

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**H. B. No. 536**

**Representatives Cross, Miller, K.**

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**A BILL**

To amend sections 307.515, 733.40, 2152.21, 1  
4501.11, 4507.05, 4507.071, 4511.043, 4511.81, 2  
4513.263, 4513.35, and 5503.04 and to enact 3  
sections 4510.312 and 4513.264 of the Revised 4  
Code to make failure to wear a seat belt and 5  
failure to properly secure a child in the 6  
appropriate booster seat or seat belt a primary 7  
offense, rather than a secondary offense, and to 8  
make other specified changes regarding those 9  
offenses. 10

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

**Section 1.** That sections 307.515, 733.40, 2152.21, 11  
4501.11, 4507.05, 4507.071, 4511.043, 4511.81, 4513.263, 12  
4513.35, and 5503.04 be amended and sections 4510.312 and 13  
4513.264 of the Revised Code be enacted to read as follows: 14

**Sec. 307.515.** (A) All fines and penalties collected by, 15  
and moneys arising from forfeited bail in, a municipal court for 16  
offenses and misdemeanors brought for prosecution in the name of 17  
a municipal corporation under one of its penal ordinances, where 18  
there is in force a state statute under which the offense might 19

be prosecuted, or brought for prosecution in the name of the 20  
state, except a portion of those fines, penalties, and moneys 21  
that, plus all costs collected monthly in those state cases, 22  
equal the compensation allowed by the board of county 23  
commissioners to the judges of the municipal court, its clerk, 24  
and the prosecuting attorney of that court in state cases, shall 25  
be retained by the clerk of that municipal court and shall be 26  
deposited by the clerk each month in the county law library 27  
resources fund that is created under section 307.514 of the 28  
Revised Code in the county in which that municipal corporation 29  
is located. The sum that the clerk of the municipal court 30  
deposits in the county law library resources fund shall in no 31  
month be less than twenty-five per cent of the amount of such 32  
fines, penalties, and moneys received in that month, without 33  
deducting the amount of the allowance of the board of county 34  
commissioners to the judges, clerk, and prosecuting attorney. 35

The total amount paid under this section in any one 36  
calendar year by the clerks of all municipal courts in any one 37  
county to the county law library resources fund shall in no 38  
event exceed the following amounts: 39

(1) In counties having a population of fifty thousand or 40  
less, seventy-five hundred dollars and the maximum amount paid 41  
by any of such courts shall not exceed four thousand dollars in 42  
any calendar year. 43

(2) In counties having a population in excess of fifty 44  
thousand but not in excess of one hundred thousand, eight 45  
thousand dollars and the maximum amount paid by any of such 46  
courts shall not exceed five thousand five hundred dollars in 47  
any calendar year. 48

(3) In counties having a population in excess of one 49

hundred thousand but not in excess of one hundred fifty 50  
thousand, ten thousand dollars and the maximum amount paid by 51  
any of such courts shall not exceed seven thousand dollars in 52  
any calendar year. 53

(4) In counties having a population of in excess of one 54  
hundred fifty thousand, fifteen thousand dollars in any calendar 55  
year. The maximum amount to be paid by each clerk shall be 56  
determined by the county auditor in December of each year for 57  
the next succeeding calendar year and shall bear the same ratio 58  
to the total amount payable under this section from the clerks 59  
of all municipal courts in such county as the total fines, 60  
costs, and forfeitures received by the corresponding municipal 61  
court, bear to the total fines, costs, and forfeitures received 62  
by all the municipal courts in the county, as shown for the last 63  
complete year of actual receipts, on the latest available 64  
budgets of such municipal courts. Payments in the full amounts 65  
provided in this section shall be made monthly by each clerk in 66  
each calendar year until the maximum amount for such year has 67  
been paid. When that amount, so determined by the auditor, has 68  
been paid to the county law library resources fund, then no 69  
further payments shall be required in that calendar year from 70  
the clerk of that court. 71

(5) This section does not apply to fines collected by a 72  
municipal court for violations of division (B) of section 73  
4513.263 of the Revised Code, or for violations of any municipal 74  
ordinance that is substantively comparable to that division, all 75  
of which shall be forwarded to the treasurer of state as 76  
provided in ~~division (E) of~~ section 4513.263 of the Revised 77  
Code. 78

(B) The county treasurer, upon the voucher of the county 79

auditor, shall deposit fifty per cent of all moneys collected by 80  
a county court accruing from fines, penalties, and forfeited 81  
bail, unless otherwise distributed by law, in the county law 82  
library resources fund in that county that is created under 83  
section 307.514 of the Revised Code. The county treasurer shall 84  
deposit those moneys into that fund within thirty days after 85  
those moneys have been paid into the county treasury by the 86  
clerk of the county court. 87

This section does not apply to fines collected by a county 88  
court for violations of division (B) of section 4513.263 of the 89  
Revised Code, or for violations of any municipal ordinance that 90  
is substantively comparable to that division, all of which shall 91  
be forwarded to the treasurer of state as provided in ~~division-~~ 92  
~~(E)~~ of section 4513.263 of the Revised Code. 93

(C) In each county of the state, the clerk of the court of 94  
common pleas and the clerk of the probate court shall retain all 95  
fines and penalties collected by, and moneys arising from 96  
forfeited bail in, the court of common pleas and the probate 97  
court of that county for offenses and misdemeanors brought for 98  
prosecution in those courts in the name of the state and monthly 99  
shall deposit those moneys in the county law library resources 100  
fund in that county that is created under section 307.514 of the 101  
Revised Code. The total sums so deposited shall not exceed 102  
twelve hundred fifty dollars per annum, and when that amount has 103  
been deposited in the fund in accordance with this section then 104  
no further payments shall be required under this section in that 105  
calendar year from the clerks of those respective courts. 106

This section does not apply to fines collected by a court 107  
of common pleas for violations of division (B) of section 108  
4513.263 of the Revised Code, all of which shall be forwarded to 109

the treasurer of state as provided in ~~division (E) of that~~ 110  
section. 111

This section does not apply to fines imposed under 112  
division (B) (9) of section 2929.18 of the Revised Code and 113  
collected by a court of common pleas, all of which shall be 114  
forwarded by the court to the treasurer of state not later than 115  
the twentieth day of the month after the month in which they are 116  
collected for deposit into the state treasury to the credit of 117  
the rape crisis program trust fund created by section 109.921 of 118  
the Revised Code. 119

(D) In each county, the treasurer of the county or the 120  
treasurer of the municipal corporation shall deposit monthly 121  
fifty per cent of all fines and penalties collected by, and 122  
fifty per cent of moneys arising from forfeited bail in, any 123  
court in that county for offenses brought for prosecution under 124  
Chapters 4301. and 4303. of the Revised Code and the state 125  
traffic laws in the county legal resources fund in that county 126  
that is created under section 307.514 of the Revised Code. The 127  
sum so deposited in that fund by each treasurer shall not exceed 128  
twelve hundred dollars per annum under Chapters 4301. and 4303. 129  
of the Revised Code, and when that amount has been deposited in 130  
that fund in accordance with this section, then no further 131  
deposits shall be required under this section in that calendar 132  
year from those treasurers. 133

As used in this section, "state traffic laws" does not 134  
include division (B) of section 4513.263 of the Revised Code. 135

**Sec. 733.40.** Except as otherwise provided in section 136  
4511.193 of the Revised Code, all fines, forfeitures, and costs 137  
in ordinance cases and all fees that are collected by the mayor, 138  
that in any manner come into the mayor's hands, or that are due 139

the mayor or a marshal, chief of police, or other officer of the 140  
municipal corporation, any other fees and expenses that have 141  
been advanced out of the treasury of the municipal corporation, 142  
and all money received by the mayor for the use of the municipal 143  
corporation shall be paid by the mayor into the treasury of the 144  
municipal corporation on the first Monday of each month. At the 145  
first regular meeting of the legislative authority each month, 146  
the mayor shall submit a full statement of all money received, 147  
from whom and for what purposes received, and when paid into the 148  
treasury. Except as otherwise provided by section 307.515 or 149  
4511.19 of the Revised Code, all fines, and forfeitures 150  
collected by the mayor in state cases, together with all fees 151  
and expenses collected that have been advanced out of the county 152  
treasury, shall be paid by the mayor to the county treasury on 153  
the first business day of each month. Except as otherwise 154  
provided by section 307.515 or 4511.19 of the Revised Code, the 155  
mayor shall pay all court costs and fees collected by the mayor 156  
in state cases into the municipal treasury on the first business 157  
day of each month. 158

This section does not apply to fines collected by a 159  
mayor's court for violations of division (B) of section 4513.263 160  
of the Revised Code, or for violations of any municipal 161  
ordinance that is substantively comparable to that division, all 162  
of which shall be forwarded to the treasurer of state as 163  
provided in ~~division (E) of~~ section 4513.263 of the Revised 164  
Code. 165

**Sec. 2152.21.** (A) Unless division (C) of this section 166  
applies, if a child is adjudicated a juvenile traffic offender, 167  
the court may make any of the following orders of disposition: 168

(1) Impose costs and one or more financial sanctions in 169

accordance with section 2152.20 of the Revised Code;	170
(2) Suspend the child's driver's license, probationary driver's license, or temporary instruction permit for a definite period not exceeding two years or suspend the registration of all motor vehicles registered in the name of the child for a definite period not exceeding two years. A child whose license or permit is so suspended is ineligible for issuance of a license or permit during the period of suspension. At the end of the period of suspension, the child shall not be reissued a license or permit until the child has paid any applicable reinstatement fee and complied with all requirements governing license reinstatement.	171 172 173 174 175 176 177 178 179 180 181
(3) Place the child on community control;	182
(4) If the child is adjudicated a juvenile traffic offender for an act other than an act that would be a minor misdemeanor if committed by an adult and other than an act that could be disposed of by the juvenile traffic violations bureau serving the court under Traffic Rule 13.1 if the court has established a juvenile traffic violations bureau, require the child to make restitution pursuant to division (A)(3) of section 2152.20 of the Revised Code;	183 184 185 186 187 188 189 190
(5) (a) If the child is adjudicated a juvenile traffic offender for committing a violation of division (A) of section 4511.19 of the Revised Code or of a municipal ordinance that is substantially equivalent to that division, commit the child, for not longer than five days, to either of the following:	191 192 193 194 195
(i) The temporary custody of a detention facility or district detention facility established under section 2152.41 of the Revised Code;	196 197 198

(ii) The temporary custody of any school, camp, 199  
institution, or other facility for children operated in whole or 200  
in part for the care of juvenile traffic offenders of that 201  
nature by the county, by a district organized under section 202  
2151.65 or 2152.41 of the Revised Code, or by a private agency 203  
or organization within the state that is authorized and 204  
qualified to provide the care, treatment, or placement required. 205

(b) If an order of disposition committing a child to the 206  
temporary custody of a home, school, camp, institution, or other 207  
facility of that nature is made under division (A) (5) (a) of this 208  
section, the length of the commitment shall not be reduced or 209  
diminished as a credit for any time that the child was held in a 210  
place of detention or shelter care, or otherwise was detained, 211  
prior to entry of the order of disposition. 212

(6) If, after making a disposition under divisions (A) (1) 213  
to (5) of this section, the court finds upon further hearing 214  
that the child has failed to comply with the orders of the court 215  
and the child's operation of a motor vehicle constitutes the 216  
child a danger to the child and to others, the court may make 217  
any disposition authorized by divisions (A) (1), (4), (5), and 218  
(8) of section 2152.19 of the Revised Code, except that the 219  
child may not be committed to or placed in a secure correctional 220  
facility unless authorized by division (A) (5) of this section, 221  
and commitment to or placement in a detention facility may not 222  
exceed twenty-four hours. 223

(B) If a child is adjudicated a juvenile traffic offender 224  
for violating division (A) or (B) of section 4511.19 of the 225  
Revised Code, in addition to any order of disposition made under 226  
division (A) of this section, the court shall impose a class six 227  
suspension of the temporary instruction permit, probationary 228



driver's license, or driver's license issued to the child from 229  
the range specified in division (A) (6) of section 4510.02 of the 230  
Revised Code. The court, in its discretion, may terminate the 231  
suspension if the child attends and satisfactorily completes a 232  
drug abuse or alcohol abuse education, intervention, or 233  
treatment program specified by the court. During the time the 234  
child is attending a program as described in this division, the 235  
court shall retain the child's temporary instruction permit, 236  
probationary driver's license, or driver's license issued, and 237  
the court shall return the permit or license if it terminates 238  
the suspension as described in this division. 239

(C) If a child is adjudicated a juvenile traffic offender 240  
for violating division (B) (1) of section 4513.263 of the Revised 241  
Code, the court shall impose the appropriate fine set forth in 242  
division ~~(G)~~ (F) (1) of that section. If a child is adjudicated a 243  
juvenile traffic offender for violating division (B) (3) of 244  
section 4513.263 of the Revised Code and if the child is sixteen 245  
years of age or older, the court shall impose the fine set forth 246  
in division ~~(G) (2)~~ (F) (2) of that section. If a child is 247  
adjudicated a juvenile traffic offender for violating division 248  
(B) (3) of section 4513.263 of the Revised Code and if the child 249  
is under sixteen years of age, the court shall not impose a fine 250  
but may place the child on probation or community control. 251

(D) A juvenile traffic offender is subject to sections 252  
4509.01 to 4509.78 of the Revised Code. 253

**Sec. 4501.11.** (A) There is hereby created in the state 254  
treasury the security, investigations, and policing fund. 255  
Notwithstanding section 5503.04 of the Revised Code, no fines 256  
collected from or money arising from bonds or bail forfeited by 257  
persons apprehended or arrested by state highway patrol troopers 258

shall be credited to the general revenue fund until sufficient 259  
revenue to fund appropriations for the activities described 260  
under division (B) of this section are credited to the security, 261  
investigations, and policing fund. All investment earnings of 262  
the security, investigations, and policing fund shall be 263  
credited to that fund. 264

This division does not apply to fines for violations of 265  
division (B) of section 4513.263 of the Revised Code, or to 266  
fines for violations of any municipal ordinance that is 267  
substantively comparable to that division, which fines shall be 268  
delivered to the treasurer of state as provided in ~~division (E)~~ 269  
~~of~~ section 4513.263 of the Revised Code. 270

(B) The money credited to the security, investigations, 271  
and policing fund shall be used to pay the costs of: 272

(1) Providing security for the governor, other officials 273  
and dignitaries, the capitol square, and other state property 274  
pursuant to division (E) of section 5503.02 of the Revised Code; 275

(2) Undertaking major criminal investigations that involve 276  
state property interests; 277

(3) Providing traffic control and security for the Ohio 278  
expositions commission on a full-time, year-round basis; 279

(4) Performing nonhighway-related duties of the state 280  
highway patrol at the Ohio state fair. 281

**Sec. 4507.05.** (A) The registrar of motor vehicles, or a 282  
deputy registrar, upon receiving an application for a temporary 283  
instruction permit and a temporary instruction permit 284  
identification card for a driver's license from any person who 285  
is at least fifteen years six months of age, may issue such a 286  
permit and identification card entitling the applicant to drive 287

a motor vehicle, other than a commercial motor vehicle, upon the	288
highways under the following conditions:	289
(1) If the permit is issued to a person who is at least	290
fifteen years six months of age, but less than sixteen years of	291
age:	292
(a) The permit and identification card are in the holder's	293
immediate possession;	294
(b) The holder is accompanied by an eligible adult who	295
actually occupies the seat beside the permit holder and does not	296
have a prohibited concentration of alcohol in the whole blood,	297
blood serum or plasma, breath, or urine as provided in division	298
(A) of section 4511.19 of the Revised Code;	299
(c) The total number of occupants of the vehicle does not	300
exceed the total number of occupant restraining devices	301
originally installed in the motor vehicle by its manufacturer,	302
and each occupant of the vehicle is wearing all of the available	303
elements of a properly adjusted occupant restraining device.	304
(2) If the permit is issued to a person who is at least	305
sixteen years of age:	306
(a) The permit and identification card are in the holder's	307
immediate possession;	308
(b) The holder is accompanied by a licensed operator who	309
is at least twenty-one years of age, is actually occupying a	310
seat beside the driver, and does not have a prohibited	311
concentration of alcohol in the whole blood, blood serum or	312
plasma, breath, or urine as provided in division (A) of section	313
4511.19 of the Revised Code;	314
(c) The total number of occupants of the vehicle does not	315

exceed the total number of occupant restraining devices 316  
originally installed in the motor vehicle by its manufacturer, 317  
and each occupant of the vehicle is wearing all of the available 318  
elements of a properly adjusted occupant restraining device. 319

(B) The registrar or a deputy registrar, upon receiving 320  
from any person an application for a temporary instruction 321  
permit and temporary instruction permit identification card to 322  
operate a motorcycle, motor-driven cycle or motor scooter, or 323  
motorized bicycle, may issue such a permit and identification 324  
card entitling the applicant, while having the permit and 325  
identification card in the applicant's immediate possession, to 326  
drive a motorcycle or motor-driven cycle or motor scooter, under 327  
the restrictions prescribed in section 4511.53 of the Revised 328  
Code, or to drive a motorized bicycle under restrictions 329  
determined by the registrar. A temporary instruction permit and 330  
temporary instruction permit identification card to operate a 331  
motorized bicycle may be issued to a person fourteen or fifteen 332  
years old. 333

(C) Any permit and identification card issued under this 334  
section shall be issued in the same manner as a driver's 335  
license, upon a form to be furnished by the registrar. A 336  
temporary instruction permit to drive a motor vehicle other than 337  
a commercial motor vehicle shall be valid for a period of one 338  
year. 339

(D) Any person having in the person's possession a valid 340  
and current driver's license or motorcycle operator's license or 341  
endorsement issued to the person by another jurisdiction 342  
recognized by this state is exempt from obtaining a temporary 343  
instruction permit for a driver's license and from submitting to 344  
the examination for a temporary instruction permit and the 345

regular examination for obtaining a driver's license or 346  
motorcycle operator's endorsement in this state if the person 347  
does all of the following: 348

(1) Submits to and passes vision screening as provided in 349  
section 4507.12 of the Revised Code; 350

(2) Surrenders to the registrar or deputy registrar the 351  
person's driver's license issued by the other jurisdiction; and 352

(3) Complies with all other applicable requirements for 353  
issuance by this state of a driver's license, driver's license 354  
with a motorcycle operator's endorsement, or restricted license 355  
to operate a motorcycle. 356

If the person does not comply with all the requirements of 357  
this division, the person shall submit to the regular 358  
examination for obtaining a driver's license or motorcycle 359  
operator's endorsement in this state in order to obtain such a 360  
license or endorsement. 361

(E) The registrar may adopt rules governing the use of 362  
temporary instruction permits and temporary instruction permit 363  
identification cards. 364

(F) (1) No holder of a permit issued under division (A) of 365  
this section shall operate a motor vehicle upon a highway or any 366  
public or private property used by the public for purposes of 367  
vehicular travel or parking in violation of the conditions 368  
established under division (A) of this section. 369

(2) Except as provided in division (F) (2) of this section, 370  
no holder of a permit that is issued under division (A) of this 371  
section and that is issued on or after July 1, 1998, and who has 372  
not attained the age of eighteen years, shall operate a motor 373  
vehicle upon a highway or any public or private property used by 374

the public for purposes of vehicular travel or parking between 375  
the hours of midnight and six a.m. 376

The holder of a permit issued under division (A) of this 377  
section on or after July 1, 1998, who has not attained the age 378  
of eighteen years, may operate a motor vehicle upon a highway or 379  
any public or private property used by the public for purposes 380  
of vehicular travel or parking between the hours of midnight and 381  
six a.m. if, at the time of such operation, the holder is 382  
accompanied by the holder's parent, guardian, or custodian, and 383  
the parent, guardian, or custodian holds a current valid 384  
driver's or commercial driver's license issued by this state, is 385  
actually occupying a seat beside the permit holder, and does not 386  
have a prohibited concentration of alcohol in the whole blood, 387  
blood serum or plasma, breath, or urine as provided in division 388  
(A) of section 4511.19 of the Revised Code. 389

~~(G) (1) Notwithstanding any other provision of law to the 390  
contrary, no law enforcement officer shall cause the operator of 391  
a motor vehicle being operated on any street or highway to stop 392  
the motor vehicle for the sole purpose of determining whether 393  
each occupant of the motor vehicle is wearing all of the 394  
available elements of a properly adjusted occupant restraining 395  
device as required by division (A) of this section, or for the 396  
sole purpose of issuing a ticket, citation, or summons if the 397  
requirement in that division has been or is being violated, or 398  
for causing the arrest of or commencing a prosecution of a 399  
person for a violation of that requirement. 400~~

~~(2) (G) Notwithstanding any other provision of law to the 401  
contrary, no law enforcement officer shall cause the operator of 402  
a motor vehicle being operated on any street or highway to stop 403  
the motor vehicle for the sole purpose of determining whether a 404~~

violation of division (F) (2) of this section has been or is 405  
being committed or for the sole purpose of issuing a ticket, 406  
citation, or summons for such a violation or for causing the 407  
arrest of or commencing a prosecution of a person for such 408  
violation. 409

(H) As used in this section: 410

(1) "Eligible adult" means any of the following: 411

(a) An instructor of a driver training course approved by 412  
the department of public safety; 413

(b) Any of the following persons who holds a current valid 414  
driver's or commercial driver's license issued by this state: 415

(i) A parent, guardian, or custodian of the permit holder; 416

(ii) A person twenty-one years of age or older who acts in 417  
loco parentis of the permit holder. 418

(2) "Occupant restraining device" has the same meaning as 419  
in section 4513.263 of the Revised Code. 420

(I) Whoever violates division (F) (1) or (2) of this 421  
section is guilty of a minor misdemeanor. 422

**Sec. 4507.071.** (A) The registrar of motor vehicles or any 423  
deputy registrar shall not issue a driver's license to any 424  
person under eighteen years of age, except that the registrar or 425  
a deputy registrar may issue a probationary license to a person 426  
who is at least sixteen years of age and has held a temporary 427  
instruction permit for a period of at least six months. 428

(B) (1) (a) No holder of a probationary driver's license who 429  
has held the license for less than twelve months shall operate a 430  
motor vehicle upon a highway or any public or private property 431

used by the public for purposes of vehicular travel or parking 432  
between the hours of midnight and six a.m. unless the holder is 433  
accompanied by the holder's parent or guardian. 434

(b) No holder of a probationary driver's license who has 435  
held the license for twelve months or longer shall operate a 436  
motor vehicle upon a highway or any public or private property 437  
used by the public for purposes of vehicular travel or parking 438  
between the hours of one a.m. and five a.m. unless the holder is 439  
accompanied by the holder's parent or guardian. 440

(2) (a) Subject to division (D) (1) of this section, 441  
division (B) (1) (a) of this section does not apply to the holder 442  
of a probationary driver's license who is doing ~~either~~ any of 443  
the following: 444

(i) Traveling to or from work between the hours of 445  
midnight and six a.m., provided that the holder has in the 446  
holder's immediate possession written documentation from the 447  
holder's employer; 448

(ii) Traveling to or from an official function sponsored 449  
by the school the holder attends between the hours of midnight 450  
and six a.m., provided that the holder has in the holder's 451  
immediate possession written documentation from an appropriate 452  
official of the school; 453

(iii) Traveling to or from an official religious event 454  
between the hours of midnight and six a.m., provided that the 455  
holder has in the holder's immediate possession written 456  
documentation from an appropriate official affiliated with the 457  
event. 458

(b) Division (B) (1) (b) of this section does not apply to 459  
the holder of a probationary driver's license who is doing 460



~~either~~ any of the following: 461

(i) Traveling to or from work between the hours of one 462  
a.m. and five a.m., provided that the holder has in the holder's 463  
immediate possession written documentation from the holder's 464  
employer.; 465

(ii) Traveling to or from an official function sponsored 466  
by the school the holder attends between the hours of one a.m. 467  
and five a.m., provided that the holder has in the holder's 468  
immediate possession written documentation from an appropriate 469  
official of the school; 470

(iii) Traveling to or from an official religious event 471  
between the hours of one a.m. and five a.m., provided that the 472  
holder has in the holder's immediate possession written 473  
documentation from an appropriate official affiliated with the 474  
event. 475

(3) An employer, school official, or official affiliated 476  
with a religious event is not liable in damages in a civil 477  
action for any injury, death, or loss to person or property that 478  
allegedly arises from, or is related to, the fact that the 479  
employer, school official, or official affiliated with a 480  
religious event provided the holder of a probationary driver's 481  
license with the written documentation described in division (B) 482  
(2) of this section. 483

The registrar of motor vehicles shall make available at no 484  
cost a form to serve as the written documentation described in 485  
division (B)(2) of this section, and employers, school 486  
officials, officials affiliated with religious events, and 487  
holders of probationary driver's licenses may utilize that form 488  
or may choose to utilize any other written documentation to meet 489

the requirements of that division. 490

(4) No holder of a probationary driver's license who has 491  
held the license for less than twelve months shall operate a 492  
motor vehicle upon a highway or any public or private property 493  
used by the public for purposes of vehicular travel or parking 494  
with more than one person who is not a family member occupying 495  
the vehicle unless the probationary license holder is 496  
accompanied by the probationary license holder's parent, 497  
guardian, or custodian. 498

(C) It is an affirmative defense to a violation of 499  
division (B) (1) (a) or (b) of this section if, at the time of the 500  
violation, an emergency existed that required the holder of the 501  
probationary driver's license to operate a motor vehicle in 502  
violation of division (B) (1) (a) or (b) of this section or the 503  
holder was an emancipated minor. 504

(D) (1) If a person is issued a probationary driver's 505  
license prior to attaining the age of seventeen years and the 506  
person pleads guilty to, is convicted of, or is adjudicated in 507  
juvenile court of having committed a moving violation during the 508  
six-month period commencing on the date on which the person is 509  
issued the probationary driver's license, the court with 510  
jurisdiction over the violation may order that the holder must 511  
be accompanied by the holder's parent or guardian whenever the 512  
holder is operating a motor vehicle upon a highway or any public 513  
or private property used by the public for purposes of vehicular 514  
travel or parking for a period not to exceed six months or the 515  
date the holder attains the age of seventeen years, whichever 516  
occurs first. 517

(2) Any person who is subject to the operating 518  
restrictions established under division (D) (1) of this section 519

as a result of a first moving violation may petition the court 520  
for driving privileges without being accompanied by the holder's 521  
parent or guardian during the period of time determined by the 522  
court under that division. In granting the driving privileges, 523  
the court shall specify the purposes of the privileges and shall 524  
issue the person appropriate forms setting forth the privileges 525  
granted. If a person is convicted of, pleads guilty to, or is 526  
adjudicated in juvenile court of having committed a second or 527  
subsequent moving violation, the court with jurisdiction over 528  
the violation may terminate any driving privileges previously 529  
granted under this division. 530

(3) No person shall violate any operating restriction 531  
imposed under division (D) (1) or (2) of this section. 532

(E) No holder of a probationary license shall operate a 533  
motor vehicle upon a highway or any public or private property 534  
used by the public for purposes of vehicular travel or parking 535  
unless the total number of occupants of the vehicle does not 536  
exceed the total number of occupant restraining devices 537  
originally installed in the motor vehicle by its manufacturer, 538  
and each occupant of the vehicle is wearing all of the available 539  
elements of a properly adjusted occupant restraining device. 540

(F) A restricted license may be issued to a person who is 541  
fourteen or fifteen years of age upon proof of hardship 542  
satisfactory to the registrar of motor vehicles. 543

(G) ~~Notwithstanding any other provision of law to the~~ 544  
~~contrary, no law enforcement officer shall cause the operator of~~ 545  
~~a motor vehicle being operated on any street or highway to stop~~ 546  
~~the motor vehicle for the sole purpose of determining whether~~ 547  
~~each occupant of the motor vehicle is wearing all of the~~ 548  
~~available elements of a properly adjusted occupant restraining~~ 549

~~device as required by division (E) of this section, or for the~~ 550  
~~sole purpose of issuing a ticket, citation, or summons if the~~ 551  
~~requirement in that division has been or is being violated, or~~ 552  
~~for causing the arrest of or commencing a prosecution of a~~ 553  
~~person for a violation of that requirement.~~ 554

~~(H)~~ Notwithstanding any other provision of law to the 555  
contrary, no law enforcement officer shall cause the operator of 556  
a motor vehicle being operated on any street or highway to stop 557  
the motor vehicle for the sole purpose of determining whether a 558  
violation of division (B) (1) (a) or (b) of this section has been 559  
or is being committed or for the sole purpose of issuing a 560  
ticket, citation, or summons for such a violation or for causing 561  
the arrest of or commencing a prosecution of a person for such 562  
violation. 563

~~(I)~~ (H) As used in this section: 564

(1) "Occupant restraining device" has the same meaning as 565  
in section 4513.263 of the Revised Code. 566

(2) "Family member" of a probationary license holder 567  
includes any of the following: 568

(a) A spouse; 569

(b) A child or stepchild; 570

(c) A parent, stepparent, grandparent, or parent-in-law; 571

(d) An aunt or uncle; 572

(e) A sibling, whether of the whole or half blood or by 573  
adoption, a brother-in-law, or a sister-in-law; 574

(f) A son or daughter of the probationary license holder's 575  
stepparent if the stepparent has not adopted the probationary 576

license holder; 577

(g) An eligible adult, as defined in section 4507.05 of 578  
the Revised Code. 579

(3) "Moving violation" means any violation of any statute 580  
or ordinance that regulates the operation of vehicles, 581  
streetcars, or trackless trolleys on the highways or streets. 582  
"Moving violation" does not include a violation of section 583  
4513.263 of the Revised Code or a substantially equivalent 584  
municipal ordinance, or a violation of any statute or ordinance 585  
regulating pedestrians or the parking of vehicles, vehicle size 586  
or load limitations, vehicle fitness requirements, or vehicle 587  
registration. 588

~~(J)~~ (I) Whoever violates division (B) (1) or (4), (D) (3), 589  
or (E) of this section is guilty of a minor misdemeanor. 590

**Sec. 4510.312.** (A) As used in this section, "offender" 591  
means a person to which both of the following apply: 592

(1) The person has been issued a ticket, citation, or 593  
summons for a violation of section 4511.81 or 4513.263 of the 594  
Revised Code; 595

(2) The person has not previously been issued a ticket, 596  
citation, or summons and paid a fine under section 4511.81 or 597  
4513.263 of the Revised Code or equivalent municipal ordinances. 598

(B) The director of public safety shall establish an 599  
occupant restraint safety course. The director shall require the 600  
course to consist of thirty minutes of online instruction 601  
regarding the following: 602

(1) Laws governing and the importance of wearing a 603  
properly adjusted occupant restraining device; 604

(2) Laws governing and the importance of properly securing 605  
children in appropriate child restraint systems, booster seats, 606  
and occupant restraining devices. 607

(C) The director shall not charge a fee to an offender who 608  
participates in the course. 609

(D) The director shall issue to an offender who 610  
successfully completes the course written evidence of such 611  
completion. 612

**Sec. 4511.043.** (A) (1) No law enforcement officer who stops 613  
the operator of a motor vehicle in the course of an authorized 614  
sobriety or other motor vehicle checkpoint operation or a motor 615  
vehicle safety inspection shall issue a ticket, citation, or 616  
summons for a secondary traffic offense unless in the course of 617  
the checkpoint operation or safety inspection the officer first 618  
determines that an offense other than a secondary traffic 619  
offense has occurred and either places the operator or a vehicle 620  
occupant under arrest or issues a ticket, citation, or summons 621  
to the operator or a vehicle occupant for an offense other than 622  
a secondary offense. 623

(2) A law enforcement agency that operates a motor vehicle 624  
checkpoint for an express purpose related to a secondary traffic 625  
offense shall not issue a ticket, citation, or summons for any 626  
secondary traffic offense at such a checkpoint, but may use such 627  
a checkpoint operation to conduct a public awareness campaign 628  
and distribute information. 629

(B) As used in this section, "secondary traffic offense" 630  
means a violation of division ~~(A) or~~ (F) (2) of section 4507.05, 631  
division (B) (1) (a) or (b) ~~or (E)~~ of section 4507.071, ~~division~~ 632  
~~(C) or (D) of section 4511.81, or~~ division (A) (3) of section 633

4513.03, ~~or division (B) of section 4513.263~~ of the Revised Code. 634  
635

**Sec. 4511.81.** (A) When any child who is in either or both 636  
of the following categories is being transported in a motor 637  
vehicle, other than a taxicab or public safety vehicle as 638  
defined in section 4511.01 of the Revised Code, that is required 639  
by the United States department of transportation to be equipped 640  
with seat belts at the time of manufacture or assembly, the 641  
operator of the motor vehicle shall have the child properly 642  
secured in accordance with the manufacturer's instructions in a 643  
child restraint system that meets federal motor vehicle safety 644  
standards: 645

(1) A child who is less than four years of age; 646

(2) A child who weighs less than forty pounds. 647

(B) When any child who is in either or both of the 648  
following categories is being transported in a motor vehicle, 649  
other than a taxicab, that is owned, leased, or otherwise under 650  
the control of a nursery school or child care center, the 651  
operator of the motor vehicle shall have the child properly 652  
secured in accordance with the manufacturer's instructions in a 653  
child restraint system that meets federal motor vehicle safety 654  
standards: 655

(1) A child who is less than four years of age; 656

(2) A child who weighs less than forty pounds. 657

(C) When any child who is less than eight years of age and 658  
less than four feet nine inches in height, who is not required 659  
by division (A) or (B) of this section to be secured in a child 660  
restraint system, is being transported in a motor vehicle, other 661  
than a taxicab or public safety vehicle as defined in section 662

4511.01 of the Revised Code or a vehicle that is regulated under 663  
section 5104.015 of the Revised Code, that is required by the 664  
United States department of transportation to be equipped with 665  
seat belts at the time of manufacture or assembly, the operator 666  
of the motor vehicle shall have the child properly secured in 667  
accordance with the manufacturer's instructions on a booster 668  
seat that meets federal motor vehicle safety standards. 669

(D) When any child who is at least eight years of age but 670  
not older than fifteen years of age, and who is not otherwise 671  
required by division (A), (B), or (C) of this section to be 672  
secured in a child restraint system or booster seat, is being 673  
transported in a motor vehicle, other than a taxicab or public 674  
safety vehicle as defined in section 4511.01 of the Revised 675  
Code, that is required by the United States department of 676  
transportation to be equipped with seat belts at the time of 677  
manufacture or assembly, the operator of the motor vehicle shall 678  
have the child properly restrained either in accordance with the 679  
manufacturer's instructions in a child restraint system that 680  
meets federal motor vehicle safety standards or in an occupant 681  
restraining device as defined in section 4513.263 of the Revised 682  
Code. 683

~~(E) Notwithstanding any provision of law to the contrary,~~ 684  
~~no law enforcement officer shall cause an operator of a motor~~ 685  
~~vehicle being operated on any street or highway to stop the~~ 686  
~~motor vehicle for the sole purpose of determining whether a~~ 687  
~~violation of division (C) or (D) of this section has been or is~~ 688  
~~being committed or for the sole purpose of issuing a ticket,~~ 689  
~~citation, or summons for a violation of division (C) or (D) of~~ 690  
~~this section or causing the arrest of or commencing a~~ 691  
~~prosecution of a person for a violation of division (C) or (D)~~ 692  
~~of this section, and absent another violation of law, a law~~ 693



~~enforcement officer's view of the interior or visual inspection~~ 694  
~~of a motor vehicle being operated on any street or highway may~~ 695  
~~not be used for the purpose of determining whether a violation~~ 696  
~~of division (C) or (D) of this section has been or is being~~ 697  
~~committed.~~ 698

~~(F)~~The director of public safety shall adopt such rules 699  
as are necessary to carry out this section. 700

~~(G)~~(F)The failure of an operator of a motor vehicle to 701  
secure a child in a child restraint system, a booster seat, or 702  
an occupant restraining device as required by this section is 703  
not negligence imputable to the child, is not admissible as 704  
evidence in any civil action involving the rights of the child 705  
against any other person allegedly liable for injuries to the 706  
child, is not to be used as a basis for a criminal prosecution 707  
of the operator of the motor vehicle other than a prosecution 708  
for a violation of this section, and is not admissible as 709  
evidence in any criminal action involving the operator of the 710  
motor vehicle other than a prosecution for a violation of this 711  
section. 712

~~(H)~~(G)This section does not apply when an emergency 713  
exists that threatens the life of any person operating or 714  
occupying a motor vehicle that is being used to transport a 715  
child who otherwise would be required to be restrained under 716  
this section. This section does not apply to a person operating 717  
a motor vehicle who has an affidavit signed by a physician 718  
licensed to practice in this state under Chapter 4731. of the 719  
Revised Code or a chiropractor licensed to practice in this 720  
state under Chapter 4734. of the Revised Code that states that 721  
the child who otherwise would be required to be restrained under 722  
this section has a physical impairment that makes use of a child 723

restraint system, booster seat, or an occupant restraining 724  
device impossible or impractical, provided that the person 725  
operating the vehicle has safely and appropriately restrained 726  
the child in accordance with any recommendations of the 727  
physician or chiropractor as noted on the affidavit. 728

~~(I)~~ (H) There is hereby created in the state treasury the 729  
child highway safety fund, consisting of fines imposed pursuant 730  
to division (L) (1) of this section for violations of divisions 731  
(A), (B), (C), and (D) of this section. The money in the fund 732  
shall be used by the department of health only to defray the 733  
cost of designating hospitals as pediatric trauma centers under 734  
section 3727.081 of the Revised Code and to establish and 735  
administer a child highway safety program. The purpose of the 736  
program shall be to educate the public about child restraint 737  
systems and booster seats and the importance of their proper 738  
use. The program also shall include a process for providing 739  
child restraint systems and booster seats to persons who meet 740  
the eligibility criteria established by the department, and a 741  
toll-free telephone number the public may utilize to obtain 742  
information about child restraint systems and booster seats, and 743  
their proper use. 744

~~(J)~~ (I) The director of health, in accordance with Chapter 745  
119. of the Revised Code, shall adopt any rules necessary to 746  
carry out this section, including rules establishing the 747  
criteria a person must meet in order to receive a child 748  
restraint system or booster seat under the department's child 749  
highway safety program; provided that rules relating to the 750  
verification of pediatric trauma centers shall not be adopted 751  
under this section. 752

~~(K)~~ (J) Nothing in this section shall be construed to 753

require any person to carry with the person the birth 754  
certificate of a child to prove the age of the child, but the 755  
production of a valid birth certificate for a child showing that 756  
the child was not of an age to which this section applies is a 757  
defense against any ticket, citation, or summons issued for 758  
violating this section. 759

~~(I) (1)~~ (K) (1) Whoever violates division (A), (B), (C), or 760  
(D) of this section shall be punished as follows, provided that 761  
the failure of an operator of a motor vehicle to secure more 762  
than one child in a child restraint system, booster seat, or 763  
occupant restraining device as required by this section that 764  
occurred at the same time, on the same day, and at the same 765  
location is deemed to be a single violation of this section: 766

(a) Except as otherwise provided in division ~~(I) (1) (b)~~ (K) 767  
(1) (b) of this section, the offender is guilty of a minor 768  
misdemeanor and shall be fined not less than twenty-five dollars 769  
nor more than seventy-five dollars. 770

(b) If the offender previously has been convicted of or 771  
pleaded guilty to a violation of division (A), (B), (C), or (D) 772  
of this section or of a municipal ordinance that is 773  
substantially similar to any of those divisions, the offender is 774  
guilty of a misdemeanor of the fourth degree. 775

(2) All fines imposed pursuant to division ~~(I) (1)~~ (K) (1) 776  
of this section shall be forwarded to the treasurer of state for 777  
deposit in the child highway safety fund created by division ~~(I)~~ 778  
(H) of this section. 779

(3) In lieu of payment of the fine under division (K) (1) 780  
(a) of this section, an offender who has not previously been 781  
issued a ticket, citation, or summons and paid a fine under this 782

section, section 4513.263 of the Revised Code, or equivalent 783  
municipal ordinances may elect to complete the occupant 784  
restraint safety course established under section 4510.312 of 785  
the Revised Code. If the offender successfully completes the 786  
course, the offender shall submit to the court, in lieu of the 787  
fine, the written evidence required to be issued to the offender 788  
under that section. The offender shall submit the written 789  
evidence within ninety days of the offense. 790

**Sec. 4513.263.** (A) As used in this section ~~and in section~~ 791  
~~4513.99 of the Revised Code:~~ 792

(1) "Automobile" means any commercial tractor, passenger 793  
car, commercial car, or truck that is required to be factory- 794  
equipped with an occupant restraining device for the operator or 795  
any passenger by regulations adopted by the United States 796  
secretary of transportation ~~pursuant to the "National Traffic-~~ 797  
~~and Motor Vehicle Safety Act of 1966," 80 Stat. 719, 15 U.S.C.A.~~ 798  
~~1392~~ and the national highway traffic safety administration. 799

(2) "Occupant restraining device" means a seat safety 800  
belt, shoulder belt, harness, or other safety device for 801  
restraining a person who is an operator of or passenger in an 802  
automobile and that satisfies the minimum federal vehicle safety 803  
standards established by the United States department of 804  
transportation. 805

(3) "Passenger" means any person in an automobile, other 806  
than its operator, who is occupying a seating position for which 807  
an occupant restraining device is provided. 808

(4) "Commercial tractor," "passenger car," and "commercial 809  
car" have the same meanings as in section 4501.01 of the Revised 810  
Code. 811

(5) "Vehicle" and "motor vehicle," as used in the 812  
definitions of the terms set forth in division (A)(4) of this 813  
section, have the same meanings as in section 4511.01 of the 814  
Revised Code. 815

(6) "Tort action" means a civil action for damages for 816  
injury, death, or loss to person or property. "Tort action" 817  
includes a product liability claim, as defined in section 818  
2307.71 of the Revised Code, and an asbestos claim, as defined 819  
in section 2307.91 of the Revised Code, but does not include a 820  
civil action for damages for breach of contract or another 821  
agreement between persons. 822

(B) No person shall do any of the following: 823

(1) Operate an automobile on any street or highway unless 824  
that person is wearing all of the available elements of a 825  
properly adjusted occupant restraining device, or operate a 826  
school bus that has an occupant restraining device installed for 827  
use in its operator's seat unless that person is wearing all of 828  
the available elements of the device, as properly adjusted; 829

(2) Operate an automobile on any street or highway unless 830  
each passenger in the automobile who is subject to the 831  
requirement set forth in division (B)(3) of this section is 832  
wearing all of the available elements of a properly adjusted 833  
occupant restraining device; 834

(3) Occupy, as a passenger, a seating position on the 835  
front seat of an automobile being operated on any street or 836  
highway unless that person is wearing all of the available 837  
elements of a properly adjusted occupant restraining device; 838

(4) Operate a taxicab on any street or highway unless all 839  
factory-equipped occupant restraining devices in the taxicab are 840

maintained in usable form. 841

(C) (1) Division (B) (3) of this section does not apply to a 842  
person who is required by section 4511.81 of the Revised Code to 843  
be secured in a child restraint device or booster seat. 844

(2) Division (B) (1) of this section does not apply to a 845  
person who is an employee of the United States postal service or 846  
of a newspaper home delivery service, during any period in which 847  
the person is engaged in the operation of an automobile to 848  
deliver mail or newspapers to addressees. 849

(3) Divisions (B) (1) and (3) of this section do not apply 850  
to a person who has an affidavit signed by a physician licensed 851  
to practice in this state under Chapter 4731. of the Revised 852  
Code or a chiropractor licensed to practice in this state under 853  
Chapter 4734. of the Revised Code that states the following: 854

(a) That the person has a physical impairment that makes 855  
use of an occupant restraining device impossible or impractical; 856

(b) Whether the physical impairment is temporary, 857  
permanent, or reasonably expected to be permanent; 858

(c) If the physical impairment is temporary, how long the 859  
physical impairment is expected to make the use of an occupant 860  
restraining device impossible or impractical. 861

(4) Divisions (B) (1) and (3) of this section do not apply 862  
to a person who has registered with the registrar of motor 863  
vehicles in accordance with division (C) (5) of this section. 864

(5) A person who has received an affidavit under division 865  
(C) (3) of this section stating that the person has a permanent 866  
or reasonably expected to be permanent physical impairment that 867  
makes use of an occupant restraining device impossible or 868

impracticable may register with the registrar attesting to that 869  
fact. Upon such registration, the registrar shall make that 870  
information available in the law enforcement automated data 871  
system. A person included in the database under division (C) (5) 872  
of this section is not required to have the affidavit obtained 873  
in accordance with division (C) (3) of this section in their 874  
possession while operating or occupying an automobile. 875

(6) A physician or chiropractor who issues an affidavit 876  
for the purposes of division (C) (3) or (4) of this section is 877  
immune from civil liability arising from any injury or death 878  
sustained by the person who was issued the affidavit due to the 879  
failure of the person to wear an occupant restraining device 880  
unless the physician or chiropractor, in issuing the affidavit, 881  
acted in a manner that constituted willful, wanton, or reckless 882  
misconduct. 883

(7) The registrar shall adopt rules in accordance with 884  
Chapter 119. of the Revised Code establishing a process for a 885  
person to be included in the database under division (C) (5) of 886  
this section. The information provided and included in the 887  
database under division (C) (5) of this section is not a public 888  
record subject to inspection or copying under section 149.43 of 889  
the Revised Code. 890

~~(D) Notwithstanding any provision of law to the contrary, 891  
no law enforcement officer shall cause an operator of an 892  
automobile being operated on any street or highway to stop the 893  
automobile for the sole purpose of determining whether a 894  
violation of division (B) of this section has been or is being 895  
committed or for the sole purpose of issuing a ticket, citation, 896  
or summons for a violation of that nature or causing the arrest 897  
of or commencing a prosecution of a person for a violation of 898~~

~~that nature, and no law enforcement officer shall view the interior or visually inspect any automobile being operated on any street or highway for the sole purpose of determining whether a violation of that nature has been or is being committed.~~

~~(E) (1) All fines collected for violations of division (B) of this section, or for violations of any ordinance or resolution of a political subdivision that is substantively comparable to that division, shall be forwarded to the treasurer of state for deposit into the state treasury to the credit of the trauma and emergency medical services fund, which is hereby created. In addition, the~~

(2) The trauma and emergency medical services fund shall also consist of all of the following which shall be deposited into the fund:

(a) The portion of the driver's license reinstatement fee described in division (F) (2) (g) of section 4511.191 of the Revised Code, plus all;

(b) All fees collected under section 4765.11 of the Revised Code, plus all;

(c) All fines imposed under section 4765.55 of the Revised Code, plus the;

(d) The fees and other moneys specified in section 4766.05 of the Revised Code, and plus five;

(e) Five per cent of fines and moneys arising from bail forfeitures as directed by section 5503.04 of the Revised Code, also shall be deposited into the trauma and emergency medical services fund. All



(3) All money deposited into the trauma and emergency 927  
medical services fund shall be used by the department of public 928  
safety for the administration and operation of the division of 929  
emergency medical services and the state board of emergency 930  
medical, fire, and transportation services, and by the state 931  
board of emergency medical, fire, and transportation services to 932  
make grants, in accordance with section 4765.07 of the Revised 933  
Code and rules the board adopts under section 4765.11 of the 934  
Revised Code. ~~The~~ 935

(4) The director of budget and management may transfer 936  
excess money from the trauma and emergency medical services fund 937  
to the public safety - highway purposes fund established in 938  
section 4501.06 of the Revised Code if the director of public 939  
safety determines that the amount of money in the trauma and 940  
emergency medical services fund exceeds the amount required to 941  
cover such costs incurred by the emergency medical services 942  
agency and the grants made by the state board of emergency 943  
medical, fire, and transportation services and requests the 944  
director of budget and management to make the transfer. 945

~~(F) (1)~~ (E) (1) Subject to division ~~(F) (2)~~ (E) (2) of this 946  
section, the failure of a person to wear all of the available 947  
elements of a properly adjusted occupant restraining device in 948  
violation of division (B) (1) or (3) of this section or the 949  
failure of a person to ensure that each minor who is a passenger 950  
of an automobile being operated by that person is wearing all of 951  
the available elements of a properly adjusted occupant 952  
restraining device in violation of division (B) (2) of this 953  
section shall not be considered or used by the trier of fact in 954  
a tort action as evidence of negligence or contributory 955  
negligence. But, the trier of fact may determine based on 956  
evidence admitted consistent with the Ohio Rules of Evidence 957

that the failure contributed to the harm alleged in the tort 958  
action and may diminish a recovery of compensatory damages that 959  
represents noneconomic loss, as defined in section 2307.011 of 960  
the Revised Code, in a tort action that could have been 961  
recovered but for the plaintiff's failure to wear all of the 962  
available elements of a properly adjusted occupant restraining 963  
device. Evidence of that failure shall not be used as a basis 964  
for a criminal prosecution of the person other than a 965  
prosecution for a violation of this section; and shall not be 966  
admissible as evidence in a criminal action involving the person 967  
other than a prosecution for a violation of this section. 968

(2) If, at the time of an accident involving a passenger 969  
car equipped with occupant restraining devices, any occupant of 970  
the passenger car who sustained injury or death was not wearing 971  
an available occupant restraining device, was not wearing all of 972  
the available elements of such a device, or was not wearing such 973  
a device as properly adjusted, then, consistent with the Rules 974  
of Evidence, the fact that the occupant was not wearing the 975  
available occupant restraining device, was not wearing all of 976  
the available elements of such a device, or was not wearing such 977  
a device as properly adjusted is admissible in evidence in 978  
relation to any claim for relief in a tort action to the extent 979  
that the claim for relief satisfies all of the following: 980

(a) It seeks to recover damages for injury or death to the 981  
occupant. 982

(b) The defendant in question is the manufacturer, 983  
designer, distributor, or seller of the passenger car. 984

(c) The claim for relief against the defendant in question 985  
is that the injury or death sustained by the occupant was 986  
enhanced or aggravated by some design defect in the passenger 987

car or that the passenger car was not crashworthy. 988

~~(G) (1)~~ (F) (1) Whoever violates division (B) (1) of this 989  
section shall be fined thirty dollars. 990

(2) Whoever violates division (B) (3) of this section shall 991  
be fined twenty dollars. 992

(3) Except as otherwise provided in this division, whoever 993  
violates division (B) (4) of this section is guilty of a minor 994  
misdemeanor. If the offender previously has been convicted of or 995  
pleaded guilty to a violation of division (B) (4) of this 996  
section, whoever violates division (B) (4) of this section is 997  
guilty of a misdemeanor of the third degree. 998

(4) In lieu of payment of the fine under divisions (F) (1) 999  
to (3) of this section, an offender who has not previously been 1000  
issued a ticket, citation, or summons and paid a fine under this 1001  
section, section 4511.81 of the Revised Code, or equivalent 1002  
municipal ordinances may elect to complete the occupant 1003  
restraint safety course established under section 4510.312 of 1004  
the Revised Code. If the offender successfully completes the 1005  
course, the offender shall submit to the court, in lieu of the 1006  
fine, the written evidence required to be issued to the offender 1007  
under that section. The offender shall submit the written 1008  
evidence within ninety days of the offense. 1009

**Sec. 4513.264.** (A) If a law enforcement officer issues an 1010  
offender a ticket, citation, or summons for a violation of 1011  
section 4511.81 or 4513.263 of the Revised Code, the officer 1012  
shall report the issuance of the ticket, citation, or summons to 1013  
the officer's law enforcement agency. 1014

(B) A law enforcement agency shall compile the information 1015  
from reports submitted in accordance with division (A) of this 1016

section. Every other month, the agency shall prepare a report 1017  
that describes the number of offenders who received a ticket, 1018  
citation, or summons under sections 4511.81 and 4513.263 of the 1019  
Revised Code during the prior two months. Upon completion of the 1020  
report, the agency shall send the report to the attorney 1021  
general. 1022

(C) The attorney general shall complete an annual report 1023  
that is based on the reports submitted by law enforcement 1024  
agencies under this section during the prior one-year period. 1025  
The report shall describe both of the following: 1026

(1) The total number of offenders who received a ticket, 1027  
citation, or summons for a violation of section 4511.81 or 1028  
4513.263 of the Revised Code; 1029

(2) The information specified under division (B)(1) of 1030  
this section listed by law enforcement agency. 1031

(D) Upon completion of the annual report, the attorney 1032  
general shall submit it to the governor, the speaker of the 1033  
house of representatives, and the president of the senate. 1034

**Sec. 4513.35.** (A) All fines collected under sections 1035  
4511.01 to 4511.78, 4511.99, and 4513.01 to 4513.37 of the 1036  
Revised Code shall be paid into the county treasury and, with 1037  
the exception of that portion distributed under section 307.515 1038  
of the Revised Code, shall be placed to the credit of the fund 1039  
for the maintenance and repair of the highways within that 1040  
county, except that: 1041

(1) All fines for violations of division (B) of section 1042  
4513.263 shall be delivered to the treasurer of state as 1043  
provided in ~~division (E) of~~ section 4513.263 of the Revised 1044  
Code. 1045

(2) All fines collected from, or moneys arising from bonds 1046  
forfeited by, persons apprehended or arrested by state highway 1047  
patrol troopers shall be distributed as provided in section 1048  
5503.04 of the Revised Code. 1049

(3) (a) Subject to division (E) of section 4513.263 of the 1050  
Revised Code and except as otherwise provided in division (A) (3) 1051  
(b) of this section, one-half of all fines collected from, and 1052  
one-half of all moneys arising from bonds forfeited by, persons 1053  
apprehended or arrested by a township constable or other 1054  
township police officer shall be paid to the township treasury 1055  
to be placed to the credit of the general fund. 1056

(b) All fines collected from, and all moneys arising from 1057  
bonds forfeited by, persons apprehended or arrested by a 1058  
township constable or other township police officer pursuant to 1059  
division (B) (2) or (C) of section 4513.39 of the Revised Code 1060  
for a violation of section 4511.21 of the Revised Code or any 1061  
other law, ordinance, or regulation pertaining to speed that 1062  
occurred on a highway that is part of the interstate system or 1063  
otherwise part of the national highway system, shall be paid 1064  
into the county treasury and be credited as provided in the 1065  
first paragraph of this section. 1066

(B) Notwithstanding any other provision of this section or 1067  
of any other section of the Revised Code: 1068

(1) All fines collected from, and all moneys arising from 1069  
bonds forfeited by, persons arrested under division (E) (1) or 1070  
(2) of section 2935.03 of the Revised Code are deemed to be 1071  
collected, and to arise, from arrests made within the 1072  
jurisdiction in which the arresting officer is appointed, 1073  
elected, or employed, for violations of one of the sections or 1074  
chapters of the Revised Code listed in division (E) (1) of that 1075

section and shall be distributed accordingly. 1076

(2) All fines collected from, and all moneys arising from 1077  
bonds forfeited by, persons arrested under division (E) (3) of 1078  
section 2935.03 of the Revised Code are deemed to be collected, 1079  
and to arise, from arrests made within the jurisdiction in which 1080  
the arresting officer is appointed, elected, or employed, for 1081  
violations of municipal ordinances that are substantially 1082  
equivalent to one of the sections or one of the provisions of 1083  
one of the chapters of the Revised Code listed in division (E) 1084  
(1) of that section and for violations of one of the sections or 1085  
one of the provisions of one of the chapters of the Revised Code 1086  
listed in division (E) (1) of that section, and shall be 1087  
distributed accordingly. 1088

**Sec. 5503.04.** Forty-five per cent of the fines collected 1089  
from or moneys arising from bail forfeited by persons 1090  
apprehended or arrested by state highway patrol troopers shall 1091  
be paid into the state treasury to be credited to the general 1092  
revenue fund, five per cent shall be paid into the state 1093  
treasury to be credited to the trauma and emergency medical 1094  
services fund created by section 4513.263 of the Revised Code, 1095  
and fifty per cent shall be paid into the treasury of the 1096  
municipal corporation where the case is prosecuted, if in a 1097  
mayor's court. If the prosecution is in a trial court outside a 1098  
municipal corporation, or outside the territorial jurisdiction 1099  
of a municipal court, the fifty per cent of the fines and moneys 1100  
that is not paid into the state treasury shall be paid into the 1101  
treasury of the county where the case is prosecuted. The fines 1102  
and moneys paid into a county treasury and the fines and moneys 1103  
paid into the treasury of a municipal corporation shall be 1104  
deposited one-half to the same fund and expended in the same 1105  
manner as is the revenue received from the registration of motor 1106

vehicles, and one-half to the general fund of such county or 1107  
municipal corporation. 1108

If the prosecution is in a municipal court, forty-five per 1109  
cent of the fines and moneys shall be paid into the state 1110  
treasury to be credited to the general revenue fund, five per 1111  
cent shall be paid into the state treasury to be credited to the 1112  
trauma and emergency medical services fund created by ~~division-~~ 1113  
~~(E) of~~ section 4513.263 of the Revised Code, ten per cent shall 1114  
be paid into the county treasury to be credited to the general 1115  
fund of the county, and forty per cent shall be paid into the 1116  
municipal treasury to be credited to the general fund of the 1117  
municipal corporation. In the Auglaize county, Clermont county, 1118  
Crawford county, Hocking county, Jackson county, Lawrence 1119  
county, Madison county, Miami county, Ottawa county, Portage 1120  
county, and Wayne county municipal courts, that portion of money 1121  
otherwise paid into the municipal treasury shall be paid into 1122  
the county treasury. 1123

The trial court shall make remittance of the fines and 1124  
moneys as prescribed in this section, and at the same time as 1125  
the remittance is made of the state's portion to the state 1126  
treasury, the trial court shall notify the superintendent of the 1127  
state highway patrol of the case and the amount covered by the 1128  
remittance. 1129

This section does not apply to fines for violations of 1130  
division (B) of section 4513.263 of the Revised Code, or for 1131  
violations of any municipal ordinance that is substantively 1132  
comparable to that division, all of which shall be delivered to 1133  
the treasurer of state as provided in ~~division (E) of~~ section 1134  
4513.263 of the Revised Code. 1135

**Section 2.** That existing sections 307.515, 733.40, 1136

2152.21, 4501.11, 4507.05, 4507.071, 4511.043, 4511.81, 1137  
4513.263, 4513.35, and 5503.04 of the Revised Code are hereby 1138  
repealed. 1139

**Section 3.** The amendment of sections 307.515, 733.40, 1140  
2152.21, 4501.11, 4507.05, 4507.071, 4511.043, 4511.81, 1141  
4513.263, 4513.35, and 5503.04 of the Revised Code by this act 1142  
and the enactment of sections 4510.312 and 4513.264 of the 1143  
Revised Code by this act take effect ninety days after the 1144  
effective date of this section. 1145