1664
(BBB) "Stop intersection" means any intersection at one or more entrances of which stop signs are erected.	1665 1666
(CCC) "Arterial street" means any United States or state numbered route, controlled access highway, or other major radial or circumferential street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system of streets or highways.	1667 1668 1669 1670 1671
(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.	1672 1673 1674 1675

(EEE) "Motorized wheelchair" means any self-propelled vehicle designed for, and used by, a handicapped person and that is incapable of a speed in excess of eight miles per hour.	1676 1677 1678
(FFF) "Child day-care center" and "type A family day-care home" have the same meanings as in section 5104.01 of the Revised Code.	1679 1680 1681
(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.	1682 1683 1684 1685 1686 1687
(HHH) "Operate" means to cause or have caused movement of a vehicle, streetcar, or trackless trolley.	1688 1689
(III) "Predicate motor vehicle or traffic offense" means any of the following:	1690 1691
(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, <u>4511.214</u> , 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code;	1692 1693 1694 1695 1696 1697 1698 1699 1700 1701 1702 1703
(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;	1704 1705 1706

(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;	1707 1708 1709
(4) A violation of a municipal ordinance that is substantially similar to any section or provision set forth or described in division (III)(1), (2), or (3) of this section.	1710 1711 1712
(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.	1713 1714 1715 1716
(KKK) "Beacon" means a highway traffic signal with one or more signal sections that operate in a flashing mode.	1717 1718
(LLL) "Hybrid beacon" means a type of beacon that is intentionally placed in a dark mode between periods of operation where no indications are displayed and, when in operation, displays both steady and flashing traffic control signal indications.	1719 1720 1721 1722 1723
(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" does not include a power-operated sign, steadily illuminated pavement marker, warning light, or steady burning electric lamp.	1724 1725 1726 1727 1728
(NNN) "Median" means the area between two roadways of a divided highway, measured from edge of traveled way to edge of traveled way, but excluding turn lanes. The width of a median may be different between intersections, between interchanges, and at opposite approaches of the same intersection.	1729 1730 1731 1732 1733
(OOO) "Private road open to public travel" means a private toll road or road, including any adjacent sidewalks that generally run parallel to the road, within a shopping center, airport, sports arena, or other similar business or recreation facility that is privately owned but where the public is allowed to travel	1734 1735 1736 1737 1738

without access restrictions. "Private road open to public travel" 1739
includes a gated toll road but does not include a road within a 1740
private gated property where access is restricted at all times, a 1741
parking area, a driving aisle within a parking area, or a private 1742
grade crossing. 1743

(PPP) "Shared-use path" means a bikeway outside the traveled 1744
way and physically separated from motorized vehicular traffic by 1745
an open space or barrier and either within the highway 1746
right-of-way or within an independent alignment. A shared-use path 1747
also may be used by pedestrians, including skaters, joggers, users 1748
of manual and motorized wheelchairs, and other authorized 1749
motorized and non-motorized users. 1750

Sec. 4511.214. (A)(1) No person shall operate a low-speed 1751
vehicle upon any street or highway having an established speed 1752
limit greater than thirty-five miles per hour. 1753

(2) No person shall operate an under-speed or utility vehicle 1754
or a mini-truck upon any street or highway except as follows: 1755

(a) Upon a street or highway having an established speed 1756
limit not greater than thirty-five miles per hour and only upon 1757
such streets or highways where a local authority has granted 1758
permission for such operation in accordance with section 4511.215 1759
of the Revised Code; 1760

(b) A state park or political subdivision employee or 1761
volunteer operating a utility vehicle exclusively within the 1762
boundaries of state parks or political subdivision parks for the 1763
operation or maintenance of state or political subdivision park 1764
facilities. 1765

(3) No person shall operate a motor-driven cycle or motor 1766
scooter upon any street or highway having an established speed 1767
limit greater than forty-five miles per hour. 1768

(B) This section does not prohibit either of the following: 1769

(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; 1770
1771
1772
1773

(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. 1774
1775
1776

(C) Nothing in this section shall prevent a local authority from adopting more stringent local ordinances, resolutions, or regulations governing the operation of a low-speed vehicle or a mini-truck, or a motor-driven cycle or motor scooter. 1777
1778
1779
1780

(D) 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. 1781
1782
1783
1784
1785
1786
1787
1788
1789
1790

Sec. 4511.215. (A) By ordinance or resolution, a local authority may authorize the operation of under-speed or utility vehicles or mini-trucks on a public street or highway under its jurisdiction. A local authority that authorizes the operation of under-speed or utility vehicles or mini-trucks shall do all of the following: 1791
1792
1793
1794
1795
1796

(1) Limit the operation of those vehicles to streets and highways having an established speed limit not greater than thirty-five miles per hour; 1797
1798
1799

(2) Require the vehicle owner who wishes to operate an under-speed or utility vehicle or a mini-truck on the public streets or highways to submit the vehicle to an inspection 1800
1801
1802

conducted by a local law enforcement agency that complies with inspection requirements established by the department of public safety under section 4513.02 of the Revised Code; 1803
1804
1805

(3) Permit the operation on public streets or highways of only those vehicles that successfully pass the required vehicle inspection, are registered in accordance with Chapter 4503. of the Revised Code, and are titled in accordance with Chapter 4505. of the Revised Code; 1806
1807
1808
1809
1810

(4) Notify the director of public safety, in a manner the director determines, of the authorization for the operation of under-speed or utility vehicles or mini-trucks. 1811
1812
1813

(B) A local authority may establish additional requirements for the operation of under-speed or utility vehicles or mini-trucks on its streets and highways. 1814
1815
1816

Sec. 4511.53. (A) For purposes of this section, "snowmobile" has the same meaning as given that term in section 4519.01 of the Revised Code. 1817
1818
1819

(B) No person operating a bicycle shall ride other than upon or astride the permanent and regular seat attached thereto or carry any other person upon such bicycle other than upon a firmly attached and regular seat thereon, and no person shall ride upon a bicycle other than upon such a firmly attached and regular seat. 1820
1821
1822
1823
1824

No person operating a motorcycle shall ride other than upon or astride the permanent and regular seat or saddle attached thereto, or carry any other person upon such motorcycle other than upon a firmly attached and regular seat or saddle thereon, and no person shall ride upon a motorcycle other than upon such a firmly attached and regular seat or saddle. 1825
1826
1827
1828
1829
1830

No person shall ride upon a motorcycle that is equipped with a saddle other than while sitting astride the saddle, facing forward, with one leg on each side of the motorcycle. 1831
1832
1833

No person shall ride upon a motorcycle that is equipped with a seat other than while sitting upon the seat. 1834
1835

No person operating a bicycle shall carry any package, bundle, or article that prevents the driver from keeping at least one hand upon the ~~handle bars~~ handlebars. 1836
1837
1838

No bicycle or motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped; ~~nor shall any.~~ No motorcycle shall be operated on a highway when the ~~handle bars or grips are more than fifteen inches~~ handlebars rise higher than the shoulders of the operator when the operator is seated in the operator's seat or saddle for the operator. 1839
1840
1841
1842
1843
1844

~~no~~ (C)(1) Except as provided in division (C)(2) of this section, no person shall operate or be a passenger on a snowmobile or motorcycle without using safety glasses or other protective eye device. No Except as provided in division (C)(2) of this section, no person who is under the age of eighteen years, or who holds a motorcycle operator's endorsement or license bearing a "novice" designation that is currently in effect as provided in section 4507.13 of the Revised Code, shall operate a motorcycle on a highway, or be a passenger on a motorcycle, unless wearing a United States department of transportation-approved protective helmet on the person's head, and no other person shall be a passenger on a motorcycle operated by such a person unless similarly wearing a protective helmet. The helmet, safety glasses, or other protective eye device shall conform with rules adopted by the director of public safety. The provisions of this paragraph or a violation thereof shall not be used in the trial of any civil action. 1845
1846
1847
1848
1849
1850
1851
1852
1853
1854
1855
1856
1857
1858
1859
1860
1861

~~(C)(1)(2)~~ Division (C)(1) of this section does not apply to a person operating a cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants. 1862
1863
1864

(3)(a) No person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit 1865
1866

identification card issued by the registrar of motor vehicles 1867
pursuant to section 4507.05 of the Revised Code unless the person, 1868
at the time of such operation, is wearing on the person's head a 1869
protective helmet that has been approved by the United States 1870
department of transportation that conforms with rules adopted by 1871
the director. 1872

~~(2)~~(b) No person shall operate a motorcycle with a valid 1873
temporary instruction permit and temporary instruction permit 1874
identification card issued by the registrar pursuant to section 1875
4507.05 of the Revised Code in any of the following circumstances: 1876

~~(a)~~(i) At any time when lighted lights are required by 1877
division (A)(1) of section 4513.03 of the Revised Code; 1878

~~(b)~~(ii) While carrying a passenger; 1879

~~(c)~~(iii) On any limited access highway or heavily congested 1880
roadway. 1881

(D) Nothing in this section shall be construed as prohibiting 1882
the carrying of a child in a seat or trailer that is designed for 1883
carrying children and is firmly attached to the bicycle. 1884

(E) Except as otherwise provided in this division, whoever 1885
violates division (B) or (C)(1) or (3) of this section is guilty 1886
of a minor misdemeanor. If, within one year of the offense, the 1887
offender previously has been convicted of or pleaded guilty to one 1888
predicate motor vehicle or traffic offense, whoever violates 1889
division (B) or (C)(1) or (3) of this section is guilty of a 1890
misdemeanor of the fourth degree. If, within one year of the 1891
offense, the offender previously has been convicted of two or more 1892
predicate motor vehicle or traffic offenses, whoever violates 1893
division (B) or (C)(1) or (3) of this section is guilty of a 1894
misdemeanor of the third degree. 1895

Sec. 4513.241. (A) The director of public safety, in 1896
accordance with Chapter 119. of the Revised Code, shall adopt 1897
rules governing the use of tinted glass, and the use of 1898

transparent, nontransparent, translucent, and reflectorized	1899
materials in or on motor vehicle windshields, side windows,	1900
sidewings, and rear windows that prevent a person of normal vision	1901
looking into the motor vehicle from seeing or identifying persons	1902
or objects inside the motor vehicle.	1903
(B) The rules adopted under this section may provide for	1904
persons who meet either of the following qualifications:	1905
(1) On November 11, 1994, or the effective date of any rule	1906
adopted under this section, own a motor vehicle that does not	1907
conform to the requirements of this section or of any rule adopted	1908
under this section;	1909
(2) Establish residency in this state and are required to	1910
register a motor vehicle that does not conform to the requirements	1911
of this section or of any rule adopted under this section.	1912
(C) No person shall operate, on any highway or other public	1913
or private property open to the public for vehicular travel or	1914
parking, lease, or rent any motor vehicle that is registered in	1915
this state unless the motor vehicle conforms to the requirements	1916
of this section and of any applicable rule adopted under this	1917
section.	1918
(D) No person shall install in or on any motor vehicle, any	1919
glass or other material that fails to conform to the requirements	1920
of this section or of any rule adopted under this section.	1921
(E)(1) No used motor vehicle dealer or new motor vehicle	1922
dealer, as defined in section 4517.01 of the Revised Code, shall	1923
sell any motor vehicle that fails to conform to the requirements	1924
of this section or of any rule adopted under this section.	1925
<u>(2) No manufacturer, remanufacturer, or distributor, as</u>	1926
<u>defined in section 4517.01 of the Revised Code, shall provide to a</u>	1927
<u>motor vehicle dealer licensed under Chapter 4517. of the Revised</u>	1928
<u>Code or to any other person, a motor vehicle that fails to conform</u>	1929
<u>to the requirements of this section or of any rule adopted under</u>	1930

<u>this section.</u>	1931
(F) No reflectorized materials shall be permitted upon or in any front windshield, side windows, sidewings, or rear window.	1932 1933
(G) This section does not apply to the manufacturer's tinting or glazing of motor vehicle windows or windshields that is otherwise in compliance with or permitted by federal motor vehicle safety standard number two hundred five.	1934 1935 1936 1937
(H) With regard to any side window behind a driver's seat or any rear window other than any window on an emergency door, this section does not apply to any school bus used to transport a child with disabilities pursuant to Chapter 3323. of the Revised Code, whom it is impossible or impractical to transport by regular school bus in the course of regular route transportation provided by a school district. As used in this division, "child with disabilities" has the same meaning as in section 3323.01 of the Revised Code.	1938 1939 1940 1941 1942 1943 1944 1945 1946
(I) This section does not apply to any school bus that is to be sold and operated outside this state.	1947 1948
(J)(1) <u>This section and the rules adopted under it do not apply to a motor vehicle used by a law enforcement agency under either of the following circumstances:</u>	1949 1950 1951
(a) <u>The vehicle does not have distinctive markings of a law enforcement vehicle but is operated by or on behalf of the law enforcement agency in an authorized investigation or other activity requiring that the presence and identity of the vehicle occupants be undisclosed.</u>	1952 1953 1954 1955 1956
(b) <u>The vehicle primarily is used by the law enforcement canine unit for transporting a police dog.</u>	1957 1958
(2) <u>As used in this division, "law enforcement agency" means a police department, the office of a sheriff, the state highway patrol, a county prosecuting attorney, or a federal, state, or</u>	1959 1960 1961

<u>local governmental body that enforces criminal laws and that has</u>	1962
<u>employees who have a statutory power of arrest.</u>	1963
<u>(K)(1) Whoever violates division (C), (D), (E)(2), or (F) of</u>	1964
<u>this section is guilty of a minor misdemeanor.</u>	1965
<u>(2) Whoever violates division (E)(1) of this section is</u>	1966
<u>guilty of a minor misdemeanor if the dealer or the dealer's agent</u>	1967
<u>knew of the nonconformity at the time of sale.</u>	1968
<u>(3)(a) Whoever violates division (D) of this section is</u>	1969
<u>guilty of a misdemeanor of the fourth degree, except that an</u>	1970
<u>organization may not be convicted unless the act of installation</u>	1971
<u>was authorized by the board of directors, trustees, partners, or</u>	1972
<u>by a high managerial officer acting on behalf of the organization,</u>	1973
<u>and installation was performed by an employee of the organization</u>	1974
<u>acting within the scope of the person's employment.</u>	1975
<u>(b) In addition to any other penalty imposed under this</u>	1976
<u>section, whoever violates division (D) of this section is liable</u>	1977
<u>in a civil action to the owner of a motor vehicle on which was</u>	1978
<u>installed the nonconforming glass or material for any damages</u>	1979
<u>incurred by that person as a result of the installation of the</u>	1980
<u>nonconforming glass or material, costs of maintaining the civil</u>	1981
<u>action, and attorney fees.</u>	1982
<u>(c) In addition to any other penalty imposed under this</u>	1983
<u>section, if the offender previously has been convicted of or</u>	1984
<u>pleaded guilty to a violation of division (D) of this section and</u>	1985
<u>the offender is a motor vehicle repair operator registered under</u>	1986
<u>Chapter 4775. of the Revised Code or a motor vehicle dealer</u>	1987
<u>licensed under Chapter 4517. of the Revised Code, whoever violates</u>	1988
<u>division (D) of this section is subject to a registration or</u>	1989
<u>license suspension, as applicable, for a period of not more than</u>	1990
<u>one hundred eighty days.</u>	1991
<u>(L)(1) Every county court judge, mayor of a mayor's court,</u>	1992
<u>and clerk of a court of record shall keep a full record of every</u>	1993
<u>case in which a person is charged with any violation of this</u>	1994

section. If a person is convicted of or forfeits bail in relation to a violation of division (D) of this section, the county court judge, mayor of a mayor's court, or clerk, within ten days after the conviction or bail forfeiture, shall prepare and immediately forward to the motor vehicle repair board and the motor vehicle dealers board, an abstract, certified by the preparer to be true and correct, of the court record covering the case in which the person was convicted or forfeited bail.

1995
1996
1997
1998
1999
2000
2001
2002

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

2003
2004
2005
2006
2007
2008
2009
2010
2011
2012

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

2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025

The board may make rules governing its actions relative to the suspension and revocation of dealers', motor vehicle leasing dealers', distributors', auction owners', salespersons', and construction equipment auction licenses, and may, upon its own

2026
2027
2028
2029

motion, and shall, upon the verified complaint in writing of any person, investigate the conduct of any licensee under sections 4517.01 to 4517.65 of the Revised Code. The board shall suspend or revoke or notify the registrar to refuse to renew any dealer's, motor vehicle leasing dealer's, distributor's, auction owner's, salesperson's, or construction equipment auction license, if any ground existed upon which the license might have been refused, or if a ground exists that would be cause for refusal to issue a license.

The board may suspend or revoke any license if the licensee has in any manner violated the rules issued pursuant to sections 4517.01 to 4517.65 of the Revised Code, or has violated section 4501.02 of the Revised Code, or has been convicted of committing a felony or violating any law that in any way relates to the selling, taxing, licensing, or regulation of sales of motor vehicles.

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

Sec. 4519.01. As used in this chapter:

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

(B) "All-purpose vehicle" means any self-propelled vehicle designed primarily for cross-country travel on land and water, or

on more than one type of terrain, and steered by wheels or	2064
caterpillar treads, or any combination thereof, including vehicles	2065
that operate on a cushion of air, vehicles commonly known as	2066
all-terrain vehicles, all-season vehicles, mini-bikes, and trail	2067
bikes. "All-purpose vehicle" does not include a utility vehicle as	2068
defined in section 4501.01 of the Revised Code or any vehicle	2069
principally used in playing golf, any motor vehicle or aircraft	2070
required to be registered under Chapter 4503. or 4561. of the	2071
Revised Code, and any vehicle excepted from definition as a motor	2072
vehicle by division (B) of section 4501.01 of the Revised Code.	2073
(C) "Owner" means any person or firm, other than a lienholder	2074
or dealer, having title to a snowmobile, off-highway motorcycle,	2075
or all-purpose vehicle, or other right to the possession thereof.	2076
(D) "Operator" means any person who operates or is in actual	2077
physical control of a snowmobile, off-highway motorcycle, or	2078
all-purpose vehicle.	2079
(E) "Dealer" means any person or firm engaged in the business	2080
of manufacturing or selling snowmobiles, off-highway motorcycles,	2081
or all-purpose vehicles at wholesale or retail, or who rents,	2082
leases, or otherwise furnishes snowmobiles, off-highway	2083
motorcycles, or all-purpose vehicles for hire.	2084
(F) "Street or highway" has the same meaning as in section	2085
4511.01 of the Revised Code.	2086
(G) "Limited access highway" and "freeway" have the same	2087
meanings as in section 5511.02 of the Revised Code.	2088
(H) "Interstate highway" means any part of the interstate	2089
system of highways as defined in subsection (e), 90 Stat. 431	2090
(1976), 23 U.S.C.A. 103, as amended.	2091
(I) "Off-highway motorcycle" means every motorcycle, as	2092
defined in section 4511.01 of the Revised Code, that is designed	2093
to be operated primarily on lands other than a street or highway.	2094

(J) "Electronic" and "electronic record" have the same meanings as in section 4501.01 of the Revised Code. 2095
2096

(K) "Electronic dealer" means a dealer whom the registrar of motor vehicles designates under section 4519.511 of the Revised Code. 2097
2098
2099

(L) "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. 2100
2101
2102
2103
2104
2105
2106
2107
2108
2109

Sec. 4519.02. (A)(1) Except as provided in divisions (B), (C), and (D) of this section, no person shall operate any snowmobile, off-highway motorcycle, or all-purpose vehicle within this state unless the snowmobile, off-highway motorcycle, or all-purpose vehicle is registered and numbered in accordance with sections 4519.03 and 4519.04 of the Revised Code. 2110
2111
2112
2113
2114
2115

(2) Except as provided in section 4511.215 of the Revised Code, no registration is required for a mini-truck that is operated within this state. A mini-truck may be operated only in accordance with that section and section 4519.401 of the Revised Code. 2116
2117
2118
2119
2120

(B)(1) No registration is required for a snowmobile or off-highway motorcycle that is operated exclusively upon lands owned by the owner of the snowmobile or off-highway motorcycle, or on lands to which the owner of the snowmobile or off-highway motorcycle has a contractual right. 2121
2122
2123
2124
2125

(2) No registration is required for an all-purpose vehicle that is used primarily for agricultural purposes when the owner 2126
2127

qualifies for the current agricultural use valuation tax credit,	2128
unless it is to be used on any public land, trail, or	2129
right-of-way.	2130
(3) Any all-purpose vehicle exempted from registration under	2131
division (B)(2) of this section and operated for agricultural	2132
purposes may use public roads and rights-of-way when traveling	2133
from one farm field to another, when such use does not violate	2134
section 4519.41 of the Revised Code.	2135
(C) No registration is required for a snowmobile, off-highway	2136
motorcycle, or all-purpose vehicle owned and used in this state by	2137
a resident of another state whenever that state has in effect a	2138
registration law similar to this chapter and the snowmobile,	2139
off-highway motorcycle, or all-purpose vehicle is properly	2140
registered under that state's law. Any snowmobile, off-highway	2141
motorcycle, or all-purpose vehicle owned and used in this state by	2142
a resident of a state not having a registration law similar to	2143
this chapter shall comply with section 4519.09 of the Revised	2144
Code.	2145
(D) No registration is required for a snowmobile, off-highway	2146
motorcycle, or all-purpose vehicle owned and used in this state by	2147
the United States, another state, or a political subdivision	2148
thereof, but the snowmobile, off-highway motorcycle, or	2149
all-purpose vehicle shall display the name of the owner thereon.	2150
(E) The owner or operator of any all-purpose vehicle operated	2151
or used upon the waters in this state shall comply with Chapters	2152
1547. and 1548. of the Revised Code relative to the operation of	2153
watercraft.	2154
(F) Except as otherwise provided in this division, whoever	2155
violates division (A) of this section shall be fined not less than	2156
fifty dollars but not more than one hundred dollars.	2157
<u>Sec. 4519.401. (A) Except as provided in this section and</u>	2158
<u>section 4511.215 of the Revised Code, no person shall operate a</u>	2159
<u>mini-truck within this state.</u>	2160

(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. 2161
2162
2163
2164
2165
2166

(C) A person may operate a mini-truck on property owned or leased by a dealer who sells mini-trucks at retail. 2167
2168

(D) Whoever violates this section shall be penalized as provided in division (D) of section 4511.214 of the Revised Code. 2169
2170

Sec. 4775.01. As used in this chapter: 2171

(A) "Motor vehicle" has the same meaning as in section 4501.01 of the Revised Code. 2172
2173

(B) "Collision" means an occurrence in which two or more objects, whether mobile or stationary, contact one another in a manner that causes the alteration of the surface, structure, or appearance, whether separately or collectively, of an object that is party to the occurrence. 2174
2175
2176
2177
2178

(C) "Collision repair" means any and all restorative or replacement procedures that are performed on and affect or potentially affect the structural, life safety, and cosmetic components of a motor vehicle that has been damaged as a result of a collision. "Collision repair" also includes any procedure that is employed for the purpose of repairing, restoring, replacing, or refinishing, whether wholly or separately, any structural, life safety, or cosmetic component of a motor vehicle to a condition approximating or replicating the function, use, or appearance of the component prior to a collision. 2179
2180
2181
2182
2183
2184
2185
2186
2187
2188

(D) "Motor vehicle collision repair operator" means any person, sole proprietorship, foreign or domestic partnership, limited liability corporation, or other legal entity that is not 2189
2190
2191

an employee or agent of a principal and performs five or more motor vehicle collision repairs in a calendar year. 2192
2193

(E) "Motor vehicle window tint operator" means any person, sole proprietorship, foreign or domestic partnership, limited liability corporation, or other legal entity that is not an employee or agent of a principal and installs tinted glass, or transparent, nontransparent, translucent, and reflectorized material in or on five or more motor vehicle windshields, side windows, sidewings, and rear windows in a calendar year. 2194
2195
2196
2197
2198
2199
2200

(F) "Motor vehicle repair operator" includes a motor vehicle collision repair operator and a motor vehicle window tint operator, but does not mean any of the following: 2201
2202
2203

(1) An employee, other than a manager, of a motor vehicle collision repair operator; 2204
2205

(2) A motor vehicle dealer licensed pursuant to sections 4517.01 to 4517.45 of the Revised Code; 2206
2207

(3) A motor vehicle dealer licensed pursuant to sections 4517.01 to 4517.45 of the Revised Code who also is the owner, part owner, or operator of a motor vehicle collision repair facility or a motor vehicle window tint installation facility; 2208
2209
2210
2211

(4) A motor vehicle auction owner licensed pursuant to sections 4517.01 to 4517.45 of the Revised Code; 2212
2213

(5) A motor vehicle leasing dealer licensed pursuant to sections 4517.01 to 4517.45 of the Revised Code; 2214
2215

(6) A motor vehicle salvage dealer licensed pursuant to Chapter 4738. of the Revised Code; 2216
2217

(7) A person or lessee who owns or leases ten or more motor vehicles used principally in connection with any established business and who does not perform motor vehicle collision repairs or motor vehicle window tint installation on motor vehicles other 2218
2219
2220
2221

than the motor vehicles used principally in connection with the 2222
established business; 2223

(8) A motor vehicle renting dealer as defined in division 2224
(A)(2) of section 4549.65 of the Revised Code who does not perform 2225
motor vehicle collision repairs or motor vehicle window tint 2226
installation on motor vehicles other than the motor vehicles used 2227
in connection with the established motor vehicle renting business; 2228

(9) A person who performs collision repairs ~~to~~ or motor 2229
vehicle window tint installation on the motor vehicles of a single 2230
commercial, industrial, or governmental establishment exclusively 2231
and does not offer or provide motor vehicle collision repair 2232
service or motor vehicle window tint installation to the general 2233
public; 2234

(10) The owner, part owner, or officer of, or instructor 2235
employed by, an educational institution that provides instruction 2236
in motor vehicle collision repair or motor vehicle window tint 2237
installation while the owner, part owner, officer of, or 2238
instructor is engaging in activity in furtherance of instruction 2239
in motor vehicle collision repair or motor vehicle window tint 2240
installation. 2241

~~(E)~~(G) "Motor vehicle collision repair facility" means a 2242
location from which five or more separate motor vehicle collision 2243
repairs are performed on motor vehicles in a twelve-month period, 2244
commencing with the day of the month in which the first such 2245
repair is made. 2246

(H) "Motor vehicle window tint installation facility" means a 2247
location from which five or more separate motor vehicle window 2248
tint installations are performed on motor vehicles in a 2249
twelve-month period, commencing with the day of the month in which 2250
the first such installation is made. 2251

Sec. 4775.02. (A) No person shall act as a motor vehicle 2252
collision repair operator or motor vehicle window tint operator 2253
unless the person is registered in accordance with this chapter. 2254

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

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

(B) Within ninety days after ~~the effective date of this~~
~~section~~December 18, 1997, the governor shall make initial
appointments to the board. Of the initial appointees, two are for
terms ending on January 1, 1998, two are for terms ending on
January 1, 1999, two are for terms ending on January 1, 2000, and
one is for a term ending on January 1, 2001. Thereafter, terms of
office are for three 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. Vacancies shall be
filled in the manner prescribed for original appointments. Any
member appointed to fill a vacancy occurring prior to the
expiration of the term for which the member's predecessor was
appointed shall hold office for the remainder of the term. A
member 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.
No person shall serve as a member of the board for more than two
consecutive full three-year terms.

(C) In making appointments to the board under division (B) of 2288

this section, the governor shall select the motor vehicle 2289
collision repair operator members and the member with expertise in 2290
motor vehicle mechanical repair as provided in this division. 2291
Within thirty days after ~~the effective date of this section~~ 2292
December 18, 1997, the automotive service association of Ohio, 2293
inc., shall submit a list containing two names for the motor 2294
vehicle mechanical repair member and twelve names for the motor 2295
vehicle collision repair members and the governor may appoint 2296
individuals from the list to fill those six positions. Thereafter, 2297
within sixty days of a vacancy occurring as a result of the 2298
expiration of a term and within thirty days after other vacancies 2299
occurring on the board, the automotive service association of 2300
Ohio, inc., shall submit a list containing three names for each 2301
vacancy and the governor may appoint one of the individuals from 2302
the list to fill the vacancy. If the automotive service 2303
association of Ohio, inc., for its respective appointees, fails to 2304
make the recommendations to the governor within the time limits 2305
set by this division, the governor shall appoint an individual of 2306
the governor's own choosing provided that the individual meets the 2307
qualifications of division (A) of this section. 2308

(D) Before entering upon the duties of office, each member 2309
shall take an oath of office as required by section 3.22 of the 2310
Revised Code. The governor may remove any member for misconduct, 2311
neglect of duty, incapacity, or malfeasance in accordance with 2312
section 3.04 of the Revised Code. 2313

(E) The board shall meet at least four times each year, and 2314
additional meetings may be held upon the written request of any 2315
four members of the board or upon the call of the chairperson. The 2316
board shall elect from among its membership a chairperson and 2317
vice-chairperson, each of whom shall serve for a term of one year. 2318
A majority of the members of the board constitutes a quorum to 2319
transact and vote on the business of the board. The chairperson 2320
may appoint committees as the chairperson considers necessary to 2321
carry out the duties of the board. 2322

(F) Each member of the board shall receive a per diem amount 2323

fixed pursuant to section 124.15 of the Revised Code when actually 2324
attending to matters of the board and for the time spent in 2325
necessary travel, and all actual and necessary expenses incurred 2326
in the discharge of the member's duties. 2327

Sec. 4775.04. (A) The ~~board of~~ motor vehicle collision 2328
repair ~~registration~~board shall do all of the following: 2329

(1) Adopt rules in accordance with Chapter 119. of the 2330
Revised Code as necessary to carry out the purposes of this 2331
chapter. The rules shall include requirements for the type of 2332
liability insurance required under division (A) of section 4775.07 2333
of the Revised Code. The rules shall permit the use of an 2334
insurance policy issued by any insurer authorized to issue that 2335
type of insurance in this state. 2336

(2) Appoint an executive director to serve at the pleasure of 2337
the board; 2338

(3) Direct the executive director as to how the executive 2339
director shall perform the duties imposed under this chapter; 2340

(4) Consider and make recommendations in regard to all 2341
matters submitted to the board by the executive director; 2342

(5) Determine whether to refuse to issue or renew a 2343
registration certificate or determine whether to waive a 2344
suspension of a registration certificate as provided in division 2345
(D) of section 4775.07 of the Revised Code; 2346

(6) Do all acts and perform all functions as are necessary 2347
for the administration and enforcement of this chapter. 2348

(B) Nothing in this chapter shall be interpreted as granting 2349
the board any authority over a motor vehicle collision repair 2350
operator concerning the quality of work performed in the repair 2351
of, or installation of parts on, motor vehicles. 2352

Sec. 4775.05. (A) The ~~board of~~ motor vehicle collision 2353

repair registration board shall appoint an individual who is not a	2354
member of the board as a full-time employee of the board to serve	2355
as the executive director of the board. The executive director	2356
shall serve at the pleasure and direction of the board. The	2357
director of administrative services shall establish the executive	2358
director's salary in a pay range as provided in division (J) of	2359
section 124.15 of the Revised Code. The executive director,	2360
subject to the approval of the board, shall determine the office	2361
space, supplies, and professional and clerical assistance	2362
necessary to effectively perform the executive director's duties.	2363
(B) The executive director shall perform all the following	2364
duties:	2365
(1) Review and submit to the board, for its approval,	2366
applications for registration pursuant to section 4775.07 of the	2367
Revised Code;	2368
(2) Issue registration certificates, as approved by the	2369
board, to persons who meet the qualifications for registration	2370
under division (A) of section 4775.07 of the Revised Code;	2371
(3) Maintain a written record of all persons registered	2372
pursuant to section 4775.07 of the Revised Code. The record shall	2373
include the name, address, and motor vehicle collision repair	2374
registration certificate number of each registered motor vehicle	2375
collision repair operator. The executive director shall make this	2376
record available to any person upon request and payment of a fee	2377
sufficient to cover the cost of copying the record.	2378
(4) Collect all fees pursuant to section 4775.08 of the	2379
Revised Code;	2380
(5) Appoint enforcement officers as needed to assist the	2381
executive director in carrying out this chapter, who shall serve	2382
at the pleasure of the director;	2383
(6) Gather evidence of violations of this chapter by any	2384
person or motor vehicle collision repair operator, or any partner	2385

or officer of any motor vehicle ~~collision~~ repair operator, and, 2386
upon reasonable belief that a violation has occurred, present the 2387
evidence to the board for its consideration and possible action by 2388
the board under section 4775.02 of the Revised Code. Nothing in 2389
division (B)(6) of this section shall be construed as authorizing 2390
the executive director or the board to enforce any provision of 2391
law other than this chapter. If, however, the executive director 2392
or board, in conducting investigations under those sections, 2393
determines or suspects that a person has violated any other 2394
provision of law, the executive director or board shall notify the 2395
governmental entity that is responsible for enforcement of that 2396
provision of law. 2397

(7) Serve as secretary of the board and maintain a written 2398
record of all of the proceedings of the board; 2399

(8) Notify all motor vehicle ~~collision~~ repair operators of 2400
changes in ~~the motor vehicle collision repair law~~ this chapter and 2401
rules adopted pursuant to ~~that law~~ this chapter; 2402

(9) Do all other things requested by the board for the 2403
administration and enforcement of this chapter. 2404

(C) The executive director may provide information that is 2405
relevant to motor vehicle collision repair to motor vehicle 2406
collision repair operators or other persons, that is relevant to 2407
motor vehicle window tint installation to motor vehicle window 2408
tint installation operators or other persons, and may communicate 2409
with any person, or respond to communications from any person, in 2410
matters pertaining to motor vehicle collision repair or window 2411
tint installation. 2412

Sec. 4775.06. An enforcement officer appointed by the 2413
executive director to assist the executive director in carrying 2414
out this chapter shall report to the executive director and the 2415
~~board of motor vehicle collision repair registration~~ board the 2416
name and address of any motor vehicle ~~collision~~ repair operator 2417
that the officer has reasonable grounds to believe is operating in 2418
violation of this chapter, and shall notify the operator of the 2419

suspected violation. The report shall be based on investigation practices and procedures approved by the board. Within sixty days after notification is sent, an enforcement officer shall determine whether the motor vehicle ~~collision~~ repair operator who has been notified of a suspected violation has come into compliance with the requirements of this chapter. If the motor vehicle ~~collision~~ repair operator fails to correct the suspected violation within sixty days after the date the operator receives the notification, the enforcement officer shall notify the executive director and the board of the operator's failure to correct the suspected violation. Upon receiving a second notification of an operator's failure to comply with this chapter, the executive director shall notify the government entity having enforcement authority over the condition or activity giving rise to the suspected violation in writing of the condition or activity, the nature of the suspected violation, and the name and address of the operator suspected of violating this chapter. An enforcement officer shall monitor periodically the progress of any action taken in connection with the suspected violation with the appropriate government entity, including any investigation or charges that are filed in connection with the suspected violation. Upon obtaining such information, the executive director or the enforcement officer monitoring such progress shall notify the board of the progress of the suspected violation and any accompanying investigation, charges, or other action taken in connection with the suspected violation.

Sec. 4775.07. (A) Any person required to be registered as a motor vehicle ~~collision~~ repair operator shall apply to the ~~board~~ of motor vehicle ~~collision~~ repair registration board upon forms prescribed by the board. The forms shall contain sufficient information to identify the applicant, including name, address, state tax identification number, and any other identifying data prescribed by rule of the board. If the applicant is a partnership, identifying data as prescribed by the board may be required for each partner. If the applicant is a corporation, identifying data may be required for each officer of the corporation and each person in charge of each place of the motor

vehicle ~~collision~~ repair operator's business in this state. The 2457
applicant shall affirm the application by oath. The applicant 2458
shall include with the application the initial registration fee 2459
set forth in section 4775.08 of the Revised Code and proof 2460
satisfactory to the board that the applicant has a current state 2461
and federal tax identification number, a valid vendor's license 2462
issued pursuant to section 5739.17 of the Revised Code, a United 2463
States environmental protection agency identification number 2464
issued under the "Resource Conservation and Recovery Act of 1976," 2465
90 Stat. 2795, 42 U.S.C.A. 6901, as amended, and regulations 2466
adopted under that act, proof of possession of all permits 2467
required under Chapter 3704. of the Revised Code, general 2468
liability insurance and liability insurance that protects a person 2469
against liability for damage to motor vehicles in the applicant's 2470
care, custody, or control in an amount and form that conforms to 2471
the rules the board adopts under section 4775.04 of the Revised 2472
Code, and coverage under Chapters 4123. and 4141. of the Revised 2473
Code. In addition, the applicant shall affirm that the applicant 2474
is in compliance with all applicable federal and state statutes 2475
and rules and all local ordinances and resolutions, including all 2476
applicable zoning regulations. 2477

(B) Upon receipt of the completed application form and fees 2478
and after the board determines that the applicant meets the 2479
requirements for registration under division (A) of this section, 2480
the board shall direct the executive director to issue a 2481
registration certificate to the applicant for each place of 2482
business. The motor vehicle ~~collision~~ repair operator shall 2483
display the registration certificate in a conspicuous place on the 2484
premises of the business for which the registration is obtained. 2485

(C) Each registration certificate issued under this section 2486
expires annually on the date of its original issuance and may be 2487
renewed in accordance with the standard renewal procedure of 2488
Chapter 4745. of the Revised Code. The application for a renewal 2489
of a registration certificate shall be accompanied by the same 2490
information and proof as is required to accompany an initial 2491
application under division (A) of this section. 2492

(D) When a motor vehicle ~~collision~~ repair operator 2493
experiences a change in any information or data required under 2494
division (A) of this section or by rule of the board for 2495
registration as a motor vehicle ~~collision~~ repair operator, the 2496
motor vehicle ~~collision~~ repair operator shall submit written 2497
notification of the change to the board within sixty days after 2498
the date that the information becomes obsolete. If a motor vehicle 2499
~~collision~~ repair operator fails to submit the written notification 2500
of a change in information or data within sixty days after the 2501
change in information or data, the operator's registration 2502
certificate is automatically suspended, except that the board may 2503
waive the suspension for good cause shown. 2504

(E) Notwithstanding section 5703.21 of the Revised Code, the 2505
department of taxation may disclose to the board any information 2506
necessary for the board to verify the existence of an applicant's 2507
valid vendor's license and current state tax identification 2508
number. 2509

Sec. 4775.08. (A) The initial and annual renewal fee for a 2510
motor vehicle ~~collision~~ repair registration certificate and for a 2511
temporary motor vehicle ~~collision~~ repair registration certificate 2512
is one hundred fifty dollars for each business location at which 2513
the motor vehicle ~~collision~~ repair operator conducts business as 2514
an operator, except that the ~~board of~~ motor vehicle ~~collision~~ 2515
repair ~~registration~~board, with the approval of the controlling 2516
board, may establish fees in excess of or less than that amount, 2517
provided that such fees do not exceed or are not less than that 2518
amount by more than fifty per cent. 2519

The board shall adjust the fees as necessary in order to 2520
provide for the expenses associated with carrying out this 2521
chapter. 2522

(B) If the board has notified or attempted to notify a motor 2523
vehicle ~~collision~~ repair operator that the operator is required to 2524
be registered under this chapter, and the operator fails to 2525
register, the initial fee for the registration of such an 2526

unregistered operator for each business location at which the operator conducts business as an operator, is the initial fee then in effect plus an additional amount equal to the initial fee then in effect for each calendar year that the operator is not registered after the board has notified or attempted to notify the operator.

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

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

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

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

violation. This section shall operate in addition to and shall not prohibit the enforcement of any other law. 2561
2562

(C) Upon the request of the executive director or as a result of complaints, the board shall investigate the alleged violation. 2563
2564

(D) No person required to be registered under this chapter shall have the benefit of any lien for labor or materials unless the person is registered under this chapter. 2565
2566
2567

(E) No person whose application for registration under this chapter is denied shall open or operate a facility for business as a motor vehicle collision repair facility or motor vehicle window tint installation facility under the name of the person designated in the application for a registration certificate or under any other name prior to registering as a motor vehicle ~~collision~~ repair operator in accordance with this chapter. 2568
2569
2570
2571
2572
2573
2574

Sec. 4775.10. (A) A motor vehicle ~~collision~~ repair operator who substantially complies with the requirements of this chapter for registration as a motor vehicle ~~collision~~ repair operator and who is making a good faith effort toward achieving compliance with all requirements of this chapter may obtain a temporary motor vehicle ~~collision~~ repair registration certificate. Following the application of, and payment of a fee by a motor vehicle ~~collision~~ repair operator, the ~~board of~~ motor vehicle ~~collision~~ repair ~~registration~~board, in its discretion, may direct the executive director to issue a temporary registration certificate to a motor vehicle ~~collision~~ repair operator the board finds to be in substantial compliance with the requirements of this chapter for registration and who is making a good faith effort toward achieving compliance with all requirements of this chapter. 2575
2576
2577
2578
2579
2580
2581
2582
2583
2584
2585
2586
2587
2588

Except as otherwise provided in division (C) of this section, a temporary registration certificate is effective for one year from the date of issuance or until the date the motor vehicle ~~collision~~ repair operator obtains a regular motor vehicle ~~collision~~ repair registration certificate under this chapter, whichever date occurs first. If a motor vehicle ~~collision~~ repair 2589
2590
2591
2592
2593
2594

operator obtains a regular registration certificate prior to the 2595
expiration of the operator's temporary registration certificate, a 2596
portion of the fee paid by the motor vehicle ~~collision~~ repair 2597
operator to obtain the temporary registration certificate shall be 2598
applied to the fee imposed under section 4775.08 of the Revised 2599
Code to obtain a regular registration certificate in an amount 2600
that corresponds to the portion of the year the operator is not 2601
utilizing the temporary registration certificate. 2602

Upon receiving direction from the board, the executive 2603
director shall issue a temporary registration certificate. 2604

(B) The board shall adopt rules in accordance with Chapter 2605
119. of the Revised Code that specify criteria a motor vehicle 2606
~~collision~~ repair operator shall meet in order to be considered to 2607
be in substantial compliance with the registration requirements of 2608
this chapter, and that specify criteria a motor vehicle ~~collision~~ 2609
repair operator shall meet in order to be considered as making a 2610
good faith effort toward achieving compliance with all 2611
requirements of this chapter. The board shall consider the impact 2612
of the rules it adopts under this division on encouraging 2613
competition between all motor vehicle ~~collision~~ repair operators 2614
and not impairing the ability of operators who have been in the 2615
motor vehicle ~~collision~~ repair business for less than one year to 2616
succeed in the market place. 2617

(C) A temporary motor vehicle ~~collision~~ repair registration 2618
may be renewed not more than four consecutive times. A motor 2619
vehicle ~~collision~~ repair operator may apply for the renewal of a 2620
temporary registration certificate prior to the expiration of a 2621
temporary registration certificate. The board shall consider an 2622
application for the renewal of a temporary registration 2623
certificate. The board may direct the executive director to renew 2624
a temporary registration certificate of an applicant who meets the 2625
requirements set forth in division (A) of this section for 2626
obtaining a temporary registration certificate. Upon 2627
recommendation by the board, the executive director shall issue a 2628
renewal of an applicant's temporary registration certificate. 2629

Neither the board nor the executive director shall renew a person's temporary registration certificate more than four consecutive times.

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

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

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

(B) After conducting an investigation and upon establishing that a violation of section 4775.02 of the Revised Code has occurred, the ~~board of motor vehicle collision repair registration~~

board, in addition to any other action it may take or any other penalty imposed pursuant to this chapter, may impose an administrative fine on the person or entity that committed the violation in an amount of not more than one thousand dollars on a first offense. On each subsequent offense, the board may impose an administrative fine of not less than one thousand dollars nor more than five thousand dollars. If the administrative fine is not paid, the attorney general, upon the board's request, shall commence a civil action to collect the administrative fine.

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

(B)(1) For purposes of an audit pursuant to section 117.15 of the Revised Code, or an audit of the department pursuant to Chapter 117. of the Revised Code, or an audit, pursuant to that chapter, the objective of which is to express an opinion on a financial report or statement prepared or issued pursuant to division (A)(7) or (9) of section 126.21 of the Revised Code, the officers and employees of the auditor of state charged with conducting the audit shall have access to and the right to examine any state tax returns and state tax return information in the possession of the department to the extent that the access and examination are necessary for purposes of the audit. Any information acquired as the result of that access and examination shall not be divulged for any purpose other than as required for the audit or unless the officers and employees are required to testify in a court or proceeding under compulsion of legal process. Whoever violates this provision shall thereafter be disqualified from acting as an officer or employee or in any other

capacity under appointment or employment of the auditor of state. 2700

(2) For purposes of an internal audit pursuant to section 2701
126.45 of the Revised Code, the officers and employees of the 2702
office of internal auditing in the office of budget and management 2703
charged with conducting the internal audit shall have access to 2704
and the right to examine any state tax returns and state tax 2705
return information in the possession of the department to the 2706
extent that the access and examination are necessary for purposes 2707
of the internal audit. Any information acquired as the result of 2708
that access and examination shall not be divulged for any purpose 2709
other than as required for the internal audit or unless the 2710
officers and employees are required to testify in a court or 2711
proceeding under compulsion of legal process. Whoever violates 2712
this provision shall thereafter be disqualified from acting as an 2713
officer or employee or in any other capacity under appointment or 2714
employment of the office of internal auditing. 2715

(3) As provided by section 6103(d)(2) of the Internal Revenue 2716
Code, any federal tax returns or federal tax information that the 2717
department has acquired from the internal revenue service, through 2718
federal and state statutory authority, may be disclosed to the 2719
auditor of state or the office of internal auditing solely for 2720
purposes of an audit of the department. 2721

(4) For purposes of Chapter 3739. of the Revised Code, an 2722
agent of the department of taxation may share information with the 2723
division of state fire marshal that the agent finds during the 2724
course of an investigation. 2725

(C) Division (A) of this section does not prohibit any of the 2726
following: 2727

(1) Divulging information contained in applications, 2728
complaints, and related documents filed with the department under 2729
section 5715.27 of the Revised Code or in applications filed with 2730
the department under section 5715.39 of the Revised Code; 2731

(2) Providing information to the office of child support 2732

within the department of job and family services pursuant to	2733
section 3125.43 of the Revised Code;	2734
(3) Disclosing to the board of motor vehicle collision repair	2735
registration <u>board</u> any information in the possession of the	2736
department that is necessary for the board to verify the existence	2737
of an applicant's valid vendor's license and current state tax	2738
identification number under section 4775.07 of the Revised Code;	2739
(4) Providing information to the administrator of workers'	2740
compensation pursuant to sections 4123.271 and 4123.591 of the	2741
Revised Code;	2742
(5) Providing to the attorney general information the	2743
department obtains under division (J) of section 1346.01 of the	2744
Revised Code;	2745
(6) Permitting properly authorized officers, employees, or	2746
agents of a municipal corporation from inspecting reports or	2747
information pursuant to rules adopted under section 5745.16 of the	2748
Revised Code;	2749
(7) Providing information regarding the name, account number,	2750
or business address of a holder of a vendor's license issued	2751
pursuant to section 5739.17 of the Revised Code, a holder of a	2752
direct payment permit issued pursuant to section 5739.031 of the	2753
Revised Code, or a seller having a use tax account maintained	2754
pursuant to section 5741.17 of the Revised Code, or information	2755
regarding the active or inactive status of a vendor's license,	2756
direct payment permit, or seller's use tax account;	2757
(8) Releasing invoices or invoice information furnished under	2758
section 4301.433 of the Revised Code pursuant to that section;	2759
(9) Providing to a county auditor notices or documents	2760
concerning or affecting the taxable value of property in the	2761
county auditor's county. Unless authorized by law to disclose	2762
documents so provided, the county auditor shall not disclose such	2763
documents;	2764

(10) Providing to a county auditor sales or use tax return or audit information under section 333.06 of the Revised Code;	2765 2766
(11) Subject to section 4301.441 of the Revised Code, disclosing to the appropriate state agency information in the possession of the department of taxation that is necessary to verify a permit holder's gallonage or noncompliance with taxes levied under Chapter 4301. or 4305. of the Revised Code;	2767 2768 2769 2770 2771
(12) Disclosing to the department of natural resources information in the possession of the department that is necessary to verify the taxpayer's compliance with division (A)(1), (5), (6), (8), or (9) of section 5749.02 of the Revised Code and information received pursuant to section 1509.50 of the Revised Code concerning the amount due under that section;	2772 2773 2774 2775 2776 2777
(13) Disclosing to the department of job and family services, industrial commission, and bureau of workers' compensation information in the possession of the department of taxation solely for the purpose of identifying employers that misclassify employees as independent contractors or that fail to properly report and pay employer tax liabilities. The department of taxation shall disclose only such information that is necessary to verify employer compliance with law administered by those agencies.	2778 2779 2780 2781 2782 2783 2784 2785 2786
(14) Disclosing to the Ohio casino control commission information in the possession of the department of taxation that is necessary to verify a casino operator's compliance with section 5747.063 or 5753.02 of the Revised Code and sections related thereto;	2787 2788 2789 2790 2791
(15) Disclosing to the state lottery commission information in the possession of the department of taxation that is necessary to verify a lottery sales agent's compliance with section 5747.064 of the Revised Code.	2792 2793 2794 2795
Section 2. That existing sections 2744.081, 2744.082,	2796

4501.01, 4501.13, 4503.04, 4503.21, 4503.22, 4503.544, 4507.01, 2797
4507.05, 4507.06, 4507.11, 4511.01, 4511.53, 4513.241, 4517.33, 2798
4519.01, 4519.02, 4775.01, 4775.02, 4775.03, 4775.04, 4775.05, 2799
4775.06, 4775.07, 4775.08, 4775.09, 4775.10, 4775.11, 4775.99, and 2800
5703.21 of the Revised Code are hereby repealed. 2801

Section 3. Sections 4501.01, 4501.13, 4503.04, 4503.21, 2802
4503.22, 4503.544, 4507.01, 4507.05, 4507.06, 4507.11, 4511.01, 2803
4511.214, 4511.215, 4511.53, 4519.01, 4519.02, and 4519.401 of the 2804
Revised Code, as amended or enacted by this act, shall take effect 2805
January 1, 2017; provided, the amendments contained in the last 2806
paragraph of division (B) of section 4511.53 of the Revised Code 2807
take effect at the earliest time permitted by law, and the penalty 2808
prescribed in division (E) of that section, insofar as it applies 2809
to a violation of that paragraph as amended by the amendments 2810
contained in that paragraph, also takes effect at the earliest 2811
time permitted by law. 2812

Section 4. Section 4507.11 of the Revised Code is presented 2813
in this act as a composite of the section as amended by both Am. 2814
Sub. H.B. 600 and S.B. 271 of the 123rd General Assembly. Section 2815
5703.21 of the Revised Code is presented in this act as a 2816
composite of the section as amended by both Am. Sub. H.B. 386 and 2817
Am. Sub. S.B. 315 of the 129th General Assembly. The General 2818
Assembly, applying the principle stated in division (B) of section 2819
1.52 of the Revised Code that amendments are to be harmonized if 2820
reasonably capable of simultaneous operation, finds that the 2821
composites are the resulting versions of the sections in effect 2822
prior to the effective date of the sections as presented in this 2823
act. 2824