

As Passed by the Senate

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S. B. No. 162

Senator Reineke

**Cosponsors: Senators Blessing, Cirino, Craig, Hackett, Huffman, S., Lang,
Maharath, Manning, Romanchuk, Sykes, Thomas, Wilson, Yuko**

A BILL

To amend sections 4503.10, 4503.12, 5537.04, and 1
5537.16 and to enact sections 5537.041 and 2
5537.29 of the Revised Code to expand the 3
authority of the Ohio Turnpike and 4
Infrastructure Commission regarding evasion of 5
tolls on the Ohio turnpike and disclosure of 6
personal information. 7

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

Section 1. That sections 4503.10, 4503.12, 5537.04, and 8
5537.16 be amended and sections 5537.041 and 5537.29 of the 9
Revised Code be enacted to read as follows: 10

Sec. 4503.10. (A) The owner of every snowmobile, off- 11
highway motorcycle, and all-purpose vehicle required to be 12
registered under section 4519.02 of the Revised Code shall file 13
an application for registration under section 4519.03 of the 14
Revised Code. The owner of a motor vehicle, other than a 15
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 16
is not designed and constructed by the manufacturer for 17
operation on a street or highway may not register it under this 18

chapter except upon certification of inspection pursuant to 19
section 4513.02 of the Revised Code by the sheriff, or the chief 20
of police of the municipal corporation or township, with 21
jurisdiction over the political subdivision in which the owner 22
of the motor vehicle resides. Except as provided in section 23
4503.103 of the Revised Code, every owner of every other motor 24
vehicle not previously described in this section and every 25
person mentioned as owner in the last certificate of title of a 26
motor vehicle that is operated or driven upon the public roads 27
or highways shall cause to be filed each year, by mail or 28
otherwise, in the office of the registrar of motor vehicles or a 29
deputy registrar, a written or electronic application or a 30
preprinted registration renewal notice issued under section 31
4503.102 of the Revised Code, the form of which shall be 32
prescribed by the registrar, for registration for the following 33
registration year, which shall begin on the first day of January 34
of every calendar year and end on the thirty-first day of 35
December in the same year. Applications for registration and 36
registration renewal notices shall be filed at the times 37
established by the registrar pursuant to section 4503.101 of the 38
Revised Code. A motor vehicle owner also may elect to apply for 39
or renew a motor vehicle registration by electronic means using 40
electronic signature in accordance with rules adopted by the 41
registrar. Except as provided in division (J) of this section, 42
applications for registration shall be made on blanks furnished 43
by the registrar for that purpose, containing the following 44
information: 45

(1) A brief description of the motor vehicle to be 46
registered, including the year, make, model, and vehicle 47
identification number, and, in the case of commercial cars, the 48
gross weight of the vehicle fully equipped computed in the 49

manner prescribed in section 4503.08 of the Revised Code; 50

(2) The name and residence address of the owner, and the 51
township and municipal corporation in which the owner resides; 52

(3) The district of registration, which shall be 53
determined as follows: 54

(a) In case the motor vehicle to be registered is used for 55
hire or principally in connection with any established business 56
or branch business, conducted at a particular place, the 57
district of registration is the municipal corporation in which 58
that place is located or, if not located in any municipal 59
corporation, the county and township in which that place is 60
located. 61

(b) In case the vehicle is not so used, the district of 62
registration is the municipal corporation or county in which the 63
owner resides at the time of making the application. 64

(4) Whether the motor vehicle is a new or used motor 65
vehicle; 66

(5) The date of purchase of the motor vehicle; 67

(6) Whether the fees required to be paid for the 68
registration or transfer of the motor vehicle, during the 69
preceding registration year and during the preceding period of 70
the current registration year, have been paid. Each application 71
for registration shall be signed by the owner, either manually 72
or by electronic signature, or pursuant to obtaining a limited 73
power of attorney authorized by the registrar for registration, 74
or other document authorizing such signature. If the owner 75
elects to apply for or renew the motor vehicle registration with 76
the registrar by electronic means, the owner's manual signature 77
is not required. 78

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

(B) Except as otherwise provided in this division, each
time an applicant first registers a motor vehicle in the
applicant's name, the applicant shall present for inspection a
physical certificate of title or memorandum certificate showing
title to the motor vehicle to be registered in the name of the
applicant if a physical certificate of title or memorandum
certificate has been issued by a clerk of a court of common
pleas. If, under sections 4505.021, 4505.06, and 4505.08 of the
Revised Code, a clerk instead has issued an electronic
certificate of title for the applicant's motor vehicle, that
certificate may be presented for inspection at the time of first
registration in a manner prescribed by rules adopted by the
registrar. An applicant is not required to present a certificate
of title to an electronic motor vehicle dealer acting as a
limited authority deputy registrar in accordance with rules
adopted by the registrar. When a motor vehicle inspection and
maintenance program is in effect under section 3704.14 of the
Revised Code and rules adopted under it, each application for
registration for a vehicle required to be inspected under that
section and those rules shall be accompanied by an inspection
certificate for the motor vehicle issued in accordance with that
section. The application shall be refused if any of the
following applies:

(1) The application is not in proper form.	110
(2) The application is prohibited from being accepted by	111
division (D) of section 2935.27, division (A) of section	112
2937.221, division (A) of section 4503.13, division (B) of	113
section 4510.22, or division (B) (1) of section 4521.10, <u>or</u>	114
<u>division (B) of section 5537.041</u> of the Revised Code.	115
(3) A certificate of title or memorandum certificate of	116
title is required but does not accompany the application or, in	117
the case of an electronic certificate of title, is required but	118
is not presented in a manner prescribed by the registrar's	119
rules.	120
(4) All registration and transfer fees for the motor	121
vehicle, for the preceding year or the preceding period of the	122
current registration year, have not been paid.	123
(5) The owner or lessee does not have an inspection	124
certificate for the motor vehicle as provided in section 3704.14	125
of the Revised Code, and rules adopted under it, if that section	126
is applicable.	127
This section does not require the payment of license or	128
registration taxes on a motor vehicle for any preceding year, or	129
for any preceding period of a year, if the motor vehicle was not	130
taxable for that preceding year or period under sections	131
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504.	132
of the Revised Code. When a certificate of registration is	133
issued upon the first registration of a motor vehicle by or on	134
behalf of the owner, the official issuing the certificate shall	135
indicate the issuance with a stamp on the certificate of title	136
or memorandum certificate or, in the case of an electronic	137
certificate of title, an electronic stamp or other notation as	138

specified in rules adopted by the registrar, and with a stamp on 139
the inspection certificate for the motor vehicle, if any. The 140
official also shall indicate, by a stamp or by other means the 141
registrar prescribes, on the registration certificate issued 142
upon the first registration of a motor vehicle by or on behalf 143
of the owner the odometer reading of the motor vehicle as shown 144
in the odometer statement included in or attached to the 145
certificate of title. Upon each subsequent registration of the 146
motor vehicle by or on behalf of the same owner, the official 147
also shall so indicate the odometer reading of the motor vehicle 148
as shown on the immediately preceding certificate of 149
registration. 150

The registrar shall include in the permanent registration 151
record of any vehicle required to be inspected under section 152
3704.14 of the Revised Code the inspection certificate number 153
from the inspection certificate that is presented at the time of 154
registration of the vehicle as required under this division. 155

(C) (1) Except as otherwise provided in division (C) (1) of 156
this section, the registrar and each deputy registrar shall 157
collect an additional fee of eleven dollars for each application 158
for registration and registration renewal received. For vehicles 159
specified in divisions (A) (1) to (21) of section 4503.042 of the 160
Revised Code, the registrar and deputy registrar shall collect 161
an additional fee of thirty dollars for each application for 162
registration and registration renewal received. No additional 163
fee shall be charged for vehicles registered under section 164
4503.65 of the Revised Code. The additional fee is for the 165
purpose of defraying the department of public safety's costs 166
associated with the administration and enforcement of the motor 167
vehicle and traffic laws of Ohio. Each deputy registrar shall 168
transmit the fees collected under divisions (C) (1), (3), and (4) 169

of this section in the time and manner provided in this section. 170
The registrar shall deposit all moneys received under division 171
(C) (1) of this section into the public safety - highway purposes 172
fund established in section 4501.06 of the Revised Code. 173

(2) In addition, a charge of twenty-five cents shall be 174
made for each reflectorized safety license plate issued, and a 175
single charge of twenty-five cents shall be made for each county 176
identification sticker or each set of county identification 177
stickers issued, as the case may be, to cover the cost of 178
producing the license plates and stickers, including material, 179
manufacturing, and administrative costs. Those fees shall be in 180
addition to the license tax. If the total cost of producing the 181
plates is less than twenty-five cents per plate, or if the total 182
cost of producing the stickers is less than twenty-five cents 183
per sticker or per set issued, any excess moneys accruing from 184
the fees shall be distributed in the same manner as provided by 185
section 4501.04 of the Revised Code for the distribution of 186
license tax moneys. If the total cost of producing the plates 187
exceeds twenty-five cents per plate, or if the total cost of 188
producing the stickers exceeds twenty-five cents per sticker or 189
per set issued, the difference shall be paid from the license 190
tax moneys collected pursuant to section 4503.02 of the Revised 191
Code. 192

(3) The registrar and each deputy registrar shall collect 193
an additional fee of two hundred dollars for each application 194
for registration or registration renewal received for any plug- 195
in electric motor vehicle. The fee shall be prorated based on 196
the number of months for which the plug-in electric motor 197
vehicle is registered. The registrar shall transmit all money 198
arising from the fee imposed by division (C) (3) of this section 199
to the treasurer of state for distribution in accordance with 200

division (E) of section 5735.051 of the Revised Code, subject to 201
division (D) of section 5735.05 of the Revised Code. 202

(4) The registrar and each deputy registrar shall collect 203
an additional fee of one hundred dollars for each application 204
for registration or registration renewal received for any hybrid 205
motor vehicle. The fee shall be prorated based on the number of 206
months for which the hybrid motor vehicle is registered. The 207
registrar shall transmit all money arising from the fee imposed 208
by division (C) (4) of this section to the treasurer of state for 209
distribution in accordance with division (E) of section 5735.051 210
of the Revised Code, subject to division (D) of section 5735.05 211
of the Revised Code. 212

The fees established under divisions (C) (3) and (4) of 213
this section shall not be imposed until January 1, 2020. 214

(D) Each deputy registrar shall be allowed a fee equal to 215
the amount established under section 4503.038 of the Revised 216
Code for each application for registration and registration 217
renewal notice the deputy registrar receives, which shall be for 218
the purpose of compensating the deputy registrar for the deputy 219
registrar's services, and such office and rental expenses, as 220
may be necessary for the proper discharge of the deputy 221
registrar's duties in the receiving of applications and renewal 222
notices and the issuing of registrations. 223

(E) Upon the certification of the registrar, the county 224
sheriff or local police officials shall recover license plates 225
erroneously or fraudulently issued. 226

(F) Each deputy registrar, upon receipt of any application 227
for registration or registration renewal notice, together with 228
the license fee and any local motor vehicle license tax levied 229

pursuant to Chapter 4504. of the Revised Code, shall transmit 230
that fee and tax, if any, in the manner provided in this 231
section, together with the original and duplicate copy of the 232
application, to the registrar. The registrar, subject to the 233
approval of the director of public safety, may deposit the funds 234
collected by those deputies in a local bank or depository to the 235
credit of the "state of Ohio, bureau of motor vehicles." Where a 236
local bank or depository has been designated by the registrar, 237
each deputy registrar shall deposit all moneys collected by the 238
deputy registrar into that bank or depository not more than one 239
business day after their collection and shall make reports to 240
the registrar of the amounts so deposited, together with any 241
other information, some of which may be prescribed by the 242
treasurer of state, as the registrar may require and as 243
prescribed by the registrar by rule. The registrar, within three 244
days after receipt of notification of the deposit of funds by a 245
deputy registrar in a local bank or depository, shall draw on 246
that account in favor of the treasurer of state. The registrar, 247
subject to the approval of the director and the treasurer of 248
state, may make reasonable rules necessary for the prompt 249
transmittal of fees and for safeguarding the interests of the 250
state and of counties, townships, municipal corporations, and 251
transportation improvement districts levying local motor vehicle 252
license taxes. The registrar may pay service charges usually 253
collected by banks and depositories for such service. If deputy 254
registrars are located in communities where banking facilities 255
are not available, they shall transmit the fees forthwith, by 256
money order or otherwise, as the registrar, by rule approved by 257
the director and the treasurer of state, may prescribe. The 258
registrar may pay the usual and customary fees for such service. 259

(G) This section does not prevent any person from making 260

an application for a motor vehicle license directly to the 261
registrar by mail, by electronic means, or in person at any of 262
the registrar's offices, upon payment of a service fee equal to 263
the amount established under section 4503.038 of the Revised 264
Code for each application. 265

(H) No person shall make a false statement as to the 266
district of registration in an application required by division 267
(A) of this section. Violation of this division is falsification 268
under section 2921.13 of the Revised Code and punishable as 269
specified in that section. 270

(I) (1) Where applicable, the requirements of division (B) 271
of this section relating to the presentation of an inspection 272
certificate issued under section 3704.14 of the Revised Code and 273
rules adopted under it for a motor vehicle, the refusal of a 274
license for failure to present an inspection certificate, and 275
the stamping of the inspection certificate by the official 276
issuing the certificate of registration apply to the 277
registration of and issuance of license plates for a motor 278
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 279
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 280
4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 281
Code. 282

(2) (a) The registrar shall adopt rules ensuring that each 283
owner registering a motor vehicle in a county where a motor 284
vehicle inspection and maintenance program is in effect under 285
section 3704.14 of the Revised Code and rules adopted under it 286
receives information about the requirements established in that 287
section and those rules and about the need in those counties to 288
present an inspection certificate with an application for 289
registration or preregistration. 290

(b) Upon request, the registrar shall provide the director
of environmental protection, or any person that has been awarded
a contract under section 3704.14 of the Revised Code, an on-line
computer data link to registration information for all passenger
cars, noncommercial motor vehicles, and commercial cars that are
subject to that section. The registrar also shall provide to the
director of environmental protection a magnetic data tape
containing registration information regarding passenger cars,
noncommercial motor vehicles, and commercial cars for which a
multi-year registration is in effect under section 4503.103 of
the Revised Code or rules adopted under it, including, without
limitation, the date of issuance of the multi-year registration,
the registration deadline established under rules adopted under
section 4503.101 of the Revised Code that was applicable in the
year in which the multi-year registration was issued, and the
registration deadline for renewal of the multi-year
registration.

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

- (1) A uniform mileage schedule;
- (2) The gross vehicle weight of the vehicle or combined
gross vehicle weight of the combination vehicle as declared by
the registrant;
- (3) Any other information the registrar requires by rule.

(K) The registrar shall determine the feasibility of 320
implementing an electronic commercial fleet licensing and 321
management program that will enable the owners of commercial 322
tractors, commercial trailers, and commercial semitrailers to 323
conduct electronic transactions by July 1, 2010, or sooner. If 324
the registrar determines that implementing such a program is 325
feasible, the registrar shall adopt new rules under this 326
division or amend existing rules adopted under this division as 327
necessary in order to respond to advances in technology. 328

If international registration plan guidelines and 329
provisions allow member jurisdictions to permit applications for 330
registrations under the international registration plan to be 331
made via the internet, the rules the registrar adopts under this 332
division shall permit such action. 333

Sec. 4503.12. (A) Upon the transfer of ownership of a 334
motor vehicle, the registration of the motor vehicle expires, 335
and the original owner immediately shall remove the license 336
plates from the motor vehicle, except that: 337

(1) If a statutory merger or consolidation results in the 338
transfer of ownership of a motor vehicle from a constituent 339
corporation to the surviving corporation, or if the 340
incorporation of a proprietorship or partnership results in the 341
transfer of ownership of a motor vehicle from the proprietorship 342
or partnership to the corporation, the registration shall be 343
continued upon the filing by the surviving or new corporation, 344
within thirty days of such transfer, of an application for an 345
amended certificate of registration. Upon a proper filing, the 346
registrar of motor vehicles shall issue an amended certificate 347
of registration in the name of the new owner. 348

(2) If the death of the owner of a motor vehicle results 349

in the transfer of ownership of the motor vehicle to the 350
surviving spouse of the owner or if a motor vehicle is owned by 351
two persons under joint ownership with right of survivorship 352
established under section 2131.12 of the Revised Code and one of 353
those persons dies, the registration shall be continued upon the 354
filing by the survivor of an application for an amended 355
certificate of registration. In relation to a motor vehicle that 356
is owned by two persons under joint ownership with right of 357
survivorship established under section 2131.12 of the Revised 358
Code, the application shall be accompanied by a copy of the 359
certificate of title that specifies that the vehicle is owned 360
under joint ownership with right of survivorship. Upon a proper 361
filing, the registrar shall issue an amended certificate of 362
registration in the name of the survivor. 363

(3) If the death of the owner of a motor vehicle results 364
in the transfer of ownership of the motor vehicle to a transfer- 365
on-death beneficiary or beneficiaries designated under section 366
2131.13 of the Revised Code, the registration shall be continued 367
upon the filing by the transfer-on-death beneficiary or 368
beneficiaries of an application for an amended certificate of 369
registration. The application shall be accompanied by a copy of 370
the certificate of title that specifies that the owner of the 371
motor vehicle has designated the motor vehicle in beneficiary 372
form under section 2131.13 of the Revised Code. Upon a proper 373
filing, the registrar shall issue an amended certificate of 374
registration in the name of the transfer-on-death beneficiary or 375
beneficiaries. 376

(4) If the original owner of a motor vehicle that has been 377
transferred makes application for the registration of another 378
motor vehicle at any time during the remainder of the 379
registration period for which the transferred motor vehicle was 380

registered, the owner may file an application for transfer of 381
the registration and, where applicable, the license plates. The 382
transfer of the registration and, where applicable, the license 383
plates from the motor vehicle for which they originally were 384
issued to a succeeding motor vehicle purchased by the same 385
person in whose name the original registration and license 386
plates were issued shall be done within a period not to exceed 387
thirty days. During that thirty-day period, the license plates 388
from the motor vehicle for which they originally were issued may 389
be displayed on the succeeding motor vehicle, and the succeeding 390
motor vehicle may be operated on the public roads and highways 391
in this state. 392

At the time of application for transfer, the registrar 393
shall compute and collect the amount of tax due on the 394
succeeding motor vehicle, based upon the amount that would be 395
due on a new registration as of the date on which the transfer 396
is made less a credit for the unused portion of the original 397
registration beginning on that date. If the credit exceeds the 398
amount of tax due on the new registration, no refund shall be 399
made. In computing the amount of tax due and credits to be 400
allowed under this division, the provisions of division (B) (1) 401
(a) and (b) of section 4503.11 of the Revised Code shall apply. 402
As to passenger cars, noncommercial vehicles, motor homes, and 403
motorcycles, transfers within or between these classes of motor 404
vehicles only shall be allowed. If the succeeding motor vehicle 405
is of a different class than the motor vehicle for which the 406
registration originally was issued, new license plates also 407
shall be issued upon the surrender of the license plates 408
originally issued and payment of the fees provided in divisions 409
(C) and (D) of section 4503.10 of the Revised Code. 410

(5) The owner of a commercial car having a gross vehicle 411

weight or combined gross vehicle weight of more than ten 412
thousand pounds may transfer the registration of that commercial 413
car to another commercial car the owner owns without 414
transferring ownership of the first commercial car. At any time 415
during the remainder of the registration period for which the 416
first commercial car was registered, the owner may file an 417
application for the transfer of the registration and, where 418
applicable, the license plates, accompanied by the certificate 419
of registration of the first commercial car. The amount of any 420
tax due or credit to be allowed for a transfer of registration 421
under this division shall be computed in accordance with 422
division (A) (4) of this section. 423

No commercial car to which a registration is transferred 424
under this division shall be operated on a public road or 425
highway in this state until after the transfer of registration 426
is completed in accordance with this division. 427

(6) Upon application to the registrar or a deputy 428
registrar, a person who owns or leases a motor vehicle may 429
transfer special license plates assigned to that vehicle to any 430
other vehicle that the person owns or leases or that is owned or 431
leased by the person's spouse. As appropriate, the application 432
also shall be accompanied by a power of attorney for the 433
registration of a leased vehicle and a written statement 434
releasing the special plates to the applicant. Upon a proper 435
filing, the registrar or deputy registrar shall assign the 436
special license plates to the motor vehicle owned or leased by 437
the applicant and issue a new certificate of registration for 438
that motor vehicle. 439

(7) If a corporation transfers the ownership of a motor 440
vehicle to an affiliated corporation, the affiliated corporation 441

may apply to the registrar for the transfer of the registration 442
and any license plates. The registrar may require the applicant 443
to submit documentation of the corporate relationship and shall 444
determine whether the application for registration transfer is 445
made in good faith and not for the purposes of circumventing the 446
provisions of this chapter. Upon a proper filing, the registrar 447
shall issue an amended certificate of registration in the name 448
of the new owner. 449

(B) An application under division (A) of this section 450
shall be accompanied by a service fee equal to the amount 451
established under section 4503.038 of the Revised Code, a 452
transfer fee of one dollar, and the original certificate of 453
registration, if applicable. 454

(C) Neither the registrar nor a deputy registrar shall 455
transfer a registration under division (A) of this section if 456
the registration is prohibited by division (D) of section 457
2935.27, division (A) of section 2937.221, division (A) of 458
section 4503.13, division (D) of section 4503.234, division (B) 459
of section 4510.22, ~~or~~ division (B)(1) of section 4521.10, or 460
division (B) of section 5537.041 of the Revised Code. 461

(D) Whoever violates division (A) of this section is 462
guilty of a misdemeanor of the fourth degree. 463

(E) As used in division (A)(6) of this section, "special 464
license plates" means either of the following: 465

(1) Any license plates for which the person to whom the 466
license plates are issued must pay an additional fee in excess 467
of the fees prescribed in section 4503.04 of the Revised Code, 468
Chapter 4504. of the Revised Code, and the service fee 469
prescribed in division (D) or (G) of section 4503.10 of the 470

Revised Code; 471

(2) License plates issued under section 4503.44 of the 472
Revised Code. 473

Sec. 5537.04. (A) The Ohio turnpike and infrastructure 474
commission may do any of the following: 475

(1) Adopt bylaws for the regulation of its affairs and the 476
conduct of its business; 477

(2) Adopt an official seal, which shall not be the great 478
seal of the state and which need not be in compliance with 479
section 5.10 of the Revised Code; 480

(3) Maintain a principal office and suboffices at such 481
places within the state as it designates; 482

(4) With respect to the Ohio turnpike system and turnpike 483
projects, sue and be sued in its own name, plead and be 484
impleaded, provided any actions against the commission shall be 485
brought in the court of common pleas of the county in which the 486
principal office of the commission is located, or in the court 487
of common pleas of the county in which the cause of action arose 488
if that county is located within this state, and all summonses, 489
exceptions, and notices of every kind shall be served on the 490
commission by leaving a copy thereof at its principal office 491
with the secretary-treasurer or executive director of the 492
commission; 493

(5) With respect to infrastructure projects only, sue and 494
be sued in its own name, plead and be impleaded, provided any 495
actions against the commission shall be brought in the court of 496
common pleas of Franklin county, and all summonses, exceptions, 497
and notices of every kind shall be served on the commission by 498
leaving a copy thereof at its principal office with the 499

secretary-treasurer or executive director of the commission. 500

(6) Construct, maintain, repair, police, and operate the 501
turnpike system, and establish rules for the use of any turnpike 502
project; 503

(7) Issue revenue bonds of the state, payable solely from 504
pledged revenues, as provided in this chapter, for the purpose 505
of paying any part of the cost of constructing any one or more 506
turnpike projects or infrastructure projects; 507

(8) Fix, and revise from time to time, and charge and 508
collect tolls by any method approved by the commission, 509
including, but not limited to, manual methods or through 510
electronic technology accepted within the tolling industry; 511

(9) Acquire, hold, and dispose of property in the exercise 512
of its powers and the performance of its duties under this 513
chapter; 514

(10) Designate the locations and establish, limit, and 515
control such points of ingress to and egress from each turnpike 516
project as are necessary or desirable in the judgment of the 517
commission and of the director of transportation to ensure the 518
proper operation and maintenance of that turnpike project, and 519
prohibit entrance to such a turnpike project from any point not 520
so designated; 521

(11) Make and enter into all contracts and agreements 522
necessary or incidental to the performance of its duties and the 523
execution of its powers under this chapter, including 524
participation in a multi-jurisdiction electronic toll collection 525
agreement and collection or remittance of tolls, fees, or other 526
charges to or from entities or agencies that participate in such 527
an agreement; the commission also may enter into agreements with 528

retail locations, including deputy registrars, to allow the 529
general public to acquire electronic toll collection devices, 530
commonly known as transponders, from the retail locations for 531
such reasonable fees as are established by the commission; 532

(12) Employ or retain or contract for the services of 533
consulting engineers, superintendents, managers, and any other 534
engineers, construction and accounting experts, financial 535
advisers, trustees, marketing, remarketing, and administrative 536
agents, attorneys, and other employees, independent contractors, 537
or agents that are necessary in its judgment and fix their 538
compensation, provided all such expenses shall be payable solely 539
from the proceeds of bonds or from revenues of the Ohio turnpike 540
system; 541

(13) Receive and accept from any federal agency, subject 542
to the approval of the governor, and from any other governmental 543
agency grants for or in aid of the construction, reconstruction, 544
repair, renovation, maintenance, or operation of any turnpike 545
project, and receive and accept aid or contributions from any 546
source or person of money, property, labor, or other things of 547
value, to be held, used, and applied only for the purposes for 548
which such grants and contributions are made; 549

(14) Provide coverage for its employees under Chapters 550
4123. and 4141. of the Revised Code; 551

(15) Fix and revise by rule, from time to time, such 552
permit fees, processing fees, or administrative charges for the 553
prepayment, deferred payment, or nonpayment of tolls and use of 554
electronic tolling equipment or other commission property; 555

(16) Adopt rules for ~~the~~ all of the following: 556

(a) The issuance of citations ~~either~~ by a policing 557

authority ~~or, the issuance of citations~~ through administrative 558
means, ~~and the issuance of invoices by the commission to~~ 559
~~individuals or corporations any person that evade the payment of~~ 560
~~fails to pay the~~ tolls ~~or fees~~ established for the use of any 561
turnpike project; 562

(b) The issuance of a second invoice to any person who 563
fails to remit payment of a toll or fee to the commission for 564
more than thirty days after issuance of the first invoice and 565
for the imposition of associated late fees; 566

(c) The implementation of procedures whereby a person may 567
dispute an invoice with the commission through an administrative 568
hearing at the commission's principal office as authorized under 569
section 5537.041 of the Revised Code; 570

(d) The implementation of procedures whereby a person may 571
appeal the decision of an administrative hearing in the manner 572
described in section 5537.041 of the Revised Code. 573

(17) Approve funding and authorize agreements with the 574
department of transportation for the funding of infrastructure 575
projects recommended by the director of transportation pursuant 576
to the criteria established by rule under section 5537.18 of the 577
Revised Code. 578

(B) The commission may do all acts necessary or proper to 579
carry out the powers expressly granted in this chapter. 580

(C) As used in this section and section 5537.041 of the 581
Revised Code, "person" has the same meaning as in section 582
1745.05 of the Revised Code. 583

Sec. 5537.041. (A) (1) A person that receives an invoice 584
from the Ohio turnpike and infrastructure commission may request 585
an administrative hearing with the commission at the 586

commission's principal office to dispute the invoice. The person 587
may present evidence at the hearing. 588

(2) Notwithstanding sections 1901.18, 1901.20, 1907.02, 589
and 1907.031 of the Revised Code, the commission has exclusive 590
original jurisdiction over a dispute regarding an invoice issued 591
by the commission in accordance with the rules adopted under 592
section 5537.04 of the Revised Code. 593

(3) The commission shall grant a hearing to any person 594
that requests one under this section. The commission shall send 595
reasonable notice in advance to the requestor of the time, date, 596
and location of the hearing. The commission may appoint a 597
hearing officer to administer any requested hearings. 598

(4) A person forfeits the right to an administrative 599
hearing or appeal if either of the following occur: 600

(a) The person does not respond within sixty days after 601
the second invoice is issued in accordance with the rules 602
adopted under section 5537.04 of the Revised Code. 603

(b) The person fails to appear at the requested hearing. 604

(5) The decision of the commission or its designated 605
hearing officer is presumed final unless it is reversed on 606
appeal. A person may appeal the decision in accordance with 607
Chapter 2506. of the Revised Code. Any such appeal shall be 608
commenced in the Cuyahoga county court of common pleas. The 609
court's decision is final and there is no further right to 610
appeal that decision. 611

(B) In accordance with the rules adopted under section 612
5537.04 of the Revised Code, the commission may notify the 613
registrar of motor vehicles if either of the following occur: 614

(1) A person fails to remit payment of a toll or fee or 615
fails to dispute an invoice with the commission within sixty 616
days after the provision of the second invoice in accordance 617
with the rules adopted under section 5537.04 of the Revised 618
Code; 619

(2) A person fails to pay any remaining balance due after 620
appeal to the Cuyahoga county court of common pleas. 621

(C) If the registrar receives a notice from the commission 622
under division (B) of this section, neither the registrar nor 623
any deputy registrar shall accept any application for the 624
registration or transfer of registration of any motor vehicle 625
owned or leased by the person named in the notice, until the 626
registrar receives notice from the commission that the remaining 627
balance for the toll or fee has been paid or dismissed. 628

Sec. 5537.16. (A) The Ohio turnpike and infrastructure 629
commission may adopt such bylaws and rules as it considers 630
advisable for the control and regulation of traffic on any 631
turnpike project, for the protection and preservation of 632
property under its jurisdiction and control, for the maintenance 633
and preservation of good order within the property under its 634
control, and for the purpose of establishing owner or operator 635
liability for failure to comply with toll collection rules. The 636
rules may require that both the owner or lessee and the operator 637
of a motor vehicle be held jointly and strictly liable for the 638
payment of tolls, fees, and fines. If the owner or lessee and 639
the operator are jointly and strictly liable, the owner or 640
lessee may not disclaim liability for a toll, fee, or fine by 641
claiming another person was operating the motor vehicle at the 642
time the toll, fee, or fine was incurred. The rules of the 643
commission with respect to the speed, use of special engine 644

brakes, axle loads, vehicle loads, and vehicle dimensions of 645
vehicles on turnpike projects, including the issuance of a 646
special permit by the commission to allow the operation on any 647
turnpike project of a motor vehicle transporting two or fewer 648
steel coils, shall apply notwithstanding sections 4511.21 to 649
~~4511.24~~4511.25, 4513.34, and Chapter 5577. of the Revised Code. 650
Such bylaws and rules shall be published in a newspaper of 651
general circulation in Franklin county, and in such other manner 652
as the commission prescribes. 653

(B) Such rules shall provide that public police officers 654
shall be afforded ready access, while in the performance of 655
their official duty, to all property under the jurisdiction of 656
the commission and without the payment of tolls. 657

(C) No person shall violate any such bylaws or rules of 658
the commission. 659

(D) (1) All fines collected for the violation of applicable 660
laws of the state and the bylaws and rules of the commission or 661
moneys arising from bonds forfeited for such violation shall be 662
disposed of in accordance with section 5503.04 of the Revised 663
Code. 664

(2) All fees or charges assessed by the commission against 665
an owner, lessee, or operator of a vehicle as a civil violation 666
for failure to comply with toll collection or toll evasion rules 667
shall be revenues of the commission. 668

Sec. 5537.29. (A) As used in this section: 669

(1) "Electronic toll account record" means a record kept 670
by the Ohio turnpike and infrastructure commission or any other 671
tolling agency that contains the information required for the 672
commission or other tolling agency to collect the tolls charged 673

to the holder of the electronic toll account or the owner of a 674
motor vehicle that travels on a tolled road. 675

(2) "Person" does not include any governmental agency. 676

(3) "Personal information" means information that 677
identifies an individual, including an individual's photograph 678
or digital image, social security number, driver or driver's 679
license identification number, credit card or financial 680
information, name, telephone number, or an individual's address 681
other than the five-digit zip code number. "Personal 682
information" does not include information pertaining to a 683
vehicular accident, driving or traffic violation, or driver's 684
status. 685

(B) Except as provided in division (C) of this section, 686
the commission, and any employee or contractor of the 687
commission, shall not knowingly disclose or otherwise make 688
available to any person or entity any personal information about 689
an individual that the commission obtained in connection with 690
processing a toll, fine, fee, or an electronic toll account 691
record. 692

(C) The commission, or an employee or contractor of the 693
commission, may disclose personal information as follows: 694

(1) For the use of a governmental agency, including a 695
court or law enforcement agency, in carrying out its functions, 696
or for the use of a private person or entity acting on behalf of 697
an agency of this state, another state, the United States, or a 698
political subdivision of this state or another state in carrying 699
out its functions; 700

(2) For use in connection with a civil, criminal, 701
administrative, or arbitral proceeding in a court or agency of 702

this state, another state, the United States, or a political 703
subdivision of this state or another state or before a self- 704
regulatory body, including use in connection with the service of 705
process, investigation in anticipation of litigation, or the 706
execution or enforcement of a judgment or order; 707

(3) Pursuant to an order of a court of this state, another 708
state, the United States, or a political subdivision of this 709
state or another state; 710

(4) For use by the financial institutions and credit 711
issuing companies directly involved in a credit transaction 712
pertaining to the payment of a toll, fine, or fee; 713

(5) For the collection of an unpaid toll, fine, fee, or 714
other administrative charge; 715

(6) For use in exchanging information between other 716
private and public toll transportation facilities; 717

(7) For any use not otherwise identified in divisions (C) 718
(1) to (6) of this section that is in response to a request for 719
personal information, if the individual whose personal 720
information is requested completes and submits to the commission 721
a form prescribed by the commission by rule giving express 722
consent to such disclosure; 723

(8) For use by a person, state, or state agency that 724
requests the personal information, if the person, state, or 725
state agency demonstrates that it has obtained the written 726
consent of the individual to whom the information pertains. 727

(D) The commission shall establish procedures for denying 728
a request for the disclosure of personal information if the 729
request does not satisfy the criteria for disclosure under 730
division (C) of this section. 731

(E) The commission shall establish any forms and shall 732
adopt rules in accordance with section 111.15 of the Revised 733
Code as necessary to administer this section. 734

Section 2. That existing sections 4503.10, 4503.12, 735
5537.04, and 5537.16 of the Revised Code are hereby repealed. 736