

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 140**

**Representative Brown**

**Cosponsors: Representatives Forhan, Dell'Aquila, Thomas, C., Miranda, Galonski,  
McNally, Baker, Brewer**

---

**A BILL**

To amend sections 4503.03, 4510.036, 4511.75, 1  
4511.751, and 4511.76 of the Revised Code to 2  
make changes to the law governing passing a 3  
school bus. 4

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

**Section 1.** That sections 4503.03, 4510.036, 4511.75, 5  
4511.751, and 4511.76 of the Revised Code be amended to read as 6  
follows: 7

**Sec. 4503.03.** (A) (1) (a) Except as provided in division (B) 8  
of this section, the registrar of motor vehicles may designate 9  
one or more of the following persons to act as a deputy 10  
registrar in each county: 11

(i) The county auditor in any county, subject to division 12  
(A) (1) (b) (i) of this section; 13

(ii) The clerk of a court of common pleas in any county, 14  
subject to division (A) (1) (b) (ii) of this section; 15

(iii) An individual; 16

(iv) A nonprofit corporation as defined in division (C) of 17  
section 1702.01 of the Revised Code. 18

(b)(i) If the population of a county is forty thousand or 19  
less according to the most recent federal decennial census and 20  
if the county auditor is designated by the registrar as a deputy 21  
registrar, no other person need be designated in the county to 22  
act as a deputy registrar. 23

(ii) The registrar may designate a clerk of a court of 24  
common pleas as a deputy registrar if the population of the 25  
county is forty thousand or less according to the last federal 26  
census. In a county with a population greater than forty 27  
thousand but not more than fifty thousand according to the last 28  
federal census, the clerk of a court of common pleas is eligible 29  
to act as a deputy registrar and may participate in the 30  
competitive selection process for the award of a deputy 31  
registrar contract by applying in the same manner as any other 32  
person. All fees collected and retained by a clerk for 33  
conducting deputy registrar services shall be paid into the 34  
county treasury to the credit of the certificate of title 35  
administration fund created under section 325.33 of the Revised 36  
Code. 37

Notwithstanding the county population restrictions in 38  
division (A)(1)(b) of this section, if no person applies to act 39  
under contract as a deputy registrar in a county and the county 40  
auditor is not designated as a deputy registrar, the registrar 41  
may ask the clerk of a court of common pleas to serve as the 42  
deputy registrar for that county. 43

(c) As part of the selection process in awarding a deputy 44  
registrar contract, the registrar shall consider the customer 45  
service performance record of any person previously awarded a 46

deputy registrar contract pursuant to division (A) (1) of this 47  
section. 48

(2) Deputy registrars shall accept applications for the 49  
annual license tax for any vehicle not taxed under section 50  
4503.63 of the Revised Code and shall assign distinctive numbers 51  
in the same manner as the registrar. Such deputies shall be 52  
located in such locations in the county as the registrar sees 53  
fit. There shall be at least one deputy registrar in each 54  
county. 55

Deputy registrar contracts are subject to the provisions 56  
of division (B) of section 125.081 of the Revised Code. 57

(B) (1) The registrar shall not designate any person to act 58  
as a deputy registrar under division (A) (1) of this section if 59  
the person or, where applicable, the person's spouse or a member 60  
of the person's immediate family has made, within the current 61  
calendar year or any one of the previous three calendar years, 62  
one or more contributions totaling in excess of one hundred 63  
dollars to any person or entity included in division (A) (2) of 64  
section 4503.033 of the Revised Code. As used in this division, 65  
"immediate family" has the same meaning as in division (D) of 66  
section 102.01 of the Revised Code, and "entity" includes any 67  
political party and any "continuing association" as defined in 68  
division (C) (4) of section 3517.01 of the Revised Code or 69  
"political action committee" as defined in division (C) (8) of 70  
that section that is primarily associated with that political 71  
party. For purposes of this division, contributions to any 72  
continuing association or any political action committee that is 73  
primarily associated with a political party shall be aggregated 74  
with contributions to that political party. 75

The contribution limitations contained in this division do 76

not apply to any county auditor or clerk of a court of common 77  
pleas. A county auditor or clerk of a court of common pleas is 78  
not required to file the disclosure statement or pay the filing 79  
fee required under section 4503.033 of the Revised Code. The 80  
limitations of this division also do not apply to a deputy 81  
registrar who, subsequent to being awarded a deputy registrar 82  
contract, is elected to an office of a political subdivision. 83

(2) The registrar shall not designate either of the 84  
following to act as a deputy registrar: 85

(a) Any elected public official other than a county 86  
auditor or, as authorized by division (A)(1)(b) of this section, 87  
a clerk of a court of common pleas, acting in an official 88  
capacity, except that, the registrar shall continue and may 89  
renew a contract with any deputy registrar who, subsequent to 90  
being awarded a deputy registrar contract, is elected to an 91  
office of a political subdivision; 92

(b) Any person holding a current, valid contract to 93  
conduct motor vehicle inspections under section 3704.14 of the 94  
Revised Code. 95

(3) As used in division (B) of this section, "political 96  
subdivision" has the same meaning as in section 3501.01 of the 97  
Revised Code. 98

(C)(1) Except as provided in division (C)(2) of this 99  
section, deputy registrars are independent contractors and 100  
neither they nor their employees are employees of this state, 101  
except that nothing in this section shall affect the status of 102  
county auditors or clerks of courts of common pleas as public 103  
officials, nor the status of their employees as employees of any 104  
of the counties of this state, which are political subdivisions 105

of this state. Each deputy registrar shall be responsible for 106  
the payment of all unemployment compensation premiums, all 107  
workers' compensation premiums, social security contributions, 108  
and any and all taxes for which the deputy registrar is legally 109  
responsible. Each deputy registrar shall comply with all 110  
applicable federal, state, and local laws requiring the 111  
withholding of income taxes or other taxes from the compensation 112  
of the deputy registrar's employees. Each deputy registrar shall 113  
maintain during the entire term of the deputy registrar's 114  
contract a policy of business liability insurance satisfactory 115  
to the registrar and shall hold the department of public safety, 116  
the director of public safety, the bureau of motor vehicles, and 117  
the registrar harmless upon any and all claims for damages 118  
arising out of the operation of the deputy registrar agency. 119

(2) For purposes of Chapter 4141. of the Revised Code, 120  
determinations concerning the employment of deputy registrars 121  
and their employees shall be made under Chapter 4141. of the 122  
Revised Code. 123

(D) (1) With the approval of the director, the registrar 124  
shall adopt rules governing deputy registrars. The rules shall 125  
do all of the following: 126

(a) Establish requirements governing the terms of the 127  
contract between the registrar and each deputy registrar and the 128  
services to be performed; 129

(b) Establish requirements governing the amount of bond to 130  
be given as provided in this section; 131

(c) Establish requirements governing the size and location 132  
of the deputy's office; 133

(d) Establish requirements governing the leasing of 134

equipment necessary to conduct the vision screenings required 135  
under section 4507.12 of the Revised Code and training in the 136  
use of the equipment; 137

(e) Encourage every deputy registrar to inform the public 138  
of the location of the deputy registrar's office and hours of 139  
operation by means of public service announcements; 140

(f) Allow any deputy registrar to advertise in regard to 141  
the operation of the deputy registrar's office, including 142  
allowing nonprofit corporations operating as a deputy registrar 143  
to advertise that a specified amount of proceeds collected by 144  
the nonprofit corporation are directed to a specified charitable 145  
organization or philanthropic cause; 146

(g) Specify the hours the deputy's office is to be open to 147  
the public and require as a minimum that one deputy's office in 148  
each county be open to the public for at least four hours each 149  
weekend, provided that if only one deputy's office is located 150  
within the boundary of the county seat, that office is the 151  
office that shall be open for the four-hour period each weekend; 152

(h) Specify that every deputy registrar, upon request, 153  
provide any person with information about the location and 154  
office hours of all deputy registrars in the county; 155

(i) Allow a deputy registrar contract to be awarded to a 156  
nonprofit corporation formed under the laws of this state; 157

(j) Except as provided in division (D) (2) of this section, 158  
prohibit any deputy registrar from operating more than one 159  
deputy registrar's office at any time; 160

(k) For the duration of any deputy registrar contract, 161  
require that the deputy registrar occupy a primary residence in 162  
a location that is within a one-hour commute time from the 163

deputy registrar's office or offices. The rules shall require 164  
the registrar to determine commute time by using multiple 165  
established internet-based mapping services. 166

(l) Establish procedures for a deputy registrar to request 167  
the authority to collect reinstatement fees under sections 168  
4507.1612, 4507.45, 4509.101, 4509.81, 4510.10, 4510.22, 169  
4510.72, and 4511.191 of the Revised Code and to transmit the 170  
reinstatement fees and two dollars of the service fee collected 171  
under those sections. The registrar shall ensure that at least 172  
one deputy registrar in each county has the necessary equipment 173  
and is able to accept reinstatement fees. The registrar shall 174  
deposit the service fees received from a deputy registrar under 175  
those sections into the public safety - highway purposes fund 176  
created in section 4501.06 of the Revised Code and shall use the 177  
money for deputy registrar equipment necessary in connection 178  
with accepting reinstatement fees. 179

(m) Establish standards for a deputy registrar, when the 180  
deputy registrar is not a county auditor or a clerk of a court 181  
of common pleas, to sell advertising rights to third party 182  
businesses to be placed in the deputy registrar's office; 183

(n) Allow any deputy registrar that is not a county 184  
auditor or a clerk of a court of common pleas to operate a 185  
vending machine; 186

(o) Specify that each deputy registrar location shall 187  
display at all times, in a prominent place on the premises, a 188  
printed card that includes a graphic that instructs drivers to 189  
stop and yield to a stopped school bus when it is either loading 190  
or unloading passengers. 191

The registrar shall create and issue the graphic for 192

distribution to and display at each deputy registrar location. 193

(p) Establish such other requirements as the registrar and 194  
director consider necessary to provide a high level of service. 195

(2) Notwithstanding division (D)(1)(j) of this section, 196  
the rules may allow both of the following: 197

(a) The registrar to award a contract to a deputy 198  
registrar to operate more than one deputy registrar's office if 199  
determined by the registrar to be practical; 200

(b) A nonprofit corporation formed for the purposes of 201  
providing automobile-related services to its members or the 202  
public and that provides such services from more than one 203  
location in this state to operate a deputy registrar office at 204  
any location. 205

(3) As a daily adjustment, the bureau of motor vehicles 206  
shall credit to a deputy registrar the amount established under 207  
section 4503.038 of the Revised Code for each damaged license 208  
plate or validation sticker the deputy registrar replaces as a 209  
service to a member of the public. 210

(4)(a) With the prior approval of the registrar, each 211  
deputy registrar may conduct at the location of the deputy 212  
registrar's office any business that is consistent with the 213  
functions of a deputy registrar and that is not specifically 214  
mandated or authorized by this or another chapter of the Revised 215  
Code or by implementing rules of the registrar. 216

(b) In accordance with guidelines the director of public 217  
safety shall establish, a deputy registrar may operate or 218  
contract for the operation of a vending machine at a deputy 219  
registrar location if products of the vending machine are 220  
consistent with the functions of a deputy registrar. 221

(c) A deputy registrar may enter into an agreement with 222  
the Ohio turnpike and infrastructure commission pursuant to 223  
division (A)(11) of section 5537.04 of the Revised Code for the 224  
purpose of allowing the general public to acquire from the 225  
deputy registrar the electronic toll collection devices that are 226  
used under the multi-jurisdiction electronic toll collection 227  
agreement between the Ohio turnpike and infrastructure 228  
commission and any other entities or agencies that participate 229  
in such an agreement. The approval of the registrar is not 230  
necessary if a deputy registrar engages in this activity. 231

(5) As used in this section and in section 4507.01 of the 232  
Revised Code, "nonprofit corporation" has the same meaning as in 233  
section 1702.01 of the Revised Code. 234

(E)(1) Unless otherwise terminated and except for interim 235  
contracts lasting not longer than one year, contracts with 236  
deputy registrars shall be entered into through a competitive 237  
selection process and shall be limited in duration as follows: 238

(a) For contracts entered into between July 1, 1996 and 239  
June 29, 2014, for a period of not less than two years, but not 240  
more than three years; 241

(b) For contracts entered into on or after June 29, 2014, 242  
for a period of five years, unless the registrar determines that 243  
a shorter contract term is appropriate for a particular deputy 244  
registrar. 245

(2) All contracts with deputy registrars shall expire on 246  
the last Saturday of June in the year of their expiration. Prior 247  
to the expiration of any deputy registrar contract, the 248  
registrar, with the approval of the director, may award a one- 249  
year contract extension to any deputy registrar who has provided 250

exemplary service based upon objective performance evaluations. 251

(3) (a) The auditor of state may examine the accounts, 252  
reports, systems, and other data of each deputy registrar at 253  
least every two years. The registrar, with the approval of the 254  
director, shall immediately remove a deputy who violates any 255  
provision of the Revised Code related to the duties as a deputy, 256  
any rule adopted by the registrar, or a term of the deputy's 257  
contract with the registrar. The registrar also may remove a 258  
deputy who, in the opinion of the registrar, has engaged in any 259  
conduct that is either unbecoming to one representing this state 260  
or is inconsistent with the efficient operation of the deputy's 261  
office. 262

(b) If the registrar, with the approval of the director, 263  
determines that there is good cause to believe that a deputy 264  
registrar or a person proposing for a deputy registrar contract 265  
has engaged in any conduct that would require the denial or 266  
termination of the deputy registrar contract, the registrar may 267  
require the production of books, records, and papers as the 268  
registrar determines are necessary, and may take the depositions 269  
of witnesses residing within or outside the state in the same 270  
manner as is prescribed by law for the taking of depositions in 271  
civil actions in the court of common pleas, and for that purpose 272  
the registrar may issue a subpoena for any witness or a subpoena 273  
duces tecum to compel the production of any books, records, or 274  
papers, directed to the sheriff of the county where the witness 275  
resides or is found. Such a subpoena shall be served and 276  
returned in the same manner as a subpoena in a criminal case is 277  
served and returned. The fees of the sheriff shall be the same 278  
as that allowed in the court of common pleas in criminal cases. 279  
Witnesses shall be paid the fees and mileage provided for under 280  
section 119.094 of the Revised Code. The fees and mileage shall 281

be paid from the fund in the state treasury for the use of the 282  
agency in the same manner as other expenses of the agency are 283  
paid. 284

In any case of disobedience or neglect of any subpoena 285  
served on any person or the refusal of any witness to testify to 286  
any matter regarding which the witness lawfully may be 287  
interrogated, the court of common pleas of any county where the 288  
disobedience, neglect, or refusal occurs or any judge of that 289  
court, on application by the registrar, shall compel obedience 290  
by attachment proceedings for contempt, as in the case of 291  
disobedience of the requirements of a subpoena issued from that 292  
court, or a refusal to testify in that court. 293

(4) Nothing in division (E) of this section shall be 294  
construed to require a hearing of any nature prior to the 295  
termination of any deputy registrar contract by the registrar, 296  
with the approval of the director, for cause. 297

(F) Except as provided in section 2743.03 of the Revised 298  
Code, no court, other than the court of common pleas of Franklin 299  
county, has jurisdiction of any action against the department of 300  
public safety, the director, the bureau, or the registrar to 301  
restrain the exercise of any power or authority, or to entertain 302  
any action for declaratory judgment, in the selection and 303  
appointment of, or contracting with, deputy registrars. Neither 304  
the department, the director, the bureau, nor the registrar is 305  
liable in any action at law for damages sustained by any person 306  
because of any acts of the department, the director, the bureau, 307  
or the registrar, or of any employee of the department or 308  
bureau, in the performance of official duties in the selection 309  
and appointment of, and contracting with, deputy registrars. 310

(G) The registrar shall assign to each deputy registrar a 311

series of numbers sufficient to supply the demand at all times 312  
in the area the deputy registrar serves, and the registrar shall 313  
keep a record in the registrar's office of the numbers within 314  
the series assigned. Except as otherwise provided in section 315  
3.061 of the Revised Code, each deputy shall be required to give 316  
bond in the amount of at least twenty-five thousand dollars, or 317  
in such higher amount as the registrar determines necessary, 318  
based on a uniform schedule of bond amounts established by the 319  
registrar and determined by the volume of registrations handled 320  
by the deputy. The form of the bond shall be prescribed by the 321  
registrar. The bonds required of deputy registrars, in the 322  
discretion of the registrar, may be individual or schedule bonds 323  
or may be included in any blanket bond coverage carried by the 324  
department. 325

(H) Each deputy registrar shall keep a file of each 326  
application received by the deputy and shall register that motor 327  
vehicle with the name and address of its owner. 328

(I) Upon request, a deputy registrar shall make the 329  
physical inspection of a motor vehicle and issue the physical 330  
inspection certificate required in section 4505.061 of the 331  
Revised Code. 332

(J) Each deputy registrar shall file a report semiannually 333  
with the registrar of motor vehicles listing the number of 334  
applicants for licenses the deputy has served, the number of 335  
voter registration applications the deputy has completed and 336  
transmitted to the board of elections, and the number of voter 337  
registration applications declined. 338

**Sec. 4510.036.** (A) The bureau of motor vehicles shall 339  
record within ten days of conviction or bail forfeiture and 340  
shall keep at its main office, all abstracts received under this 341

section or section 4510.03, 4510.031, 4510.032, or 4510.034 of 342  
the Revised Code and shall maintain records of convictions and 343  
bond forfeitures for any violation of a state law or a municipal 344  
ordinance regulating the operation of vehicles, streetcars, and 345  
trackless trolleys on highways and streets, except a violation 346  
related to parking a motor vehicle. 347

(B) Every court of record or mayor's court before which a 348  
person is charged with a violation for which points are 349  
chargeable by this section shall assess and transcribe to the 350  
abstract of conviction that is furnished by the bureau to the 351  
court the number of points chargeable by this section in the 352  
correct space assigned on the reporting form. A United States 353  
district court that has jurisdiction within this state and 354  
before which a person is charged with a violation for which 355  
points are chargeable by this section may assess and transcribe 356  
to the abstract of conviction report that is furnished by the 357  
bureau the number of points chargeable by this section in the 358  
correct space assigned on the reporting form. If the federal 359  
court so assesses and transcribes the points chargeable for the 360  
offense and furnishes the report to the bureau, the bureau shall 361  
record the points in the same manner as those assessed and 362  
transcribed by a court of record or mayor's court. 363

(C) A court shall assess the following points for an 364  
offense based on the following formula: 365

(1) Aggravated vehicular homicide, vehicular homicide, 366  
vehicular manslaughter, aggravated vehicular assault, or 367  
vehicular assault when the offense involves the operation of a 368  
vehicle, streetcar, or trackless trolley on a highway or street 369  
\_\_\_\_\_ 6 points 370

(2) A violation of section 2921.331 of the Revised Code or 371

any ordinance prohibiting the willful fleeing or eluding of a 372  
law enforcement officer \_\_\_\_\_ 6 points 373

(3) A violation of section 4549.02 or 4549.021 of the 374  
Revised Code or any ordinance requiring the driver of a vehicle 375  
to stop and disclose identity at the scene of an accident 376  
\_\_\_\_\_ 6 points 377

(4) A violation of section 4511.251 of the Revised Code or 378  
any ordinance prohibiting street racing \_\_\_\_\_ 6 points 379

(5) A violation of section 4510.037 of the Revised Code or 380  
any ordinance prohibiting the operation of a motor vehicle while 381  
the driver's or commercial driver's license is under a twelve- 382  
point suspension \_\_\_\_\_ 6 points 383

(6) A violation of section 4510.14 of the Revised Code, or 384  
any ordinance prohibiting the operation of a motor vehicle upon 385  
the public roads or highways within this state while the 386  
driver's or commercial driver's license of the person is under 387  
suspension and the suspension was imposed under section 4511.19, 388  
4511.191, or 4511.196 of the Revised Code or section 4510.07 of 389  
the Revised Code due to a conviction for a violation of a 390  
municipal OVI ordinance or any ordinance prohibiting the 391  
operation of a motor vehicle while the driver's or commercial 392  
driver's license is under suspension for an OVI offense 393  
\_\_\_\_\_ 6 points 394

(7) A violation of division (A) of section 4511.19 of the 395  
Revised Code, any ordinance prohibiting the operation of a 396  
vehicle while under the influence of alcohol, a drug of abuse, 397  
or a combination of them, or any ordinance substantially 398  
equivalent to division (A) of section 4511.19 of the Revised 399  
Code prohibiting the operation of a vehicle with a prohibited 400

concentration of alcohol, a controlled substance, or a 401  
metabolite of a controlled substance in the whole blood, blood 402  
serum or plasma, breath, or urine \_\_\_\_\_ 6 points 403

(8) A violation of section 2913.03 of the Revised Code 404  
that does not involve an aircraft or motorboat or any ordinance 405  
prohibiting the operation of a vehicle without the consent of 406  
the owner \_\_\_\_\_ 6 points 407

(9) Any offense under the motor vehicle laws of this state 408  
that is a felony, or any other felony in the commission of which 409  
a motor vehicle was used \_\_\_\_\_ 6 points 410

(10) A violation of division (B) of section 4511.19 of the 411  
Revised Code or any ordinance substantially equivalent to that 412  
division prohibiting the operation of a vehicle with a 413  
prohibited concentration of alcohol in the whole blood, blood 414  
serum or plasma, breath, or urine \_\_\_\_\_ 4 points 415

(11) A violation of section 4511.20 of the Revised Code or 416  
any ordinance prohibiting the operation of a motor vehicle in 417  
willful or wanton disregard of the safety of persons or property 418  
\_\_\_\_\_ 4 points 419

(12) When the court imposes a sentence under division (F) 420  
(2) of section 4511.75 of the Revised Code \_\_\_\_\_ 4 points 421

(13) A violation of any law or ordinance pertaining to 422  
speed: 423

(a) Notwithstanding divisions ~~(C) (12) (b)~~ (C) (13) (b) and 424  
(c) of this section, when the speed exceeds the lawful speed 425  
limit by thirty miles per hour or more \_\_\_\_\_ 4 points 426

(b) When the speed exceeds the lawful speed limit of 427  
fifty-five miles per hour or more by more than ten miles per 428

hour \_\_\_\_\_ 2 points 429

(c) When the speed exceeds the lawful speed limit of less 430  
than fifty-five miles per hour by more than five miles per hour 431  
\_\_\_\_\_ 2 points 432

(d) When the speed does not exceed the amounts set forth 433  
in divisions ~~(C) (12) (a)~~ (C) (13) (a), (b), or (c) of this section 434  
\_\_\_\_\_ 0 points 435

~~(13)~~ (14) A violation of division (A) of section 4511.204 436  
of the Revised Code or any substantially similar municipal 437  
ordinance: 438

(a) For a first offense within any two-year period 439  
\_\_\_\_\_ 2 points 440

(b) For a second offense within any two-year period 441  
\_\_\_\_\_ 3 points 442

(c) For a third or subsequent offense within any two-year 443  
period \_\_\_\_\_ 4 points. 444

~~(14)~~ (15) Operating a motor vehicle in violation of a 445  
restriction imposed by the registrar \_\_\_\_\_ 2 points 446

~~(15)~~ (16) A violation of section 4510.11, 4510.111, 447  
4510.16, or 4510.21 of the Revised Code or any ordinance 448  
prohibiting the operation of a motor vehicle while the driver's 449  
or commercial driver's license is under suspension \_\_\_\_\_ 2 450  
points 451

~~(16)~~ (17) With the exception of violations under section 452  
4510.12 of the Revised Code where no points shall be assessed, 453  
all other moving violations reported under this section 454  
\_\_\_\_\_ 2 points 455

(D) Upon receiving notification from the proper court, 456  
including a United States district court that has jurisdiction 457  
within this state, the bureau shall delete any points entered 458  
for a bond forfeiture if the driver is acquitted of the offense 459  
for which bond was posted. 460

(E) If a person is convicted of or forfeits bail for two 461  
or more offenses arising out of the same facts and points are 462  
chargeable for each of the offenses, points shall be charged for 463  
only the conviction or bond forfeiture for which the greater 464  
number of points is chargeable, and, if the number of points 465  
chargeable for each offense is equal, only one offense shall be 466  
recorded, and points shall be charged only for that offense. 467

**Sec. 4511.75.** (A) The driver of a vehicle, streetcar, or 468  
trackless trolley upon meeting or overtaking from either 469  
direction any school bus stopped for the purpose of receiving or 470  
discharging any school child, person attending programs offered 471  
by community boards of mental health and county boards of 472  
developmental disabilities, or child attending a program offered 473  
by a head start agency, shall stop at least ten feet from the 474  
front or rear of the school bus and shall not proceed until such 475  
school bus resumes motion, or until signaled by the school bus 476  
driver to proceed. 477

It is no defense to a charge under this division that the 478  
school bus involved failed to display or be equipped with an 479  
automatically extended stop warning sign as required by division 480  
(B) of this section. 481

(B) Every school bus shall be equipped with amber and red 482  
visual signals meeting the requirements of section 4511.771 of 483  
the Revised Code, and an automatically extended stop warning 484  
sign of a type approved by the state board of education, which 485

shall be actuated by the driver of the bus whenever but only 486  
whenever the bus is stopped or stopping on the roadway for the 487  
purpose of receiving or discharging school children, persons 488  
attending programs offered by community boards of mental health 489  
and county boards of developmental disabilities, or children 490  
attending programs offered by head start agencies. A school bus 491  
driver shall not actuate the visual signals or the stop warning 492  
sign in designated school bus loading areas where the bus is 493  
entirely off the roadway or at school buildings when children or 494  
persons attending programs offered by community boards of mental 495  
health and county boards of developmental disabilities are 496  
loading or unloading at curbside or at buildings when children 497  
attending programs offered by head start agencies are loading or 498  
unloading at curbside. The visual signals and stop warning sign 499  
shall be synchronized or otherwise operated as required by rule 500  
of the board. 501

(C) Where a highway has been divided into four or more 502  
traffic lanes, a driver of a vehicle, streetcar, or trackless 503  
trolley need not stop for a school bus approaching from the 504  
opposite direction which has stopped for the purpose of 505  
receiving or discharging any school child, persons attending 506  
programs offered by community boards of mental health and county 507  
boards of developmental disabilities, or children attending 508  
programs offered by head start agencies. The driver of any 509  
vehicle, streetcar, or trackless trolley overtaking the school 510  
bus shall comply with division (A) of this section. 511

(D) School buses operating on divided highways or on 512  
highways with four or more traffic lanes shall receive and 513  
discharge all school children, persons attending programs 514  
offered by community boards of mental health and county boards 515  
of developmental disabilities, and children attending programs 516

offered by head start agencies on their residence side of the 517  
highway. 518

(E) No school bus driver shall start the driver's bus 519  
until after any child, person attending programs offered by 520  
community boards of mental health and county boards of 521  
developmental disabilities, or child attending a program offered 522  
by a head start agency who may have alighted therefrom has 523  
reached a place of safety on the child's or person's residence 524  
side of the road. 525

(F) (1) ~~Whoever~~ Except as provided in division (F) (2) of 526  
this section, the court, including a mayor's court, may impose 527  
the following on a person who violates division (A) of this 528  
section may be fined an amount not to exceed five hundred 529  
dollars. A: 530

(a) A fine of up to one thousand dollars; 531

(b) A class six suspension of the offender's driver's 532  
license, commercial driver's license, temporary instruction 533  
permit, probationary license, or nonresident operating privilege 534  
from the range specified in division (A) (6) of section 4510.02 535  
of the Revised Code. 536

(2) For each violation of division (A) of this section 537  
within five years of a prior violation, the court, including a 538  
mayor's court, shall impose either or both of the following on a 539  
person who violates division (A) of this section: 540

(a) A fine of up to two thousand dollars; 541

(b) A class five suspension of the offender's driver's 542  
license, commercial driver's license, temporary instruction 543  
permit, probationary license, or nonresident operating privilege 544  
from the range specified in division (A) (5) of section 4510.02 545

of the Revised Code. 546

(3) A person who is issued a citation for a violation of 547  
division (A) of this section is not permitted to enter a written 548  
plea of guilty and waive the person's right to contest the 549  
citation in a trial but instead must appear in person in the 550  
proper court to answer the charge. 551

~~(2) In addition to and independent of any other penalty~~ 552  
~~provided by law, the court or mayor may impose upon an offender~~ 553  
~~who violates this section a class seven suspension of the~~ 554  
~~offender's driver's license, commercial driver's license,~~ 555  
~~temporary instruction permit, probationary license, or~~ 556  
~~nonresident operating privilege from the range specified in~~ 557  
~~division (A) (7) of section 4510.02 of the Revised Code.~~ (4) When 558  
a license is suspended under this section, the court or mayor 559  
shall cause the offender to deliver the license to the court, 560  
and the court or clerk of the court immediately shall forward 561  
the license to the registrar of motor vehicles, together with 562  
notice of the court's action. 563

(G) As used in this section: 564

(1) "Head start agency" has the same meaning as in section 565  
3301.32 of the Revised Code. 566

(2) "School bus," as used in relation to children who 567  
attend a program offered by a head start agency, means a bus 568  
that is owned and operated by a head start agency, is equipped 569  
with an automatically extended stop warning sign of a type 570  
approved by the state board of education, is painted the color 571  
and displays the markings described in section 4511.77 of the 572  
Revised Code, and is equipped with amber and red visual signals 573  
meeting the requirements of section 4511.771 of the Revised 574

Code, irrespective of whether or not the bus has fifteen or more 575  
children aboard at any time. "School bus" does not include a van 576  
owned and operated by a head start agency, irrespective of its 577  
color, lights, or markings. 578

**Sec. 4511.751.** As used in this section, "license plate" 579  
includes, but is not limited to, any temporary motor vehicle 580  
license registration issued under section 4503.182 of the 581  
Revised Code or similar law of another jurisdiction. 582

When the operator of a school bus believes that a motorist 583  
has violated division (A) of section 4511.75 of the Revised 584  
Code, the operator shall report the license plate number and a 585  
general description of the vehicle and of the operator of the 586  
vehicle to the law enforcement agency exercising jurisdiction 587  
over the area where the alleged violation occurred. The 588  
information contained in the report relating to the license 589  
plate number and to the general description of the vehicle and 590  
the operator of the vehicle at the time of the alleged violation 591  
may be supplied by any person with first-hand knowledge of the 592  
information. Information of which the operator of the school bus 593  
has first-hand knowledge also may be corroborated by any other 594  
person, or an image, images, or video provided by a camera 595  
installed pursuant to section 4511.76 of the Revised Code. 596

Upon receipt of the report of the alleged violation of 597  
division (A) of section 4511.75 of the Revised Code, the law 598  
enforcement agency shall conduct an investigation to attempt to 599  
determine or confirm the identity of the operator of the vehicle 600  
at the time of the alleged violation. The law enforcement agency 601  
may use an image, images, or video provided by a camera 602  
installed pursuant to section 4511.76 of the Revised Code to 603  
determine the identity of the operator of the vehicle at the 604

time of the alleged violation only if the image, images, or 605  
video are sufficiently clear. If the identity of the operator at 606  
the time of the alleged violation is established, the reporting 607  
of the license plate number of the vehicle shall establish 608  
probable cause for the law enforcement agency to issue a 609  
citation for the violation of division (A) of section 4511.75 of 610  
the Revised Code. However, if the identity of the operator of 611  
the vehicle at the time of the alleged violation cannot be 612  
established, the law enforcement agency shall issue a warning to 613  
the owner of the vehicle at the time of the alleged violation, 614  
except in the case of a leased or rented vehicle when the 615  
warning shall be issued to the lessee at the time of the alleged 616  
violation. 617

The registrar of motor vehicles and deputy registrars 618  
shall, at the time of issuing license plates to any person, 619  
include with the license plate a summary of the requirements of 620  
division (A) of section 4511.75 of the Revised Code and the 621  
procedures of, and penalty in, division (F) of section 4511.75 622  
of the Revised Code. 623

**Sec. 4511.76.** (A) The department of public safety, by and 624  
with the advice of the superintendent of public instruction, 625  
shall adopt and enforce rules relating to the construction, 626  
design, and equipment of all school buses both publicly and 627  
privately owned and operated in this state, including ~~lighting~~ 628  
rules governing both of the following: 629

(1) Lighting equipment required by section 4511.771 of the 630  
Revised Code, ~~of all school buses both publicly and privately~~ 631  
~~owned and operated in this state;~~ 632

(2) Camera equipment that provides an image, images, or 633  
video solely for purposes of capturing a violation of section 634

4511.75 of the Revised Code.

635

(B) The department of education, by and with the advice of  
the director of public safety, shall adopt and enforce rules  
relating to the operation of all vehicles used for pupil  
transportation.

636

637

638

639

(C) No person shall operate a vehicle used for pupil  
transportation within this state in violation of the rules of  
the department of education or the department of public safety.  
No person, being the owner thereof or having the supervisory  
responsibility therefor, shall permit the operation of a vehicle  
used for pupil transportation within this state in violation of  
the rules of the department of education or the department of  
public safety.

640

641

642

643

644

645

646

647

(D) The department of public safety shall adopt and  
enforce rules relating to the issuance of a license under  
section 4511.763 of the Revised Code. The rules may relate to  
the condition of the equipment to be operated; the liability and  
property damage insurance carried by the applicant; the posting  
of satisfactory and sufficient bond; and such other rules as the  
director of public safety determines reasonably necessary for  
the safety of the pupils to be transported.

648

649

650

651

652

653

654

655

(E) A chartered nonpublic school may own and operate, or  
contract with a vendor that supplies, a vehicle originally  
designed for not more than nine passengers, not including the  
driver, to transport students to and from regularly scheduled  
school sessions when one of the following applies:

656

657

658

659

660

(1) A student's school district of residence has declared  
the transportation of the student impractical pursuant to  
section 3327.02 of the Revised Code; or

661

662

663

(2) A student does not live within thirty minutes of the 664  
chartered nonpublic school and the student's school district is 665  
not required to transport the student under section 3327.01 of 666  
the Revised Code. 667

(F) As used in this section, "vehicle used for pupil 668  
transportation" means any vehicle that is identified as such by 669  
the department of education by rule and that is subject to 670  
Chapter 3301-83 of the Administrative Code. 671

(G) Except as otherwise provided in this division, whoever 672  
violates this section is guilty of a minor misdemeanor. If the 673  
offender previously has been convicted of or pleaded guilty to 674  
one or more violations of this section or section 4511.63, 675  
4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the Revised 676  
Code or a municipal ordinance that is substantially similar to 677  
any of those sections, whoever violates this section is guilty 678  
of a misdemeanor of the fourth degree. 679

**Section 2.** That existing sections 4503.03, 4510.036, 680  
4511.75, 4511.751, and 4511.76 of the Revised Code are hereby 681  
repealed. 682