
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.)
- 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 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 amount of 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.

Driver's licenses and permits for dependent minors

- Authorizes a minor's representative to sign the minor's application for a probationary driver's license, restricted license, or temporary instruction permit (license or permit), in addition to a parent, guardian, or another person having custody of the minor, as in current law.
- Specifies that a minor's representative is a person who has custody of a minor under the age of 18 and who is one of the following:
 - A representative of a private child placing agency (PCPA) or public children services agency (PCSA); or
 - A resource caregiver (kinship or foster caregiver) who has placement of a child in the custody of a PCPA or PCSA.
- Excludes a minor's representative who signs a minor's license or permit application from imputed liability for the minor's negligence or willful or wanton misconduct committed while driving.
- Requires the Department of Job and Family Services (ODJFS) or a minor's representative to verify that a minor has proof of financial responsibility (auto insurance) before the minor's representative signs the application.
- Requires ODJFS, its agent, or the minor's representative to provide the Registrar with proof that the minor has auto insurance.
- Requires ODJFS or the minor's representative to notify the Registrar and surrender the minor's license or permit to the Registrar upon determining that the minor does not have auto insurance.
- Further requires the Registrar to cancel the license or permit in that event.
- Requires a resource caregiver (a foster or kinship caregiver) to use the reasonable and prudent parent standard when signing the minor's license or permit application.
- Extends certain civil immunity from liability for the decision to allow a minor to drive to a resource caregiver and resource caregiver's supervising agency only when the reasonable and prudent parent standard is used in signing the application.

Resource caregiver immunity and authority

- Expands the general immunity granted to foster caregivers for acts authorized under the public welfare law to kinship caregivers.
- Specifies that any alleged abused, neglected, or dependent child placed with a resource caregiver (a foster caregiver or a kinship caregiver) is entitled to participate in age-appropriate extracurricular, enrichment, and social activities.
- Requires a resource caregiver to consider certain factors when determining whether to give permission for a child to participate in extracurricular, enrichment, and social activities.
- Clarifies that a resource caregiver who grants permission for a child to participate in those activities is immune from liability in a civil action to recover damages for injury, death or loss to the child when those factors were considered.

Restricted driver's license

- Eliminates the six-month validity period for a medically restricted driver's license and, instead, requires the Registrar to determine the validity period of the license.
- Requires a medically restricted license holder to submit a licensed physician's statement regarding the holder's medical condition to the Registrar at intervals required by the Registrar, rather than every six months as in current law.

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 a current eligibility requirement for the online renewal of a driver's license or ID card to require the applicant's current license or ID card to have been issued when the applicant was age 21 or older and the applicant to be under age 65, rather than requiring the applicant to be between age 21 and 65 as in current law.
- Extends that eligibility requirement to online renewal of CDLs.
- Authorizes U.S. permanent residents to renew driver's licenses, CDLs, and ID cards online.
- Specifies that for online CDL renewal, the applicant must meet the following additional eligibility criteria that do not apply to a driver's license or ID card holder:

- Compliance with all laws governing CDL issuance, including self-certification and medical certificate requirements;
- 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, does all of the following:
 - 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;
 - 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;
 - Requires the third party to keep a copy of the third-party agreement entered into with the Director at its principal place of business.

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 first 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.

Motor vehicle 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.

Other BMV services

Deputy registrar provisions

- Allows county auditors and clerks of court 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 the changes specified above, eliminates the requirement that a deputy registrar live within a one-hour commute from the deputy registrar's office and 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 (five-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 required physical inspection certificate must be issued specifically by the Registrar, rather than DPS as in current law.
- Requires the physical inspection to include a verification of the mileage of the motor vehicle, in addition to a verification of the make, body type, model, and vehicle identification number as in current law.

Traffic and vehicle equipment laws

Seat belts and child restraint systems

- Makes failure to wear a properly adjusted seat belt as either the operator or front-seat passenger of an automobile a primary offense, rather than a secondary offense as under current law.
- Makes the failure for all passengers to wear a seat belt in a motor vehicle driven by an operator who has a learner's permit or a probationary driver's license a primary offense, rather than a secondary offense as under current law.
- Makes failure to properly secure a child in the appropriate booster seat or seat belt, according to the child's age, weight, height, and manufacturer's instructions, a primary offense, rather than a secondary offense as under current law.

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 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; or
 - A regional authority for emergency management.

Vehicle platoons

- Exempts a vehicle platoon from a specific prohibition against a driver of a truck following too closely to another truck or to another motor vehicle that is drawing another vehicle.
- Specifies that a vehicle platoon generally is the linking of two or more connected vehicles using electronic vehicle-to-vehicle communication technology.

Motor vehicle sales, dealers, and manufacturers

Motor vehicle sales

- For purposes of the Motor Vehicle Sales Law, does all of the following:
 - Expands the meaning of "persons" to include financial institutions.
 - 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.
 - Defines "established place of business" to mean a permanent building or structure that meets certain conditions, potentially barring individuals that do 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.

Licensee contact information

- Prohibits a salvage motor vehicle dealer, salvage motor vehicle auction, salvage motor vehicle pool, and a motor vehicle dealer, leasing dealer, and distributor from failing to notify the Registrar of any change in status regarding contact information, including the relevant phone number and email address.
- Imposes a fourth degree misdemeanor for violating the prohibition.

Salvage dealer provisional license

- Permits the Registrar to utilize an agent to inspect the premises of a motor vehicle salvage dealer when the dealer holds a provisional license.
- After a successful inspection of a provisional license holder, eliminates the requirement that the Registrar send notice to the holder of the removal of provisional status and, instead, requires the Registrar to issue a license without provisional status to the holder.
- Requires the Registrar to send the notice of the revocation of a provisional license (after an unsuccessful inspection) in accordance with the Administrative Procedure Act.

Used dealer provisional license

- Creates a provisional, 180-day, used motor vehicle dealer license, similar to the current provisional license for a salvage motor vehicle dealer, for the first issuance of the license to an applicant.
- Requires the Registrar, or the Registrar's agent, to inspect the premises of the dealer within the provisional period to ensure compliance with the Used Motor Vehicle Dealer Law.
- Requires the Registrar to either issue a nonprovisional license or revoke the provisional license, based on whether the dealer is in compliance.
- Exempts, at the Registrar's discretion, a person that holds a valid new motor vehicle dealer license from obtaining a provisional used motor vehicle dealer license.

Corrective changes

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

Scrap metal and bulk merchandise container dealers

- Authorizes DPS to investigate alleged violations of the law governing purchase, sorting, grading, and shipping of scrap metal, bulk merchandise containers, and special purpose articles (“Secondhand Dealer Law”).
- Allows DPS employees and authorized representatives to conduct in-person investigations at the dealer’s place of business so long as, in the case of unregistered dealers, the employee or representative first requests assistance from local law enforcement.
- Establishes a procedure by which the DPS Director may order an unregistered person to show cause as to why the person’s activities are not subject to the Secondhand Dealer Law and, following the hearing, order the person to stop those activities.
- Authorizes the DPS Director to request that the Attorney General, county prosecutor, or city law director prosecute alleged violations of the Secondhand Dealer Law.
- Stipulates that a person claiming exemption from the Secondhand Dealer Law has the burden of proving that exemption in any associated proceeding or action.
- Specifies that a “scrap metal dealer” is the business engaged in scrap metal dealing, not the owner or operator of that business.

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

- Eliminates the requirement that the Board issue or deny a permit application for an emergency medical vehicle or aircraft within 60 days of receiving the application.
- Specifies the Board must deny an application in accordance with the Administrative Procedure Act.
- Allows the Board to determine the sufficiency of an ambulance's interior components by applying either the national standard for ambulance construction approved by the American National Standards Institute or by applying specified federal standards (rather than solely the federal standards, as in current law).

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 for the purposes of communicating 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.

State Hazard Mitigation Grant Program

- Requires the DPS Director to adopt rules to establish and administer a State Hazard Mitigation Grant Program to provide grants to eligible government entities to take actions that reduce impact from hazards and disasters.

- Requires the rules to establish specified requirements regarding the Program, including:
 - A list of hazards and disasters for which grants may be issued;
 - Priorities for grant funding; and
 - Eligibility requirements for applicants to receive a grant.

Specific investigatory work product

- Defines “specific investigatory work product” as used in the Public Records Law.

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 bill 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.⁷⁰ 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.⁷¹

In order to conform Ohio’s law to the federal REAL ID Act, the bill 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 bill excludes the use of a limited term license as a form of photo identification for purposes of voting.)

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

⁷⁰ O.A.C. 4501:1-1-35 and 4501:1-1-35.

⁷¹ “Real ID Act,” 49 U.S.C. 30301, *et seq.*, 6 C.F.R. Part 37.

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 bill 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.

Return of ID cards

(R.C. 4507.52)

The bill 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 bill 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 bill 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

(Section 373.30)

The bill 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 amount of 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, the bill 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 any person 17 and over who applies for and receives an ID card from the BMV to receive and renew it for free. That authorization was established by H.B. 458 of the 134th General Assembly in association with requiring photo identification for voting.⁷²

Driver's licenses and permits for dependent minors

(R.C. 2307.22, 4507.07, and 5103.162)

The bill authorizes a minor's representative to sign a minor's application for a probationary driver's license, restricted license, or temporary instruction permit (license or permit). A minor's representative is a person who has custody of a minor under the age of 18 and who is one of the following:

- A representative of a private child placing agency (PCPA) or public children services agency (PCSA); or
- A resource caregiver (meaning a foster or kinship caregiver) who has placement of a child in the custody of a PCPA or PCSA.

Under current law, only a parent, guardian, or another person having custody of the minor may sign the minor's license or permit application.

The bill excludes a minor's representative who signs a minor's application from imputed liability for the minor's negligence or willful or wanton misconduct committed while driving a motor vehicle. This imputed liability currently applies to a parent or guardian and makes the parent or guardian jointly and severally liable with the minor for damages, unless the minor has proof of financial responsibility (i.e., auto insurance).

The bill requires the Department of Job and Family Services or a minor's representative to verify that a minor has auto insurance before the minor's representative signs the minor's license or permit application. The Department or minor's representative must notify the Registrar and surrender the minor's license or permit to the Registrar upon determining that the minor does not have auto insurance. The Registrar must cancel the license or permit in that event.

The bill retains law allowing any person who signed a minor's application for a license or permit to surrender the minor's license or permit to the Registrar and ask that it be cancelled. The Registrar must cancel it in that circumstance and the person who signed the application is relieved from any imputed liability.

When signing a dependent minor's permit or license application, the bill requires a minor's representative to use the reasonable and prudent parent standard. Under current law, this standard is a standard characterized by careful and sensible parental decisions that maintain

⁷² R.C. 4507.49, not in the bill. 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.

the child's health, safety, and best interests while at the same time encouraging the child's emotional and developmental growth. Under the bill, it must be used by a resource caregiver or resource caregiver's supervising agency in order to be immune in a civil action for damages resulting from the decision to allow a minor to participate in extracurricular activities, which includes driving.

Resource caregiver immunity and authority

(R.C. 2151.315 and 5103.162)

The bill expands the general immunity granted to foster caregivers for acts authorized under the public welfare law so that the immunity also applies to kinship caregivers. Currently, foster caregivers are immune in any civil action for damages for injury, death, or loss allegedly caused by an act or omission in connection with the foster caregiver's duties, powers, or responsibilities unless one of the following applies:

1. The foster caregiver acted manifestly outside the scope of the foster caregiver's power, duty, responsibility, or authorization;
2. The foster caregiver committed the act or omission maliciously, in bad faith, or wantonly or recklessly; or
3. Liability is expressly imposed by another provision of the Revised Code.

The bill applies these general principles of civil immunity to resource caregivers, which includes both foster caregivers and kinship caregivers.

Under current law, a private child placing agency (PCPA), public children services agency (PCSA), and private noncustodial agency that serves as a child's custodian or as the supervising agency for a foster caregiver is specifically immune from any civil liability resulting from the agency's or foster caregiver's decision to allow a child to participate in extracurricular, enrichment, and social activities. However, the immunity applies **only** when the agency or foster caregiver makes the decision using the reasonable and prudent parent standard described above. The bill applies this immunity to a kinship caregiver and an agency supervising a kinship caregiver who uses the reasonable and prudent parent standard regarding a child's participation in the activities.

The bill also specifies that any alleged abused, neglected, or dependent child placed with a resource caregiver is entitled to participate in any age-appropriate extracurricular, enrichment, and social activities. Under current law, that entitlement extends only if the child is subject to out-of-home care. Correspondingly, the bill requires a resource caregiver to consider certain factors when determining whether to give permission for a child to participate in those activities, as is required currently of out-of-home care facilities. Under current law, those factors include all of the following:

1. The child's age, maturity, and developmental level to maintain the overall health and safety of the child;
2. The potential risk factors and the appropriateness of the extracurricular, enrichment, or social activity; and

3. The best interest of the child based on information known by the person or facility (under the bill, includes a resource caregiver) providing out-of-home care for the child.

The bill clarifies that a resource caregiver who grants permission for a child to participate in the activities is immune from liability in a civil action to recover damages for injury, death, or loss to person or property caused to the child, provided the three factors above were considered.

Restricted driver's license

(R.C. 4507.08)

The bill eliminates the six-month validity period for a medically restricted driver's license and, instead, requires the Registrar to determine the validity period.

Under current law, the Registrar is prohibited from issuing a driver's license or temporary instruction permit to any person who has a physical or mental disability or disease that prevents the person, in the Registrar's opinion, from exercising reasonable and ordinary control over a motor vehicle. However, the Registrar may issue the person a restricted license that is valid for six months when, based on a physician's statement, the Registrar determines that the condition is dormant or is sufficiently under medical control. Each six-month interval after the medically restricted license is issued, the holder must send to the Registrar an updated statement from a licensed physician indicating that the condition is under effective medical control. The bill instead requires the statement to be sent at intervals determined by the Registrar.

Commercial driver's licenses

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

(R.C. 4507.061)

The bill provides for the online renewal of CDLs in a similar manner as driver's licenses and ID cards under current law. In so doing, the bill 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 bill modifies two existing eligibility requirements for online renewal. First, when a person is renewing a driver's license or ID card (or, under the bill, a CDL) online, the applicant's current license or ID card must have been issued when the applicant was age 21 or older. Further, the applicant must be under age 65 at the time of application. Under current law, the applicant must be between 21 and 65 years of age, and the age at which the applicant's current license was issued is not relevant. Second, the bill authorizes U.S. permanent residents who reside in Ohio to renew driver's licenses, CDLs, and ID cards online. Currently only U.S. citizens who reside in Ohio are eligible for online renewal.

The bill 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.

CDL temporary instruction permit

(R.C. 4506.06)

The bill 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 current law, a CDLTIP is a prerequisite to obtaining any CDL. The bill also extends the maximum validity period for a CDLTIP from six months to 12 months. Finally, it repeals law that allows 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 current 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.

Currently, third party examiners must meet the same qualification and training standards as the DPS examiners and pass a criminal background check. The bill 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 bill also 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 current 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 bill requires the third parties to keep a copy of their third-party agreement with the Director at their principal place of business. Current 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.

Fraudulent acts related to CDL testing

(R.C. 4506.04 and 4506.10)

The bill 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 first degree misdemeanor. The Registrar also may cancel the offender's driver's license, CDL, CDLTIP, or any pending application for a license or permit. Current law includes a parallel provision that prohibits providing false information in any application for a CDL. That prohibition carries the same penalties as discussed above.

CDL disqualifications: human trafficking

(R.C. 4506.15, 4506.16)

The bill 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 bill establishes a lifetime disqualification from operating a commercial motor vehicle for a person who is convicted of violating the prohibition.

Strict liability declaration

The bill 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 bill 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. Current law requires the surrender when a holder exceeds the statutory limits for alcohol or a controlled substance under the CDL law, but it does specifically require the surrender when the violation involves the general state OVI law.

Other BMV services

Deputy registrar provisions

(R.C. 4503.03)

Current law allows the Registrar to designate the following persons to act as a deputy registrar:

1. A county auditor if the county population is 40,000 or less;
2. A clerk of a court of common pleas if the county population is 40,000 or less (if the county population is greater than 40,000, but less than 50,000, the clerk is eligible to act as a deputy registrar, but must participate in the competitive selection process);
3. An individual; or

4. A nonprofit corporation.

The bill eliminates the population restrictions that limit the counties in which a county auditor or clerk of court may serve. Thus, the Registrar may designate either the county auditor or clerk of court to serve as a deputy registrar in any county.

The bill then relieves the Registrar from the responsibility to appoint a deputy registrar in a 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 bill 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 bill 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. Under current law, the BMV issues two types of removable windshield placards: a standard placard that expires five 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 current law, must renew the standard placard every five years.

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 bill 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 current 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 bill requires the inspection to also verify the mileage of the vehicle. The bill also clarifies that the required physical inspection certificate must be issued specifically by the Registrar, rather than DPS as in current law.

Traffic and vehicle equipment laws

Seat belts and child restraint systems

(R.C. 4507.05, 4507.071, 4511.043, 4511.81, and 4513.263; conforming changes in R.C. 307.515, 733.40, 2152.21, 4501.11, 4513.35, and 5503.04)

The bill makes a violation of Ohio's seat belt laws a primary offense, rather than a secondary offense as under current law. A primary offense means that a law enforcement officer may issue a ticket for the offense solely for a violation of that offense. When an offense is a secondary offense, the law enforcement officer may only stop a driver if the driver is actively committing a primary offense at the same time as the secondary offense. Thus, under current law, if a driver is speeding and not wearing a seatbelt, an officer can cite the driver for both offenses. However, if a driver is driving legally and not wearing a seatbelt, the officer has no cause to cite the driver even though the driver is violating the seat belt law.

Under current law and the bill, the general prohibitions related to seat belts are the same. Namely, a person may not do any of the following:

1. Operate an automobile or school bus on any street or highway without wearing a seat belt;
2. Operate an automobile on any street or highway without ensuring that any front-seat passenger is wearing a seat belt;
3. Occupy the front seat of an automobile being operated on any street or highway without wearing a seat belt;

4. Operate a taxicab on any street or highway unless the seat belts are maintained in usable form; or

5. Occupy a motor vehicle driven by an operator who has either a learner's permit or a probationary driver's license without wearing a seat belt.

The bill also makes not using the proper child restraint system, booster seat, or seat belt a primary offense for all children up to age 15. Under current law, improperly securing a child who is less than age four and less than 40 pounds is a primary offense. However, properly securing a child between the ages of four (and 40 pounds) and 15 (typically by using a booster seat or seat belt) is a secondary offense.

Under continuing law, children must be properly secured in a child restraint system that meets federal motor vehicle safety standards. A person securing a child in a restraint system must do so in accordance with manufacturer's instructions. Examples of child restraint systems include car seats, booster seats, and seat belts. Which child restraint system is required for each child is based on the child's age, weight, height, the type of vehicle transporting the child, and the manufacturer's instructions for the system.

Emergency vehicles using flashing lights

(R.C. 4513.17)

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

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

Generally, under current law, 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. Current 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.

Vehicle platoons

(R.C. 4511.34)

Under current law, outside of a municipal corporation, the driver of any truck or motor vehicle drawing another vehicle, while ascending to the crest of a grade beyond which the driver's view of the roadway is obstructed, must not follow within 300 feet of another truck or other motor vehicle drawing another vehicle. The bill exempts a vehicle platoon from this prohibition. A vehicle platoon is the linking of two or more vehicles using electronic

communication technology. The first connected vehicle in the platoon sets the speed and direction for the remaining connected vehicles, enabling all connected vehicles to follow the lead vehicle at a close distance. Connected vehicles are able to exchange information electronically with the lead motor vehicle, other vehicles in the platoon, other road users, and infrastructure.

Motor vehicle sales, dealers, and manufacturers

Motor vehicle sales

(R.C. 4517.01)

The bill expands the meaning of “person” under the Motor Vehicle Sales Law to expressly include financial institutions, thus clarifying that financial institutions are subject to the requirements, prohibitions, and penalties of that law. The current law definition already includes a variety of business entities; however, financial institutions were not expressly included in that list.

The bill 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 bill ensures that businesses selling motor vehicles online are still subject to BMV regulations pertaining to motor vehicle sales by expanding those definitions.

Additionally, the bill creates a definitive meaning of “established place of business,” which current law regulates, but does not define. 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;
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; and
6. It is not a residence, tent, temporary stand, storage shed, lot, or any temporary quarters.

Under law unchanged by the bill, 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.⁷³ 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.

⁷³ R.C. 4517.03, 4517.12, and 4517.13, not in the bill.

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 bill requires the Registrar to issue a license plate, rather than a placard as in current law, to vehicle manufacturers, dealers, distributors, and other similar professionals that require a temporary identification for the vehicles that are in their possession. Under law unchanged by the bill, 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.

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. Currently, the Registrar issues instead an additional registration certificate with the same numbering as the original. The bill updates the registration laws related to motor vehicle manufacturers, dealers, and distributors to reflect the current practices.

Along with motor vehicle manufacturers, dealers, and distributors, other similar professionals use the temporary identification placards/license plates. The bill applies the same changes 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).

Licensee contact information

(R.C. 4517.23 and 4738.08; R.C. 2901.20, 2901.21, 4517.99 and 4738.99, not in the bill)

The bill prohibits a salvage motor vehicle dealer, salvage motor vehicle auction, salvage motor vehicle pool, and a motor vehicle dealer, leasing dealer, and distributor from failing to notify the Registrar of any change in status regarding the dealer's or distributor's contact information, including the relevant phone number and email address. The bill imposes a criminal penalty of a fourth degree misdemeanor for a violation of the prohibition but does not specify a culpable mental state (mens rea) necessary to commit the offense.

Under current law, dealers, auctions, pools, and distributors are prohibited from failing to notify the Registrar of changes to ownership personnel or the location of the principal place of business. The mens rea for commission of the current and new offenses are not specified. However, because current law requires criminal offenses enacted after March 23, 2015, to contain a culpable mental state, a court could determine that the new offenses established by the bill are void.

Salvage dealer provisional license

(R.C. 4738.071)

Under current law, prior to the issuance of a permanent motor vehicle salvage dealer license to an applicant for an initial license, the Registrar must issue a provisional license. A provisional license is valid for 180 days. During that time, the Registrar must inspect the premises of the provisional licensee to verify compliance with the law governing motor vehicle salvage dealers. The bill permits the Registrar to utilize an agent to inspect the place of business of the provisional licensee.

After a successful inspection of a provisional licensee's place of business, the bill requires the Registrar to issue a license without provisional status to the licensee. The bill eliminates a requirement that the Registrar provide written notice to the licensee that the license no longer has provisional status.

After an unsuccessful inspection, current law requires the Registrar to send notice of the revocation of the provisional license. The bill requires the Registrar to provide the notice in accordance with the Administrative Procedure Act (R.C. Chapter 119).

Used dealer provisional license

(R.C. 4517.10 and 4517.101)

The bill creates a provisional, 180-day, used motor vehicle dealer license, applicable for the first issuance of the license to an applicant. The provisional license is similar in structure to the provisional salvage motor vehicle dealer license. During the provisional license period, the Registrar, or the Registrar's agent, must inspect the dealer's place of business to determine compliance with the Used Motor Vehicle Dealer Law.

After the inspection, the inspector must notify the holder of whether the holder is currently in compliance. The inspector must then also notify the Registrar. If the provisional license holder is in compliance, the Registrar must issue a nonprovisional used motor vehicle dealer license. That license remains valid until its expiration date, unless it is suspended or revoked. If the provisional license holder is not in compliance, the Registrar must send a written notice, in accordance with the Administrative Procedure Act (R.C. Chapter 119), notifying the holder that the Registrar is revoking the provisional license and that the holder may appeal the revocation to the Motor Vehicle Dealers Board.

At the discretion of the Registrar, a person that currently holds a valid new motor vehicle dealer license may be exempt from obtaining a provisional used motor vehicle dealer license.

Corrective changes

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

The bill makes corrective changes to several references in current law 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.⁷⁴

Scrap metal and bulk merchandise container dealers

(R.C. 4737.04)

The bill authorizes DPS to investigate alleged violations of the law governing purchase, sorting, grading, and shipping scrap metal, bulk merchandise containers, and special purpose articles such as beer kegs, cable and electrical wire, grave markers, guard rails, street signs, light poles, historical markers, grocery carts, railroad materials, and metal trays ("Secondhand Dealer Law"). The Secondhand Dealer Law requires scrap metal dealers and bulk merchandise container dealers to register with DPS, keep detailed records of all transactions, and issue daily reports of those transactions to the DPS Director. Furthermore, the Law prohibits dealers from purchasing or receiving articles from persons identified on a list of known thieves or receivers of stolen property, maintained by local law enforcement and published by the DPS Director.

⁷⁴ R.C. 4517.10.

Appearance at dealer's place of business

During the course of an investigation, the bill authorizes DPS employees and designated representatives to appear at a registered dealer's place of business during normal business hours. While on the premises, the employee or representative may inspect articles, observe business transactions, and record license plate numbers of motor vehicles used to transport articles. If the investigation involves an unregistered person acting as a scrap metal dealer or bulk merchandise container dealer, the bill requires DPS employees and designated representatives to request the assistance of local law enforcement before appearing at the person's suspected place of business.

Cease and desist orders

The bill also establishes a procedure by which the DPS Director may seek to enjoin an unregistered person from acting as a scrap metal dealer or bulk merchandise container dealer. First, the Director may issue a show cause order directing the unregistered person to demonstrate why their business activities are not subject to registration under the Secondhand Dealer Law. The Director must issue notice of the order and hold a hearing in accordance with the Administrative Procedure Act (R.C. Chapter 119). Following the hearing, if the Director determines that the person's activities are subject to the registration requirement, the Director may issue an order directing the person to cease and desist the activities. The cease-and-desist order must identify the unregistered person and describe the prohibited business activities. The unregistered person may appeal the cease-and-desist order to the court of common pleas of Franklin County or the county where the person's business is located.

Prosecution

The bill authorizes the DPS Director to request that the Attorney General, county prosecutor, or city law director prosecute an alleged violation of the Secondhand Dealer Law, including a violation of a cease-and-desist order issued by the DPS Director to an unregistered person. A court of competent jurisdiction may grant an injunction or any other relief warranted by the facts.

The bill specifies that, for any proceeding in which a person claims to be exempt from the Secondhand Dealer Law, the burden of proof is on the person claiming the benefit of the exemption.

Scrap metal dealers

The bill specifies that, for the purposes of the Secondhand Dealer Law, a "scrap metal dealer" is the business engaged in scrap metal dealing, not the owner or operator of that business.

State Board of Emergency Medical, Fire, and Transportation Services

(R.C. 4765.02 and 4765.04)

The bill 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. As under current 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 organization. The Ohio Chapter of the American College of Emergency Physicians and the Ohio Osteopathic Association must each nominate three persons for this position. Under the bill, each of these organizations may nominate any number of persons for the position. The Governor must then appoint the physician Board member from those nominees.

In addition, the bill does both of the following regarding the Board member who must be certified to teach emergency medical services 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 bill 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 bill 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.

The bill also eliminates a requirement that each organization required to nominate persons to the Board's Trauma Committee put forth three nominees. Instead, it allows each designated organization to nominate any number of persons. The DPS Director must then appoint members from those nominees. The bill specifies that 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 bill 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 emergency medical service (EMS) organization, provided they do not primarily practice at the same hospital or with the same EMS organization. Currently, the Director cannot appoint more than one member who is employed by or practices at the same hospital, health system, or EMS organization.

Emergency vehicle permits and ambulance inspections

(R.C. 4766.07)

The bill eliminates the requirement that the State Board of Emergency Medical, Fire, and Transportation Services issue or deny a permit application for an emergency medical vehicle or aircraft within 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 bill allows the Board to determine the sufficiency of an ambulance's medical equipment, communication system, and interior by applying a new set of standards that is not allowed under current law. Under current law, the Board must evaluate all of these interior components by applying the federal requirements for ambulance construction in effect at the time the ambulance was manufactured.⁷⁵ The bill also allows the Board to apply the national standard for ambulance construction approved by the American National Standards Institute (ANSI) in effect at the time the ambulance was manufactured. Thus, the Board has the option of either applying the federal standards or the ANSI standards.

Ohio Narcotics Intelligence Center

(R.C. 5502.69)

The bill 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

⁷⁵ As specified by the General Services Administration in various versions of its publication entitled, Federal Specification for the Star-of-life Ambulance, KKK-A-1822.

the bill, 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.

State Hazard Mitigation Grant Program

(R.C. 5502.251)

The bill requires the DPS Director, in accordance with the Administrative Procedure Act (R.C. Chapter 119), to adopt rules to establish and administer a State Hazard Mitigation Grant Program. The Director must use the program to provide grants to eligible applicants to undertake actions that reduce the impact to people and property from hazards and disasters. An eligible applicant is any state agency or a municipal corporation, township, county, school district, or any other body corporate and politic that is responsible for government activities in a geographic area smaller than that of the state.

The rules must establish the following regarding the program:

1. A list of hazards and disasters for which grants may be issued;
2. Priorities for grant funding, including giving priority to applicants that intend to use grant money for both of the following:
 - a. To mitigate hazards and disasters that constitute the highest risk based on the state's hazard mitigation plan;
 - b. To undertake actions that mitigate risk during the recovery period following a disaster.
3. Eligibility requirements for applicants to receive a grant, including a requirement that all applicants have, at the time a grant is awarded, a current hazard mitigation plan approved by the Federal Emergency Management Agency;
4. A minimum percentage for nonstate matching funds to be provided by applicants;
5. Grant application forms and procedures for submitting the forms;
6. A requirement that mitigation projects be cost effective;
7. If grant money is to be used for purposes of acquisition of property and demolition actions at the property, a requirement that the property acquired must be deed restricted as open space in perpetuity; and
8. Any other requirements or procedures necessary to administer the program.

The bill exempts rules adopted by the Director governing the program from the law concerning reductions in regulatory restrictions.

Specific investigatory work product

(R.C. 149.43)

The bill specifies that "specific investigatory work product," as used in the definition of "confidential law enforcement investigatory record" and therefore exempted from public disclosure by the Public Records Law, means any record, thing, or item that documents the independent thought processes, factual findings, mental impressions, theories, strategies,

opinions, or analyses of an investigating officer or an agent of an investigative agency or prosecuting attorney and also includes any documents and evidence collected, written or recorded interviews or statements, interview notes, test results, lab results, preliminary lab results, and other internal memoranda, things, or items created during any point of an investigation. "Specific investigatory work product" does not include basic information regarding date, time, address, and type of incident.