
DEPARTMENT OF PUBLIC SAFETY

Driver's licenses and identification cards

Limited term licenses and identification cards

- Renames “nonrenewable/nontransferable” driver’s licenses and state identification (ID) cards, which are issued to temporary residents, as the “limited term license” and “limited term” ID card. (Temporary residents generally are persons who are not U.S. citizens or permanent residents, but have legal presence in the country.)
- Excludes a limited term license as a form of photo identification for purposes of voting.
- Requires the words “limited term” to be on any driver’s license or ID card issued to a temporary resident, along with other characteristics prescribed by the Registrar of Motor Vehicles.
- Clarifies the law regarding the expiration dates for a limited term driver’s license or ID card issued to a temporary resident.
- Authorizes a temporary resident to renew a limited term license or limited term ID card, provided the temporary resident can verify his or her lawful status in the U.S.
- Requires the Registrar to adopt rules governing limited term licenses and ID cards issued to temporary residents.
- Specifies that all REAL ID-compliant driver’s licenses and ID cards must be issued in accordance with the federal requirements.

Return of ID cards

- Removes the requirement that a person surrender or return an original ID card to the Bureau of Motor Vehicles (BMV) if the person:
 - Applies for a driver’s license or commercial driver’s license (CDL) in Ohio or another state;
 - Finds the original lost card, after obtaining a duplicate or reprint card; or
 - Changes his or her name and obtains a replacement ID card.

Color photographs

- Removes the requirement that the Registrar or a deputy registrar photograph an applicant for a driver’s license, CDL, or ID card in color.
- Removes the requirement that a driver’s license, CDL, or ID card display a color photograph of the licensee.

ID card reimbursements

- Authorizes the Registrar to establish a payment schedule that is more frequent than the monthly schedule established under prior law for reimbursing deputy registrars for their services in issuing free ID cards.

- Authorizes the Department of Public Safety (DPS) Director to certify to the OBM Director, on a quarterly basis, both of the following:
 - The amounts paid by DPS to deputy registrars to reimburse them for their services in issuing and renewing free ID cards and temporary ID cards; and
 - The fees not collected by the Registrar for any free ID cards and temporary ID cards issued or renewed by the Registrar.
- Authorizes the OBM Director to transfer up to \$4 million per fiscal year to BMV from the GRF to reimburse the BMV for the free ID cards and temporary ID cards.

Commercial driver's licenses

Online driver's license, ID card, and CDL renewal

- Authorizes the online renewal of CDLs in a similar manner as driver's licenses and ID cards under current law.
- Prohibits the renewal or issuance of any of the following via the online process:
 - A CDL temporary instruction permit;
 - An initial CDL; and
 - A nonrenewable CDL.
- Modifies the eligibility requirement for online renewal of a driver's license to require the applicant's current license to have been issued when the applicant was 21 or older and the applicant to be under age 65, rather than requiring the applicant to be between 21 and 65 as in prior law.
- Extends that eligibility requirement to online renewal of CDLs.
- Modifies the eligibility requirement for the online renewal of an ID card to require the applicant's current ID card to have been issued when the applicant was 21 or older and removes the restriction that the applicant be under 65.
- Authorizes U.S. permanent residents to renew driver's licenses, CDLs, and ID cards online.
- Requires an online CDL applicant to meet the following additional eligibility criteria that do not apply to a driver's license or ID card holder:
 - The applicant must be in compliance with all laws governing CDL issuance, including self-certification and medical certificate requirements; and
 - The applicant must not be under any CDL restriction by any federal regulation.

CDL temporary instruction permit

- Extends the maximum validity period for a commercial driver's license temporary instruction permit (CDLTIP) from six to 12 months.
- Clarifies that a CDLTIP is a prerequisite for the initial issuance of a CDL only when a skills test is required for the CDL.

- Repeals law that allows the Registrar to renew a CDLTIP only once in a two-year period.

CDL skills test third-party examiners

- Regarding third parties authorized to administer the CDL skills tests:
 - Specifies that the third-party examiners must meet the qualification and training standards that apply to the class of vehicle and endorsements for which an applicant taking the skills test is applying;
 - Decreases the number of individuals to whom a CDL skills test examiner must administer a skills test each calendar year from 32 to 10;
 - Requires the third party to schedule all skills test appointments through a system or method provided by the DPS Director, or if the Director does not provide a system or method, to submit the schedule weekly; and
 - Requires the third party to keep a copy of the third-party agreement entered into with the Director at its principal place of business.

CDL waiver for farm-related service industries

- Increases the validity period from 180 to 210 days per calendar year for the restricted CDL issued to a person operating commercial motor vehicles for a farm-related service industry.

Fraudulent acts related to CDL testing

- Prohibits knowingly providing false statements or engaging in any fraudulent act related to a CDL test.
- Specifies that a violation of the prohibition is a third degree misdemeanor.
- Allows the Registrar to cancel a CDL or an application for a CDL as a result of a violation of the prohibition.

CDL disqualifications: human trafficking

- Prohibits a CDL holder from using a commercial motor vehicle in the commission of a felony human trafficking offense, and specifies that a violation of the prohibition is a first degree misdemeanor.
- Establishes a lifetime disqualification from operating a commercial motor vehicle for a person who is convicted of violating the prohibition.

Strict liability declaration

- Clarifies that various prohibitions related to operating a commercial motor vehicle are strict liability offenses.

OVI violation requiring surrender of CDL

- Clarifies that a CDL holder or CDLTIP holder must immediately surrender the holder's CDL or permit to an arresting peace officer if the holder was operating a motor vehicle in violation of the state OVI law's statutory limits for alcohol or a controlled substance.

Specialty license plates

- Renames the "Ohio Oil and Gas Energy Education Program" license plate as the "Ohio Natural Energy Institute" license plate, and requires the \$20 contribution for the plate to go to the Ohio Natural Energy Institute.
- Requires representatives of the Ohio State Moose Association to select the logo and words for the "Loyal Order of the Moose" license plate design, instead of the Ohio Chapter of the Loyal Order of the Moose as in prior law.
- Accordingly, requires the proceeds of the \$20 contribution for the plate to go to the Ohio State Moose Association.
- Increases the contribution for a "Recovery is Beautiful" license plate from \$20 to \$21.

Other BMV services

Deputy registrars

- Allows clerks of court of common pleas to serve as a deputy registrar in any county, rather than only in counties below certain population thresholds.
- Relieves the Registrar from the responsibility to appoint a deputy registrar in a county under certain circumstances (e.g., when the county auditor or clerk of court is unwilling to serve and no other entities have applied).
- In the case of a county in which there is no deputy registrar, allows the Registrar to reestablish a deputy registrar office in certain circumstances (e.g., the willingness of the county auditor, a clerk of court, or deputy registrar in another county to serve).
- As a result of these changes, eliminates (1) the requirement that a deputy registrar live within a one-hour commute from the deputy registrar's office and (2) the prohibition against a deputy registrar operating more than one deputy registrar office at any time.

Permanent removable windshield placard

- Creates a permanent removable windshield placard with no expiration date that authorizes use of accessible parking spaces for a person with a permanent disability that limits or impairs the ability to walk.
- Sets the cost for a permanent placard at \$15 (as opposed to \$5 for a standard or temporary placard), but exempts an armed forces veteran whose disability is service-connected.

- Consolidates and makes conforming changes within the language pertaining to the three types of placards: a standard placard (ten-year renewal); a temporary placard (expires within six months); and the new permanent placard (no expiration).

Titling a motor vehicle from another state

- Regarding an application for a certificate of title for a motor vehicle last registered in another state, clarifies that the Registrar must issue the required physical inspection certificate, rather than DPS.
- Requires the physical inspection to include verification of the vehicle's mileage, in addition to verification of the make, body type, model, and vehicle identification number as under continuing law.

Reinstatement fees for noncompliance (PARTIALLY VETOED)

- Lowers from \$100 to \$40 the reinstatement fee associated with a suspension for failing to have proof of financial responsibility (i.e., auto insurance) for first time offenders.
- Would have lowered that same reinstatement fee from \$300 (second time offenders) and \$600 (third time offenders or more) to \$40 (VETOED).
- Lowers the portion of the reinstatement fee distributed to the Indigent Defense Support Fund to \$10 (regardless of the number of prior offenses).

Traffic and vehicle equipment laws

Distracted driving safety course

- Regarding the opportunity to take a distracted driving safety course in lieu of paying a fine and incurring points for the offense of driving while using an electronic wireless communication device (EWCD), does both of the following:
 - Requires evidence of course completion to be submitted to the court within 90 days of the offense; and
 - Clarifies that successful completion of the course does not result in a dismissal of the charges for the violation, and the violation constitutes a prior offense if the offender is subsequently convicted of an EWCD violation within two years of the initial offense.
- Regarding the opportunity to take a distracted driving safety course in lieu of paying a \$100 fine for distracted driving, requires the course to be completed within 90 days of the underlying offense that resulted in the imposition of the distracted driving fine.

Emergency vehicles using flashing lights

- Allows a vehicle being used on a road or highway for emergency preparedness, response, and recovery activities to use flashing amber or flashing red and white lights if the vehicle is being operated by a person from one of the following:
 - The Ohio Emergency Management Agency;
 - A countywide emergency management agency;

- A regional authority for emergency management; or
- A program for emergency management.

Peer-to-peer car sharing programs

- Removes requirements that a peer-to-peer (P2P) car sharing program collect certain information, retain certain records, and exclude certain vehicles from its platform and those that use the platform.
- Modifies the automobile and general insurance requirements related to P2P car sharing programs.

Motor vehicle sales, dealers, and manufacturers

Motor vehicle sales

- For the Motor Vehicle Sales Law:
 - Expands the meaning of “persons” to include a variety of business entities.
 - Expands the meaning of “business” to include activities conducted through the internet or other computer networks.
 - Expands the meaning of “retail sale” to include sales that occur through the internet or other computer networks.
 - Modifies the meaning of “motor vehicle leasing dealer” to include a financial institution acting as a lessor and to exclude a new motor vehicle dealer that is not the lessor.
 - Defines “established place of business” to mean a permanent building or structure that meets certain conditions, potentially barring individuals whose business does not meet those conditions from licensure.

Manufacturer, dealer, and distributor vehicle registration

- Requires the Registrar to issue a license plate, rather than a placard, to vehicle manufacturers, dealers, distributors, and other similar professionals that require a temporary identification for vehicles in their possession.
- Requires the Registrar to issue corresponding and matching additional certificates of registration and license plates, rather than certified copies of the original certificate and placards, for any additional license plates requested.

Motor Vehicle Dealers Board

- Authorizes the Motor Vehicle Dealers Board to conduct meetings or hearings via teleconference or video conference.

Corrective changes

- Corrects references in law to an annual renewal for specified licenses that are currently biennial.

State Board of Emergency Medical, Fire, and Transportation Services

- Eliminates a requirement that each organization nominating persons to the State Board of Emergency Medical, Fire, and Transportation Services put forth three nominees and, instead, allows each organization to nominate any number of persons.
- Does both of the following regarding the Board member who is certified to teach emergency medical services training and who holds a certificate to practice as an EMT, AEMT, or paramedic:
 - Eliminates the requirement that the Governor appoint the member from among three persons nominated by the Ohio Emergency Medical Technician Instructors Association and the Ohio Instructor/Coordinators' Society; and
 - Instead, requires the member to be appointed from among EMTs, AEMTs, and paramedics nominated by the Ohio Association of Professional Firefighters and EMTs, AEMTs, and paramedics nominated by the Northern Ohio Fire Fighters.
- Specifies that if any nominating organization ceases to exist or fails to make a nomination within 60 days of a vacancy, the Governor may appoint any person who meets the designated professional qualifications for that member.
- Extends the potential time a member of the Board may continue in office if a successor does not take office from 60 days to three years.
- Eliminates a requirement that each organization nominating persons to the Trauma Committee of the State Board put forth three nominees and, instead, allows each organization to nominate any number of persons.
- Specifies that if any nominating organization ceases to exist or fails to make a nomination of a member within 60 days of a vacancy, the DPS Director may appoint any person who meets the designated professional qualifications for that member.
- Eliminates a restriction preventing the Director from appointing more than one member to the Committee who is employed by or practices in the same health system.
- Further modifies that restriction to allow the Director to appoint persons who practice at the same hospital or with the same emergency medical service (EMS) organization, provided they do not primarily practice at the same hospital or with the same EMS organization.

Emergency vehicle permits and ambulance inspections

- Requires the Board of Emergency Medical, Fire, and Transportation Services to issue or deny a permit application for an emergency medical vehicle or aircraft within 45 days of receiving the application.
- Specifies that the Board must deny an application in accordance with the Administrative Procedure Act.

- Adds the national standards for ambulance construction approved by the American National Standards Institute and the standards for ambulance construction approved by the Commission on Accreditation of Ambulance Services as standards by which the Board may determine the sufficiency of an ambulance's interior components.

Assistant EMS and firefighter instructors

- Authorizes any person issued an EMS Assistant Instructor Certificate or Assistant Fire Instructor Certificate prior to April 6, 2023, to continue to hold and renew those certifications until the person allows them to expire or lapse.
- Requires the State Board of Emergency Medical, Fire, and Transportation Services to no longer issue new certifications in order to work as an assistant EMS or assistant fire instructor.

Ohio Narcotics Intelligence Center

- Codifies the Ohio Narcotics Intelligence Center in DPS, which was originally created by a Governor's Executive Order.
- Requires the Center to perform specified duties, including coordinating law enforcement response to illegal drug activities for state agencies and acting as a liaison between state agencies and local entities to communicate counter-drug policy initiatives.
- Requires the DPS Director to appoint an executive director of the Center, who serves at the Director's discretion.
- Requires the executive director to advise the Governor and the Director on matters pertaining to illegal drug activities.

Security Grants Program

- Expands the eligible purposes of grants issued under the Security Grants Program managed by the Emergency Management Agency (EMA).
- Authorizes a nonprofit organization that serves a broad community or geographic area to apply for a security grant to provide antiterrorism services throughout its region, including armed security personnel.
- Authorizes multiple nonprofit organizations that are located at the same address to apply for separate security grants, provided the organizations can explain how they will each use the funding to address a different vulnerability.
- Requires the EMA to post information regarding the security grants and applicants on its website.

Driver's licenses and identification cards

Limited term licenses and identification cards

(R.C. 3501.01, 4507.01, 4507.061, 4507.09, 4507.13, 4507.50, 4507.501, and 4507.52)

The act makes changes to Ohio law that governs driver's licenses and state identification (ID) cards issued to temporary residents. Temporary residents generally are persons who are not U.S. citizens or permanent residents under U.S. immigration laws, but do have legal presence in the country.¹²⁵ The purpose of the changes is to ensure that those licenses and ID cards issued to temporary residents conform to the federal REAL ID Act. Under that Act, driver's licenses and ID cards issued to temporary residents are described as "limited term," with required expiration date standards. A temporary resident may renew a limited term license upon verification of the applicant's continued legal status in the U.S. Regarding their expiration dates, federal law requires a REAL ID-compliant license or ID issued to a temporary resident to expire as follows:

- If the license or ID is issued to a temporary resident who has a definite expiration date for the resident's authorized stay in the U.S., the license or ID must expire on that date or four years from the date of issuance, whichever is earlier.
- If the license or ID is issued to a temporary resident who does not have a definite expiration date for the resident's authorized stay in the U.S., the license or ID must expire one year from the date of issuance.¹²⁶

In order to conform Ohio's law to the federal REAL ID Act, the act does all of the following:

1. Renames the "nonrenewable/nontransferable" driver's license and ID card a "limited term license," "limited term identification card," and "limited term temporary identification card." (As a conforming change, the act excludes the use of a limited term license as a form of photo identification for voting.)

2. Requires the limited term licenses and ID cards to have the words "limited term" printed on them, along with any other characteristics prescribed by the Registrar.

3. Authorizes the limited term licensee or cardholder to renew the license or ID card within 90 days of expiration, provided the licensee or cardholder can verify his or her continued lawful status/legal presence in the U.S.

4. Aligns the required expiration dates more clearly with the required expiration dates in the federal REAL ID Act, and requires the Registrar to adopt rules regarding the issuance of the limited term licenses and ID cards and their expiration dates. (In doing so, the act also adjusts the law concerning expiration dates for licenses and ID cards generally.)

5. Requires, in general, all driver's licenses and ID cards issued in accordance with the federal REAL ID Act to comply with the corresponding federal regulations.

¹²⁵ O.A.C. 4501:1-1-21 and 4501:1-1-35.

¹²⁶ "Real ID Act," 49 U.S.C. 30301, *et seq.*, 6 C.F.R. Part 37.

Return of ID cards

(R.C. 4507.52)

The act removes the requirement that an ID cardholder surrender or return his or her original ID card to the BMV if any of the following occur:

1. The cardholder applies for a driver's license or CDL in Ohio or in another state;
2. The cardholder lost the original ID card, but then finds it after obtaining a duplicate or a reprint ID card; or
3. The cardholder changes his or her name and obtains a replacement ID card to reflect the new name.

As a conforming change, the act also removes the requirement that the Registrar cancel any card surrendered to the BMV for any of the above reasons.

Color photographs

(R.C. 4506.11, 4507.01, 4507.06, 4507.18, 4507.51, and 4507.52)

The act removes the requirement that the Registrar or a deputy registrar photograph an applicant for a CDL, driver's license, or ID card in color. Similarly, it removes the requirement that CDLs, driver's licenses, and ID cards display a color photograph of the cardholder. While the REAL ID Act requires those licenses and ID cards to display a photograph of the licensee or cardholder, it does not require that photograph to be in color.

ID card reimbursements

(R.C. 4507.49; Section 373.30)

The act allows the Registrar to establish a payment schedule that is more frequent than the monthly schedule established under prior law for reimbursing deputy registrars for their services in issuing free ID cards. Under continuing law, ID cards are free for anyone 17 and older on initial issuance, renewal, and replacement (for a name change). Before the law was changed to provide for free ID cards, a deputy registrar received from an applicant \$6.50 for each four-year ID card issued or renewed, \$13 for each eight-year ID card issued or renewed, and \$5 for each replacement ID card. Currently, rather than the applicant paying the deputy registrar, the Registrar must reimburse a deputy registrar in those amounts for each applicant.

In order to be reimbursed for the service of issuing free ID cards, each deputy registrar must submit a verification form specifying the number of free cards issued or renewed during the course of the specified period. The act allows the Registrar to retain the monthly reimbursement schedule or establish a more frequent schedule, as determined by the Registrar.

The act also authorizes the DPS Director to certify to the OBM Director, on a quarterly basis, both of the following:

1. The amounts paid by DPS to deputy registrars to reimburse them for their services in issuing and renewing free ID cards or temporary ID cards that past quarter; and

2. The fees not otherwise collected by the Registrar for any free ID cards and temporary ID cards issued or renewed by the Registrar that past quarter.

Furthermore, it authorizes the OBM Director to transfer up to \$4 million per fiscal year to the BMV's primary fund (Public Safety – Highway Purposes Fund) from the GRF. The money reimburses the BMV for its expenses related to the free ID cards. The General Assembly authorized the issuance of free ID cards in H.B. 458 of the 134th General Assembly, effective April 7, 2023, in association with requiring photo identification for voting.¹²⁷

Commercial driver's licenses

Online driver's license, ID card, and CDL renewal

(R.C. 4507.061)

The act provides for the online renewal of CDLs in a similar manner as driver's licenses and ID cards. In so doing, it prohibits online renewal or issuance of any of the following:

1. A CDL temporary instruction permit;
2. An initial CDL; and
3. A nonrenewable CDL.

Eligibility criteria

The act modifies two existing eligibility requirements for online renewal. First, when a person is renewing a driver's license or ID card (or, under the act, a CDL) online, the applicant's current license or ID card must have been issued when the applicant was age 21 or older. Further, for a driver's license (or CDL) the applicant must be under age 65 at the time of application. The act removes the upper age restriction for an applicant renewing an ID card online. Under prior law, the applicant had to be between 21 and 65, and the age at which the applicant's current license was issued was not relevant. Second, the act authorizes U.S. permanent residents who reside in Ohio to renew driver's licenses, CDLs, and ID cards online. Previously only U.S. citizens who reside in Ohio were eligible for online renewal.

The act also establishes two new eligibility criteria that apply only to the online renewal of a CDL. Namely, a CDL holder must:

1. Be in compliance with all laws governing CDL issuance, including self-certification and medical certificate requirements; and
2. Not be under any CDL restriction specified by federal regulations.

¹²⁷ For additional information regarding free ID cards, see the [LSC Final Analysis for H.B. 458 of the 134th General Assembly \(PDF\)](#), which is available on the General Assembly's website: legislature.ohio.gov.

CDL temporary instruction permit

(R.C. 4506.06)

The act specifies that a commercial driver's license temporary instruction permit (CDLTIP) is a prerequisite to obtaining a CDL only when the CDL requires the passage of a skills test in order to receive it. Under prior law, a CDLTIP was a prerequisite to obtaining any CDL. The act also extends the maximum validity period for a CDLTIP from six months to 12 months. Finally, it repeals a law that allowed the Registrar to renew a CDLTIP only once in a two-year period. These changes align Ohio law with the Federal Motor Carrier Safety Administration rules.

CDL skills test third-party examiners

(R.C. 4506.09)

Under continuing law and as authorized by federal law, the DPS Director may contract with third parties to administer the skills test given to applicants for a CDL or a specific endorsement on the CDL. Recent updates to federal regulations pertaining to the CDL skills tests, examining locations, and the examiners necessitate corresponding changes to Ohio's laws.

By law, third party examiners must meet the same qualification and training standards as the DPS examiners and pass a criminal background check. The act clarifies that as part of meeting the DPS standards, third party examiners must meet the standards for the class of vehicle and the endorsements for which an applicant taking the skills test is applying. For example, an examiner giving the skills test to an applicant for the S-endorsement (school bus) must personally meet the standards for that S-endorsement. The act also reduces the number of individuals to whom a CDL skills test examiner must administer a skills test from 32 to ten individuals per calendar year.

The act requires the contracted third party to schedule all skills test appointments through a system or method provided by the DPS Director. If the Director does not provide a system or method, the third party must submit a schedule of the skills test appointments to the Director weekly. The Director may request that any additions to the schedule, made after the weekly submission, be submitted at least two business days prior to the additional appointment. Under prior law, the third parties must submit a schedule of skills test appointments to the Director at least two business days prior to each skills test.

Finally, the act requires the third parties to keep a copy of their third-party agreement with the Director at their principal place of business. Continuing law requires third parties to maintain a variety of records at their business, including their CDL skills testing program certificate, their examiners' certificates of authorization to administer skills tests, completed skills test scoring sheets, a list of test routes, and a complete and accurate copy of their examiners' training records.

CDL waiver for farm-related service industries

(R.C. 4506.24)

The act increases the validity period from 180 to 210 days per calendar year for a restricted CDL issued to a person operating commercial motor vehicles for a farm-related service

industry. This change is in accordance with the federal authorization under 49 C.F.R. 383.3. This restricted CDL is a seasonal license available to authorized drivers working for farm retail outlets and suppliers, agri-chemical businesses, custom harvesters, and livestock feeders. Authorized drivers are able to obtain the restricted CDL without completing the typically required written or skills tests.

Fraudulent acts related to CDL testing

(R.C. 4506.04 and 4506.10)

The act prohibits a person from knowingly providing false statements or engaging in any fraudulent acts related to CDL testing. A violation of the prohibition is a third degree misdemeanor. The Registrar also must cancel the offender's driver's license, CDL, CDLTIP, or any pending application for a license or permit. Continuing law includes a parallel provision that prohibits providing false information in any application for a CDL.

CDL disqualifications: human trafficking

(R.C. 4506.15 and 4506.16)

The act prohibits a CDL holder from using a commercial motor vehicle in the commission of a felony human trafficking offense. A violation is a first degree misdemeanor, which is in addition to any penalties imposed for the underlying conduct. Further, the act establishes a lifetime disqualification from operating a commercial motor vehicle for a person who is convicted of violating the prohibition.

Strict liability declaration

The act also clarifies that various offenses related to CDL holders are strict liability offenses, including the new offense specified above.

Motor vehicle OVI violation requiring surrender of CDL

(R.C. 4506.17)

The act clarifies that a CDL holder or CDLTIP holder must immediately surrender the holder's CDL or permit to an arresting peace officer if the holder was operating a motor vehicle in violation of the state OVI law's (operating a vehicle while intoxicated) statutory limits for alcohol or a controlled substance. While continuing law requires the surrender when a holder exceeds the statutory limits for alcohol or a controlled substance under the CDL law, prior law did not specifically require the surrender when the violation involved the general state OVI law.

Specialty license plates

Ohio Natural Energy Institute license plate

(R.C. 4501.21 and 4503.584)

The act renames the existing "Ohio Oil and Gas Energy Education Program" license plate as the "Ohio Natural Energy Institute" license plate. Under prior law, the \$20 contribution for that plate was directed to that program and was used to fund scholarships for students pursuing careers in the oil and natural gas industry through the program. The act requires the contribution

to instead go to the Ohio Natural Energy Institute, but retains the requirement that it be used for that same type of scholarship.

Loyal Order of the Moose license plate

(R.C. 4501.21 and 4503.703)

The act requires representatives of the Ohio State Moose Association to select the logo and words for the existing “Loyal Order of the Moose” license plate design instead of the Ohio Chapter of the Loyal Order of the Moose as under prior law. Additionally, it requires the contribution of \$20 to be paid to the Ohio State Moose Association instead of the Ohio Chapter.

Recovery is Beautiful license plate

(R.C. 4503.519)

The act increases the contribution for a “Recovery is Beautiful” license plate from \$20 to \$21. The proceeds of the contributions must be distributed equally (i.e., now \$7/organization), as provided in continuing law, to the following organizations:

- NAMI Ohio (National Alliance on Mental Illness of Ohio);
- Ohio Peer Recovery Organizations; and
- OCAAR (Ohio Citizen Advocates for Addiction Recovery).

Other BMV services

Deputy registrars

(R.C. 4503.03)

The act alters the circumstances in which a county auditor or clerk of a court of common pleas may serve as a deputy registrar in a county. Under prior law, the Registrar could designate a county auditor and, if the county population was 40,000 or less, the Registrar did not have to designate any other person to serve as a deputy registrar. Additionally, the Registrar could designate a clerk of a court of common pleas, but only if the county population was 40,000 or less (if the county population exceeded 40,000, but was less than 50,000, the clerk was eligible to act as a deputy registrar, but had to participate in the competitive selection process).

The act eliminates these population restrictions. Thus, the Registrar may designate a clerk of court to serve as a deputy registrar in any county. Further, in counties of 40,000 or less where a county auditor has been designated to serve as a deputy registrar, there is no limitation on designating an additional deputy registrar in that county. The act also retains the authority of the Registrar to designate an individual or nonprofit corporation as a deputy registrar pursuant to a competitive selection process.

The act then relieves the Registrar from the requirement to appoint a deputy registrar in each county if the following apply:

1. No qualified individual or nonprofit corporation applies to be a deputy registrar via a competitive selection process or otherwise;

2. The clerk of court and county auditor do not agree to be designated as a deputy registrar; and

3. No deputy registrar in another county agrees to be designated for that county.

If the Registrar does not appoint a deputy registrar for a county, the Registrar may subsequently reestablish a deputy registrar for that county under the following circumstances:

1. The county auditor or clerk of court requests to be designated as a deputy registrar;

2. A deputy registrar operating an existing deputy registrar agency in another county requests to be designated as the deputy registrar for the county in question; or

3. A qualified individual or nonprofit corporation requests to be designated as a deputy registrar for that county. If more than one qualified individual or nonprofit corporation makes the request, the Registrar may make the designation via a competitive selection process.

As a result of these changes, the act eliminates the requirement that a deputy registrar live within a one-hour commute from the deputy registrar's office. It also eliminates the prohibition against a deputy registrar operating more than one deputy registrar office at any time, thus allowing a person to operate multiple deputy registrar offices.

Permanent removable windshield placard

(R.C. 4503.038, 4503.44, 4511.69, 4731.481, and 4734.161)

The act creates a permanent removable windshield placard with no expiration date that authorizes the use of accessible parking spaces for a person with a permanent disability that limits or impairs the ability to walk. The Registrar determines the form, size, material, and color of the permanent placard, but it must display the word "permanent" on it. The BMV already issues two other types of removable windshield placards: a standard placard that expires ten years after the date of issuance and a temporary placard that expires within six months. The temporary placard is issued to a person whose disability is expected to last for less than six months (e.g., a broken leg). Those with a permanent disability, under prior law, had to continually renew the standard placard.

To obtain a permanent placard, an applicant must submit a completed application to the BMV that includes a prescription from an authorized health care provider stating that the applicant's disability is expected to be permanent. The cost of a permanent placard is \$15, compared to \$5 for the temporary or standard placard. Similar to the temporary and standard placard, that fee is waived for an armed forces veteran whose disability is service-connected.

If a person who was issued a permanent placard no longer requires it, the person must notify and surrender the placard to BMV within ten days of no longer requiring the placard. That person may still apply for a temporary or standard placard, if applicable.

The act consolidates and makes conforming changes within the statutory language pertaining to the three different types of removable windshield placards. However, it makes no substantive changes concerning the issuance, cost, or display of the temporary placard or standard placard.

Titling a motor vehicle from another state

(R.C. 4505.061)

Under continuing law, when a person applies for a certificate of title for a motor vehicle that was last registered in another state, a physical inspection of the motor vehicle is required. The inspection may be conducted at various locations specified in the law. A physical inspection includes a verification of the make, body type, model, and vehicle identification number of the motor vehicle. The act requires the inspection to also verify the mileage of the vehicle. It also clarifies that the Registrar must issue the required physical inspection certificate, rather than DPS as in prior law.

Reinstatement fees for noncompliance (PARTIALLY VETOED)

(R.C. 4509.101)

The Governor partially vetoed provisions that would have lowered to \$40 all of the reinstatement fees associated with a driver's license suspension for failing to have proof of financial responsibility (i.e., auto insurance). Under prior law, the reinstatement fee for noncompliance was \$100 for a first offense. The act lowers that fee to \$40. However, with respect to subsequent offenses, the Governor vetoed provisions that would have lowered to \$40 the reinstatement fee of \$300 for a second offense within five years and \$600 for a third or subsequent offense within five years.

The act also lowers the portion of the fee that is distributed to the Indigent Defense Support Fund to \$10 (regardless of the number of prior offenses), rather than the prior law distribution of \$25 for a first offense, \$50 for a second offense within five years, and \$100 for a third or subsequent offense within five years. The remaining portion of the fee is distributed to the Public Safety – Highway Purposes Fund.

Under continuing law, after the term of the driver's license suspension, the offender must pay a reinstatement fee in order to reinstate his or her driver's license. The fee compensates BMV for suspensions, cancellations, or disqualifications of a person's driving privileges and the administration of programs intended to reduce and eliminate threats to public safety through education, treatment, and other activities.

Traffic and vehicle equipment laws

Distracted driving safety course

(R.C. 4511.204 and 4511.991)

Driving while using an electronic wireless communication device

Under continuing law, a person is prohibited from using an electronic wireless communication device (EWCD) when driving a motor vehicle. For a first offense within a two-year period, an offender who violates this prohibition is subject to a fine of up to \$150 and a two point assessment on the offender's driver's license. However, if the offender completes a distracted driving safety course, the person is not required to pay the fine and points are not assessed against the person's license. The offender is required to submit written evidence to the court of course completion.

The act requires the offender to submit the evidence of course completion to the court within 90 days of the violation in order to qualify for the exemption from fine payment and point assessment. Further, it clarifies that successful completion of the course does not result in a dismissal of the charges for the violation, and the violation constitutes a prior offense if the offender is subsequently convicted of an EWCD violation within two years of the initial offense.

Driving distracted

The act makes similar changes to the law governing distracted driving. Under continuing law, an offender who commits a moving violation while distracted may be charged with distracted driving if the distracting activity was a “contributing factor” to the commission of the underlying moving violation. Generally, distracted includes any activity that is not necessary to operate a motor vehicle and that impairs the ability of the driver to drive the motor vehicle safely. Distracted also specifically includes illegally using an EWCD while driving. The penalty for driving while distracted is up to a \$100 fine in addition to any penalties for the underlying moving violation.

Continuing law allows a distracted driving offender to take a distracted driving safety course in lieu of paying the \$100 fine. As with an EWCD violation, the offender must submit written evidence of the successful completion of the course to the court in order for the fine exemption to apply. The act requires the evidence to be submitted within 90 days of the underlying violation that led to the distracted driving charge.

Emergency vehicles using flashing lights

(R.C. 4513.17)

The act allows a vehicle being used on a road or highway for emergency preparedness, response, and recovery activities to use flashing amber or flashing red and white lights, if a person from one of the following is operating the vehicle:

1. The Ohio Emergency Management Agency;
2. A countywide emergency management agency;
3. A regional authority for emergency management; or
4. A program for emergency management.

Generally, flashing lights are prohibited on motor vehicles, except as a means for indicating a right or a left turn, or in the presence of a vehicular traffic hazard requiring unusual care in approaching, or overtaking or passing. Continuing law provides for other exceptions to this prohibition, including certain flashing lights on all of the following: emergency vehicles, road service vehicles servicing or towing a disabled vehicle, stationary waste collection vehicles actively collecting garbage, rural mail delivery vehicles, highway maintenance vehicles, farm machinery and vehicles escorting farm machinery, and a funeral hearse or funeral escort vehicle.

Peer-to-peer car sharing programs

(R.C. 4516.01, 4516.02, 4516.05, 4516.06, 4516.08, 4516.09, and 4516.10)

The act makes numerous changes related to a peer-to-peer (P2P) car sharing program's responsibilities and insurance requirements. In general, under continuing law, a program must collect specified information from the shared vehicle owners and shared vehicle drivers both before entering into a P2P car sharing program agreement and as ongoing information for shared vehicles that are part of the platform. The act removes information collection requirements for the following:

- The name and address of any alternative drivers (but still requires an alternative driver to submit their driver's license information);
- Information regarding whether the shared vehicle owner or shared vehicle drivers have a motor vehicle liability policy or other proof of financial responsibility;
- Information about any outstanding safety recalls on the shared vehicle; and
- Verification that the shared vehicle is properly registered in either Ohio or another state.

Additionally, the act removes law that prohibited a P2P car sharing program from allowing a P2P car sharing agreement through its platform if it knew that (1) the person driving the shared vehicle was not a party to the agreement or did not have a valid driver's license, or (2) that the shared vehicle was not properly registered. The act also removes requirements that the program collect, verify, and maintain records pertaining to the dates, times, and duration of time that a shared vehicle driver possesses a shared vehicle through the program.

Similarly, the act removes requirements that the program establish commercially reasonable procedures to determine safety recalls that apply to the shared vehicles on its platform after initial registration with the platform. However, it retains the requirements that the program verify that there are no outstanding safety recalls on initial registration and that shared vehicle owners alert the program to safety recalls after registration. The act specifies that P2P car sharing is subject to the laws governing consumer sales practices, but it removes references and specifications regarding the roles of each party (the program, the shared vehicle owner, and the shared vehicle driver) within those laws.

Related to the P2P car sharing agreement between the parties, the act clarifies that if the parties agree to an alternative location for return of the vehicle, that new location must be incorporated into the agreement in order to trigger the car sharing termination time.

Insurance requirements

The act expands on the law's general statement that an insurer may limit, restrict, or exclude coverage of a shared vehicle within its insurance policies. It specifies that an insurer may exclude or limit coverage for bodily injury and property damage, uninsured or underinsured motorist coverage, medical payments coverage, comprehensive physical damage coverage, collision physical damage coverage, and loss of earnings coverage. Insurance companies are free to either include, exclude, or otherwise limit coverage of a shared vehicle as they determine appropriate within the policies they establish with their customers.

Given that some insurance companies may not provide shared vehicle coverage to their customers, the act requires a P2P car sharing program to have either a policy of insurance or a self-insurance mechanism to cover its liabilities and obligations, which include providing coverage when the shared vehicle owner or shared vehicle driver cannot. Policies (and other forms of proof of financial responsibility) must still provide the minimum coverage required by Ohio law and recognize the motor vehicle as a shared vehicle. The act adds that the policies must also not expressly exclude the use of the insured vehicle as a shared vehicle by a shared vehicle driver and that the program must cover the difference in minimum coverage if the shared vehicle is operated in a state that has higher minimum coverage requirements.

The act retains law specifying that the shared vehicle owner, shared vehicle driver, or P2P car sharing program may provide the necessary insurance over the shared vehicle and the use of that vehicle through the program. However, it designates the person providing the insurance as the “primary insurance.” The primary insurance must assume primary liability for the claim if:

- There is a dispute over who was operating the shared vehicle at the time of the loss (and the program does not have any records to note the operator at the time); or
- There is a dispute as to whether the shared vehicle was returned to the correct location.

Additionally, the act removes the requirement that the P2P car sharing program examine the insurance policy of the shared vehicle owner or shared vehicle driver (to determine if car sharing coverage is excluded) if the owner or driver refuses coverage provided by the program. The removal does not relieve the program of the requirement to provide insurance if the shared vehicle owner or shared vehicle driver’s insurance does not provide the required coverage and to ensure that the shared vehicle is insured during the car sharing period.

Motor vehicle sales, dealers, and manufacturers

Motor vehicle sales

(R.C. 4517.01)

The act expands the meaning of “person” under the Motor Vehicle Sales Law to expressly include a variety of business entities, such as a sole proprietorship, a limited liability company, a limited liability partnership, and a business trust. Thus, it clarifies that these legally recognized business entities are subject to the requirements, prohibitions, and penalties of that law. The definition already included a variety of business entities; however, those listed above were not expressly included in that list.

The act also expands the meaning of “business” and “retail sale” within the Motor Vehicle Sales Law to encompass activities that are conducted and sales that occur through the internet or other computer networks. In recent years, numerous motor vehicle dealers, both established dealers and newer start-ups, have attempted to make the car buying process simpler by offering online buying options. The act ensures that businesses selling motor vehicles online are still subject to BMV regulations pertaining to motor vehicle sales by expanding those definitions.

Likewise, the act modifies the meaning of “motor vehicle leasing dealer,” affecting which entities must meet the statutory requirements for leasing dealers. The modification consists of both of the following:

1. It includes a financial institution acting as the lessor for a lease or a sublease; and
2. It excludes a new motor vehicle dealer that is not acting as the lessor and is only assisting in arranging a lease on the lessor’s behalf.

Additionally, the act creates a definitive meaning of “established place of business,” which was previously regulated, but undefined, under the law. Specifically, an established place of business is a permanent, enclosed building or structure that meets the following conditions:

1. It is owned, leased, or rented by the motor vehicle dealer;
2. It meets local zoning or municipal requirements;
3. At least one person regularly occupies it;
4. It is easily accessible to the public;
5. The records and files necessary to conduct the business are generally kept and maintained at the location or are readily accessible and available for reasonable inspection from that location (e.g., electronic files); and
6. It is not a residence, tent, temporary stand, storage shed, lot, or any temporary quarters, unless otherwise authorized by the Registrar.

Under continuing law, motor vehicle dealers (new, used, and leasing), motor vehicle auction owners, and distributors are required to have an established place of business to sell, display, offer for sale, deal in, or lease motor vehicles.¹²⁸ Thus, the specified conditions for an established place of business could potentially prevent those that do not meet those conditions from licensure under the Motor Vehicle Sales Law.

Manufacturer, dealer, and distributor vehicle registration

(R.C. 4503.27, 4503.271, 4503.28, 4503.30, 4503.301, 4503.31, 4503.311, 4503.312, 4503.32, 4503.33, and 4503.34)

The act requires the Registrar to issue a license plate, rather than a placard as under prior law, to vehicle manufacturers, dealers, distributors, and other similar professionals that require a temporary identification for the vehicles that are in their possession. Under continuing law, the Registrar and BMV license and regulate motor vehicle manufacturers, dealers, and distributors. As part of that licensing, the Registrar assigns those entities a distinctive number. The Registrar, historically, issued the entity a placard displaying that distinctive number. The entity could then use the placard on its various vehicles when each of the vehicles was operated on the public streets and highways (e.g., during a test drive by a customer). According to the BMV, current practice is to issue a license plate, rather than a placard, for the entities to use on the vehicles.

¹²⁸ R.C. 4517.03, 4517.12, and 4517.13, not in the act.

In addition to the original license plate, a manufacturer, dealer, or distributor may request additional license plates with the same distinctive number. Having additional copies allows the entity to have multiple vehicles driven at the same time. The entity pays an annual \$5 fee for each additional license plate. Historically, the Registrar issued certified copies of the original certificate of registration for each of the additional placards. However, the Registrar currently issues an additional registration certificate with the same numbering as the original. The act updates the registration laws related to motor vehicle manufacturers, dealers, and distributors to reflect these current practices.

Along with motor vehicle manufacturers, dealers, and distributors, other similar professionals use the temporary identification placards/license plates. The act applies the same changes specified above related to license plates and additional certificates of registration to those professionals. Those professionals include:

- Manufacturers, dealers, and distributors of commercial cars, commercial tractors, trailers, or semitrailers;
- Those engaged in testing motor vehicles or motorized bicycles;
- Those who collect motor vehicles as the collateral of a secured transaction;
- Those transporting or holding motor vehicles for an insurance company for salvage disposition;
- Those engaged in salvage operations or scrap metal processing;
- Those testing motor vehicles as part of an Ohio nonprofit corporation;
- Those engaged in rustproofing, reconditioning, or installing equipment or trim on motor vehicles;
- Those engaged in manufacturing articles for attachment to motor vehicles;
- Towers (for the motor vehicle being towed to a point of storage);
- Those using trailers who are engaged in the business of selling tangible personal property other than motor vehicles;
- Manufacturers and dealers in watercraft trailers;
- Manufacturers, distributors, and retail sellers of utility trailers or trailers used for motorcycles, snowmobiles, or all-purpose vehicles; and
- A drive-away operator or trailer transporter (a person that transports new or used motor vehicles).

Motor Vehicle Dealers Board

(R.C. 4517.32 and 4517.35)

Under the Open Meetings Law, public bodies must take official action and conduct all deliberations in open meetings, unless specifically excepted by law, and a member of a public body must be present in person at a meeting open to the public to be considered present.¹²⁹

The act establishes an exemption to that law by authorizing the Motor Vehicle Dealers Board to conduct virtual meetings and hearings by means of teleconference, video conference, or any other similar electronic technology. It applies all of the following to those meetings:

1. Any decision, resolution, rule, or formal action of any kind has the same effect as if it occurred during an open meeting or hearing in which members are present in person.

2. Board members who attend meetings or hearings by means of teleconference, video conference, or any other similar electronic technology, are considered present as if in person, are permitted to vote, and are counted for purposes of determining whether a quorum is present.

3. The Board must provide notification of meetings and hearings to the public, to the media that have requested notification of a meeting, and to the parties required to be notified of a hearing. It must provide the notice at least 24 hours in advance of the meeting or hearing by reasonable methods by which any person may determine the time, location, and the manner by which the meeting or hearing will be conducted, except for an emergency requiring immediate official action. For an emergency, the Board must immediately notify the applicable persons of the time, place, and purpose of the meeting or hearing.

4. The Board must provide the public access to a meeting held under this provision, and to any hearing held under this provision that the public would otherwise be entitled to attend, commensurate with the method in which the meeting or hearing is being conducted. Methods that may be used include livestreaming by means of the internet, local radio, television, cable, public access channels, call in information for a teleconference, or by means of any other similar electronic technology. The Board must ensure that the public can observe, when applicable, and hear the discussions and deliberations of all Board members, whether the member is participating in person or electronically.

5. Individuals subject to Board business, including licensees, representatives, witnesses, or subject matter experts must attend the meeting in person.

The act also specifies that when Board members conduct a hearing by means of teleconference, video conference, or any other similar electronic technology, it must establish a means that is widely available to the general public, to converse with witnesses and to receive documentary testimony and physical evidence.

Also, the act clarifies that meetings held under this provision do not exempt the Board from other requirements of Open Meetings Law that do not conflict with it.

¹²⁹ R.C. 121.22, not in the act.

Corrective changes

(R.C. 4517.05, 4517.06, 4517.07, and 4517.08)

The act makes corrective changes to several references to an “annual renewal” for the used motor vehicle license, the motor vehicle leasing dealer’s license, the motor vehicle auction owner’s license, and the distributor’s license. In practice, and in a separate reference for all of the licenses, they renew biennially.¹³⁰

State Board of Emergency Medical, Fire, and Transportation Services

(R.C. 4765.02)

The act eliminates a requirement that each organization required to nominate persons to the State Board of Emergency Medical, Fire, and Transportation Services put forth three nominees. Instead, it allows each organization to nominate any number of persons. Under continuing law, the Governor must then appoint a Board member from those nominees.

For example, one member of the Board must be a physician certified by the American Board of Emergency Medicine or the American Osteopathic Board of Emergency Medicine who is active in the practice of emergency medicine and is actively involved with an emergency medical service (EMS) organization. Prior law required the Ohio Chapter of the American College of Emergency Physicians and the Ohio Osteopathic Association each to nominate three persons for this position. Under the act, each organization may nominate any number of persons for the position. The Governor must then appoint the physician Board member from those nominees.

In addition, the act does both of the following regarding the Board member who must be certified to teach EMS training and who must hold a certificate to practice as an EMT, AEMT, or paramedic:

- Eliminates the requirement that the Governor appoint the member from among three persons nominated by the Ohio Emergency Medical Technician Instructors Association and the Ohio Instructor/Coordinators’ Society; and
- Instead, requires the member to be appointed from among EMTs, AEMTs, and paramedics nominated by the Ohio Association of Professional Firefighters and EMTs, AEMTs, and paramedics nominated by the Northern Ohio Fire Fighters.

The act specifies that if any organization required to make nominations to the Board ceases to exist or fails to make a nomination within 60 days of a vacancy, the Governor may appoint any person who meets the professional qualifications designated for that member.

Finally, the act extends the potential time a member of the Board may continue in office if a successor does not take office from 60 days to three years. For reference, a Board member’s term is three years.

¹³⁰ R.C. 4517.10.

Trauma Committee

(R.C. 4765.04)

The act eliminates a requirement that each organization required to nominate persons to the Board's Trauma Committee put forth three nominees. Instead, each designated organization may nominate any number of persons. The DPS Director must then appoint members from those nominees. If any nominating organization ceases to exist or fails to nominate a member within 60 days of a vacancy, the Director may appoint any person who meets the professional qualifications designated for that member.

The act eliminates a restriction preventing the Director from appointing more than one member to the Trauma Committee who is employed by or practices in the same health system. It also allows the Director to appoint persons who practice at the same hospital or with the same EMS organization, provided they do not primarily practice at the same hospital or with the same EMS organization. Previously, the Director could not appoint more than one member who was employed by or practiced at the same hospital, health system, or EMS organization.

Emergency vehicle permits and ambulance inspections

(R.C. 4766.07)

The act requires the State Board of Emergency Medical, Fire, and Transportation Services issue or deny a permit application for an emergency medical vehicle or aircraft within 45 days, instead of 60 days, of receiving the application. It also specifies that the Board must deny an application in accordance with the Administrative Procedure Act (R.C. Chapter 119).

The act allows the Board to determine the sufficiency of an ambulance's medical equipment, communication system, and interior by applying new sets of standards that were not allowed under prior law. Under prior law, the Board had to evaluate all of these interior components by applying the federal requirements for ambulance construction in effect at the time the ambulance was manufactured. The act allows the Board also to apply the following standards in effect at the time the ambulance was manufactured:

1. The national standard for ambulance construction approved by the American National Standards Institute (ANSI); and
2. The standard for ambulance construction approved by the Commission on Accreditation of Ambulance Services (CAAS).

Thus, the Board has the option of applying the federal standards, the ANSI standards, or the CAAS standards.

Assistant EMS and firefighter instructors

(R.C. 505.38, 737.22, 4765.11, and 4765.55)

H.B. 509 of the 134th General Assembly made changes to the law governing several occupational licenses, including eliminating the EMS Assistant Instructor Certificate and the Assistant Fire Instructor Certificate. In order to effectuate the elimination of the certifications, the State Board of Emergency Medical, Fire, and Transportation Services, after April 6, 2023, was

required to no longer require certification to practice as an EMS or fire assistant instructor, to no longer issue those certifications, and to no longer renew any current certifications. A person certified as an EMS or fire assistant instructor, however, could retain that certification until its expiration, subject to any of the conditions or responsibilities of retaining it.

The act modifies the elimination of these certifications by allowing anyone holding an unexpired and valid EMS Assistant Instructor Certificate or Assistant Fire Instructor Certificate prior to April 6, 2023, to continue to both hold and to renew those certifications. The certification remains valid (still subject to the conditions and responsibilities of retaining it) until its holder allows it to expire or to lapse. The Board cannot issue new certifications (consistent with H.B. 509); however, the act preserves the existing certifications and their renewal.

Ohio Narcotics Intelligence Center

(R.C. 5502.69)

The act codifies the Ohio Narcotics Intelligence Center in DPS. According to DPS, the Center was created by Governor DeWine in 2019 via Executive Order 2019-20D.

The Center must do all of the following:

1. Coordinate law enforcement response to illegal drug activities for state agencies and act as a liaison between state agencies and local entities for the purposes of communicating counter-drug policy initiatives;

2. Collect, analyze, maintain, and disseminate information to support law enforcement agencies, other government agencies, and private organizations in detecting, deterring, preventing, preparing for, prosecuting, and responding to illegal drug activities. The records received and created are confidential law enforcement investigatory records that are not considered a public record.

3. Develop and coordinate policies, protocols, and strategies that may be used by local, state, and private organizations to detect, deter, prevent, prepare for, prosecute, and respond to illegal drug activities; and

4. Develop, update, and coordinate the implementation of an Ohio drug control strategy to guide state and local governments and public agencies.

The DPS Director must appoint an executive director of the Center. The executive director must serve at the Director's discretion. The executive director must advise the Governor and the Director on matters pertaining to illegal drug activities. To carry out the duties assigned under the act, the executive director, subject to the direction and control of the Director, may appoint and maintain necessary staff and may enter into any necessary agreements.

Security Grants Program

(Sections 373.10 and 373.20)

The act expands the eligible purposes of grants issued under the Security Grants Program. The Emergency Management Agency (EMA) administers the program and it has existed in its current form since approximately 2019. Through the program, the EMA issues grants of up to

\$100,000 to nonprofit organizations, houses of worship, chartered nonpublic schools, and licensed preschools. Under continuing law, the EMA issues grants for various security and counterterrorism purposes. The act keeps to that general purpose, but expands the specific uses of the grant money to include:

1. The lease, in addition to purchase, of qualified equipment (e.g., equipment for emergency and crisis communication, crisis management, or trauma and crisis response);
2. The placement of qualified equipment at a location that is not owned by the grantee, provided the appropriate authorizations are given by the political subdivision or law enforcement agency with jurisdiction over the location;
3. To fund coordinated training between law enforcement, counterterrorism agencies, and emergency responders; and
4. To continue coverage of costs that were covered by a prior grant issued to the grantee by the EMA.

The act also authorizes a nonprofit organization that serves a broad community or geographic area to use the grant money to provide antiterrorism-related services for all of its served area, including armed security personnel. Prior to receiving the grant, however, the nonprofit organization must provide the EMA with any appropriate compliance documentation required by the EMA. Additionally, multiple nonprofit organizations that are located at the same address may apply for separate security grants, if the nonprofit organizations can explain how they will each use the funding to address a different vulnerability. The act requires the EMA to include information about the Security Grants and the application process on its website.