

As Reported by the House Armed Services, Veterans Affairs, and Public Safety Committee

131st General Assembly

**Regular Session
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H. B. No. 104

Representative DeVitis

Cosponsors: Representatives Johnson, T., Blessing, Hood, Maag, Slesnick, Becker, Koehler, Sweeney, Cera, Romanchuk, Butler, Roegner, Perales

A BILL

To amend sections 4503.21 and 4511.043 of the
Revised Code to specify that failure to display
a license plate on the front of a motor vehicle
that is required to display a license plate on
the front and rear of the vehicle is a secondary
traffic offense, to establish a maximum fine of
\$25 for such an offense, and to amend the
version of section 4503.21 of the Revised Code
that is scheduled to take effect January 1,
2017, to continue the provisions of this act on
and after that effective date.

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

Section 1. That sections 4503.21 and 4511.043 of the
Revised Code be amended to read as follows:

Sec. 4503.21. (A) (1) No person who is the owner or
operator of a motor vehicle shall fail to display in plain view
on the front and rear of the motor vehicle a license plate that
bears the distinctive number and registration mark assigned to

the motor vehicle by the director of public safety, including 18
any county identification sticker and any validation sticker 19
issued under sections 4503.19 and 4503.191 of the Revised Code,~~—~~ 20
~~furnished by the director of public safety,~~ except that a as 21
follows: 22

(a) A manufacturer of motor vehicles or dealer therein, 23
the holder of an in transit permit, and the owner or operator of 24
a motorcycle, motorized bicycle, manufactured home, mobile home, 25
trailer, or semitrailer shall display a license plate on the 26
rear only.~~—A~~ 27

(b) A motor vehicle that is issued two license plates 28
shall display the validation sticker only on the rear license 29
plate, except that a commercial tractor that does not receive an 30
apportioned license plate under the international registration 31
plan shall display the validation sticker on the front of the 32
commercial tractor. ~~An~~ 33

(c) ~~An~~ apportioned vehicle receiving an apportioned 34
license plate under the international registration plan shall 35
display the license plate only on the front of a commercial 36
tractor and on the rear of all other vehicles. 37

(2) All license plates shall be securely fastened so as 38
not to swing, and shall not be covered by any material that 39
obstructs their visibility. 40

(3) No person to whom a temporary license placard or 41
windshield sticker has been issued for the use of a motor 42
vehicle under section 4503.182 of the Revised Code, and no 43
operator of that motor vehicle, shall fail to display the 44
temporary license placard in plain view from the rear of the 45
vehicle either in the rear window or on an external rear surface 46

of the motor vehicle, or fail to display the windshield sticker 47
in plain view on the rear window of the motor vehicle. No 48
temporary license placard or windshield sticker shall be covered 49
by any material that obstructs its visibility. 50

(B) ~~Whoever~~Notwithstanding any provision of law to the 51
contrary, no law enforcement officer shall do either of the 52
following solely because the owner or operator of a motor 53
vehicle has failed to display a license plate in plain view on 54
the front of the motor vehicle in violation of division (A) of 55
this section: 56

(1) Cause the operator of the motor vehicle to stop the 57
motor vehicle for the purpose of issuing a ticket, citation, or 58
summons for the violation, or causing the arrest or commencing a 59
prosecution of the operator for the violation; 60

(2) Issue a ticket, citation, or summons to the owner of a 61
parked motor vehicle for the violation, or cause the arrest or 62
commence the prosecution of such owner for the violation. 63

(C) (1) Except as provided in division (C) (2) of this 64
section, whoever violates division (A) of this section is guilty 65
of a minor misdemeanor. 66

(2) Whoever violates division (A) of this section by 67
failing to display a license plate in plain view on the front of 68
a motor vehicle as required under division (A) of this section 69
is guilty of a minor misdemeanor and may be fined not more than 70
twenty-five dollars. 71

A person who is subject to the penalty prescribed in 72
division (C) (2) of this section is not subject to the charging 73
of points under section 4510.036 of the Revised Code. 74

Sec. 4511.043. (A) (1) No law enforcement officer who stops 75

the operator of a motor vehicle in the course of an authorized 76
sobriety or other motor vehicle checkpoint operation or a motor 77
vehicle safety inspection shall issue a ticket, citation, or 78
summons for a secondary traffic offense unless in the course of 79
the checkpoint operation or safety inspection the officer first 80
determines that an offense other than a secondary traffic 81
offense has occurred and either places the operator or a vehicle 82
occupant under arrest or issues a ticket, citation, or summons 83
to the operator or a vehicle occupant for an offense other than 84
a secondary offense. 85

(2) A law enforcement agency that operates a motor vehicle 86
checkpoint for an express purpose related to a secondary traffic 87
offense shall not issue a ticket, citation, or summons for any 88
secondary traffic offense at such a checkpoint, but may use such 89
a checkpoint operation to conduct a public awareness campaign 90
and distribute information. 91

(B) As used in this section, "secondary traffic offense" 92
means a violation of division (A) of section 4503.21 of the 93
Revised Code when the penalty described in division (C) (2) of 94
that section applies, division (A) or (F) (2) of section 4507.05, 95
division (B) (1) (a) or (b) or (E) of section 4507.071, division 96
(A) of section 4511.204, division (C) or (D) of section 4511.81, 97
division (A) (3) of section 4513.03, or division (B) of section 98
4513.263 of the Revised Code. 99

Section 2. That existing sections 4503.21 and 4511.043 of 100
the Revised Code are hereby repealed. 101

Section 3. That the version of section 4503.21 of the 102
Revised Code that is scheduled to take effect January 1, 2017, 103
be amended to read as follows: 104

Sec. 4503.21. (A) (1) No person who is the owner or operator of a motor vehicle shall fail to display in plain view on the front and rear of the motor vehicle a license plate that bears the distinctive number and registration mark assigned to the motor vehicle by the director of public safety, including any county identification sticker and any validation sticker issued under sections 4503.19 and 4503.191 of the Revised Code, ~~furnished by the director of public safety,~~ except that ~~a~~ as follows:

(a) A manufacturer of motor vehicles or dealer therein, the holder of an in transit permit, and the owner or operator of a motorcycle, motorized bicycle or moped, motor-driven cycle or motor scooter, cab-enclosed motorcycle, manufactured home, mobile home, trailer, or semitrailer shall display a license plate on the rear only. ~~A~~

(b) A motor vehicle that is issued two license plates shall display the validation sticker only on the rear license plate, except that a commercial tractor that does not receive an apportioned license plate under the international registration plan shall display the validation sticker on the front of the commercial tractor. ~~An~~

(c) An apportioned vehicle receiving an apportioned license plate under the international registration plan shall display the license plate only on the front of a commercial tractor and on the rear of all other vehicles.

(2) All license plates shall be securely fastened so as not to swing, and shall not be covered by any material that obstructs their visibility.

(3) No person to whom a temporary license placard or

windshield sticker has been issued for the use of a motor 134
vehicle under section 4503.182 of the Revised Code, and no 135
operator of that motor vehicle, shall fail to display the 136
temporary license placard in plain view from the rear of the 137
vehicle either in the rear window or on an external rear surface 138
of the motor vehicle, or fail to display the windshield sticker 139
in plain view on the rear window of the motor vehicle. No 140
temporary license placard or windshield sticker shall be covered 141
by any material that obstructs its visibility. 142

(B) Whoever ~~Notwithstanding any provision of law to the~~ 143
contrary, no law enforcement officer shall do either of the 144
following solely because the owner or operator of a motor 145
vehicle has failed to display a license plate in plain view on 146
the front of the motor vehicle in violation of division (A) of 147
this section: 148

(1) Cause the operator of the motor vehicle to stop the 149
motor vehicle for the purpose of issuing a ticket, citation, or 150
summons for the violation, or causing the arrest or commencing a 151
prosecution of the operator for the violation; 152

(2) Issue a ticket, citation, or summons to the owner of a 153
parked motor vehicle for the violation, or cause the arrest or 154
commence the prosecution of such owner for the violation. 155

(C) (1) Except as provided in division (C) (2) of this 156
section, whoever violates division (A) of this section is guilty 157
of a minor misdemeanor. 158

(2) Whoever violates division (A) of this section by 159
failing to display a license plate in plain view on the front of 160
a motor vehicle as required under division (A) of this section 161
is guilty of a minor misdemeanor and may be fined not more than 162

twenty-five dollars. 163

A person who is subject to the penalty prescribed in 164
division (C) (2) of this section is not subject to the charging 165
of points under section 4510.036 of the Revised Code. 166

Section 4. That the existing section 4503.21 of the 167
Revised Code that is scheduled to take effect January 1, 2017, 168
is hereby repealed. 169

Section 5. Sections 3 and 4 of this act take effect 170
January 1, 2017. 171