

**As Introduced**

**131st General Assembly  
Regular Session  
2015-2016**

**S. B. No. 202**

**Senator Thomas**

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**A BILL**

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

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

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

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

any county identification sticker and any validation sticker 20  
issued under sections 4503.19 and 4503.191 of the Revised Code,~~—~~ 21  
~~furnished by the director of public safety, except that a~~ as 22  
follows: 23

(a) A manufacturer of motor vehicles or dealer therein, 24  
the holder of an in transit permit, and the owner or operator of 25  
a motorcycle, motorized bicycle, manufactured home, mobile home, 26  
trailer, or semitrailer shall display a license plate on the 27  
rear only. ~~A~~ 28

(b) A motor vehicle that is issued two license plates 29  
shall display the validation sticker only on the rear license 30  
plate, except that a commercial tractor that does not receive an 31  
apportioned license plate under the international registration 32  
plan shall display the validation sticker on the front of the 33  
commercial tractor. ~~An~~ 34

(c) ~~An~~ apportioned vehicle receiving an apportioned 35  
license plate under the international registration plan shall 36  
display the license plate only on the front of a commercial 37  
tractor and on the rear of all other vehicles. 38

(2) All license plates shall be securely fastened so as 39  
not to swing, and shall not be covered by any material that 40  
obstructs their visibility. 41

(3) No person to whom a temporary license placard or 42  
windshield sticker has been issued for the use of a motor 43  
vehicle under section 4503.182 of the Revised Code, and no 44  
operator of that motor vehicle, shall fail to display the 45  
temporary license placard in plain view from the rear of the 46  
vehicle either in the rear window or on an external rear surface 47  
of the motor vehicle, or fail to display the windshield sticker 48

in plain view on the rear window of the motor vehicle. No 49  
temporary license placard or windshield sticker shall be covered 50  
by any material that obstructs its visibility. 51

(B) ~~Whoever~~ Notwithstanding any provision of law to the 52  
contrary, no law enforcement officer shall do either of the 53  
following solely because the owner or operator of a motor 54  
vehicle has failed to display a license plate in plain view on 55  
the front of the motor vehicle in violation of division (A) of 56  
this section: 57

(1) Cause the operator of the motor vehicle to stop the 58  
motor vehicle for the purpose of issuing a ticket, citation, or 59  
summons for the violation, or causing the arrest or commencing a 60  
prosecution of the operator for the violation; 61

(2) Issue a ticket, citation, or summons to the owner of a 62  
parked motor vehicle for the violation, or cause the arrest or 63  
commence the prosecution of such owner for the violation. 64

(C) (1) Except as provided in division (C) (2) of this 65  
section, whoever violates division (A) of this section is guilty 66  
of a minor misdemeanor. 67

(2) Whoever violates division (A) of this section by 68  
failing to display a license plate in plain view on the front of 69  
a motor vehicle as required under division (A) of this section 70  
is guilty of a minor misdemeanor and may be fined not more than 71  
twenty-five dollars. 72

A person who is subject to the penalty prescribed in 73  
division (C) (2) of this section is not subject to the charging 74  
of points under section 4510.036 of the Revised Code. 75

**Sec. 4511.043.** (A) (1) No law enforcement officer who stops 76  
the operator of a motor vehicle in the course of an authorized 77

sobriety or other motor vehicle checkpoint operation or a motor 78  
vehicle safety inspection shall issue a ticket, citation, or 79  
summons for a secondary traffic offense unless in the course of 80  
the checkpoint operation or safety inspection the officer first 81  
determines that an offense other than a secondary traffic 82  
offense has occurred and either places the operator or a vehicle 83  
occupant under arrest or issues a ticket, citation, or summons 84  
to the operator or a vehicle occupant for an offense other than 85  
a secondary offense. 86

(2) A law enforcement agency that operates a motor vehicle 87  
checkpoint for an express purpose related to a secondary traffic 88  
offense shall not issue a ticket, citation, or summons for any 89  
secondary traffic offense at such a checkpoint, but may use such 90  
a checkpoint operation to conduct a public awareness campaign 91  
and distribute information. 92

(B) As used in this section, "secondary traffic offense" 93  
means a violation of division (A) of section 4503.21 of the 94  
Revised Code when the penalty described in division (C) (2) of 95  
that section applies, division (A) or (F) (2) of section 4507.05, 96  
division (B) (1) (a) or (b) or (E) of section 4507.071, division 97  
(A) of section 4511.204, division (C) or (D) of section 4511.81, 98  
division (A) (3) of section 4513.03, or division (B) of section 99  
4513.263 of the Revised Code. 100

**Section 2.** That existing sections 4503.21 and 4511.043 of 101  
the Revised Code are hereby repealed. 102

**Section 3.** That the version of section 4503.21 of the 103  
Revised Code that is scheduled to take effect January 1, 2017, 104  
be amended to read as follows: 105

**Sec. 4503.21.** (A) (1) No person who is the owner or 106

operator of a motor vehicle shall fail to display in plain view 107  
on the front and rear of the motor vehicle a license plate that 108  
bears the distinctive number and registration mark assigned to 109  
the motor vehicle by the director of public safety, including 110  
any county identification sticker and any validation sticker 111  
issued under sections 4503.19 and 4503.191 of the Revised Code,~~—~~ 112  
~~furnished by the director of public safety, except that a~~as 113  
follows: 114

(a) A manufacturer of motor vehicles or dealer therein, 115  
the holder of an in transit permit, and the owner or operator of 116  
a motorcycle, motorized bicycle or moped, motor-driven cycle or 117  
motor scooter, cab-enclosed motorcycle, manufactured home, 118  
mobile home, trailer, or semitrailer shall display a license 119  
plate on the rear only.~~—A—~~ 120

(b) A motor vehicle that is issued two license plates 121  
shall display the validation sticker only on the rear license 122  
plate, except that a commercial tractor that does not receive an 123  
apportioned license plate under the international registration 124  
plan shall display the validation sticker on the front of the 125  
commercial tractor. ~~An—~~ 126

(c) An apportioned vehicle receiving an apportioned 127  
license plate under the international registration plan shall 128  
display the license plate only on the front of a commercial 129  
tractor and on the rear of all other vehicles. 130

(2) All license plates shall be securely fastened so as 131  
not to swing, and shall not be covered by any material that 132  
obstructs their visibility. 133

(3) No person to whom a temporary license placard or 134  
windshield sticker has been issued for the use of a motor 135

vehicle under section 4503.182 of the Revised Code, and no 136  
operator of that motor vehicle, shall fail to display the 137  
temporary license placard in plain view from the rear of the 138  
vehicle either in the rear window or on an external rear surface 139  
of the motor vehicle, or fail to display the windshield sticker 140  
in plain view on the rear window of the motor vehicle. No 141  
temporary license placard or windshield sticker shall be covered 142  
by any material that obstructs its visibility. 143

(B) Whoever—Notwithstanding any provision of law to the 144  
contrary, no law enforcement officer shall do either of the 145  
following solely because the owner or operator of a motor 146  
vehicle has failed to display a license plate in plain view on 147  
the front of the motor vehicle in violation of division (A) of 148  
this section: 149

(1) Cause the operator of the motor vehicle to stop the 150  
motor vehicle for the purpose of issuing a ticket, citation, or 151  
summons for the violation, or causing the arrest or commencing a 152  
prosecution of the operator for the violation; 153

(2) Issue a ticket, citation, or summons to the owner of a 154  
parked motor vehicle for the violation, or cause the arrest or 155  
commence the prosecution of such owner for the violation. 156

(C) (1) Except as provided in division (C) (2) of this 157  
section, whoever violates division (A) of this section is guilty 158  
of a minor misdemeanor. 159

(2) Whoever violates division (A) of this section by 160  
failing to display a license plate in plain view on the front of 161  
a motor vehicle as required under division (A) of this section 162  
is guilty of a minor misdemeanor and may be fined not more than 163  
twenty-five dollars. 164

A person who is subject to the penalty prescribed in 165  
division (C) (2) of this section is not subject to the charging 166  
of points under section 4510.036 of the Revised Code. 167

**Section 4.** That existing section 4503.21 of the Revised 168  
Code that is scheduled to take effect January 1, 2017, is hereby 169  
repealed. 170

**Section 5.** Sections 3 and 4 of this act take effect 171  
January 1, 2017. 172

**Section 6.** This act shall be known as the "DuBose Was A 173  
Beacon Act." 174