

Traffic Code

132nd General Assembly

July 2017 Update

Editor's Note: The Municode staff attorneys perform a review of ORC Title XLV and Title XXIX in January and July of each year for the current legislative session. This update encompasses all legislative Acts updated in Title XLV- Motor Vehicles from January 2017 through June 2017.

R.C. § 4511.132

4511.132 Driver's duties upon approaching intersection with ambiguous or non-working traffic signal

Amends Powell City Code § 313.09- Editor's Note: This section effective 6-30-17. See, also, section 4511.132 effective until 6-30-17.

(A) The driver of a vehicle, streetcar, or trackless trolley who approaches an intersection where traffic is controlled by traffic control signals shall do all of the following if the signal facing the driver exhibits no colored lights or colored lighted arrows, exhibits a combination of such lights or arrows that fails to clearly indicate the assignment of right-of-way, or, if the vehicle is a bicycle, the signals are otherwise malfunctioning due to the failure of a vehicle detector to detect the presence of the bicycle:

- (1) Stop at a clearly marked stop line, but if none, stop before entering the crosswalk on the near side of the intersection, or, if none, stop before entering the intersection;
- (2) Yield the right-of-way to all vehicles, streetcars, or trackless trolleys in the intersection or approaching on an intersecting road, if the vehicles, streetcars, or trackless trolleys will constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways;
- (3) Exercise ordinary care while proceeding through the intersection.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

R.C. § 4519.40

4519.40 Prohibitions on use

Amends Powell City Code § 375.03- Editor's Note: This section effective 6-30-17. See, also, section 4519.40 effective until 6-30-17.

(A) The applicable provisions of Chapters 4511. and 4549. of the Revised Code apply to the operation of snowmobiles, off-highway motorcycles, and all-purpose vehicles, except that no person shall operate a snowmobile, off-highway motorcycle, or all-purpose vehicle as follows:

- (1) On any state highway, including a limited access highway or freeway or the right-of-way thereof, except for emergency travel during such time and in such manner as the director of public safety designates or except as authorized by division (F) of section 4519.41 of the Revised Code;
- (2) On any private property, or in any nursery or planting area, without the permission of the owner or other person having the right to possession of the property;
- (3) On any land or waters controlled by the state, except at those locations where a sign has been posted permitting such operation;
- (4) On the tracks or right-of-way of any operating railroad;
- (5) While transporting any firearm, bow, or other implement for hunting, that is not unloaded and securely encased;
- (6) For the purpose of chasing, pursuing, capturing, or killing any animal or wildfowl;
- (7) During the time from sunset to sunrise, unless displaying lighted lights as required by section 4519.20 of the Revised Code.

(B) Whoever violates this section shall be fined not less than fifty nor more than five hundred dollars, imprisoned not less than three nor more than thirty days, or both.

R.C. § 4504.24

4504.24 Additional county motor vehicle license tax

Advise as to placement of new provision in Powell City Code.

Editor's Note: Note: Effective 6-30-17. New statute in 2017.

(A)(1) The board of county commissioners of a county may, by resolution, levy an annual license tax upon the operation of motor vehicles on the public roads and highways in that county for any authorized purpose. A tax levied under this section is in addition to the tax levied by sections 4503.02 and 4503.07 of the Revised Code and any other tax levied under this chapter. The tax shall be at the rate of five dollars per motor vehicle on all motor vehicles the district of registration of which is located in the county levying the tax, as defined in section 4503.10 of the Revised Code. The rate of the tax is in addition to the tax rates prescribed in sections 4503.04 and 4503.042 of the Revised Code and is subject to both of the following:

- (a) The reductions in the manner provided in section 4503.11 of the Revised Code;
- (b) The exemptions provided in sections 4503.16, 4503.17, 4503.172, 4503.173, 4503.18, 4503.41, 4503.43, 4503.46, and 4503.571 of the Revised Code.

(2) As used in division (A)(1) of this section, “authorized purpose” means any of the following:

(a) Paying the costs and expenses of enforcing and administering the tax provided for in this section;

(b) Planning, constructing, improving, maintaining, and repairing public roads, highways, and streets;

(c) Maintaining and repairing bridges and viaducts;

(d) Paying the county's portion of the costs and expenses of cooperating with the department of transportation in the planning, improvement, and construction of state highways;

(e) Paying the county's portion of the compensation, damages, costs, and expenses of planning, constructing, reconstructing, improving, maintaining, and repairing roads and streets;

(f) Paying any costs apportioned to the county under section 4907.47 of the Revised Code;

(g) Paying debt service charges on notes or bonds of the county issued for such purposes;

(h) Paying all or part of the costs and expenses of municipal corporations in planning, constructing, reconstructing, improving, maintaining, and repairing highways, roads, and streets designated as necessary or conducive to the orderly and efficient flow of traffic within and through the county pursuant to section 4504.03 of the Revised Code;

(i) Purchasing, erecting, and maintaining street and traffic signs and markers;

(j) Purchasing, erecting, and maintaining traffic lights and signals;

(k) Supplementing revenue already available for the aforementioned purposes.

(B) Prior to the adoption of any resolution under this section, the board of county commissioners shall conduct two public hearings on the resolution, the second hearing to be not less than three but not more than ten days after the first hearing. The board shall provide notice of the date, time, and place of both hearings by publication in a newspaper of general circulation in the county, or as provided in section 7.16 of the Revised Code, once a week on the same day of the week for two consecutive weeks. The second publication shall be not less than ten but not more than thirty days prior to the first hearing.

(C) No resolution adopted under this section shall become effective sooner than thirty days following its adoption. A resolution under this section is subject to a referendum as provided in sections 305.31 to 305.41 of the Revised Code. No resolution levying a tax under this section for which a referendum vote has been requested shall go into effect unless approved by a majority of those voting upon it.

(D) If a board of county commissioners adopts a resolution to levy a county license tax under this section, the board shall provide written notice of the adoption of the resolution to the legislative authority of each municipal corporation that is located in the county and to the board of township trustees of each township that is located in the county.

(E) A county license tax levied under this section continues in effect until repealed.

R.C. § 4519.41

4519.41 Permitted uses

Amends Powell City Code § 375.04 (Permitted Operation)- Editor's Note: This section effective 6-30-17. See, also, section 4519.41 effective until 6-30-17.

Snowmobiles, off-highway motorcycles, and all-purpose vehicles may be operated as follows:

- (A) To make a crossing of a highway, other than a highway as designated in division (A)(1) of section 4519.40 of the Revised Code, whenever the crossing can be made in safety and will not interfere with the movement of vehicular traffic approaching from any direction on the highway, and provided that the operator yields the right-of-way to any approaching traffic that presents an immediate hazard;
- (B) On highways in the county or township road systems whenever the local authority having jurisdiction over such highways so permits;
- (C) Off and alongside a street or highway for limited distances from the point of unloading from a conveyance to the point at which the snowmobile, off-highway motorcycle, or all-purpose vehicle is intended and authorized to be operated;
- (D) On the berm or shoulder of a highway, other than a highway as designated in division (A)(1) of section 4519.40 of the Revised Code, when the terrain permits such operation to be undertaken safely and without the necessity of entering any traffic lane;
- (E) On the berm or shoulder of a county or township road, while traveling from one area of operation of the snowmobile, off-highway motorcycle, or all-purpose vehicle to another such area;
- (F) For snowmobiles without metal studded tracks and all-purpose vehicles, on state highways located on an island in Lake Erie, including limited access highways and freeways, between the first day of November and the thirtieth day of April, provided that all of the following conditions apply:
 - (1) The operator has a valid driver's license as required under section 4519.44 of the Revised Code.
 - (2) The snowmobile or all-purpose vehicle is in compliance with rules governing safety equipment adopted under section 4519.20 of the Revised Code.
 - (3) The owner of the snowmobile or all-purpose vehicle maintains proof of financial responsibility for both on-road and off-road use of the snowmobile or all-purpose vehicle.
 - (4) The operator obeys all traffic rules and regulations.

R.C. § 4511.61

4511.61 Stop signs at grade crossings

Amends Powell City Code § 331.40 (Stopping at Grade Crossing)- Editor's Note: This section effective 6-30-17. See, also, section 4511.61 effective until 6-30-17.

(A) As used in this section, “active grade crossing warning device” means signs, signals, gates, or other protective devices erected or installed at a public highway-railway crossing at common grade and activated by an electrical circuit.

(B) The department of transportation and local authorities in their respective jurisdictions, with the approval of the department, may designate dangerous highway crossings over railroad tracks whether on state, county, or township highways or on streets or ways within municipal corporations, and erect stop signs thereat.

(C)(1) The department and local authorities shall erect stop signs at a railroad highway grade crossing in either of the following circumstances:

(a) New warning devices that are not active grade crossing warning devices are being installed at the grade crossing, and railroad crossbucks were the only warning devices at the grade crossing prior to the installation of the new warning devices.

(b) The grade crossing is constructed after July 1, 2013, and only warning devices that are not active grade crossing warning devices are installed at the grade crossing.

(2) Division (C)(1) of this section does not apply to a railroad highway grade crossing that the director of transportation has exempted from that division because of traffic flow or other considerations or factors.

(D) When stop signs are erected pursuant to division (B) or (C) of this section, the operator of any vehicle, streetcar, or trackless trolley shall stop within fifty, but not less than fifteen, feet from the nearest rail of the railroad tracks and shall exercise due care before proceeding across such grade crossing.

(E) Except as otherwise provided in this division, whoever violates division (D) of this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

R.C. § 4503.038

4503.038 Rules establishing service fees

Advise as to placement of new provision in Powell City Code.

Editor's Note: Effective 6-30-17. New Statute in 2017.

(A) Not later than nine months after the effective date of this section, the registrar of motor vehicles shall adopt rules in accordance with Chapter 119. of the Revised Code establishing a service fee that applies for purposes of sections

4503.03, 4503.036, 4503.042, 4503.10, 4503.102, 4503.12, 4503.182, 4503.24, 4505.061, 4506.08, 4507.24, 4507.50, 4507.52, 4509.05, 4519.03, 4519.05, 4519.10, 4519.56, and 4519.69 of the Revised Code.

The service fee shall be not more than five dollars and twenty-five cents. When establishing the fee, the

registrar shall consider inflation and any other factors the registrar considers to be relevant to the determination.

(B) Not later than nine months after the effective date of this section, the registrar shall adopt rules in accordance with Chapter 119. of the Revised Code establishing prorated service fees that apply for purposes of multi-year registrations authorized under section 4503.103 of the Revised Code. When establishing the fee, the registrar shall consider inflation and any other factors the registrar considers to be relevant to the determination.

R.C. § 4511.661

4511.661 Requirements when leaving motor vehicle unattended; exceptions

Amends Powell City Code § 351.07 – (Unattended Vehicle: Duty to Stop Engine, Remove Key, Set Brake & Turn Wheels.)- Editor’s Note: This section effective 6-30-17. See, also, section 4511.661 effective until 6-30-17.

(A) No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, effectively setting the parking brake, and, when the motor vehicle is standing upon any grade, turning the front wheels to the curb or side of the highway.

The requirements of this section relating to the stopping of the engine, locking of the ignition, and removing the key from the ignition of a motor vehicle do not apply to any of the following:

- (1) A motor vehicle that is parked on residential property;
- (2) A motor vehicle that is locked, regardless of where it is parked;
- (3) An emergency vehicle;
- (4) A public safety vehicle.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

R.C. § 4519.01

4519.01 Definitions

Amends Powell City Code § 375.01- Editor’s Note: This section effective 6-30-17. See, also, section 4519.01 effective until 6-30-17.

As used in this chapter:

- (A) “Snowmobile” means any self-propelled vehicle designed primarily for use on snow or ice, and steered by skis, runners, or caterpillar treads.
- (B) “All-purpose vehicle” means any self-propelled vehicle designed primarily for cross-country travel on land and water, or on more than one type of terrain, and steered by wheels or caterpillar treads, or any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all-terrain vehicles, all-season vehicles, mini-bikes, and trail bikes. “All-purpose vehicle” does not include a utility vehicle as defined in section 4501.01 of the Revised Code or any vehicle principally used in playing golf, any motor vehicle or aircraft required to be registered under Chapter 4503. or 4561. of the Revised Code, and any vehicle excepted from definition as a motor vehicle by division (B) of section 4501.01 of the Revised Code.
- (C) “Owner” means any person or firm, other than a lienholder or dealer, having title to a snowmobile, off-highway motorcycle, or all-purpose vehicle, or other right to the possession thereof.
- (D) “Operator” means any person who operates or is in actual physical control of a snowmobile, off-highway motorcycle, or all-purpose vehicle.
- (E) “Dealer” means any person or firm engaged in the business of manufacturing or selling snowmobiles, off-highway motorcycles, or all-purpose vehicles at wholesale or retail, or who rents, leases, or otherwise furnishes snowmobiles, off-highway motorcycles, or all-purpose vehicles for hire.
- (F) “Street or highway” has the same meaning as in section 4511.01 of the Revised Code.
- (G) “Limited access highway” and “freeway” have the same meanings as in section 5511.02 of the Revised Code.
- (H) “Interstate highway” means any part of the interstate system of highways as defined in subsection (e), 90 Stat. 431 (1976), 23 U.S.C.A. 103, as amended.
- (I) “Off-highway motorcycle” means every motorcycle, as defined in section 4511.01 of the Revised Code, that is designed to be operated primarily on lands other than a street or highway.
- (J) “Electronic” and “electronic record” have the same meanings as in section 4501.01 of the Revised Code.
- (K) “Electronic dealer” means a dealer whom the registrar of motor vehicles designates under section 4519.511 of the Revised Code.
- (L) “Mini-truck” means a vehicle that has four wheels, is propelled by an electric motor with a rated power of seven thousand five hundred watts or less or an internal combustion engine with a piston displacement capacity of six hundred sixty cubic centimeters or less, has a total dry weight of nine hundred to two thousand two hundred pounds, contains an enclosed cabin and a seat for the vehicle operator, resembles a pickup truck or van with a cargo area or bed located at the rear of the vehicle, and was not originally manufactured to meet federal motor vehicle safety standards.
- (M) “State highway” and “state route” have the same meanings as in section 4511.01 of the Revised Code.
- (N) “Proof of financial responsibility” has the same meaning as in section 4509.01 of the Revised Code.

R.C. § 4503.12

4503.12 Transfer of ownership and registration

Amends Powell City Code § 335.11 (Use of Illegal License Plates; Transfer of Registration)- Editor's Note: This section effective 6-30-17. See, also, section 4503.12 effective until 6-30-17.

(A) Upon the transfer of ownership of a motor vehicle, the registration of the motor vehicle expires, and the original owner immediately shall remove the license plates from the motor vehicle, except that:

(1) If a statutory merger or consolidation results in the transfer of ownership of a motor vehicle from a constituent corporation to the surviving corporation, or if the incorporation of a proprietorship or partnership results in the transfer of ownership of a motor vehicle from the proprietorship or partnership to the corporation, the registration shall be continued upon the filing by the surviving or new corporation, within thirty days of such transfer, of an application for an amended certificate of registration. Upon a proper filing, the registrar of motor vehicles shall issue an amended certificate of registration in the name of the new owner.

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

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

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

At the time of application for transfer, the registrar shall compute and collect the amount of tax due on the succeeding motor vehicle, based upon the amount that would be due on a new registration as of the date on which the transfer is made less a credit for the unused portion of the original registration beginning on that date. If the credit exceeds the amount of tax due on the new registration, no refund shall be made. In computing the amount of tax due and credits to be allowed under this division, the provisions of division (B)(1)(a) and (b) of section 4503.11 of the Revised Code shall apply. As to passenger cars, noncommercial vehicles, motor homes, and motorcycles, transfers within or between these classes of motor vehicles only shall be allowed. If the succeeding motor vehicle is of a different class than the motor vehicle for which the registration originally was issued, new license plates also shall be issued upon the surrender of the license plates originally issued and payment of the fees provided in divisions (C) and (D) of section 4503.10 of the Revised Code.

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

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

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

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

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

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

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

(E) As used in division (A)(6) of this section, “special license plates” means either of the following:

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

(2) License plates issued under section 4503.44 of the Revised Code.

R.C. § 4511.04

4511.04 Exemptions

Amends Powell City Code § 303.04 (Road Workers, Motor Vehicles & Equipment Excepted)- Editor’s Note: This section effective 6-30-17. See, also, section 4511.04 effective until 6-30-17.

(A) Sections 4511.01 to 4511.18, 4511.20 to 4511.78, 4511.99, and 4513.01 to 4513.37 of the Revised Code do not apply to persons, teams, motor vehicles, and other equipment while actually engaged in work upon the surface of a highway within an area designated by traffic control devices, but apply to such persons and vehicles when traveling to or from such work.

(B) The driver of a highway maintenance vehicle owned by this state or any political subdivision of this state, while the driver is engaged in the performance of official duties upon a street or highway, provided the highway maintenance vehicle is equipped with flashing lights and such other markings as are required by law and such lights are in operation when the driver and vehicle are so engaged, shall be exempt from criminal prosecution for violations of sections 4511.22, 4511.25, 4511.26, 4511.27, 4511.28, 4511.30, 4511.31, 4511.33, 4511.35, 4511.66, 4513.02, and 5577.01 to 5577.09 of the Revised Code.

(C)(1) This section does not exempt a driver of a highway maintenance vehicle from civil liability arising from a violation of section 4511.22, 4511.25, 4511.26, 4511.27, 4511.28, 4511.30, 4511.31, 4511.33, 4511.35, 4511.66, or 4513.02 or sections 5577.01 to 5577.09 of the Revised Code.

(2) This section does not exempt a driver of a vehicle who is not a state employee and who is engaged in the transport of highway maintenance equipment from criminal liability for a violation of sections 5577.01 to 5577.09 of the Revised Code.

(D) As used in this section, “engaged in the performance of official duties” includes driving a highway maintenance vehicle to and from the manufacturer or vehicle maintenance provider and transporting a highway maintenance vehicle, equipment, or materials to and from a work location.

R.C. § 4503.21

4503.21 Display of license plates, registration marks, placards, and stickers; penalties

Amends Powell City Code § 335.09- Editor's Note: This section effective 6-30-17. See, also, section 4503.21 effective until 6-30-17.

(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, except 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, autocycle, cab-enclosed motorcycle, manufactured home, mobile home, trailer, or semitrailer shall display a license plate on the rear only.

(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.

(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 vehicle under section 4503.182 of the Revised Code, and no operator of that motor vehicle, shall fail to display the temporary license placard in plain view from the rear of the vehicle either in the rear window or on an external rear surface of the motor vehicle, or fail to display the windshield sticker in plain view on the rear window of the motor vehicle. No temporary license placard or windshield sticker shall be covered by any material that obstructs its visibility.

(B) A law enforcement officer shall only issue a ticket, citation, or summons, or cause the arrest or commence a prosecution, for the failure to display a license plate in plain view on the front of a parked motor vehicle if the officer first determines that another offense has occurred and either places the operator or vehicle owner under arrest or issues a ticket, citation, or summons to the operator or vehicle owner for the other offense.

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

(2) Whoever violates division (A) of this section by failing to display a license plate in plain view on the front of a motor vehicle as required under division (A) of this section while the motor vehicle is otherwise legally parked is guilty of a minor misdemeanor and may be fined not more than one hundred dollars.

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

(3) The offense established under division (A) of this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense

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shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.