

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 787

Representative Wiggam

Cosponsors: Representatives Kick, Romanchuk, Fraizer, Perales

A BILL

To amend sections 311.30, 505.541, 509.04, 3501.29, 1
3781.111, 4503.10, 4503.12, 4503.44, 4511.69, 2
4517.01, 4517.12, 4521.01, 4521.02, 4731.481, 3
and 4734.161 and to enact sections 4503.441, 4
4503.442, 4503.443, 4503.444, 4503.445, 5
4503.446, 4503.447, 4503.448, 4511.691, 6
4511.692, 4511.693, 4511.694, 4511.695, 7
4511.696, 4511.697, 4511.698, and 4511.699 of 8
the Revised Code to make changes to the laws 9
governing accessible parking. 10

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

Section 1. That sections 4503.44, 4511.69, 4521.01, 11
4521.02, 4731.481, and 4734.161 be amended and sections 12
4503.441, 4503.442, 4503.443, 4503.444, 4503.445, 4503.446, 13
4503.447, 4503.448, 4511.691, 4511.692, 4511.693, 4511.694, 14
4511.695, 4511.696, 4511.697, 4511.698, and 4511.699 of the 15
Revised Code be enacted to read as follows: 16

Sec. 4503.44. ~~(A) As used in this section and in section~~ 17
~~4511.69~~ sections 4503.44 to 4503.448 of the Revised Code: 18

~~(1)~~ (A) "Person with a disability that limits or impairs the ability to walk" means any person who, as determined by a health care provider, meets any of the following criteria:

~~(a)~~ (1) Cannot walk two hundred feet without stopping to rest;

~~(b)~~ (2) Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;

~~(c)~~ (3) Is restricted by a lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty millimeters of mercury on room air at rest;

~~(d)~~ (4) Uses portable oxygen;

~~(e)~~ (5) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American heart association;

~~(f)~~ (6) Is severely limited in the ability to walk due to an arthritic, neurological, or orthopedic condition;

~~(g)~~ (7) Is blind, legally blind, or severely visually impaired.

~~(2)~~ (B) "Organization" means any private organization or corporation, or any governmental board, agency, department, division, or office, that, as part of its business or program, transports persons with disabilities that limit or impair the ability to walk on a regular basis in a motor vehicle that has not been altered for the purpose of providing it with special

equipment for use by persons with disabilities. ~~This definition~~ 47
~~does not apply to division (I) of this section.~~ 48

~~(3)~~ (C) "Health care provider" means a physician, 49
physician assistant, advanced practice registered nurse, 50
optometrist, or chiropractor as defined in this section except 51
that an optometrist shall only make determinations as to 52
division ~~(A) (1) (g)~~ (A) (7) of this section. 53

~~(4)~~ (D) "Physician" means a person licensed to practice 54
medicine or surgery or osteopathic medicine and surgery under 55
Chapter 4731. of the Revised Code. 56

~~(5)~~ (E) "Chiropractor" means a person licensed to practice 57
chiropractic under Chapter 4734. of the Revised Code. 58

~~(6)~~ (F) "Advanced practice registered nurse" means a 59
certified nurse practitioner, clinical nurse specialist, 60
certified registered nurse anesthetist, or certified nurse- 61
midwife who holds a certificate of authority issued by the board 62
of nursing under Chapter 4723. of the Revised Code. 63

~~(7)~~ (G) "Physician assistant" means a person who is 64
licensed as a physician assistant under Chapter 4730. of the 65
Revised Code. 66

~~(8)~~ (H) "Optometrist" means a person licensed to engage in 67
the practice of optometry under Chapter 4725. of the Revised 68
Code. 69

(I) "Accessible license plate" means a license plate 70
issued to a person or organization under sections 4503.41 and 71
4503.441 of the Revised Code. 72

(J) "Removable windshield placard" means a removable 73
windshield placard issued to a person or organization under 74

section 4503.442 of the Revised Code and includes a temporary 75
removable windshield placard, unless otherwise specified. 76

~~(B)(1) An organization, or a person with a disability that~~ 77
~~limits or impairs the ability to walk, may apply for the~~ 78
~~registration of any motor vehicle the organization or person~~ 79
~~owns or leases. When a motor vehicle has been altered for the~~ 80
~~purpose of providing it with special equipment for a person with~~ 81
~~a disability that limits or impairs the ability to walk, but is~~ 82
~~owned or leased by someone other than such a person, the owner~~ 83
~~or lessee may apply to the registrar or a deputy registrar for~~ 84
~~registration under this section. The application for~~ 85
~~registration of a motor vehicle owned or leased by a person with~~ 86
~~a disability that limits or impairs the ability to walk shall be~~ 87
~~accompanied by a signed statement from the applicant's health~~ 88
~~care provider certifying that the applicant meets at least one~~ 89
~~of the criteria contained in division (A)(1) of this section and~~ 90
~~that the disability is expected to continue for more than six~~ 91
~~consecutive months. The application for registration of a motor~~ 92
~~vehicle that has been altered for the purpose of providing it~~ 93
~~with special equipment for a person with a disability that~~ 94
~~limits or impairs the ability to walk but is owned by someone~~ 95
~~other than such a person shall be accompanied by such~~ 96
~~documentary evidence of vehicle alterations as the registrar may~~ 97
~~require by rule.~~ 98

~~(2) When an organization, a person with a disability that~~ 99
~~limits or impairs the ability to walk, or a person who does not~~ 100
~~have a disability that limits or impairs the ability to walk but~~ 101
~~owns a motor vehicle that has been altered for the purpose of~~ 102
~~providing it with special equipment for a person with a~~ 103
~~disability that limits or impairs the ability to walk first~~ 104
~~submits an application for registration of a motor vehicle under~~ 105

~~this section and every fifth year thereafter, the organization— 106
or person shall submit a signed statement from the applicant's— 107
health care provider, a completed application, and any required— 108
documentary evidence of vehicle alterations as provided in— 109
division (B) (1) of this section, and also a power of attorney— 110
from the owner of the motor vehicle if the applicant leases the— 111
vehicle. Upon submission of these items, the registrar or deputy— 112
registrar shall issue to the applicant appropriate vehicle— 113
registration and a set of license plates and validation— 114
stickers, or validation stickers alone when required by section— 115
4503.191 of the Revised Code. In addition to the letters and— 116
numbers ordinarily inscribed thereon, the license plates shall— 117
be imprinted with the international symbol of access. The— 118
license plates and validation stickers shall be issued upon— 119
payment of the regular license fee as prescribed under section— 120
4503.04 of the Revised Code and any motor vehicle tax levied— 121
under Chapter 4504. of the Revised Code, and the payment of a— 122
service fee equal to the amount specified in division (D) or (G)— 123
of section 4503.10 of the Revised Code.— 124~~

~~(C) (1) A person with a disability that limits or impairs— 125
the ability to walk may apply to the registrar of motor vehicles— 126
for a removable windshield placard by completing and signing an— 127
application provided by the registrar. The person shall include— 128
with the application a prescription from the person's health— 129
care provider prescribing such a placard for the person based— 130
upon a determination that the person meets at least one of the— 131
criteria contained in division (A) (1) of this section. The— 132
health care provider shall state on the prescription the length— 133
of time the health care provider expects the applicant to have— 134
the disability that limits or impairs the person's ability to— 135
walk.— 136~~

~~In addition to one placard or one or more sets of license
plates, a person with a disability that limits or impairs the
ability to walk is entitled to one additional placard, but only
if the person applies separately for the additional placard,
states the reasons why the additional placard is needed, and the
registrar, in the registrar's discretion determines that good
and justifiable cause exists to approve the request for the
additional placard.~~

~~(2) An organization may apply to the registrar of motor
vehicles for a removable windshield placard by completing and
signing an application provided by the registrar. The
organization shall comply with any procedures the registrar
establishes by rule. The organization shall include with the
application documentary evidence that the registrar requires by
rule showing that the organization regularly transports persons
with disabilities that limit or impair the ability to walk.~~

~~(3) Upon receipt of a completed and signed application for
a removable windshield placard, the accompanying documents
required under division (C) (1) or (2) of this section, and
payment of a service fee equal to the amount specified in
division (D) or (G) of section 4503.10 of the Revised Code, the
registrar or deputy registrar shall issue to the applicant a
removable windshield placard, which shall bear the date of
expiration on both sides of the placard and shall be valid until
expired, revoked, or surrendered. Every removable windshield
placard expires as described in division (C) (4) of this section,
but in no case shall a removable windshield placard be valid for
a period of less than sixty days. Removable windshield placards
shall be renewable upon application as provided in division (C)
(1) or (2) of this section and upon payment of a service fee
equal to the amount specified in division (D) or (G) of section~~

~~4503.10 of the Revised Code for the renewal of a removable-~~ 168
~~windshield placard. The registrar shall provide the application-~~ 169
~~form and shall determine the information to be included thereon.~~ 170
~~The registrar also shall determine the form and size of the-~~ 171
~~removable windshield placard, the material of which it is to be-~~ 172
~~made, and any other information to be included thereon, and-~~ 173
~~shall adopt rules relating to the issuance, expiration,~~ 174
~~revocation, surrender, and proper display of such placards. Any-~~ 175
~~placard issued after October 14, 1999, shall be manufactured in-~~ 176
~~a manner that allows the expiration date of the placard to be-~~ 177
~~indicated on it through the punching, drilling, boring, or-~~ 178
~~creation by any other means of holes in the placard.~~ 179

~~(4) At the time a removable windshield placard is issued-~~ 180
~~to a person with a disability that limits or impairs the ability-~~ 181
~~to walk, the registrar or deputy registrar shall enter into the-~~ 182
~~records of the bureau of motor vehicles the last date on which-~~ 183
~~the person will have that disability, as indicated on the-~~ 184
~~accompanying prescription. Not less than thirty days prior to-~~ 185
~~that date and all removable windshield placard renewal dates,~~ 186
~~the bureau shall send a renewal notice to that person at the-~~ 187
~~person's last known address as shown in the records of the-~~ 188
~~bureau, informing the person that the person's removable-~~ 189
~~windshield placard will expire on the indicated date not to-~~ 190
~~exceed five years from the date of issuance, and that the person-~~ 191
~~is required to renew the placard by submitting to the registrar-~~ 192
~~or a deputy registrar another prescription, as described in-~~ 193
~~division (C) (1) or (2) of this section, and by complying with-~~ 194
~~the renewal provisions prescribed in division (C) (3) of this-~~ 195
~~section. If such a prescription is not received by the registrar-~~ 196
~~or a deputy registrar by that date, the placard issued to that-~~ 197
~~person expires and no longer is valid, and this fact shall be-~~ 198

~~recorded in the records of the bureau.~~

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~~(5) At least once every year, on a date determined by the registrar, the bureau shall examine the records of the office of vital statistics, located within the department of health, that pertain to deceased persons, and also the bureau's records of all persons who have been issued removable windshield placards and temporary removable windshield placards. If the records of the office of vital statistics indicate that a person to whom a removable windshield placard or temporary removable windshield placard has been issued is deceased, the bureau shall cancel that placard, and note the cancellation in its records.~~

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~~The office of vital statistics shall make available to the bureau all information necessary to enable the bureau to comply with division (C) (5) of this section.~~

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~~(6) Nothing in this section shall be construed to require a person or organization to apply for a removable windshield placard or special license plates if the special license plates issued to the person or organization under prior law have not expired or been surrendered or revoked.~~

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~~(D) (1) (a) A person with a disability that limits or impairs the ability to walk may apply to the registrar or a deputy registrar for a temporary removable windshield placard. The application for a temporary removable windshield placard shall be accompanied by a prescription from the applicant's health care provider prescribing such a placard for the applicant, provided that the applicant meets at least one of the criteria contained in division (A) (1) of this section and that the disability is expected to continue for six consecutive months or less. The health care provider shall state on the prescription the length of time the health care provider expects~~

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~~the applicant to have the disability that limits or impairs the~~ 229
~~applicant's ability to walk, which cannot exceed six months from~~ 230
~~the date of the prescription. Upon receipt of an application for~~ 231
~~a temporary removable windshield placard, presentation of the~~ 232
~~prescription from the applicant's health care provider, and~~ 233
~~payment of a service fee equal to the amount specified in~~ 234
~~division (D) or (G) of section 4503.10 of the Revised Code, the~~ 235
~~registrar or deputy registrar shall issue to the applicant a~~ 236
~~temporary removable windshield placard.~~ 237

~~(b) Any active-duty member of the armed forces of the~~ 238
~~United States, including the reserve components of the armed~~ 239
~~forces and the national guard, who has an illness or injury that~~ 240
~~limits or impairs the ability to walk may apply to the registrar~~ 241
~~or a deputy registrar for a temporary removable windshield~~ 242
~~placard. With the application, the person shall present evidence~~ 243
~~of the person's active-duty status and the illness or injury.~~ 244
~~Evidence of the illness or injury may include a current~~ 245
~~department of defense convalescent leave statement, any~~ 246
~~department of defense document indicating that the person~~ 247
~~currently has an ill or injured casualty status or has limited~~ 248
~~duties, or a prescription from any health care provider~~ 249
~~prescribing the placard for the applicant. Upon receipt of the~~ 250
~~application and the necessary evidence, the registrar or deputy~~ 251
~~registrar shall issue the applicant the temporary removable~~ 252
~~windshield placard without the payment of any service fee.~~ 253

~~(2) The temporary removable windshield placard shall be of~~ 254
~~the same size and form as the removable windshield placard,~~ 255
~~shall be printed in white on a red-colored background, and shall~~ 256
~~bear the word "temporary" in letters of such size as the~~ 257
~~registrar shall prescribe. A temporary removable windshield~~ 258
~~placard also shall bear the date of expiration on the front and~~ 259

~~back of the placard, and shall be valid until expired,~~ 260
~~surrendered, or revoked, but in no case shall such a placard be~~ 261
~~valid for a period of less than sixty days. The registrar shall~~ 262
~~provide the application form and shall determine the information~~ 263
~~to be included on it, provided that the registrar shall not~~ 264
~~require a health care provider's prescription or certification~~ 265
~~for a person applying under division (D) (1) (b) of this section.~~ 266
~~The registrar also shall determine the material of which the~~ 267
~~temporary removable windshield placard is to be made and any~~ 268
~~other information to be included on the placard and shall adopt~~ 269
~~rules relating to the issuance, expiration, surrender,~~ 270
~~revocation, and proper display of those placards. Any temporary~~ 271
~~removable windshield placard issued after October 14, 1999,~~ 272
~~shall be manufactured in a manner that allows for the expiration~~ 273
~~date of the placard to be indicated on it through the punching,~~ 274
~~drilling, boring, or creation by any other means of holes in the~~ 275
~~placard.~~ 276

~~(E) If an applicant for a removable windshield placard is~~ 277
~~a veteran of the armed forces of the United States whose~~ 278
~~disability, as defined in division (A) (1) of this section, is~~ 279
~~service connected, the registrar or deputy registrar, upon~~ 280
~~receipt of the application, presentation of a signed statement~~ 281
~~from the applicant's health care provider certifying the~~ 282
~~applicant's disability, and presentation of such documentary~~ 283
~~evidence from the department of veterans affairs that the~~ 284
~~disability of the applicant meets at least one of the criteria~~ 285
~~identified in division (A) (1) of this section and is service~~ 286
~~connected as the registrar may require by rule, but without the~~ 287
~~payment of any service fee, shall issue the applicant a~~ 288
~~removable windshield placard that is valid until expired,~~ 289
~~surrendered, or revoked.~~ 290

~~(F) Upon a conviction of a violation of division (H) or
(I) of this section, the court shall report the conviction, and
send the placard, if available, to the registrar, who thereupon
shall revoke the privilege of using the placard and send notice
in writing to the placardholder at that holder's last known
address as shown in the records of the bureau, and the
placardholder shall return the placard if not previously
surrendered to the court, to the registrar within ten days
following mailing of the notice.~~ 291
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~~Whenever a person to whom a removable windshield placard
has been issued moves to another state, the person shall
surrender the placard to the registrar; and whenever an
organization to which a placard has been issued changes its
place of operation to another state, the organization shall
surrender the placard to the registrar.~~ 300
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~~(G) Subject to division (F) of section 4511.69 of the
Revised Code, the operator of a motor vehicle displaying a
removable windshield placard, temporary removable windshield
placard, or the special license plates authorized by this
section is entitled to park the motor vehicle in any special
parking location reserved for persons with disabilities that
limit or impair the ability to walk, also known as handicapped
parking spaces or disability parking spaces.~~ 306
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~~(H) No person or organization that is not eligible for the
issuance of license plates or any placard under this section
shall willfully and falsely represent that the person or
organization is so eligible.~~ 314
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~~No person or organization shall display license plates
issued under this section unless the license plates have been
issued for the vehicle on which they are displayed and are~~ 318
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~~valid.~~ 321

~~(I) No person or organization to which a removable~~ 322
~~windshield placard or temporary removable windshield placard is~~ 323
~~issued shall do either of the following:~~ 324

~~(1) Display or permit the display of the placard on any~~ 325
~~motor vehicle when having reasonable cause to believe the motor~~ 326
~~vehicle is being used in connection with an activity that does~~ 327
~~not include providing transportation for persons with~~ 328
~~disabilities that limit or impair the ability to walk;~~ 329

~~(2) Refuse to return or surrender the placard, when~~ 330
~~required.~~ 331

~~(J) If a removable windshield placard, temporary removable~~ 332
~~windshield placard, or parking card is lost, destroyed, or~~ 333
~~mutilated, the placardholder or cardholder may obtain a~~ 334
~~duplicate by doing both of the following:~~ 335

~~(1) Furnishing suitable proof of the loss, destruction, or~~ 336
~~mutilation to the registrar;~~ 337

~~(2) Paying a service fee equal to the amount specified in~~ 338
~~division (D) or (G) of section 4503.10 of the Revised Code.~~ 339

~~Any placardholder or cardholder who loses a placard or~~ 340
~~card and, after obtaining a duplicate, finds the original,~~ 341
~~immediately shall surrender the original placard or card to the~~ 342
~~registrar.~~ 343

~~(K) (1) The registrar shall pay all fees received under~~ 344
~~this section for the issuance of removable windshield placards~~ 345
~~or temporary removable windshield placards or duplicate~~ 346
~~removable windshield placards or cards into the state treasury~~ 347
~~to the credit of the public safety - highway purposes fund~~ 348

~~created in section 4501.06 of the Revised Code.~~

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~~(2) In addition to the fees collected under this section,
the registrar or deputy registrar shall ask each person applying
for a removable windshield placard or temporary removable
windshield placard or duplicate removable windshield placard or
license plate issued under this section, whether the person
wishes to make a two-dollar voluntary contribution to support
rehabilitation employment services. The registrar shall transmit
the contributions received under this division to the treasurer
of state for deposit into the rehabilitation employment fund,
which is hereby created in the state treasury. A deputy
registrar shall transmit the contributions received under this
division to the registrar in the time and manner prescribed by
the registrar. The contributions in the fund shall be used by
the opportunities for Ohioans with disabilities agency to
purchase services related to vocational evaluation, work
adjustment, personal adjustment, job placement, job coaching,
and community-based assessment from accredited community
rehabilitation program facilities.~~

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~~(I) For purposes of enforcing this section, every peace
officer is deemed to be an agent of the registrar. Any peace
officer or any authorized employee of the bureau of motor
vehicles who, in the performance of duties authorized by law,
becomes aware of a person whose placard or parking card has been
revoked pursuant to this section, may confiscate that placard or
parking card and return it to the registrar. The registrar shall
prescribe any forms used by law enforcement agencies in
administering this section.~~

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~~No peace officer, law enforcement agency employing a peace
officer, or political subdivision or governmental agency~~

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~~employing a peace officer, and no employee of the bureau is~~ 379
~~liable in a civil action for damages or loss to persons arising~~ 380
~~out of the performance of any duty required or authorized by~~ 381
~~this section. As used in this division, "peace officer" has the~~ 382
~~same meaning as in division (B) of section 2935.01 of the~~ 383
~~Revised Code.~~ 384

~~(M) All applications for registration of motor vehicles,~~ 385
~~removable windshield placards, and temporary removable~~ 386
~~windshield placards issued under this section, all renewal~~ 387
~~notices for such items, and all other publications issued by the~~ 388
~~bureau that relate to this section shall set forth the criminal~~ 389
~~penalties that may be imposed upon a person who violates any~~ 390
~~provision relating to special license plates issued under this~~ 391
~~section, the parking of vehicles displaying such license plates,~~ 392
~~and the issuance, procurement, use, and display of removable~~ 393
~~windshield placards and temporary removable windshield placards~~ 394
~~issued under this section.~~ 395

~~(N) Whoever violates this section is guilty of a~~ 396
~~misdemeanor of the fourth degree.~~ 397

Sec. 4503.441. (A) Any of the following owners or lessors 398
of a motor vehicle may apply to register that motor vehicle for 399
purposes of obtaining an accessible license plate under this 400
section: 401

(1) An organization; 402

(2) A person with a disability that limits or impairs the 403
ability to walk; 404

(3) A person who owns or leases a motor vehicle that has 405
been altered for the purpose of providing it with special 406
equipment for a person with a disability that limits or impairs 407

the ability to walk. 408

(B) (1) The application for registration of a motor vehicle 409
owned or leased by an organization shall be accompanied by 410
documentary evidence showing that the organization regularly 411
transports persons with disabilities that limit or impair the 412
ability to walk. 413

(2) The application for registration of a motor vehicle 414
owned or leased by a person with a disability that limits or 415
impairs the ability to walk shall be accompanied by an 416
accessible parking certification form from the applicant's 417
health care provider certifying that the applicant meets at 418
least one of the criteria contained in division (A) of section 419
4503.44 of the Revised Code and that the disability is expected 420
to continue for more than six consecutive months. 421

(3) The application for registration of a motor vehicle 422
that has been altered for the purpose of providing it with 423
special equipment for a person with a disability that limits or 424
impairs the ability to walk shall be accompanied by such 425
documentary evidence of vehicle alterations as the registrar may 426
require by rule. 427

(4) The application for registration of a leased motor 428
vehicle under this section shall be accompanied by a power of 429
attorney from the owner of the motor vehicle. 430

(5) The supporting documents required by divisions (B) (1) 431
to (4) of this section, as applicable, shall be submitted with 432
the initial application for registration of the motor vehicle 433
and every fifth year thereafter. 434

(C) Upon submission of a completed application and any 435
supporting documents required under division (B) of this 436

section, the registrar or deputy registrar shall issue to the 437
applicant the appropriate vehicle registration and an accessible 438
license plate and validation sticker, or a validation sticker 439
alone when required by section 4503.191 of the Revised Code. In 440
addition to the letters and numbers ordinarily inscribed on the 441
license plate, the license plate shall be imprinted with the 442
international symbol of access. The license plate and validation 443
sticker shall be issued upon payment of the regular license fee 444
as prescribed under section 4503.04 of the Revised Code, any 445
motor vehicle tax levied under Chapter 4504. of the Revised 446
Code, and a service fee equal to the amount specified in section 447
4503.038 of the Revised Code, and compliance with all other 448
applicable laws relating to the registration of motor vehicles. 449

(D) No person or organization that is not eligible for the 450
issuance of an accessible license plate shall willfully and 451
falsely represent that the person or organization is so 452
eligible. 453

Sec. 4503.442. (A) (1) A person with a disability that 454
limits or impairs the ability to walk may apply to the registrar 455
of motor vehicles for a removable windshield placard or a 456
temporary removable windshield placard by completing and signing 457
an application provided by the registrar. 458

(2) The person shall include with the application an 459
accessible parking certification form from the person's health 460
care provider authorizing such a placard for the person. The 461
health care provider shall base the authorization on a 462
determination that the person meets at least one of the criteria 463
contained in division (A) of section 4503.44 of the Revised 464
Code. The health care provider shall state on the form the 465
length of time the health care provider expects the applicant to 466

have the disability that limits or impairs the person's ability 467
to walk. If the length of time the applicant is expected to have 468
the disability is six consecutive months or less, the applicant 469
shall submit an application for a temporary removable windshield 470
placard. 471

(3) A person with a disability that limits or impairs the 472
ability to walk is entitled to one additional placard, but only 473
if the person applies separately for the additional placard and 474
states the reasons why the additional placard is needed. The 475
registrar shall determine whether good and justifiable cause 476
exists to approve the request for the additional placard. 477

(B) An organization may apply to the registrar for a 478
removable windshield placard by completing and signing an 479
application provided by the registrar. The organization shall 480
include with the application documentary evidence showing that 481
the organization regularly transports persons with disabilities 482
that limit or impair the ability to walk. The organization shall 483
comply with any procedures the registrar establishes by rule. 484

(C) Upon receipt of a completed and signed application for 485
a removable windshield placard, the accompanying documents 486
required under either division (A) or (B) of this section, and 487
payment of a service fee equal to the amount specified in 488
section 4503.038 of the Revised Code, the registrar or deputy 489
registrar shall issue to the applicant a removable windshield 490
placard or a temporary removable windshield placard to a person 491
or organization. 492

(D) (1) A removable windshield placard shall display the 493
date of expiration on both sides of the placard and is valid 494
until expired, revoked, canceled, or surrendered. A removable 495
windshield placard expires on the earliest of the following two 496

dates: 497

(a) The date that the person issued the placard is 498
expected to no longer have the disability that limits or impairs 499
the ability to walk, as indicated on the accessible parking 500
certification form; 501

(b) Five years after the date of issuance of the placard. 502

In no case shall a removable windshield placard be valid 503
for a period of less than sixty days. 504

(2) A person or organization shall renew a removable 505
windshield placard upon application as provided in division (A) 506
or (B) of this section and upon payment of a service fee equal 507
to the amount specified in section 4503.038 of the Revised Code. 508

(3) Not less than thirty days prior to the expiration date 509
of a removable windshield placard, the bureau of motor vehicles 510
shall send a renewal notice to the person or organization that 511
has been issued the placard. The bureau shall send the notice to 512
the person's or organization's last known address, as shown in 513
the records of the bureau. The notice shall state that the 514
placard is expiring and instructions on how to renew the 515
placard. 516

(4) If a person or organization fails to renew the 517
removable windshield placard issued to that person or 518
organization prior to the expiration date, the placard issued to 519
that person or organization expires. 520

(E) At least once every year, on a date determined by the 521
registrar, the bureau shall examine the records of the office of 522
vital statistics, located within the department of health, that 523
pertain to deceased persons, and also the bureau's records of 524
all persons who have been issued removable windshield placards. 525

If the records of the office of vital statistics indicate that a 526
person to whom a removable windshield placard has been issued is 527
deceased, the bureau shall cancel that placard, and note the 528
cancellation in its records. 529

The office of vital statistics shall make available to the 530
bureau all information necessary to enable the bureau to comply 531
with division (E) of this section. 532

(F) (1) The removable windshield placard shall be printed 533
in white on a blue-colored background and shall display the 534
international symbol of access, the name of the state, and the 535
great seal of the state. The placard also shall display a 536
distinguishing number assigned to the placard and the printed 537
expiration date of the placard by month, day, and year. 538

(2) The temporary removable windshield placard shall be 539
the same size and form and shall have the same contents as the 540
removable windshield placard, except that it shall be printed in 541
white on a red-colored background and also shall display the 542
word "temporary." 543

(G) (1) Any active-duty member of the armed forces of the 544
United States, including the reserve components of the armed 545
forces and the national guard, who has an illness or injury that 546
limits or impairs the ability to walk may apply to the registrar 547
or a deputy registrar for a temporary removable windshield 548
placard. 549

(2) With the application, the applicant shall present 550
evidence of the person's active-duty status and the illness or 551
injury. Evidence of the illness or injury may include any of the 552
following: 553

(a) A current department of defense convalescent leave 554

statement; 555

(b) Any department of defense document indicating that the 556
applicant currently has an ill or injured casualty status or has 557
limited duties; 558

(c) An accessible parking certification form from any 559
health care provider authorizing the placard for the applicant. 560

(3) Upon receipt of the application and the necessary 561
documentary evidence, the registrar or deputy registrar shall 562
issue the applicant the temporary removable windshield placard 563
without requiring the payment of any service fee. 564

(H) (1) An applicant for a removable windshield placard may 565
obtain the placard without payment of a service fee if both of 566
the following apply: 567

(a) The applicant is a veteran of the armed forces of the 568
United States with a service-connected disability. 569

(b) The applicant submits the accessible parking 570
certification form required under division (A) of this section 571
and documentary evidence from the department of veterans affairs 572
that the disability identified on the form is service-connected. 573

(2) Upon receipt of the application and the necessary 574
documentary evidence, the registrar or deputy registrar shall 575
issue the applicant the removable windshield placard without 576
requiring the payment of a service fee. 577

(I) If a removable windshield placard is lost, destroyed, 578
or mutilated, the person or organization issued the placard may 579
obtain a duplicate by doing both of the following: 580

(1) Furnishing suitable proof of the loss, destruction, or 581
mutilation to the registrar; 582

(2) Paying a service fee equal to the amount specified in 583
section 4503.038 of the Revised Code. 584

Any person or organization who loses a placard and, after 585
obtaining a duplicate, finds the original, immediately shall 586
surrender the original placard to the registrar. 587

(J) No person or organization that is not eligible for the 588
issuance of a removable windshield placard shall willfully and 589
falsely represent that the person or organization is so 590
eligible. 591

(K) Nothing in this section shall be construed to require 592
a person or organization to apply for a removable windshield 593
placard if the placard issued to the person or organization 594
under prior law has not expired or been surrendered, revoked, or 595
canceled. 596

(L) The registrar shall pay all fees received under this 597
section for the issuance of removable windshield placards into 598
the state treasury to the credit of the public safety - highway 599
purposes fund created in section 4501.06 of the Revised Code. 600

(M) The registrar shall adopt any rules necessary to 601
administer this section, including any necessary procedures or 602
required documentary evidence. The rules shall include the 603
creation of a model accessible parking certification form. The 604
registrar shall make the form available on the bureau of motor 605
vehicle's web site. 606

Sec. 4503.443. In addition to the fees collected under 607
sections 4503.441 and 4503.442 of the Revised Code, the 608
registrar of motor vehicles or deputy registrar shall ask each 609
person applying for a removable windshield placard, duplicate 610
removable windshield placard, or an accessible license plate, 611

whether the person wishes to make a two-dollar voluntary 612
contribution to support rehabilitation employment services. The 613
registrar shall transmit the contributions received under this 614
section to the treasurer of state for deposit into the 615
rehabilitation employment fund, which is hereby created in the 616
state treasury. A deputy registrar shall transmit the 617
contributions received under this section to the registrar in 618
the time and manner prescribed by the registrar. 619

The opportunities for Ohioans with disabilities agency 620
shall use the contributions deposited in the fund to purchase 621
from accredited community rehabilitation program facilities 622
services related to vocational evaluation, work adjustment, 623
personal adjustment, job placement, job coaching, and community- 624
based assessment. 625

Sec. 4503.444. (A) The following documents shall include 626
the information listed in division (B) of this section: 627

(1) An application for registration of a motor vehicle 628
under section 4503.441 of the Revised Code; 629

(2) An application for a removable windshield placard 630
under section 4503.442 of the Revised Code; 631

(3) A renewal notice for the items listed in divisions (A) 632
(1) and (2) of this section; 633

(4) All other publications issued by the bureau of motor 634
vehicles that relate to sections 4503.44 to 4503.447 of the 635
Revised Code. 636

(B) The documents listed in division (A) of this section 637
shall set forth the penalties that may be imposed upon a person 638
who violates any of the following provisions: 639

(1) The laws relating to the issuance, procurement, use, 640
and display of accessible license plates issued under section 641
4503.441 of the Revised Code; 642

(2) The laws relating to the issuance, procurement, use, 643
and display of removable windshield placards issued under 644
section 4503.442 of the Revised Code; 645

(3) The laws relating to the parking of a motor vehicle 646
displaying an accessible license plate or removable windshield 647
placard in an accessible parking space. 648

Sec. 4503.445. (A) Any person or organization that 649
possesses an accessible license plate or a removable windshield 650
placard shall return the plate or placard to the bureau of motor 651
vehicles if any of the following occur: 652

(1) The plate expires and is not renewed or the placard 653
expires. 654

(2) The plate or placard was issued to a person who is now 655
deceased. 656

(3) The plate or placard was issued to a person who no 657
longer qualifies for the plate or placard. 658

(4) The placard was issued to a person who no longer lives 659
in the state or to an organization that changed its place of 660
operation to another state. 661

(B) No person or organization shall refuse to return or 662
surrender the placard, when required. 663

(C) No person shall operate a motor vehicle that displays 664
an accessible license plate or a removable windshield placard if 665
the plate or placard is expired, canceled, or revoked, was 666
issued to a person who is deceased, or was issued to a person or 667

organization that no longer qualifies for the plate or placard. 668

(D) (1) A violation of division (B) or (C) of this section, 669
division (D) of section 4503.441, or division (J) of section 670
4503.442 of the Revised Code is a fourth degree misdemeanor. 671

(2) The offenses established under this section are strict 672
liability offenses and section 2901.20 of the Revised Code does 673
not apply. The designation of these offenses as strict liability 674
offenses shall not be construed to imply that any other offense, 675
for which there is no specified degree of culpability, is not a 676
strict liability offense. 677

(E) Any fine collected under division (D) of this section 678
shall be paid into the accessible parking violations fund 679
established by section 4511.693 of the Revised Code. 680

Sec. 4503.446. (A) Subject to section 4511.692 of the 681
Revised Code, the operator of a motor vehicle displaying an 682
accessible license plate or removable windshield placard is 683
entitled to park the motor vehicle in any special parking 684
location reserved for persons with disabilities that limit or 685
impair the ability to walk, also known as accessible parking 686
spaces or disability parking spaces. 687

(B) No person or organization shall display an accessible 688
license plate unless the license plate was issued for the motor 689
vehicle on which it is displayed and is valid. 690

(C) No person or organization issued a removable 691
windshield placard shall do either of the following: 692

(1) Display or allow the display of the placard on a motor 693
vehicle when the motor vehicle is being used for an activity 694
that does not include providing transportation for a person with 695
a disability that limits or impairs the ability to walk; 696

(2) Transfer the placard to any other person or entity. 697

(D) (1) A violation of division (B) or (C) of this section 698
is a fourth degree misdemeanor. 699

(2) The offenses established under this section are strict 700
liability offenses and section 2901.20 of the Revised Code does 701
not apply. The designation of these offenses as strict liability 702
offenses shall not be construed to imply that any other offense, 703
for which there is no specified degree of culpability, is not a 704
strict liability offense. 705

(E) Upon a conviction of a violation of division (B) or 706
(C) of this section, the court shall report the conviction, and 707
send the placard, if available, to the registrar of motor 708
vehicles. The registrar shall revoke the privilege of using the 709
placard and send a written notice to the placardholder at that 710
holder's last known address, as shown in the records of the 711
bureau of motor vehicles. The placardholder shall return the 712
placard, if not previously surrendered to the court, to the 713
registrar within ten days following the mailing of the notice. 714

(F) Any fine collected under division (D) of this section 715
shall be paid into the accessible parking violations fund 716
established by section 4511.693 of the Revised Code. 717

Sec. 4503.447. For purposes of enforcing sections 4503.44 718
to 4503.447 of the Revised Code, every peace officer is deemed 719
to be an agent of the registrar of motor vehicles. Any peace 720
officer or any authorized employee of the bureau of motor 721
vehicles who, in the performance of duties authorized by law, 722
becomes aware of a person whose removable windshield placard has 723
been revoked, may confiscate that placard and return it to the 724
registrar. The registrar shall prescribe any forms used by law 725

enforcement agencies in administering this section. 726

No peace officer, law enforcement agency employing a peace 727
officer, or political subdivision or governmental agency 728
employing a peace officer, and no employee of the bureau is 729
liable in a civil action for damages or loss to persons arising 730
out of the performance of any duty required or authorized by 731
this section. 732

As used in this section, "peace officer" has the same 733
meaning as in division (B) of section 2935.01 of the Revised 734
Code. 735

Sec. 4503.448. No health care provider shall do any of the 736
following: 737

(A) Complete the accessible parking certification form to 738
enable a person to be issued an accessible license plate, a 739
removable windshield placard, or a temporary removable 740
windshield placard under either section 4503.441 or 4503.442 of 741
the Revised Code, knowing that the person does not meet any of 742
the criteria contained in division (A) of section 4503.44 of the 743
Revised Code; 744

(B) Complete the accessible parking certification form 745
described in division (A) of this section and knowingly misstate 746
on the form the length of time the health care provider expects 747
the person to have the disability that limits or impairs the 748
person's ability to walk in order to enable the person to retain 749
a removable windshield placard issued under section 4503.442 of 750
the Revised Code for a period of time longer than that which 751
would be estimated by a similar health care provider under the 752
same or similar circumstances; 753

(C) Fail to retain information sufficient to substantiate 754

that the person is eligible for accessible parking privileges. 755

(D) Whoever violates this section is guilty of a 756
misdemeanor of the first degree. 757

(E) A physician who violates this section and section 758
4731.481 of the Revised Code may be charged under this section 759
or section 4731.481 of the Revised Code, but not both. A 760
chiropractor who violates this section and section 4734.161 of 761
the Revised Code may be charged under this section or section 762
4734.161 of the Revised Code, but not both. 763

Sec. 4511.69. (A) Every vehicle stopped or parked upon a 764
roadway where there is an adjacent curb shall be stopped or 765
parked with the right-hand wheels of the vehicle parallel with 766
and not more than twelve inches from the right-hand curb, unless 767
it is impossible to approach so close to the curb; in such case 768
the stop shall be made as close to the curb as possible and only 769
for the time necessary to discharge and receive passengers or to 770
load or unload merchandise. Local authorities by ordinance may 771
permit angle parking on any roadway under their jurisdiction, 772
except that angle parking shall not be permitted on a state 773
route within a municipal corporation unless an unoccupied 774
roadway width of not less than twenty-five feet is available for 775
free-moving traffic. 776

(B) Local authorities by ordinance may permit parking of 777
vehicles with the left-hand wheels adjacent to and within twelve 778
inches of the left-hand curb of a one-way roadway. 779

(C) (1) (a) Except as provided in division (C) (1) (b) of this 780
section, no vehicle or trackless trolley shall be stopped or 781
parked on a road or highway with the vehicle or trackless 782
trolley facing in a direction other than the direction of travel 783

on that side of the road or highway. 784

(b) The operator of a motorcycle may back the motorcycle 785
into an angled parking space so that when the motorcycle is 786
parked it is facing in a direction other than the direction of 787
travel on the side of the road or highway. 788

(2) The operator of a motorcycle may back the motorcycle 789
into a parking space that is located on the side of, and 790
parallel to, a road or highway. The motorcycle may face any 791
direction when so parked. Not more than two motorcycles at a 792
time shall be parked in a parking space as described in division 793
(C) (2) of this section irrespective of whether or not the space 794
is metered. 795

(D) Notwithstanding any statute or any rule, resolution, 796
or ordinance adopted by any local authority, air compressors, 797
tractors, trucks, and other equipment, while being used in the 798
construction, reconstruction, installation, repair, or removal 799
of facilities near, on, over, or under a street or highway, may 800
stop, stand, or park where necessary in order to perform such 801
work, provided a flagperson is on duty or warning signs or 802
lights are displayed as may be prescribed by the director of 803
transportation. 804

~~(E) Special parking locations and privileges for persons~~ 805
~~with disabilities that limit or impair the ability to walk, also~~ 806
~~known as handicapped parking spaces or disability parking~~ 807
~~spaces, shall be provided and designated by all political~~ 808
~~subdivisions and by the state and all agencies and~~ 809
~~instrumentalities thereof at all offices and facilities, where~~ 810
~~parking is provided, whether owned, rented, or leased, and at~~ 811
~~all publicly owned parking garages. The locations shall be~~ 812
~~designated through the posting of an elevated sign, whether~~ 813

~~permanently affixed or movable, imprinted with the international symbol of access and shall be reasonably close to exits, entrances, elevators, and ramps. All elevated signs posted in accordance with this division and division (C) of section 3781.111 of the Revised Code shall be mounted on a fixed or movable post, and the distance from the ground to the bottom edge of the sign shall measure not less than five feet. If a new sign or a replacement sign designating a special parking location is posted on or after October 14, 1999, there also shall be affixed upon the surface of that sign or affixed next to the designating sign a notice that states the fine applicable for the offense of parking a motor vehicle in the special designated parking location if the motor vehicle is not legally entitled to be parked in that location.~~

~~(F) (1) (a) No person shall stop, stand, or park any motor vehicle at special parking locations provided under division (E) of this section or at special clearly marked parking locations provided in or on privately owned parking lots, parking garages, or other parking areas and designated in accordance with that division, unless one of the following applies:~~

~~(i) The motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a valid removable windshield placard or special license plates;~~

~~(ii) The motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates.~~

~~(b) Any motor vehicle that is parked in a special marked parking location in violation of division (F) (1) (a) (i) or (ii) of this section may be towed or otherwise removed from the~~

~~parking location by the law enforcement agency of the political-~~ 844
~~subdivision in which the parking location is located. A motor-~~ 845
~~vehicle that is so towed or removed shall not be released to its-~~ 846
~~owner until the owner presents proof of ownership of the motor-~~ 847
~~vehicle and pays all towing and storage fees normally imposed by-~~ 848
~~that political subdivision for towing and storing motor-~~ 849
~~vehicles. If the motor vehicle is a leased vehicle, it shall not-~~ 850
~~be released to the lessee until the lessee presents proof that-~~ 851
~~that person is the lessee of the motor vehicle and pays all-~~ 852
~~towing and storage fees normally imposed by that political-~~ 853
~~subdivision for towing and storing motor vehicles.-~~ 854

~~(c) If a person is charged with a violation of division-~~ 855
~~(F) (1) (a) (i) or (ii) of this section, it is an affirmative-~~ 856
~~defense to the charge that the person suffered an injury not-~~ 857
~~more than seventy two hours prior to the time the person was-~~ 858
~~issued the ticket or citation and that, because of the injury,-~~ 859
~~the person meets at least one of the criteria contained in-~~ 860
~~division (A) (1) of section 4503.44 of the Revised Code.~~ 861

~~(2) No person shall stop, stand, or park any motor vehicle-~~ 862
~~in an area that is commonly known as an access aisle, which area-~~ 863
~~is marked by diagonal stripes and is located immediately-~~ 864
~~adjacent to a special parking location provided under division-~~ 865
~~(E) of this section or at a special clearly marked parking-~~ 866
~~location provided in or on a privately owned parking lot,-~~ 867
~~parking garage, or other parking area and designated in-~~ 868
~~accordance with that division.~~ 869

~~(G) When a motor vehicle is being operated by or for the-~~ 870
~~transport of a person with a disability that limits or impairs-~~ 871
~~the ability to walk and is displaying a removable windshield-~~ 872
~~placard or a temporary removable windshield placard or special-~~ 873

~~license plates, or when a motor vehicle is being operated by or~~ 874
~~for the transport of a handicapped person and is displaying a~~ 875
~~parking card or special handicapped license plates, the motor~~ 876
~~vehicle is permitted to park for a period of two hours in excess~~ 877
~~of the legal parking period permitted by local authorities,~~ 878
~~except where local ordinances or police rules provide otherwise~~ 879
~~or where the vehicle is parked in such a manner as to be clearly~~ 880
~~a traffic hazard.~~ 881

~~(H) No owner of an office, facility, or parking garage~~ 882
~~where special parking locations are required to be designated in~~ 883
~~accordance with division (E) of this section shall fail to~~ 884
~~properly mark the special parking locations in accordance with~~ 885
~~that division or fail to maintain the markings of the special~~ 886
~~locations, including the erection and maintenance of the fixed~~ 887
~~or movable signs.~~ 888

~~(I) Nothing in this section shall be construed to require~~ 889
~~a person or organization to apply for a removable windshield~~ 890
~~placard or special license plates if the parking card or special~~ 891
~~license plates issued to the person or organization under prior~~ 892
~~law have not expired or been surrendered or revoked.~~ 893

~~(J)(1)-(E)~~ Whoever violates division (A) or (C) of this 894
section is guilty of a minor misdemeanor. 895

~~(2)(a) Whoever violates division (F)(1)(a)(i) or (ii) of~~ 896
~~this section is guilty of a misdemeanor and shall be punished as~~ 897
~~provided in division (J)(2)(a) and (b) of this section. Except~~ 898
~~as otherwise provided in division (J)(2)(a) of this section, an~~ 899
~~offender who violates division (F)(1)(a)(i) or (ii) of this~~ 900
~~section shall be fined not less than two hundred fifty nor more~~ 901
~~than five hundred dollars. An offender who violates division (F)~~ 902
~~(1)(a)(i) or (ii) of this section shall be fined not more than~~ 903

~~one hundred dollars if the offender, prior to sentencing, proves~~ 904
~~either of the following to the satisfaction of the court:~~ 905

~~(i) At the time of the violation of division (F) (1) (a) (i)~~ 906
~~of this section, the offender or the person for whose transport~~ 907
~~the motor vehicle was being operated had been issued a removable~~ 908
~~windshield placard that then was valid or special license plates~~ 909
~~that then were valid but the offender or the person neglected to~~ 910
~~display the placard or license plates as described in division~~ 911
~~(F) (1) (a) (i) of this section.~~ 912

~~(ii) At the time of the violation of division (F) (1) (a)~~ 913
~~(ii) of this section, the offender or the person for whose~~ 914
~~transport the motor vehicle was being operated had been issued a~~ 915
~~parking card that then was valid or special handicapped license~~ 916
~~plates that then were valid but the offender or the person~~ 917
~~neglected to display the card or license plates as described in~~ 918
~~division (F) (1) (a) (ii) of this section.~~ 919

~~(b) In no case shall an offender who violates division (F)~~ 920
~~(1) (a) (i) or (ii) of this section be sentenced to any term of~~ 921
~~imprisonment.~~ 922

~~An arrest or conviction for a violation of division (F) (1)~~ 923
~~(a) (i) or (ii) of this section does not constitute a criminal~~ 924
~~record and need not be reported by the person so arrested or~~ 925
~~convicted in response to any inquiries contained in any~~ 926
~~application for employment, license, or other right or~~ 927
~~privilege, or made in connection with the person's appearance as~~ 928
~~a witness.~~ 929

~~The clerk of the court shall pay every fine collected~~ 930
~~under divisions (J) (2) and (3) of this section to the political~~ 931
~~subdivision in which the violation occurred. Except as provided~~ 932

~~in division (J) (2) of this section, the political subdivision shall use the fine moneys it receives under divisions (J) (2) and (3) of this section to pay the expenses it incurs in complying with the signage and notice requirements contained in division (E) of this section. The political subdivision may use up to fifty per cent of each fine it receives under divisions (J) (2) and (3) of this section to pay the costs of educational, advocacy, support, and assistive technology programs for persons with disabilities, and for public improvements within the political subdivision that benefit or assist persons with disabilities, if governmental agencies or nonprofit organizations offer the programs.~~

~~(3) Whoever violates division (F) (2) of this section shall be fined not less than two hundred fifty nor more than five hundred dollars.~~

~~In no case shall an offender who violates division (F) (2) of this section be sentenced to any term of imprisonment. An arrest or conviction for a violation of division (F) (2) of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness.~~

~~(4) Whoever violates division (H) of this section shall be punished as follows:~~

~~(a) Except as otherwise provided in division (J) (4) of this section, the offender shall be issued a warning.~~

~~(b) If the offender previously has been convicted of or pleaded guilty to a violation of division (H) of this section or~~

~~of a municipal ordinance that is substantially similar to that~~ 962
~~division, the offender shall not be issued a warning but shall~~ 963
~~be fined not more than twenty-five dollars for each parking~~ 964
~~location that is not properly marked or whose markings are not~~ 965
~~properly maintained.~~ 966

~~(K) As used in this section:~~ 967

~~(1) "Handicapped person" means any person who has lost the~~ 968
~~use of one or both legs or one or both arms, who is blind, deaf,~~ 969
~~or so severely handicapped as to be unable to move without the~~ 970
~~aid of crutches or a wheelchair, or whose mobility is restricted~~ 971
~~by a permanent cardiovascular, pulmonary, or other handicapping~~ 972
~~condition.~~ 973

~~(2) "Person with a disability that limits or impairs the~~ 974
~~ability to walk" has the same meaning as in section 4503.44 of~~ 975
~~the Revised Code.~~ 976

~~(3) "Special license plates" and "removable windshield~~ 977
~~placard" mean any license plates or removable windshield placard~~ 978
~~or temporary removable windshield placard issued under section~~ 979
~~4503.41 or 4503.44 of the Revised Code, and also mean any~~ 980
~~substantially similar license plates or removable windshield~~ 981
~~placard or temporary removable windshield placard issued by a~~ 982
~~state, district, country, or sovereignty.~~ 983

Sec. 4511.691. (A) As used in sections 4511.691 to 984
4511.699 of the Revised Code: 985

(1) "Access aisle" means the area marked by diagonal 986
stripes located immediately adjacent to an accessible parking 987
space that is provided under section 4511.691 of the Revised 988
Code or at a clearly marked accessible parking space provided in 989
a privately owned parking area. 990

(2) "Accessible license plate" means any license plate 991
issued under sections 4503.41 and 4503.441 of the Revised Code, 992
and includes any substantially similar license plate issued by 993
another state, district, country, or sovereignty. 994

(3) "Person with a disability that limits or impairs the 995
ability to walk" and "organization" have the same meanings as in 996
section 4503.44 of the Revised Code. 997

(4) "Public accommodation" has the same meaning as in 42 998
U.S.C. 12181. 999

(5) "Removable windshield placard" means any removable 1000
windshield placard issued under section 4503.442 of the Revised 1001
Code, and includes any substantially similar removable 1002
windshield placard issued by another state, district, country, 1003
or sovereignty. 1004

(6) "Required entity" means all of the following: 1005

(a) A political subdivision; 1006

(b) The state and all agencies and instrumentalities 1007
thereof; 1008

(c) The owner of a place of public accommodation. 1009

(B) (1) A required entity shall provide and designate 1010
special parking locations and privileges for persons with 1011
disabilities that limit or impair the ability to walk, also 1012
known as accessible parking spaces or disability parking spaces. 1013

(2) The required entity shall make accessible parking 1014
spaces available at all offices, facilities, and places, where 1015
parking is provided, whether owned, rented, or leased by the 1016
entity. 1017

(3) The required entity shall ensure that the accessible 1018
parking spaces are reasonably close to exits, entrances, 1019
elevators, and ramps and are in compliance with the "Americans 1020
with Disabilities Act of 1990," 104 Stat. 327, 42 U.S.C. 12101, 1021
as amended. 1022

(C) (1) A required entity shall designate the accessible 1023
parking spaces by posting an elevated sign, whether permanently 1024
affixed or movable, imprinted with the international symbol of 1025
access. 1026

(2) The required entity shall post or mount the elevated 1027
sign on a fixed or movable post so that the distance from the 1028
ground to the bottom edge of the sign is not less than five 1029
feet. 1030

(3) The required entity shall affix upon the surface of 1031
the sign or next to the sign a notice that states the fine 1032
applicable for the offense of parking a motor vehicle in the 1033
accessible parking space if the motor vehicle is not legally 1034
entitled to be parked in that location. 1035

(D) No required entity shall fail to do any of the 1036
following: 1037

(1) Properly designate the accessible parking locations in 1038
accordance with division (C) of this section; 1039

(2) Maintain the markings of the accessible parking 1040
locations, including the erection and maintenance of the fixed 1041
or movable signs; 1042

(3) Maintain access to the accessible parking spaces, 1043
access aisle, curb cuts, or other features designed to provide 1044
accessibility for a person with a disability that limits or 1045
impairs the ability to walk. 1046

(E) In order to maintain access as required under division 1047
(D) (3) of this section, a required entity may do either of the 1048
following: 1049

(1) Remove any unreasonable obstruction of an accessible 1050
parking space, access aisle, or curb cut. If the obstruction is 1051
the result of an adverse weather event, the required entity 1052
shall remove the obstruction not later than twenty-four hours 1053
after the conclusion of that event; 1054

(2) Provide suitable alternative parking spots, access 1055
aisle space, or access points similar to a curb cut if the 1056
obstruction cannot be removed. 1057

(F) (1) Whoever violates this section shall be issued a 1058
warning for a first violation. If the offender previously has 1059
been convicted of or pleaded guilty to a violation of this 1060
section, or of a substantially similar municipal ordinance, the 1061
offender shall be fined not more than twenty-five dollars for 1062
each parking location that is not properly marked or properly 1063
maintained. 1064

(2) Fines collected under this section shall be deposited 1065
into the accessible parking violations fund created in section 1066
4511.693 of the Revised Code. 1067

Sec. 4511.692. (A) No person shall stop, stand, or park 1068
any motor vehicle at an accessible parking space designated by a 1069
required entity under section 4511.691 of the Revised Code or at 1070
a clearly marked accessible parking space provided in a 1071
privately owned parking area, unless both of the following 1072
apply: 1073

(1) The motor vehicle is being operated by or for the 1074
transport of a person with a disability that limits or impairs 1075

the ability to walk. 1076

(2) The motor vehicle is displaying a valid accessible 1077
license plate or removable windshield placard issued to either 1078
the person or organization operating the motor vehicle or the 1079
person being transported by the motor vehicle. 1080

(B) (1) Any motor vehicle that is parked in an accessible 1081
parking space in violation of division (A) of this section may 1082
be towed or otherwise removed from the parking space by either 1083
of the following: 1084

(a) The law enforcement agency of the political 1085
subdivision in which the parking space is located; 1086

(b) The owner of the parking area in which the parking 1087
space is located. 1088

(2) A motor vehicle that is so towed or removed shall not 1089
be released to its owner until the owner presents proof of 1090
ownership of the motor vehicle and pays all towing and storage 1091
fees normally imposed for towing and storing motor vehicles. If 1092
the motor vehicle is a leased vehicle, it shall not be released 1093
to the lessee until the lessee presents proof that that person 1094
is the lessee of the motor vehicle and pays all towing and 1095
storage fees normally imposed for towing and storing motor 1096
vehicles. 1097

(3) If a person is charged with a violation of division 1098
(A) of this section, it is not a defense to the charge that the 1099
sign posted does not comply with the technical requirements of 1100
section 4511.691 of the Revised Code, if a reasonable person 1101
would know that the parking space is reserved for a person with 1102
a disability that limits or impairs the ability to walk. 1103

(C) No person shall park in an accessible parking space 1104

when the person with a disability that limits or impairs the 1105
ability to walk will either: 1106

(1) Be dropped off and picked up at the entrance to the 1107
place of public accommodation; 1108

(2) Will not be entering or exiting the motor vehicle 1109
while it is parked. 1110

(D) No person shall stop, stand, or park any motor vehicle 1111
in any part of an access aisle, including a person that has been 1112
issued an accessible license plate or a removable windshield 1113
placard. 1114

(E) No person shall stop, stand, or park any motor vehicle 1115
in front of a ramp, curb cut, access entrance, or accessible 1116
route, including a person that has been issued an accessible 1117
license plate or a removable windshield placard. 1118

(F) (1) When a motor vehicle is being operated by or for 1119
the transport of a person with a disability that limits or 1120
impairs the ability to walk and is displaying either an 1121
accessible license plate or a removable windshield placard, the 1122
operator is permitted to park that motor vehicle for a period of 1123
two hours in excess of the legal parking period permitted by 1124
local authorities. 1125

(2) Division (F) (1) of this section does not apply when 1126
local ordinances or police rules provide otherwise or when the 1127
motor vehicle is parked in such a manner as to be clearly a 1128
traffic hazard. 1129

(G) (1) Except as provided in division (G) (2) of this 1130
section, whoever violates division (A), (C), (D), or (E) of this 1131
section is subject to the following civil penalties: 1132

(a) For a first offense, two hundred fifty dollars; 1133

(b) For a second offense, not less than two hundred fifty 1134
dollars nor more than five hundred dollars; 1135

(c) For a third or subsequent offense, not less than five 1136
hundred nor more than seven hundred fifty dollars. 1137

(2) Whoever violates division (A) of this section shall 1138
not be fined under division (G)(1) of this section if the 1139
offender, within thirty days of receiving the ticket in the 1140
mail, proves that either the offender or the person being 1141
transported by the offender, at the time of the violation, had a 1142
valid accessible license plate or removable windshield placard 1143
but the offender neglected to display the valid or the correct 1144
license plate or placard. 1145

(H)(1) Tickets issued for a civil violation of division 1146
(A), (C), (D), or (E) of this section shall be issued in 1147
accordance with sections 4511.695 to 4511.699 of the Revised 1148
Code. 1149

(2) The clerk of court or violations clerk of the parking 1150
violations bureau shall report all convictions for a violation 1151
of division (A), (C), (D), or (E) of this section to the 1152
registrar of motor vehicles. 1153

(I)(1) The clerk of court or violations clerk of the 1154
parking violations bureau shall pay fifty per cent of every fine 1155
collected under division (G) of this section to the political 1156
subdivision in which the violation occurred. 1157

(2) The remaining fifty per cent of every fine collected 1158
under division (G) of this section shall be paid into the 1159
accessible parking violations fund established by section 1160
4511.693 of the Revised Code. 1161

(J) Whoever knowingly violates division (D) of this 1162
section when that violation prevents a person with a disability 1163
that limits or impairs the ability to walk from being able to 1164
enter or exit the motor vehicle transporting that person is 1165
guilty of unlawful restraint of a person with a disability that 1166
limits or impairs the ability to walk, a misdemeanor of the 1167
third degree. 1168

Sec. 4511.693. (A) There is hereby created in the state 1169
treasury the accessible parking violations fund. The fund shall 1170
consist of the fines required to be deposited in the fund under 1171
sections 4503.445, 4503.446, 4511.691, and 4511.692 of the 1172
Revised Code. The fund shall be administered by the director of 1173
public safety and the superintendent of public instruction. 1174

(B) The money in the fund shall be divided as follows: 1175

(1) Twenty-five per cent shall be used by the director of 1176
public safety to administer the volunteer accessible parking 1177
enforcement training program created in section 4511.694 of the 1178
Revised Code, to collect data related to accessible parking 1179
violations, and to assist local law enforcement in enforcing the 1180
accessible parking laws. 1181

(2) Seventy-five per cent shall be used by the 1182
superintendent of public instruction to provide grants to a 1183
nonprofit corporation that creates, expands, and oversees 1184
interscholastic adaptive sports specifically for youth with 1185
physical disabilities. The superintendent shall approve the 1186
nonprofit corporation that receives such a grant and the amounts 1187
paid through the grants. 1188

(C) The superintendent of public instruction shall provide 1189
a report to the general assembly by the thirty-first day of 1190

December of each year, which shall include the following 1191
information: 1192

(1) A description of the entity that received a grant from 1193
the fund that year and how much money the entity received; 1194

(2) A description of activities carried out using the 1195
grant provided to the entity under this section; 1196

(3) Information regarding the goals and objectives 1197
achieved by the entity through the activities carried out using 1198
the grant provided to the entity under this section. 1199

(D) All investment earnings of the fund shall be credited 1200
to the fund. 1201

Sec. 4511.694. (A) The director of public safety shall 1202
establish a volunteer accessible parking enforcement training 1203
program. The purpose of the program is to train a volunteer 1204
accessible parking enforcement force, which shall assist local 1205
law enforcement in enforcing the accessible parking laws. 1206
Volunteers trained under the program may issue civil parking 1207
tickets for violations of the accessible parking laws that are 1208
enforced under sections 4511.695 to 4511.699 of the Revised 1209
Code, or a substantially equivalent municipal ordinance, but 1210
will have no other enforcement authority. 1211

(B) To serve as a member of the volunteer accessible 1212
parking enforcement force, a person must meet all of the 1213
following qualifications: 1214

(1) Be at least twenty-one years of age; 1215

(2) Have no prior felony convictions; 1216

(3) Successfully complete the volunteer accessible parking 1217
enforcement training program. 1218

(C) The volunteer accessible parking enforcement training 1219
program shall include instruction in general administrative 1220
rules and procedures governing the volunteer accessible parking 1221
enforcement force, the role of the judicial system as it relates 1222
to parking regulation and enforcement, proper techniques and 1223
methods relating to the enforcement of parking laws, human 1224
interaction skills, personal safety and ethics relating to the 1225
enforcement of parking laws, and first aid. 1226

(D) (1) A law enforcement agency may deputize a member of 1227
the volunteer accessible parking enforcement force to assist the 1228
agency in enforcing civil accessible parking violations under 1229
sections 4511.695 to 4511.699 of the Revised Code, or a 1230
substantially equivalent municipal ordinance. 1231

(2) The agency shall provide the member with all of the 1232
following: 1233

(a) Some form of identification that demonstrates the 1234
member is authorized to issue accessible parking tickets; 1235

(b) Tickets that meet the requirements of section 4511.697 1236
of the Revised Code; 1237

(c) Any additional training necessary for the 1238
circumstances and conditions of that local jurisdiction. 1239

(E) A member of the volunteer accessible parking 1240
enforcement force shall only issue civil accessible parking 1241
tickets in accordance with sections 4511.695 to 4511.699 of the 1242
Revised Code, or a substantially equivalent municipal ordinance. 1243
All tickets issued by the member are enforceable in the same 1244
manner as if the tickets had been issued by a law enforcement 1245
officer. 1246

(F) Any member of the volunteer accessible parking 1247

enforcement force assumes all liability for participation in the 1248
training program and volunteer work with the law enforcement 1249
agency. The member shall hold harmless the state, the department 1250
of public safety, any political subdivision, and the law 1251
enforcement agency for any claims resulting from the volunteer 1252
work performed by the member. The director shall provide hold 1253
harmless forms necessary for the implementation of division (F) 1254
of this section, which shall be signed by the member and 1255
submitted to the department and the applicable law enforcement 1256
agency. 1257

(G) (1) The director shall track the number of persons 1258
trained through the volunteer accessible parking enforcement 1259
training program and the expenses incurred by the department in 1260
administering the program. 1261

(2) The director shall adopt any rules necessary for 1262
establishing and administering the volunteer accessible parking 1263
enforcement training program. 1264

Sec. 4511.695. As used in sections 4511.695 to 4511.699 of 1265
the Revised Code: 1266

(A) "Designated party" means the person whom the 1267
registered owner of a motor vehicle, upon receipt of a ticket 1268
for an accessible parking law violation, identifies as the 1269
person who parked the vehicle of the registered owner at the 1270
time of the violation. 1271

(B) "Law enforcement officer" means a state highway patrol 1272
trooper, sheriff, deputy sheriff, marshal, deputy marshal, 1273
police officer of a police department of any municipal 1274
corporation, police constable of any township, or police officer 1275
of a township or joint police district, who is employed on a 1276

permanent, full-time basis by a law enforcement agency. 1277

(C) "Member of the volunteer accessible parking 1278
enforcement force" means a person trained by the department of 1279
public safety under the program established by section 4511.694 1280
of the Revised Code and deputized by a law enforcement agency to 1281
assist the agency in enforcing civil accessible parking law 1282
violations. 1283

(D) "Motor vehicle leasing dealer" has the same meaning as 1284
in section 4517.01 of the Revised Code. 1285

(E) "Motor vehicle renting dealer" has the same meaning as 1286
in section 4549.65 of the Revised Code. 1287

(F) "Registered owner" means any of the following: 1288

(1) Any person or entity identified by the bureau of motor 1289
vehicles or any other state motor vehicle registration bureau, 1290
department, or office as the owner of a motor vehicle; 1291

(2) The lessee of a motor vehicle under a lease of six 1292
months or longer; 1293

(3) The renter of a motor vehicle pursuant to a written 1294
rental agreement with a motor vehicle renting dealer. 1295

(G) "Ticket" means any parking ticket, citation, summons, 1296
or other ticket issued in response to an alleged accessible 1297
parking law violation that represents a civil violation. 1298

(H) "Accessible parking law violation" means a violation 1299
of division (A), (C), (D), or (E) of section 4511.692 of the 1300
Revised Code, or a substantially equivalent municipal ordinance. 1301

Sec. 4511.696. (A) When a law enforcement officer or a 1302
member of the volunteer accessible parking enforcement force 1303

witnesses an accessible parking law violation, the officer or 1304
member may issue a ticket for the violation. The ticket shall 1305
comply with the requirements of this section and section 1306
4511.697 of the Revised Code. The officer or member shall take 1307
at least one photo of the violation that captures the motor 1308
vehicle, the license plate, and that demonstrates an accessible 1309
parking law violation occurred. 1310

(B) (1) If the operator of the motor vehicle is present, 1311
the officer shall record on the ticket the name of the operator 1312
in the space provided for identification of the offender. The 1313
officer shall personally serve a copy of the ticket on the 1314
operator. No member of the volunteer accessible parking 1315
enforcement force shall issue tickets under division (B) (1) of 1316
this section. 1317

(2) If the operator of the motor vehicle is not present or 1318
cannot be identified, the officer or member shall insert the 1319
word "owner" in the space provided for identification of the 1320
offender. The officer or member shall constructively serve a 1321
copy of the parking ticket on the owner of the motor vehicle by 1322
affixing the ticket to the motor vehicle in a conspicuous place. 1323

(C) The original of any ticket issued in accordance with 1324
divisions (A) and (B) of this section and any photos of the 1325
violation shall be submitted to the law enforcement agency that 1326
employs the law enforcement officer or that deputized the member 1327
of the volunteer accessible parking enforcement force that 1328
issued the ticket. The law enforcement agency may use any lawful 1329
means to identify the registered owner of the motor vehicle if a 1330
copy of the ticket was left on the motor vehicle in accordance 1331
with division (B) (2) of this section. 1332

(D) After the identification of the registered owner under 1333

division (C) of this section, if applicable, and within thirty 1334
days of the accessible parking law violation, the law 1335
enforcement agency shall send by regular mail the ticket 1336
charging either the operator of the motor vehicle, if known, or 1337
the registered owner with the violation. The ticket shall 1338
include copies of the photos taken by the law enforcement 1339
officer or member of the volunteer accessible parking 1340
enforcement force. 1341

(E) A law enforcement agency that mails a ticket charging 1342
the operator or registered owner with the accessible parking law 1343
violation shall, without unnecessary delay, file a certified 1344
copy of the ticket with the municipal court, county court, or 1345
parking violations bureau with jurisdiction over the civil 1346
action. 1347

(F) A certified copy of the ticket alleging an accessible 1348
parking law violation is prima facie evidence of the facts 1349
contained therein and is admissible in a civil action or 1350
proceeding concerning the ticket issued under this section. 1351

Sec. 4511.697. A law enforcement agency shall ensure that 1352
a ticket for an accessible parking law violation issued under 1353
section 4511.696 of the Revised Code contains all of the 1354
following: 1355

(A) The name and address of the registered owner or the 1356
current operator of the motor vehicle, if known; 1357

(B) The letters and numerals appearing on the license 1358
plate issued to the motor vehicle; 1359

(C) The make and model of the motor vehicle; 1360

(D) The date, time, and place of the violation; 1361

- (E) The accessible parking law violation charged; 1362
- (F) The amount of the civil penalty imposed, the date by 1363
which the civil penalty is required to be paid, and the address 1364
of the municipal court, county court, or parking violations 1365
bureau with jurisdiction over the civil action to which the 1366
payment is to be sent; 1367
- (G) A statement signed by a law enforcement officer or the 1368
member of the volunteer accessible parking enforcement force 1369
indicating that the motor vehicle was involved in an accessible 1370
parking law violation and the ticket is prima facie evidence of 1371
that accessible parking law violation; 1372
- (H) Information advising the person or entity alleged to 1373
be liable for the violation of the options prescribed in section 1374
4511.698 of the Revised Code. The law enforcement agency shall 1375
include with the information the time, place, and manner in 1376
which the person or entity may appear in court or at the parking 1377
violations bureau to contest the violation and ticket and the 1378
procedure for disclaiming liability by submitting an affidavit 1379
to the municipal court, county court, or parking violations 1380
bureau as prescribed in section 4511.698 of the Revised Code. 1381
- (I) A warning that failure to exercise one of the options 1382
prescribed in section 4511.698 of the Revised Code is deemed to 1383
be an admission of liability and waiver of the opportunity to 1384
contest the violation. 1385
- Sec. 4511.698.** A person or entity who receives a ticket 1386
for a civil violation under section 4511.696 of the Revised Code 1387
shall elect to do one of the following: 1388
- (A) In accordance with instructions on the ticket, pay the 1389
civil penalty, thereby admitting liability and waiving the 1390

opportunity to contest the violation. 1391

(B) (1) Within thirty days after receipt of the ticket by 1392
mail, provide the municipal court, county court, or parking 1393
violations bureau with jurisdiction over the civil action with 1394
any of the following affidavits: 1395

(a) If the accessible parking law violation charged is a 1396
violation of division (A) of section 4511.692 of the Revised 1397
Code, an affidavit executed by the operator of the motor vehicle 1398
or registered owner stating that either the owner, the operator, 1399
or the person being transported in the motor vehicle, at the 1400
time of the violation, had a valid accessible license plate or 1401
removable windshield placard but the owner or operator neglected 1402
to display the valid or the correct license plate or placard. 1403

(b) An affidavit executed by the registered owner stating 1404
that another person was operating and parked the motor vehicle 1405
of the registered owner at the time of the violation, 1406
identifying that person as a designated party who may be held 1407
liable for the violation, and containing at a minimum the name 1408
and address of the designated party. 1409

(c) An affidavit executed by the registered owner stating 1410
that at the time of the violation, the motor vehicle or the 1411
license plate issued to the motor vehicle was stolen and 1412
therefore was in the care, custody, or control of some person or 1413
entity to whom the registered owner did not grant permission to 1414
use the motor vehicle. To demonstrate that the motor vehicle or 1415
the license plate was stolen prior to the accessible parking law 1416
violation and therefore was not under the control or possession 1417
of the registered owner at the time of the violation, the 1418
registered owner shall submit proof that a report about the 1419
stolen motor vehicle or license plate was filed with the 1420

appropriate law enforcement agency prior to the violation or 1421
within forty-eight hours after the violation occurred. 1422

(2) The operator of the motor vehicle or the registered 1423
owner is not responsible for an accessible parking law violation 1424
if, within thirty days after receipt of the ticket by mail, the 1425
operator or registered owner furnishes an affidavit specified in 1426
division (B) (1) (a), (b), or (c) of this section, as applicable, 1427
to the court or parking violations bureau with jurisdiction in a 1428
form established by the court or bureau and the following 1429
conditions are met: 1430

(a) If the operator of the motor vehicle or the registered 1431
owner submits an affidavit as specified in division (B) (1) (a) of 1432
this section, the affidavit is supported by evidence of the 1433
valid or correct accessible license plate or removable 1434
windshield placard. 1435

(b) If the registered owner submits an affidavit as 1436
specified in division (B) (1) (b) of this section, the designated 1437
party either accepts liability for the violation by paying the 1438
civil penalty or by failing to request a court or parking 1439
violations bureau hearing within thirty days or is determined 1440
liable in a hearing. 1441

(c) If the registered owner submits an affidavit as 1442
specified in division (B) (1) (c) of this section, the affidavit 1443
is supported by a stolen vehicle or stolen license plate report 1444
as required in that division. 1445

(C) If the registered owner is a motor vehicle leasing 1446
dealer or a motor vehicle renting dealer, notify the court or 1447
parking violations bureau with jurisdiction of the name and 1448
address of the lessee or renter of the motor vehicle at the time 1449

of the accessible parking law violation. The court or bureau 1450
shall establish the form of the notice. A motor vehicle leasing 1451
dealer or motor vehicle renting dealer who receives a ticket for 1452
an alleged accessible parking law violation is not liable for a 1453
ticket issued for a motor vehicle that was in the care, custody, 1454
or control of a lessee or renter at the time of the alleged 1455
violation. The dealer shall not pay such a ticket and 1456
subsequently attempt to collect a fee or assess the lessee or 1457
renter a charge for any payment of such a ticket made on behalf 1458
of the lessee or renter. 1459

(D) If the motor vehicle involved in the accessible 1460
parking law violation is a commercial motor vehicle and the 1461
ticket is issued to a corporate entity, provide to the court or 1462
parking violations bureau with jurisdiction an affidavit in a 1463
form established by the court or bureau, sworn to or affirmed by 1464
an agent of the corporate entity, that provides the name and 1465
address of the employee who was operating and parked the motor 1466
vehicle at the time of the alleged violation and who is the 1467
designated party. 1468

(E) Contest the ticket by filing a written request for a 1469
court or parking violations bureau hearing to review the ticket 1470
in a form established by the court or bureau. The person shall 1471
file the written request not later than thirty days after 1472
receipt of the ticket by mail. The failure to request a hearing 1473
within this time period constitutes a waiver of the right to 1474
contest the violation and ticket, and is deemed to constitute an 1475
admission of liability. 1476

Sec. 4511.699. (A) (1) A court or a parking violations 1477
bureau with jurisdiction that receives an affidavit described in 1478
division (B) (1) (b) or (D) of section 4511.698 of the Revised 1479

Code or a notification under division (C) of that section from a 1480
registered owner may proceed to notify the law enforcement 1481
agency to send a ticket that conforms with this section and 1482
section 4511.697 of the Revised Code to the designated party. 1483

(2) The law enforcement agency shall send the conforming 1484
ticket to the designated party by ordinary mail not later than 1485
twenty-one days after receipt of the notification from the court 1486
or parking violations bureau. 1487

(B) (1) If a hearing is requested under division (E) of 1488
section 4511.698 of the Revised Code, the court or bureau shall 1489
issue a written decision imposing liability for the violation 1490
upon an individual if the court or bureau finds by a 1491
preponderance of the evidence that: 1492

(a) The alleged accessible parking law violation did in 1493
fact occur; 1494

(b) The person named in the original or any subsequent 1495
ticket is the person who was operating and parked the motor 1496
vehicle at the time of the violation. 1497

The court or bureau shall submit the decision to the law 1498
enforcement agency and the person named in the ticket. 1499

(2) If the court or bureau finds by a preponderance of the 1500
evidence that the alleged accessible parking law violation did 1501
not occur or did in fact occur but the person named in the 1502
original or any subsequent ticket is not the person who was 1503
operating and parked the motor vehicle at the time of the 1504
violation, the court or bureau shall issue a written decision 1505
finding that the individual is not liable for the violation and 1506
submit it to the law enforcement agency and the person named in 1507
the ticket. 1508

(3) If the person who requested the court hearing fails to 1509
appear, the court or bureau shall determine that the person is 1510
liable for the violation. In such a case, the court or bureau 1511
shall issue a written decision imposing liability for the 1512
violation upon the individual and submit it to the law 1513
enforcement agency and the person named in the ticket. 1514

(4) The court or bureau shall render a decision on the day 1515
a hearing takes place. 1516

(C) The court or bureau shall charge the applicable costs 1517
and fees for the civil action to the party that does not prevail 1518
in the action. 1519

Sec. 4521.01. As used in this chapter: 1520

(A) "Parking infraction" means a violation of any 1521
ordinance, resolution, or regulation enacted by a local 1522
authority that regulates the standing or parking of vehicles and 1523
that is authorized pursuant to section 505.17 or 4511.07 of the 1524
Revised Code, or a violation of any ordinance, resolution, or 1525
regulation enacted by a local authority as authorized by this 1526
chapter, if the local authority in either of these cases also 1527
has enacted an ordinance, resolution, or regulation of the type 1528
described in division (A) of section 4521.02 of the Revised Code 1529
in relation to the particular regulatory ordinance, resolution, 1530
or regulation. 1531

(B) "Vehicle" has the same meaning as in section 4511.01 1532
of the Revised Code. 1533

(C) "Court" means a municipal court, county court, 1534
juvenile court, or mayor's court, unless specifically identified 1535
as one of these courts, in which case it means the specifically 1536
identified court. 1537

(D) "Local authority" means every county, municipal
corporation, township, or other local board or body having
authority to adopt police regulations pursuant to the
constitution and laws of this state.

(E) "~~Disability~~ Accessible parking space" means a motor
vehicle parking location that is reserved for the exclusive
standing or parking of a vehicle that is operated by or on
behalf of a person with a disability that limits or impairs the
ability to walk and displays ~~a placard or an accessible~~ license
~~plates~~ plate issued under section ~~4503.44~~ 4503.41 or 4503.441 of
the Revised Code or a removable windshield placard issued under
section 4503.442 of the Revised Code.

(F) "Person with a disability that limits or impairs the
ability to walk" has the same meaning as in section 4503.44 of
the Revised Code.

Sec. 4521.02. (A) A local authority that enacts any
ordinance, resolution, or regulation that regulates the standing
or parking of vehicles and that is authorized pursuant to
section 505.17 or 4511.07 of the Revised Code also by ordinance,
resolution, or regulation may specify that a violation of the
regulatory ordinance, resolution, or regulation shall not be
considered a criminal offense for any purpose, that a person who
commits the violation shall not be arrested as a result of the
commission of the violation, and that the violation shall be
handled pursuant to this chapter. If such a specification is
made, the local authority also by ordinance, resolution, or
regulation shall adopt a fine for a violation of the regulatory
ordinance, resolution, or regulation and prescribe an additional
penalty or penalties for failure to answer any charges of the
violation in a timely manner. In no case shall any fine adopted

or additional penalty prescribed pursuant to this division 1568
exceed the fine established by the municipal or county court 1569
having territorial jurisdiction over the entire or a majority of 1570
the political subdivision of the local authority, in its 1571
schedule of fines established pursuant to Traffic Rule 13(C), 1572
for a substantively comparable violation. Except as provided in 1573
this division, in no case shall any fine adopted or additional 1574
penalty prescribed pursuant to this division exceed one hundred 1575
dollars, plus costs and other administrative charges, per 1576
violation. 1577

If a local authority chooses to adopt a specific fine for 1578
a violation of an ordinance, resolution, or regulation that 1579
regulates the standing or parking of a vehicle in ~~a disability~~ 1580
an accessible parking space, the fine the local authority 1581
establishes for such offense shall be an amount not less than 1582
two hundred fifty dollars but not more than ~~five seven~~ hundred 1583
fifty dollars. 1584

(B) A local authority that enacts an ordinance, 1585
resolution, or regulation pursuant to division (A) of this 1586
section also may enact an ordinance, resolution, or regulation 1587
that provides for the impoundment or immobilization of vehicles 1588
found standing or parked in violation of the regulatory 1589
ordinance, resolution, or regulation and the release of the 1590
vehicles to their owners. In no case shall an ordinance, 1591
resolution, or regulation require the owner of the vehicle to 1592
post bond or deposit cash in excess of one thousand dollars in 1593
order to obtain release of the vehicle. 1594

(C) A local authority that enacts any ordinance, 1595
resolution, or regulation pursuant to division (A) of this 1596
section also shall enact an ordinance, resolution, or regulation 1597

that specifies the time within which a person who is issued a 1598
parking ticket must answer in relation to the parking infraction 1599
charged in the ticket. 1600

Sec. 4731.481. No physician shall do ~~either any~~ of the 1601
following: 1602

(A) ~~Furnish a person with a prescription in order~~ Complete 1603
the accessible parking certification form to enable ~~the a~~ person 1604
to be issued an accessible license plate, a removable windshield 1605
placard, or a temporary removable windshield placard, ~~or license~~ 1606
~~plates~~ under either section ~~4503.44~~4503.441 or 4503.442 of the 1607
Revised Code, knowing that the person does not meet any of the 1608
criteria contained in division ~~(A)(1)~~ (A) of ~~that~~ section 1609
4503.44 of the Revised Code; 1610

(B) ~~Furnish a person with a prescription~~ Complete the 1611
accessible parking certification form described in division (A) 1612
of this section and knowingly misstate on the ~~prescription form~~ 1613
the length of time the physician expects the person to have the 1614
disability that limits or impairs the person's ability to walk 1615
in order to enable the person to retain a removable windshield 1616
placard issued under section ~~4503.44~~ 4503.442 of the Revised 1617
Code for a period of time longer than that which would be 1618
estimated by a similar practitioner under the same or similar 1619
circumstances; 1620

(C) Fail to retain information sufficient to substantiate 1621
that the person is eligible for accessible parking privileges. 1622

Sec. 4734.161. No chiropractor shall do ~~either any~~ of the 1623
following: 1624

(A) ~~Furnish a person with a prescription~~ Complete the 1625
accessible parking certification form in order to enable ~~the a~~ 1626

person to be issued an accessible license plate, a removable 1627
windshield placard, or a temporary removable windshield placard, 1628
~~or license plates~~ under either section ~~4503.44~~4503.441 or 1629
4503.442 of the Revised Code, knowing that the person does not 1630
meet any of the criteria contained in division ~~(A) (1)~~ (A) of 1631
~~that~~ section 4503.44 of the Revised Code; 1632

(B) ~~Furnish a person with a prescription~~ Complete the 1633
accessible parking certification form described in division (A) 1634
of this section and knowingly misstate on the ~~prescription form~~ 1635
the length of time the chiropractor expects the person to have 1636
the disability that limits or impairs the person's ability to 1637
walk in order to enable the person to retain a removable 1638
windshield placard issued under section ~~4503.44~~ 4503.442 of the 1639
Revised Code for a period of time longer than that which would 1640
be estimated by a similar practitioner under the same or similar 1641
circumstances; 1642

(C) Fail to retain information sufficient to substantiate 1643
that the person is eligible for accessible parking privileges. 1644

Section 2. That existing sections 4503.44, 4511.69, 1645
4521.01, 4521.02, 4731.481, and 4734.161 of the Revised Code are 1646
hereby repealed. 1647

Section 3. That sections 311.30, 505.541, 509.04, 3501.29, 1648
3781.111, 4503.10, 4503.12, 4517.01, and 4517.12 of the Revised 1649
Code be amended to read as follows: 1650

Sec. 311.30. (A) The board of county commissioners may 1651
establish, by resolution, a parking enforcement unit within the 1652
office of the sheriff to operate in the unincorporated areas of 1653
the county, and may provide for the regulation of parking 1654
enforcement officers. The sheriff shall be the executive head of 1655

the parking enforcement unit, shall make all appointments and 1656
removals of parking enforcement officers, subject to any general 1657
rules prescribed by the board of county commissioners by 1658
resolution, and shall prescribe rules for the organization, 1659
training, administration, control, and conduct of the parking 1660
enforcement unit. The sheriff may appoint parking enforcement 1661
officers who agree to serve for nominal compensation, and 1662
persons with physical disabilities may receive appointments as 1663
parking enforcement officers. 1664

(B) The authority of the parking enforcement officers 1665
shall be limited to the enforcement of ~~section~~ sections 4511.69 1666
to 4511.699 of the Revised Code and any other parking laws 1667
specified in the resolution creating the parking enforcement 1668
unit. Parking enforcement officers shall have no other powers. 1669

(C) The training the parking enforcement officers shall 1670
receive shall include instruction in general administrative 1671
rules and procedures governing the parking enforcement unit, the 1672
role of the judicial system as it relates to parking regulation 1673
and enforcement, proper techniques and methods relating to the 1674
enforcement of parking laws, human interaction skills, and first 1675
aid. 1676

Sec. 505.541. (A) The board of township trustees or a 1677
joint police district board, respectively, may establish, by 1678
resolution, a parking enforcement unit within a township police 1679
district or within a joint police district, and provide for the 1680
regulation of parking enforcement officers. The chief of police 1681
of the district shall be the executive head of the parking 1682
enforcement unit, shall make all appointments and removals of 1683
parking enforcement officers, subject to any general rules 1684
prescribed by the board of township trustees by resolution or 1685

joint police district board, as appropriate, and shall prescribe 1686
rules for the organization, training, administration, control, 1687
and conduct of the parking enforcement unit. The chief of police 1688
may appoint parking enforcement officers who agree to serve for 1689
nominal compensation, and persons with physical disabilities may 1690
receive appointments as parking enforcement officers. 1691

(B) The authority of the parking enforcement officers 1692
shall be limited to the enforcement of ~~section~~ sections 4511.69 1693
to 4511.699 of the Revised Code and any other parking laws 1694
specified in the resolution creating the parking enforcement 1695
unit. Parking enforcement officers shall have no other powers. 1696

(C) The training the parking enforcement officers shall 1697
receive shall include instruction in general administrative 1698
rules and procedures governing the parking enforcement unit, the 1699
role of the judicial system as it relates to parking regulation 1700
and enforcement, proper techniques and methods relating to the 1701
enforcement of parking laws, human interaction skills, and first 1702
aid. 1703

Sec. 509.04. (A) The board of township trustees may 1704
establish, by resolution, a parking enforcement unit within the 1705
office of a township constable, and provide for the regulation 1706
of parking enforcement officers. The board of township trustees 1707
shall appoint a police constable as executive head of the 1708
parking enforcement unit, who shall make all appointments and 1709
removals of parking enforcement officers, subject to any general 1710
rules prescribed by the board of township trustees by 1711
resolution, and shall prescribe rules for the organization, 1712
training, administration, control, and conduct of the parking 1713
enforcement unit. The executive head of the parking enforcement 1714
unit may appoint parking enforcement officers who agree to serve 1715

for nominal compensation, and persons with physical disabilities 1716
may receive appointments as parking enforcement officers. 1717

(B) The authority of the parking enforcement officers 1718
shall be limited to the enforcement of ~~section~~ sections 4511.69 1719
to 4511.699 of the Revised Code and any other parking laws 1720
specified in the resolution creating the parking enforcement 1721
unit. Parking enforcement officers shall have no other powers. 1722

(C) The training the parking enforcement officers shall 1723
receive shall include instruction in general administrative 1724
rules and procedures governing the parking enforcement unit, the 1725
role of the judicial system as it relates to parking regulation 1726
and enforcement, proper techniques and ~~methods~~ methods relating 1727
to the enforcement of parking laws, human interaction skills, 1728
and first aid. 1729

Sec. 3501.29. (A) The board of elections shall provide for 1730
each precinct a polling place and provide adequate facilities at 1731
each polling place for conducting the election. The board shall 1732
provide a sufficient number of screened or curtained voting 1733
compartments to which electors may retire and conveniently mark 1734
their ballots, protected from the observation of others. Each 1735
voting compartment shall be provided at all times with writing 1736
implements, instructions how to vote, and other necessary 1737
conveniences for marking the ballot. The voting location manager 1738
shall ensure that the voting compartments at all times are 1739
adequately lighted and contain the necessary supplies. The board 1740
shall utilize, in so far as practicable, rooms in public schools 1741
and other public buildings for polling places. Upon application 1742
of the board of elections, the authority which has the control 1743
of any building or grounds supported by taxation under the laws 1744
of this state, shall make available the necessary space therein 1745

for the purpose of holding elections and adequate space for the 1746
storage of voting machines, without charge for the use thereof. 1747
A reasonable sum may be paid for necessary janitorial service. 1748
When polling places are established in private buildings, the 1749
board may pay a reasonable rental therefor, and also the cost of 1750
liability insurance covering the premises when used for election 1751
purposes, or the board may purchase a single liability policy 1752
covering the board and the owners of the premises when used for 1753
election purposes. When removable buildings are supplied by the 1754
board, they shall be constructed under the contract let to the 1755
lowest and best bidder, and the board shall observe all 1756
ordinances and regulations then in force as to safety. The board 1757
shall remove all such buildings from streets and other public 1758
places within thirty days after an election, unless another 1759
election is to be held within ninety days. 1760

(B) (1) Except as otherwise provided in this section, the 1761
board shall ensure all of the following: 1762

(a) That polling places are free of barriers that would 1763
impede ingress and egress of handicapped persons; 1764

(b) That the minimum number of special parking locations, 1765
also known as ~~handicapped-accessible~~ parking spaces or 1766
disability parking spaces, for ~~handicapped persons~~ with a 1767
disability that limits or impairs the ability to walk are 1768
designated at each polling place in accordance with 28 C.F.R. 1769
Part 36, Appendix A, and in compliance with ~~division (E) of~~ 1770
section ~~4511.69~~ 4511.691 of the Revised Code; 1771

(c) That the entrances of polling places are level or are 1772
provided with a nonskid ramp that meets the requirements of the 1773
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 1774
U.S.C. 12101; 1775

(d) That doors are a minimum of thirty-two inches wide. 1776

(2) Notwithstanding division (B) (1) (a), (c), or (d) of 1777
this section, certain polling places may be specifically 1778
exempted by the secretary of state upon certification by a board 1779
of elections that a good faith, but unsuccessful, effort has 1780
been made to modify, or change the location of, such polling 1781
places. 1782

(C) At any polling place that is exempted from compliance 1783
by the secretary of state, the board of elections shall permit 1784
any handicapped elector who travels to that elector's polling 1785
place, but who is unable to enter the polling place, to vote, 1786
with the assistance of two polling place officials of major 1787
political parties, in the vehicle that conveyed that elector to 1788
the polling place, or to receive and cast that elector's ballot 1789
at the door of the polling place. 1790

(D) The secretary of state shall: 1791

(1) Work with other state agencies to facilitate the 1792
distribution of information and technical assistance to boards 1793
of elections to meet the requirements of division (B) of this 1794
section; 1795

(2) Work with organizations that represent or provide 1796
services to handicapped, disabled, or elderly citizens to effect 1797
a wide dissemination of information about the availability of 1798
absentee voting, voting in the voter's vehicle or at the door of 1799
the polling place, or other election services to handicapped, 1800
disabled, or elderly citizens. 1801

(E) Before the day of an election, the director of the 1802
board of elections of each county shall sign a statement 1803
verifying that each polling place that will be used in that 1804

county at that election meets the requirements of division (B) 1805
(1) (b) of this section. The signed statement shall be sent to 1806
the secretary of state by certified mail or electronically. 1807

(F) As used in this section, "handicapped" means having 1808
lost the use of one or both legs, one or both arms, or any 1809
combination thereof, or being blind or so severely disabled as 1810
to be unable to move about without the aid of crutches or a 1811
wheelchair. 1812

Sec. 3781.111. (A) In addition to the powers conferred by 1813
any other section of the Revised Code, the board of building 1814
standards shall adopt standards and rules to facilitate the 1815
reasonable access and use by all persons with a disability of 1816
all buildings and the facilities of buildings for which plans 1817
are submitted for approval under section 3791.04 of the Revised 1818
Code. No standard or rule shall be applied to any building the 1819
plans or drawings, specifications, and date of which have been 1820
approved prior to the time that the standard or rule takes 1821
effect. 1822

(B) (1) Except as otherwise provided in this section, the 1823
standards and rules adopted by the board pursuant to this 1824
section shall be in accordance with the "Americans with 1825
Disabilities Act of 1990," 104 Stat. 327, 42 U.S.C.A. 12101, as 1826
amended, and the "Fair Housing Amendments Act of 1988," 102 1827
Stat. 1619, 42 U.S.C.A. 3601, as amended. 1828

(2) For purposes of enforcement by the Ohio civil rights 1829
commission only, approval of a plan as required under section 1830
3791.04 of the Revised Code creates a rebuttable presumption 1831
that the plans, drawings, specifications, or data submitted are 1832
in compliance with the rules adopted by the board pursuant to 1833
this section as they relate to accessibility. 1834

(C) All signs posted to designate special parking 1835
locations for persons with a disability and persons with 1836
disabilities that limit or impair the ability to walk in 1837
accordance with ~~division (E) of section 4511.69~~ 4511.691 of the 1838
Revised Code and the standards and rules adopted pursuant to 1839
this section shall be mounted on a fixed or movable post or 1840
otherwise affixed in a vertical position so that the distance 1841
from the ground to the bottom edge of the sign measures not less 1842
than five feet. If a new sign or a replacement sign designating 1843
a special parking location is posted on or after October 14, 1844
1999, there also shall be affixed upon the surface of that sign 1845
or affixed next to the designating sign a notice that states the 1846
fine applicable for the offense of parking a motor vehicle in 1847
the special designated parking location if the motor vehicle is 1848
not legally entitled to be parked in that location. 1849

(D) As used in this section, "disability" has the same 1850
meaning as in section 4112.01 of the Revised Code. As used in 1851
division (C) of this section, "persons with disabilities that 1852
limit or impair the ability to walk" has the same meaning as in 1853
division ~~(A)(1)~~ (A) of section 4503.44 of the Revised Code. 1854

(E) No owner of a building or facility where special 1855
parking locations for persons with a disability must be 1856
designated in accordance with the standards and rules adopted 1857
pursuant to this section shall fail to properly mark the special 1858
parking locations as required by those standards and rules or 1859
fail to maintain the markings of the special parking locations, 1860
including the erection and maintenance of the fixed or movable 1861
signs. 1862

(F) The board annually shall provide statewide training on 1863
the rules adopted by the board pursuant to this section as they 1864

relate to accessibility for nonresidential building department 1865
personnel certified by the board who approve, review plans, and 1866
inspect nonresidential construction. 1867

Sec. 4503.10. (A) The owner of every snowmobile, off- 1868
highway motorcycle, and all-purpose vehicle required to be 1869
registered under section 4519.02 of the Revised Code shall file 1870
an application for registration under section 4519.03 of the 1871
Revised Code. The owner of a motor vehicle, other than a 1872
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 1873
is not designed and constructed by the manufacturer for 1874
operation on a street or highway may not register it under this 1875
chapter except upon certification of inspection pursuant to 1876
section 4513.02 of the Revised Code by the sheriff, or the chief 1877
of police of the municipal corporation or township, with 1878
jurisdiction over the political subdivision in which the owner 1879
of the motor vehicle resides. Except as provided in section 1880
4503.103 of the Revised Code, every owner of every other motor 1881
vehicle not previously described in this section and every 1882
person mentioned as owner in the last certificate of title of a 1883
motor vehicle that is operated or driven upon the public roads 1884
or highways shall cause to be filed each year, by mail or 1885
otherwise, in the office of the registrar of motor vehicles or a 1886
deputy registrar, a written or electronic application or a 1887
preprinted registration renewal notice issued under section 1888
4503.102 of the Revised Code, the form of which shall be 1889
prescribed by the registrar, for registration for the following 1890
registration year, which shall begin on the first day of January 1891
of every calendar year and end on the thirty-first day of 1892
December in the same year. Applications for registration and 1893
registration renewal notices shall be filed at the times 1894
established by the registrar pursuant to section 4503.101 of the 1895

Revised Code. A motor vehicle owner also may elect to apply for 1896
or renew a motor vehicle registration by electronic means using 1897
electronic signature in accordance with rules adopted by the 1898
registrar. Except as provided in division (J) of this section, 1899
applications for registration shall be made on blanks furnished 1900
by the registrar for that purpose, containing the following 1901
information: 1902

(1) A brief description of the motor vehicle to be 1903
registered, including the year, make, model, and vehicle 1904
identification number, and, in the case of commercial cars, the 1905
gross weight of the vehicle fully equipped computed in the 1906
manner prescribed in section 4503.08 of the Revised Code; 1907

(2) The name and residence address of the owner, and the 1908
township and municipal corporation in which the owner resides; 1909

(3) The district of registration, which shall be 1910
determined as follows: 1911

(a) In case the motor vehicle to be registered is used for 1912
hire or principally in connection with any established business 1913
or branch business, conducted at a particular place, the 1914
district of registration is the municipal corporation in which 1915
that place is located or, if not located in any municipal 1916
corporation, the county and township in which that place is 1917
located. 1918

(b) In case the vehicle is not so used, the district of 1919
registration is the municipal corporation or county in which the 1920
owner resides at the time of making the application. 1921

(4) Whether the motor vehicle is a new or used motor 1922
vehicle; 1923

(5) The date of purchase of the motor vehicle; 1924

(6) Whether the fees required to be paid for the 1925
registration or transfer of the motor vehicle, during the 1926
preceding registration year and during the preceding period of 1927
the current registration year, have been paid. Each application 1928
for registration shall be signed by the owner, either manually 1929
or by electronic signature, or pursuant to obtaining a limited 1930
power of attorney authorized by the registrar for registration, 1931
or other document authorizing such signature. If the owner 1932
elects to apply for or renew the motor vehicle registration with 1933
the registrar by electronic means, the owner's manual signature 1934
is not required. 1935

(7) The owner's social security number, driver's license 1936
number, or state identification number, or, where a motor 1937
vehicle to be registered is used for hire or principally in 1938
connection with any established business, the owner's federal 1939
taxpayer identification number. The bureau of motor vehicles 1940
shall retain in its records all social security numbers provided 1941
under this section, but the bureau shall not place social 1942
security numbers on motor vehicle certificates of registration. 1943

(B) Except as otherwise provided in this division, each 1944
time an applicant first registers a motor vehicle in the 1945
applicant's name, the applicant shall present for inspection a 1946
physical certificate of title or memorandum certificate showing 1947
title to the motor vehicle to be registered in the name of the 1948
applicant if a physical certificate of title or memorandum 1949
certificate has been issued by a clerk of a court of common 1950
pleas. If, under sections 4505.021, 4505.06, and 4505.08 of the 1951
Revised Code, a clerk instead has issued an electronic 1952
certificate of title for the applicant's motor vehicle, that 1953
certificate may be presented for inspection at the time of first 1954
registration in a manner prescribed by rules adopted by the 1955

registrar. An applicant is not required to present a certificate 1956
of title to an electronic motor vehicle dealer acting as a 1957
limited authority deputy registrar in accordance with rules 1958
adopted by the registrar. When a motor vehicle inspection and 1959
maintenance program is in effect under section 3704.14 of the 1960
Revised Code and rules adopted under it, each application for 1961
registration for a vehicle required to be inspected under that 1962
section and those rules shall be accompanied by an inspection 1963
certificate for the motor vehicle issued in accordance with that 1964
section. The application shall be refused if any of the 1965
following applies: 1966

(1) The application is not in proper form. 1967

(2) The application is prohibited from being accepted by 1968
division (D) of section 2935.27, division (A) of section 1969
2937.221, division (A) of section 4503.13, division (B) of 1970
section 4510.22, or division (B) (1) of section 4521.10 of the 1971
Revised Code. 1972

(3) A certificate of title or memorandum certificate of 1973
title is required but does not accompany the application or, in 1974
the case of an electronic certificate of title, is required but 1975
is not presented in a manner prescribed by the registrar's 1976
rules. 1977

(4) All registration and transfer fees for the motor 1978
vehicle, for the preceding year or the preceding period of the 1979
current registration year, have not been paid. 1980

(5) The owner or lessee does not have an inspection 1981
certificate for the motor vehicle as provided in section 3704.14 1982
of the Revised Code, and rules adopted under it, if that section 1983
is applicable. 1984

This section does not require the payment of license or 1985
registration taxes on a motor vehicle for any preceding year, or 1986
for any preceding period of a year, if the motor vehicle was not 1987
taxable for that preceding year or period under sections 1988
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 1989
of the Revised Code. When a certificate of registration is 1990
issued upon the first registration of a motor vehicle by or on 1991
behalf of the owner, the official issuing the certificate shall 1992
indicate the issuance with a stamp on the certificate of title 1993
or memorandum certificate or, in the case of an electronic 1994
certificate of title, an electronic stamp or other notation as 1995
specified in rules adopted by the registrar, and with a stamp on 1996
the inspection certificate for the motor vehicle, if any. The 1997
official also shall indicate, by a stamp or by other means the 1998
registrar prescribes, on the registration certificate issued 1999
upon the first registration of a motor vehicle by or on behalf 2000
of the owner the odometer reading of the motor vehicle as shown 2001
in the odometer statement included in or attached to the 2002
certificate of title. Upon each subsequent registration of the 2003
motor vehicle by or on behalf of the same owner, the official 2004
also shall so indicate the odometer reading of the motor vehicle 2005
as shown on the immediately preceding certificate of 2006
registration. 2007

The registrar shall include in the permanent registration 2008
record of any vehicle required to be inspected under section 2009
3704.14 of the Revised Code the inspection certificate number 2010
from the inspection certificate that is presented at the time of 2011
registration of the vehicle as required under this division. 2012

(C) (1) Except as otherwise provided in division (C) (1) of 2013
this section, the registrar and each deputy registrar shall 2014
collect an additional fee of eleven dollars for each application 2015

for registration and registration renewal received. For vehicles 2016
specified in divisions (A) (1) to (21) of section 4503.042 of the 2017
Revised Code, the registrar and deputy registrar shall collect 2018
an additional fee of thirty dollars for each application for 2019
registration and registration renewal received. No additional 2020
fee shall be charged for vehicles registered under section 2021
4503.65 of the Revised Code. The additional fee is for the 2022
purpose of defraying the department of public safety's costs 2023
associated with the administration and enforcement of the motor 2024
vehicle and traffic laws of Ohio. Each deputy registrar shall 2025
transmit the fees collected under divisions (C) (1), (3), and (4) 2026
of this section in the time and manner provided in this section. 2027
The registrar shall deposit all moneys received under division 2028
(C) (1) of this section into the public safety - highway purposes 2029
fund established in section 4501.06 of the Revised Code. 2030

(2) In addition, a charge of twenty-five cents shall be 2031
made for each reflectorized safety license plate issued, and a 2032
single charge of twenty-five cents shall be made for each county 2033
identification sticker or each set of county identification 2034
stickers issued, as the case may be, to cover the cost of 2035
producing the license plates and stickers, including material, 2036
manufacturing, and administrative costs. Those fees shall be in 2037
addition to the license tax. If the total cost of producing the 2038
plates is less than twenty-five cents per plate, or if the total 2039
cost of producing the stickers is less than twenty-five cents 2040
per sticker or per set issued, any excess moneys accruing from 2041
the fees shall be distributed in the same manner as provided by 2042
section 4501.04 of the Revised Code for the distribution of 2043
license tax moneys. If the total cost of producing the plates 2044
exceeds twenty-five cents per plate, or if the total cost of 2045
producing the stickers exceeds twenty-five cents per sticker or 2046

per set issued, the difference shall be paid from the license 2047
tax moneys collected pursuant to section 4503.02 of the Revised 2048
Code. 2049

(3) The registrar and each deputy registrar shall collect 2050
an additional fee of two hundred dollars for each application 2051
for registration or registration renewal received for any plug- 2052
in electric motor vehicle. The registrar shall transmit all 2053
money arising from the fee imposed by division (C) (3) of this 2054
section to the treasurer of state for distribution in accordance 2055
with division (E) of section 5735.051 of the Revised Code, 2056
subject to division (D) of section 5735.05 of the Revised Code. 2057

(4) The registrar and each deputy registrar shall collect 2058
an additional fee of one hundred dollars for each application 2059
for registration or registration renewal received for any hybrid 2060
motor vehicle. The registrar shall transmit all money arising 2061
from the fee imposed by division (C) (4) of this section to the 2062
treasurer of state for distribution in accordance with division 2063
(E) of section 5735.051 of the Revised Code, subject to division 2064
(D) of section 5735.05 of the Revised Code. 2065

The fees established under divisions (C) (3) and (4) of 2066
this section shall not be imposed until January 1, 2020. 2067

(D) Each deputy registrar shall be allowed a fee equal to 2068
the amount established under section 4503.038 of the Revised 2069
Code for each application for registration and registration 2070
renewal notice the deputy registrar receives, which shall be for 2071
the purpose of compensating the deputy registrar for the deputy 2072
registrar's services, and such office and rental expenses, as 2073
may be necessary for the proper discharge of the deputy 2074
registrar's duties in the receiving of applications and renewal 2075
notices and the issuing of registrations. 2076

(E) Upon the certification of the registrar, the county 2077
sheriff or local police officials shall recover license plates 2078
erroneously or fraudulently issued. 2079

(F) Each deputy registrar, upon receipt of any application 2080
for registration or registration renewal notice, together with 2081
the license fee and any local motor vehicle license tax levied 2082
pursuant to Chapter 4504. of the Revised Code, shall transmit 2083
that fee and tax, if any, in the manner provided in this 2084
section, together with the original and duplicate copy of the 2085
application, to the registrar. The registrar, subject to the 2086
approval of the director of public safety, may deposit the funds 2087
collected by those deputies in a local bank or depository to the 2088
credit of the "state of Ohio, bureau of motor vehicles." Where a 2089
local bank or depository has been designated by the registrar, 2090
each deputy registrar shall deposit all moneys collected by the 2091
deputy registrar into that bank or depository not more than one 2092
business day after their collection and shall make reports to 2093
the registrar of the amounts so deposited, together with any 2094
other information, some of which may be prescribed by the 2095
treasurer of state, as the registrar may require and as 2096
prescribed by the registrar by rule. The registrar, within three 2097
days after receipt of notification of the deposit of funds by a 2098
deputy registrar in a local bank or depository, shall draw on 2099
that account in favor of the treasurer of state. The registrar, 2100
subject to the approval of the director and the treasurer of 2101
state, may make reasonable rules necessary for the prompt 2102
transmittal of fees and for safeguarding the interests of the 2103
state and of counties, townships, municipal corporations, and 2104
transportation improvement districts levying local motor vehicle 2105
license taxes. The registrar may pay service charges usually 2106
collected by banks and depositories for such service. If deputy 2107

registrars are located in communities where banking facilities 2108
are not available, they shall transmit the fees forthwith, by 2109
money order or otherwise, as the registrar, by rule approved by 2110
the director and the treasurer of state, may prescribe. The 2111
registrar may pay the usual and customary fees for such service. 2112

(G) This section does not prevent any person from making 2113
an application for a motor vehicle license directly to the 2114
registrar by mail, by electronic means, or in person at any of 2115
the registrar's offices, upon payment of a service fee equal to 2116
the amount established under section 4503.038 of the Revised 2117
Code for each application. 2118

(H) No person shall make a false statement as to the 2119
district of registration in an application required by division 2120
(A) of this section. Violation of this division is falsification 2121
under section 2921.13 of the Revised Code and punishable as 2122
specified in that section. 2123

(I) (1) Where applicable, the requirements of division (B) 2124
of this section relating to the presentation of an inspection 2125
certificate issued under section 3704.14 of the Revised Code and 2126
rules adopted under it for a motor vehicle, the refusal of a 2127
license for failure to present an inspection certificate, and 2128
the stamping of the inspection certificate by the official 2129
issuing the certificate of registration apply to the 2130
registration of and issuance of license plates for a motor 2131
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 2132
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 2133
4503.43, ~~4503.44~~4503.441, 4503.46, 4503.47, and 4503.51 of the 2134
Revised Code. 2135

(2) (a) The registrar shall adopt rules ensuring that each 2136
owner registering a motor vehicle in a county where a motor 2137

vehicle inspection and maintenance program is in effect under 2138
section 3704.14 of the Revised Code and rules adopted under it 2139
receives information about the requirements established in that 2140
section and those rules and about the need in those counties to 2141
present an inspection certificate with an application for 2142
registration or preregistration. 2143

(b) Upon request, the registrar shall provide the director 2144
of environmental protection, or any person that has been awarded 2145
a contract under section 3704.14 of the Revised Code, an on-line 2146
computer data link to registration information for all passenger 2147
cars, noncommercial motor vehicles, and commercial cars that are 2148
subject to that section. The registrar also shall provide to the 2149
director of environmental protection a magnetic data tape 2150
containing registration information regarding passenger cars, 2151
noncommercial motor vehicles, and commercial cars for which a 2152
multi-year registration is in effect under section 4503.103 of 2153
the Revised Code or rules adopted under it, including, without 2154
limitation, the date of issuance of the multi-year registration, 2155
the registration deadline established under rules adopted under 2156
section 4503.101 of the Revised Code that was applicable in the 2157
year in which the multi-year registration was issued, and the 2158
registration deadline for renewal of the multi-year 2159
registration. 2160

(J) Subject to division (K) of this section, application 2161
for registration under the international registration plan, as 2162
set forth in sections 4503.60 to 4503.66 of the Revised Code, 2163
shall be made to the registrar on forms furnished by the 2164
registrar. In accordance with international registration plan 2165
guidelines and pursuant to rules adopted by the registrar, the 2166
forms shall include the following: 2167

(1) A uniform mileage schedule; 2168

(2) The gross vehicle weight of the vehicle or combined 2169
gross vehicle weight of the combination vehicle as declared by 2170
the registrant; 2171

(3) Any other information the registrar requires by rule. 2172

(K) The registrar shall determine the feasibility of 2173
implementing an electronic commercial fleet licensing and 2174
management program that will enable the owners of commercial 2175
tractors, commercial trailers, and commercial semitrailers to 2176
conduct electronic transactions by July 1, 2010, or sooner. If 2177
the registrar determines that implementing such a program is 2178
feasible, the registrar shall adopt new rules under this 2179
division or amend existing rules adopted under this division as 2180
necessary in order to respond to advances in technology. 2181

If international registration plan guidelines and 2182
provisions allow member jurisdictions to permit applications for 2183
registrations under the international registration plan to be 2184
made via the internet, the rules the registrar adopts under this 2185
division shall permit such action. 2186

Sec. 4503.12. (A) Upon the transfer of ownership of a 2187
motor vehicle, the registration of the motor vehicle expires, 2188
and the original owner immediately shall remove the license 2189
plates from the motor vehicle, except that: 2190

(1) If a statutory merger or consolidation results in the 2191
transfer of ownership of a motor vehicle from a constituent 2192
corporation to the surviving corporation, or if the 2193
incorporation of a proprietorship or partnership results in the 2194
transfer of ownership of a motor vehicle from the proprietorship 2195
or partnership to the corporation, the registration shall be 2196

continued upon the filing by the surviving or new corporation, 2197
within thirty days of such transfer, of an application for an 2198
amended certificate of registration. Upon a proper filing, the 2199
registrar of motor vehicles shall issue an amended certificate 2200
of registration in the name of the new owner. 2201

(2) If the death of the owner of a motor vehicle results 2202
in the transfer of ownership of the motor vehicle to the 2203
surviving spouse of the owner or if a motor vehicle is owned by 2204
two persons under joint ownership with right of survivorship 2205
established under section 2131.12 of the Revised Code and one of 2206
those persons dies, the registration shall be continued upon the 2207
filing by the survivor of an application for an amended 2208
certificate of registration. In relation to a motor vehicle that 2209
is owned by two persons under joint ownership with right of 2210
survivorship established under section 2131.12 of the Revised 2211
Code, the application shall be accompanied by a copy of the 2212
certificate of title that specifies that the vehicle is owned 2213
under joint ownership with right of survivorship. Upon a proper 2214
filing, the registrar shall issue an amended certificate of 2215
registration in the name of the survivor. 2216

(3) If the death of the owner of a motor vehicle results 2217
in the transfer of ownership of the motor vehicle to a transfer- 2218
on-death beneficiary or beneficiaries designated under section 2219
2131.13 of the Revised Code, the registration shall be continued 2220
upon the filing by the transfer-on-death beneficiary or 2221
beneficiaries of an application for an amended certificate of 2222
registration. The application shall be accompanied by a copy of 2223
the certificate of title that specifies that the owner of the 2224
motor vehicle has designated the motor vehicle in beneficiary 2225
form under section 2131.13 of the Revised Code. Upon a proper 2226
filing, the registrar shall issue an amended certificate of 2227

registration in the name of the transfer-on-death beneficiary or 2228
beneficiaries. 2229

(4) If the original owner of a motor vehicle that has been 2230
transferred makes application for the registration of another 2231
motor vehicle at any time during the remainder of the 2232
registration period for which the transferred motor vehicle was 2233
registered, the owner may file an application for transfer of 2234
the registration and, where applicable, the license plates. The 2235
transfer of the registration and, where applicable, the license 2236
plates from the motor vehicle for which they originally were 2237
issued to a succeeding motor vehicle purchased by the same 2238
person in whose name the original registration and license 2239
plates were issued shall be done within a period not to exceed 2240
thirty days. During that thirty-day period, the license plates 2241
from the motor vehicle for which they originally were issued may 2242
be displayed on the succeeding motor vehicle, and the succeeding 2243
motor vehicle may be operated on the public roads and highways 2244
in this state. 2245

At the time of application for transfer, the registrar 2246
shall compute and collect the amount of tax due on the 2247
succeeding motor vehicle, based upon the amount that would be 2248
due on a new registration as of the date on which the transfer 2249
is made less a credit for the unused portion of the original 2250
registration beginning on that date. If the credit exceeds the 2251
amount of tax due on the new registration, no refund shall be 2252
made. In computing the amount of tax due and credits to be 2253
allowed under this division, the provisions of division (B) (1) 2254
(a) and (b) of section 4503.11 of the Revised Code shall apply. 2255
As to passenger cars, noncommercial vehicles, motor homes, and 2256
motorcycles, transfers within or between these classes of motor 2257
vehicles only shall be allowed. If the succeeding motor vehicle 2258

is of a different class than the motor vehicle for which the 2259
registration originally was issued, new license plates also 2260
shall be issued upon the surrender of the license plates 2261
originally issued and payment of the fees provided in divisions 2262
(C) and (D) of section 4503.10 of the Revised Code. 2263

(5) The owner of a commercial car having a gross vehicle 2264
weight or combined gross vehicle weight of more than ten 2265
thousand pounds may transfer the registration of that commercial 2266
car to another commercial car the owner owns without 2267
transferring ownership of the first commercial car. At any time 2268
during the remainder of the registration period for which the 2269
first commercial car was registered, the owner may file an 2270
application for the transfer of the registration and, where 2271
applicable, the license plates, accompanied by the certificate 2272
of registration of the first commercial car. The amount of any 2273
tax due or credit to be allowed for a transfer of registration 2274
under this division shall be computed in accordance with 2275
division (A) (4) of this section. 2276

No commercial car to which a registration is transferred 2277
under this division shall be operated on a public road or 2278
highway in this state until after the transfer of registration 2279
is completed in accordance with this division. 2280

(6) Upon application to the registrar or a deputy 2281
registrar, a person who owns or leases a motor vehicle may 2282
transfer special license plates assigned to that vehicle to any 2283
other vehicle that the person owns or leases or that is owned or 2284
leased by the person's spouse. As appropriate, the application 2285
also shall be accompanied by a power of attorney for the 2286
registration of a leased vehicle and a written statement 2287
releasing the special plates to the applicant. Upon a proper 2288

filing, the registrar or deputy registrar shall assign the 2289
special license plates to the motor vehicle owned or leased by 2290
the applicant and issue a new certificate of registration for 2291
that motor vehicle. 2292

(7) If a corporation transfers the ownership of a motor 2293
vehicle to an affiliated corporation, the affiliated corporation 2294
may apply to the registrar for the transfer of the registration 2295
and any license plates. The registrar may require the applicant 2296
to submit documentation of the corporate relationship and shall 2297
determine whether the application for registration transfer is 2298
made in good faith and not for the purposes of circumventing the 2299
provisions of this chapter. Upon a proper filing, the registrar 2300
shall issue an amended certificate of registration in the name 2301
of the new owner. 2302

(B) An application under division (A) of this section 2303
shall be accompanied by a service fee equal to the amount 2304
established under section 4503.038 of the Revised Code, a 2305
transfer fee of one dollar, and the original certificate of 2306
registration, if applicable. 2307

(C) Neither the registrar nor a deputy registrar shall 2308
transfer a registration under division (A) of this section if 2309
the registration is prohibited by division (D) of section 2310
2935.27, division (A) of section 2937.221, division (A) of 2311
section 4503.13, division (D) of section 4503.234, division (B) 2312
of section 4510.22, or division (B)(1) of section 4521.10 of the 2313
Revised Code. 2314

(D) Whoever violates division (A) of this section is 2315
guilty of a misdemeanor of the fourth degree. 2316

(E) As used in division (A)(6) of this section, "special 2317

license plates" means either of the following: 2318

(1) Any license plates for which the person to whom the 2319
license plates are issued must pay an additional fee in excess 2320
of the fees prescribed in section 4503.04 of the Revised Code, 2321
Chapter 4504. of the Revised Code, and the service fee 2322
prescribed in division (D) or (G) of section 4503.10 of the 2323
Revised Code; 2324

(2) License plates issued under section ~~4503.44~~ 4503.441 2325
of the Revised Code. 2326

Sec. 4517.01. As used in sections 4517.01 to 4517.65 of 2327
the Revised Code: 2328

(A) "Persons" includes individuals, firms, partnerships, 2329
associations, joint stock companies, corporations, and any 2330
combinations of individuals. 2331

(B) "Motor vehicle" means motor vehicle as defined in 2332
section 4501.01 of the Revised Code and also includes "all- 2333
purpose vehicle" and "off-highway motorcycle" as those terms are 2334
defined in section 4519.01 of the Revised Code. "Motor vehicle" 2335
does not include a snowmobile as defined in section 4519.01 of 2336
the Revised Code or manufactured and mobile homes. 2337

(C) "New motor vehicle" means a motor vehicle, the legal 2338
title to which has never been transferred by a manufacturer, 2339
remanufacturer, distributor, or dealer to an ultimate purchaser. 2340

(D) "Ultimate purchaser" means, with respect to any new 2341
motor vehicle, the first person, other than a dealer purchasing 2342
in the capacity of a dealer, who in good faith purchases such 2343
new motor vehicle for purposes other than resale. 2344

(E) "Business" includes any activities engaged in by any 2345

person for the object of gain, benefit, or advantage either 2346
direct or indirect. 2347

(F) "Engaging in business" means commencing, conducting, 2348
or continuing in business, or liquidating a business when the 2349
liquidator thereof holds self out to be conducting such 2350
business; making a casual sale or otherwise making transfers in 2351
the ordinary course of business when the transfers are made in 2352
connection with the disposition of all or substantially all of 2353
the transferor's assets is not engaging in business. 2354

(G) "Retail sale" or "sale at retail" means the act or 2355
attempted act of selling, bartering, exchanging, or otherwise 2356
disposing of a motor vehicle to an ultimate purchaser for use as 2357
a consumer. 2358

(H) "Retail installment contract" includes any contract in 2359
the form of a note, chattel mortgage, conditional sales 2360
contract, lease, agreement, or other instrument payable in one 2361
or more installments over a period of time and arising out of 2362
the retail sale of a motor vehicle. 2363

(I) "Farm machinery" means all machines and tools used in 2364
the production, harvesting, and care of farm products. 2365

(J) "Dealer" or "motor vehicle dealer" means any new motor 2366
vehicle dealer, any motor vehicle leasing dealer, and any used 2367
motor vehicle dealer. 2368

(K) "New motor vehicle dealer" means any person engaged in 2369
the business of selling at retail, displaying, offering for 2370
sale, or dealing in new motor vehicles pursuant to a contract or 2371
agreement entered into with the manufacturer, remanufacturer, or 2372
distributor of the motor vehicles. 2373

(L) "Used motor vehicle dealer" means any person engaged 2374

in the business of selling, displaying, offering for sale, or 2375
dealing in used motor vehicles, at retail or wholesale, but does 2376
not mean any new motor vehicle dealer selling, displaying, 2377
offering for sale, or dealing in used motor vehicles 2378
incidentally to engaging in the business of selling, displaying, 2379
offering for sale, or dealing in new motor vehicles, any person 2380
engaged in the business of dismantling, salvaging, or rebuilding 2381
motor vehicles by means of using used parts, or any public 2382
officer performing official duties. 2383

(M) "Motor vehicle leasing dealer" means any person 2384
engaged in the business of regularly making available, offering 2385
to make available, or arranging for another person to use a 2386
motor vehicle pursuant to a bailment, lease, sublease, or other 2387
contractual arrangement under which a charge is made for its use 2388
at a periodic rate for a term of thirty days or more, and title 2389
to the motor vehicle is in and remains in the motor vehicle 2390
leasing dealer who originally leases it, irrespective of whether 2391
or not the motor vehicle is the subject of a later sublease, and 2392
not in the user, but does not mean a manufacturer or its 2393
affiliate leasing to its employees or to dealers. 2394

(N) "Salesperson" means any person employed by a dealer to 2395
sell, display, and offer for sale, or deal in motor vehicles for 2396
a commission, compensation, or other valuable consideration, but 2397
does not mean any public officer performing official duties. 2398

(O) "Casual sale" means any transfer of a motor vehicle by 2399
a person other than a new motor vehicle dealer, used motor 2400
vehicle dealer, motor vehicle salvage dealer, as defined in 2401
division (A) of section 4738.01 of the Revised Code, 2402
salesperson, motor vehicle auction owner, manufacturer, or 2403
distributor acting in the capacity of a dealer, salesperson, 2404

2405 auction owner, manufacturer, or distributor, to a person who
2406 purchases the motor vehicle for use as a consumer.

2407 (P) "Motor vehicle auction owner" means any person who is
2408 engaged wholly or in part in the business of auctioning motor
2409 vehicles, but does not mean a construction equipment auctioneer
2410 or a construction equipment auction licensee.

2411 (Q) "Manufacturer" means a person who manufactures,
2412 assembles, or imports motor vehicles, including motor homes, but
2413 does not mean a person who only assembles or installs a body,
2414 special equipment unit, finishing trim, or accessories on a
2415 motor vehicle chassis supplied by a manufacturer or distributor.

2416 (R) "Tent-type fold-out camping trailer" means any vehicle
2417 intended to be used, when stationary, as a temporary shelter
2418 with living and sleeping facilities, and that is subject to the
2419 following properties and limitations:

2420 (1) A minimum of twenty-five per cent of the fold-out
2421 portion of the top and sidewalls combined must be constructed of
2422 canvas, vinyl, or other fabric, and form an integral part of the
2423 shelter.

2424 (2) When folded, the unit must not exceed:

2425 (a) Fifteen feet in length, exclusive of bumper and
2426 tongue;

2427 (b) Sixty inches in height from the point of contact with
2428 the ground;

2429 (c) Eight feet in width;

2430 (d) One ton gross weight at time of sale.

2431 (S) "Distributor" means any person authorized by a motor

vehicle manufacturer to distribute new motor vehicles to 2432
licensed new motor vehicle dealers, but does not mean a person 2433
who only assembles or installs a body, special equipment unit, 2434
finishing trim, or accessories on a motor vehicle chassis 2435
supplied by a manufacturer or distributor. 2436

(T) "Flea market" means a market place, other than a 2437
dealer's location licensed under this chapter, where a space or 2438
location is provided for a fee or compensation to a seller to 2439
exhibit and offer for sale or trade, motor vehicles to the 2440
general public. 2441

(U) "Franchise" means any written agreement, contract, or 2442
understanding between any motor vehicle manufacturer or 2443
remanufacturer engaged in commerce and any motor vehicle dealer 2444
that purports to fix the legal rights and liabilities of the 2445
parties to such agreement, contract, or understanding. 2446

(V) "Franchisee" means a person who receives new motor 2447
vehicles from the franchisor under a franchise agreement and who 2448
offers, sells, and provides service for such new motor vehicles 2449
to the general public. 2450

(W) "Franchisor" means a new motor vehicle manufacturer, 2451
remanufacturer, or distributor who supplies new motor vehicles 2452
under a franchise agreement to a franchisee. 2453

(X) "Dealer organization" means a state or local trade 2454
association the membership of which is comprised predominantly 2455
of new motor vehicle dealers. 2456

(Y) "Factory representative" means a representative 2457
employed by a manufacturer, remanufacturer, or by a factory 2458
branch primarily for the purpose of promoting the sale of its 2459
motor vehicles, parts, or accessories to dealers or for 2460

supervising or contacting its dealers or prospective dealers. 2461

(Z) "Administrative or executive management" means those 2462
individuals who are not subject to federal wage and hour laws. 2463

(AA) "Good faith" means honesty in the conduct or 2464
transaction concerned and the observance of reasonable 2465
commercial standards of fair dealing in the trade as is defined 2466
in section 1301.201 of the Revised Code, including, but not 2467
limited to, the duty to act in a fair and equitable manner so as 2468
to guarantee freedom from coercion, intimidation, or threats of 2469
coercion or intimidation; provided however, that recommendation, 2470
endorsement, exposition, persuasion, urging, or argument shall 2471
not be considered to constitute a lack of good faith. 2472

(BB) "Coerce" means to compel or attempt to compel by 2473
failing to act in good faith or by threat of economic harm, 2474
breach of contract, or other adverse consequences. Coerce does 2475
not mean to argue, urge, recommend, or persuade. 2476

(CC) "Relevant market area" means any area within a radius 2477
of ten miles from the site of a potential new dealership, except 2478
that for manufactured home or recreational vehicle dealerships 2479
the radius shall be twenty-five miles. The ten-mile radius shall 2480
be measured from the dealer's established place of business that 2481
is used exclusively for the purpose of selling, displaying, 2482
offering for sale, or dealing in motor vehicles. 2483

(DD) "Wholesale" or "at wholesale" means the act or 2484
attempted act of selling, bartering, exchanging, or otherwise 2485
disposing of a motor vehicle to a transferee for the purpose of 2486
resale and not for ultimate consumption by that transferee. 2487

(EE) "Motor vehicle wholesaler" means any person licensed 2488
as a dealer under the laws of another state and engaged in the 2489

business of selling, displaying, or offering for sale used motor 2490
vehicles, at wholesale, but does not mean any motor vehicle 2491
dealer as defined in this section. 2492

(FF) (1) "Remanufacturer" means a person who assembles or 2493
installs passenger seating, walls, a roof elevation, or a body 2494
extension on a conversion van with the motor vehicle chassis 2495
supplied by a manufacturer or distributor, a person who modifies 2496
a truck chassis supplied by a manufacturer or distributor for 2497
use as a public safety or public service vehicle, a person who 2498
modifies a motor vehicle chassis supplied by a manufacturer or 2499
distributor for use as a limousine or hearse, or a person who 2500
modifies an incomplete motor vehicle cab and chassis supplied by 2501
a new motor vehicle dealer or distributor for use as a tow 2502
truck, but does not mean either of the following: 2503

(a) A person who assembles or installs passenger seating, 2504
a roof elevation, or a body extension on a recreational vehicle 2505
as defined in division (Q) and referred to in division (B) of 2506
section 4501.01 of the Revised Code; 2507

(b) A person who assembles or installs special equipment 2508
or accessories for ~~handicapped persons~~ a person with a disability 2509
that limits or impairs the ability to walk, as defined in 2510
section 4503.44 of the Revised Code, upon a motor vehicle 2511
chassis supplied by a manufacturer or distributor. 2512

(2) For the purposes of division (FF) (1) of this section, 2513
"public safety vehicle or public service vehicle" means a fire 2514
truck, ambulance, school bus, street sweeper, garbage packing 2515
truck, or cement mixer, or a mobile self-contained facility 2516
vehicle. 2517

(3) For the purposes of division (FF) (1) of this section, 2518

"limousine" means a motor vehicle, designed only for the purpose 2519
of carrying nine or fewer passengers, that a person modifies by 2520
cutting the original chassis, lengthening the wheelbase by forty 2521
inches or more, and reinforcing the chassis in such a way that 2522
all modifications comply with all applicable federal motor 2523
vehicle safety standards. No person shall qualify as or be 2524
deemed to be a remanufacturer who produces limousines unless the 2525
person has a written agreement with the manufacturer of the 2526
chassis the person utilizes to produce the limousines to 2527
complete properly the remanufacture of the chassis into 2528
limousines. 2529

(4) For the purposes of division (FF)(1) of this section, 2530
"hearse" means a motor vehicle, designed only for the purpose of 2531
transporting a single casket, that is equipped with a 2532
compartment designed specifically to carry a single casket that 2533
a person modifies by cutting the original chassis, lengthening 2534
the wheelbase by ten inches or more, and reinforcing the chassis 2535
in such a way that all modifications comply with all applicable 2536
federal motor vehicle safety standards. No person shall qualify 2537
as or be deemed to be a remanufacturer who produces hearses 2538
unless the person has a written agreement with the manufacturer 2539
of the chassis the person utilizes to produce the hearses to 2540
complete properly the remanufacture of the chassis into hearses. 2541

(5) For the purposes of division (FF)(1) of this section, 2542
"mobile self-contained facility vehicle" means a mobile 2543
classroom vehicle, mobile laboratory vehicle, bookmobile, 2544
bloodmobile, testing laboratory, and mobile display vehicle, 2545
each of which is designed for purposes other than for passenger 2546
transportation and other than the transportation or displacement 2547
of cargo, freight, materials, or merchandise. A vehicle is 2548
remanufactured into a mobile self-contained facility vehicle in 2549

part by the addition of insulation to the body shell, and 2550
installation of all of the following: a generator, electrical 2551
wiring, plumbing, holding tanks, doors, windows, cabinets, 2552
shelving, and heating, ventilating, and air conditioning 2553
systems. 2554

(6) For the purposes of division (FF)(1) of this section, 2555
"tow truck" means both of the following: 2556

(a) An incomplete cab and chassis that are purchased by a 2557
remanufacturer from a new motor vehicle dealer or distributor of 2558
the cab and chassis and on which the remanufacturer then 2559
installs in a permanent manner a wrecker body it purchases from 2560
a manufacturer or distributor of wrecker bodies, installs an 2561
emergency flashing light pylon and emergency lights upon the 2562
mast of the wrecker body or rooftop, and installs such other 2563
related accessories and equipment, including push bumpers, front 2564
grille guards with pads and other custom-ordered items such as 2565
painting, special lettering, and safety striping so as to create 2566
a complete motor vehicle capable of lifting and towing another 2567
motor vehicle. 2568

(b) An incomplete cab and chassis that are purchased by a 2569
remanufacturer from a new motor vehicle dealer or distributor of 2570
the cab and chassis and on which the remanufacturer then 2571
installs in a permanent manner a car carrier body it purchases 2572
from a manufacturer or distributor of car carrier bodies, 2573
installs an emergency flashing light pylon and emergency lights 2574
upon the rooftop, and installs such other related accessories 2575
and equipment, including push bumpers, front grille guards with 2576
pads and other custom-ordered items such as painting, special 2577
lettering, and safety striping. 2578

As used in division (FF)(6)(b) of this section, "car 2579

carrier body" means a mechanical or hydraulic apparatus capable 2580
of lifting and holding a motor vehicle on a flat level surface 2581
so that one or more motor vehicles can be transported, once the 2582
car carrier is permanently installed upon an incomplete cab and 2583
chassis. 2584

(GG) "Operating as a new motor vehicle dealership" means 2585
engaging in activities such as displaying, offering for sale, 2586
and selling new motor vehicles at retail, operating a service 2587
facility to perform repairs and maintenance on motor vehicles, 2588
offering for sale and selling motor vehicle parts at retail, and 2589
conducting all other acts that are usual and customary to the 2590
operation of a new motor vehicle dealership. For the purposes of 2591
this chapter only, possession of either a valid new motor 2592
vehicle dealer franchise agreement or a new motor vehicle 2593
dealers license, or both of these items, is not evidence that a 2594
person is operating as a new motor vehicle dealership. 2595

(HH) "Outdoor power equipment" means garden and small 2596
utility tractors, walk-behind and riding mowers, chainsaws, and 2597
tillers. 2598

(II) "Remote service facility" means premises that are 2599
separate from a licensed new motor vehicle dealer's sales 2600
facility by not more than one mile and that are used by the 2601
dealer to perform repairs, warranty work, recall work, and 2602
maintenance on motor vehicles pursuant to a franchise agreement 2603
entered into with a manufacturer of motor vehicles. A remote 2604
service facility shall be deemed to be part of the franchise 2605
agreement and is subject to all the rights, duties, obligations, 2606
and requirements of Chapter 4517. of the Revised Code that 2607
relate to the performance of motor vehicle repairs, warranty 2608
work, recall work, and maintenance work by new motor vehicle 2609

dealers.	2610
(JJ) "Recreational vehicle" has the same meaning as in	2611
section 4501.01 of the Revised Code.	2612
(KK) "Construction equipment auctioneer" means a person	2613
who holds both a valid auction firm license issued under Chapter	2614
4707. of the Revised Code and a valid construction equipment	2615
auction license issued under this chapter.	2616
(LL) "Large construction or transportation equipment"	2617
means vehicles having a gross vehicle weight rating of more than	2618
ten thousand pounds and includes road rollers, traction engines,	2619
power shovels, power cranes, commercial cars and trucks, or farm	2620
trucks, and other similar vehicles obtained primarily from the	2621
construction, mining, transportation or farming industries.	2622
(MM) "Local market conditions" includes, but is not	2623
limited to:	2624
(1) Demographics in the franchisee's area;	2625
(2) Geographical and market characteristics in the	2626
franchisee's area;	2627
(3) Local economic circumstances;	2628
(4) The proximity of other motor vehicle dealers of the	2629
same line-make;	2630
(5) The proximity of motor vehicle manufacturing	2631
facilities;	2632
(6) The buying patterns of motor vehicle purchasers;	2633
(7) Customer drive time and drive distance.	2634
Sec. 4517.12. (A) The registrar of motor vehicles shall	2635
deny the application of any person for a license as a motor	2636

vehicle dealer, motor vehicle leasing dealer, or motor vehicle 2637
auction owner and refuse to issue the license if the registrar 2638
finds that the applicant: 2639

(1) Has made any false statement of a material fact in the 2640
application; 2641

(2) Has not complied with sections 4517.01 to 4517.45 of 2642
the Revised Code; 2643

(3) Is of bad business reputé or has habitually defaulted 2644
on financial obligations; 2645

(4) Is engaged or will engage in the business of selling 2646
at retail any new motor vehicles without having written 2647
authority from the manufacturer or distributor thereof to sell 2648
new motor vehicles and to perform repairs under the terms of the 2649
manufacturer's or distributor's new motor vehicle warranty, 2650
except as provided in division (C) of this section and except 2651
that a person who assembles or installs special equipment or 2652
accessories for ~~handicapped persons~~ a person with a disability 2653
that limits or impairs the ability to walk, as defined in 2654
section 4503.44 of the Revised Code, upon a motor vehicle 2655
chassis supplied by a manufacturer or distributor shall not be 2656
denied a license pursuant to division (A) (4) of this section; 2657

(5) Has been guilty of a fraudulent act in connection with 2658
selling or otherwise dealing in, or leasing, motor vehicles, or 2659
in connection with brokering manufactured homes; 2660

(6) Has entered into or is about to enter into a contract 2661
or agreement with a manufacturer or distributor of motor 2662
vehicles that is contrary to sections 4517.01 to 4517.45 of the 2663
Revised Code; 2664

(7) Is insolvent; 2665

(8) Is of insufficient responsibility to ensure the prompt 2666
payment of any final judgments that might reasonably be entered 2667
against the applicant because of the transaction of business as 2668
a motor vehicle dealer, motor vehicle leasing dealer, or motor 2669
vehicle auction owner during the period of the license applied 2670
for, or has failed to satisfy any such judgment; 2671

(9) Has no established place of business that, where 2672
applicable, is used or will be used for the purpose of selling, 2673
displaying, offering for sale, dealing in, or leasing motor 2674
vehicles at the location for which application is made; 2675

(10) Has, less than twelve months prior to making 2676
application, been denied a motor vehicle dealer's, motor vehicle 2677
leasing dealer's, or motor vehicle auction owner's license, or 2678
has any such license revoked; 2679

(11) Is a manufacturer, or a parent company, subsidiary, 2680
or affiliated entity of a manufacturer, applying for a license 2681
to sell or lease new or used motor vehicles at retail. Division 2682
(A) (11) of this section shall not serve as a basis for the 2683
termination, revocation, or nonrenewal of a license granted 2684
prior to ~~the effective date of this amendment~~ September 4, 2014. 2685
Nothing in division (A) (11) of this section shall prohibit a 2686
manufacturer from doing either of the following: 2687

(a) Owning, operating, or controlling not more than three 2688
licensed motor vehicle dealerships if, as of January 1, 2014, 2689
the manufacturer was selling or otherwise distributing its motor 2690
vehicles at an established place of business in this state. Such 2691
ownership, operation, or control may continue unless the 2692
manufacturer's motor vehicle operations are sold or acquired or 2693
the manufacturer produces any motor vehicles other than all- 2694
electric motor vehicles. 2695

(b) Disposing of motor vehicles at wholesale at the 2696
termination of a consumer lease through a motor vehicle auction. 2697

(B) If the applicant is a corporation or partnership, the 2698
registrar may refuse to issue a license if any officer, 2699
director, or partner of the applicant has been guilty of any act 2700
or omission that would be cause for refusing or revoking a 2701
license issued to such officer, director, or partner as an 2702
individual. The registrar's finding may be based upon facts 2703
contained in the application or upon any other information the 2704
registrar may have. Immediately upon denying an application for 2705
any of the reasons in this section, the registrar shall enter a 2706
final order together with the registrar's findings and certify 2707
the same to the motor vehicle dealers' and salespersons' 2708
licensing board. 2709

(C) Notwithstanding division (A) (4) of this section, the 2710
registrar shall not deny the application of any person and 2711
refuse to issue a license if the registrar finds that the 2712
applicant is engaged or will engage in the business of selling 2713
at retail any new motor vehicles and demonstrates all of the 2714
following in the form prescribed by the registrar: 2715

(1) That the applicant has posted a bond, surety, or 2716
certificate of deposit with the registrar in an amount not less 2717
than one hundred thousand dollars for the protection and benefit 2718
of the applicant's customers except that a new motor vehicle 2719
dealer who is not exclusively engaged in the business of selling 2720
remanufactured vehicles shall not be required to post the bond, 2721
surety, or certificate of deposit otherwise required by division 2722
(C) (1) of this section; 2723

(2) That, at the time of the sale of the vehicle, each 2724
customer of the applicant will be furnished with a warranty 2725

issued by the remanufacturer for a term of at least one year; 2726

(3) That the applicant provides and maintains at the 2727
applicant's location and place of business a permanent facility 2728
with all of the following: 2729

(a) A showroom with space, under roof, for the display of 2730
at least one new motor vehicle; 2731

(b) A service and parts facility for remanufactured 2732
vehicles; 2733

(c) Full-time service and parts personnel with the proper 2734
training and technical expertise to service the remanufactured 2735
vehicles sold by the applicant. 2736

Section 4. That existing sections 311.30, 505.541, 509.04, 2737
3501.29, 3781.111, 4503.10, 4503.12, 4517.01, and 4517.12 of the 2738
Revised Code are hereby repealed. 2739

Section 5. Section 3501.29 of the Revised Code is 2740
presented in this act as a composite of the section as amended 2741
by both S.B. 10 and S.B. 109 of the 130th General Assembly. The 2742
General Assembly, applying the principle stated in division (B) 2743
of section 1.52 of the Revised Code that amendments are to be 2744
harmonized if reasonably capable of simultaneous operation, 2745
finds that the composite is the resulting version of the section 2746
in effect prior to the effective date of the section as 2747
presented in this act. 2748