

CHAPTER 335  
Licensing; Accidents

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<p>335.01 Operator or chauffeur license required; restriction violation.</p> <p>335.011 Motorized bicycle operator; requirements.</p> <p>335.02 Possession of more than one license prohibited.</p> <p>335.03 Driving with temporary instruction permit without licensed driver.</p> <p>335.04 Certain acts prohibited.</p> <p>335.05 Owner or operator allowing another to drive.</p> <p>335.06 Display of license.</p> <p>335.07 Driving under suspension or revocation.</p>	<p>335.08 Operation or sale without certificate of title.</p> <p>335.09 Display of license plates; expired or unlawful plates.</p> <p>335.10 Renumbered</p> <p>335.11 Use of illegal license plates;</p> <p>335.12 Stopping after accident upon streets; collision with unattended vehicle.</p> <p>335.13 Stopping after accident upon property other than streets.</p> <p>335.14 Vehicle accident resulting in damage to realty.</p> <p>335.99 Penalty</p>
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CROSS REFERENCES

See sectional histories for similar State law

Deposit of driver's license as bond - see Ohio R. C. 2937.221

Motor vehicle licensing law - see Ohio R. C. Ch. 4503

Driver's license law - see Ohio R. C. Ch. 4507

Power of trial court of record to suspend or revoke license  
for certain violations - see Ohio R. C. 4507.16, 4507.34

State point system suspension - see Ohio R. C. 4507.40

State accident reports - see Ohio R. C. 4509.01(J), 4509.06,  
4509.74, 5502.11

Glass removal from street after accident - see TRAF. 311.01

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## 335.01 OPERATOR OR CHAUFFEUR LICENSE REQUIRED; RESTRICTION VIOLATION

(a)(1) No person, except those expressly exempted under Ohio R.C. 4507.03 to 4507.05, inclusive, shall operate any motor vehicle upon a street or highway or any public or private property used by the public for purposes of vehicular travel or parking in this Municipality unless the person has a valid license as an operator or chauffeur, which license was issued upon application by the registrar of motor vehicles under Ohio R.C. Chapter 4507 (Driver's License Law)

(2) No person shall permit the operation of a motor vehicle upon any public or private property used by the public for purposes of vehicular travel or parking, knowing the operator does not have a valid license, as an operator or chauffeur, issued to the operator by the registrar of motor vehicles under Ohio R.C. Chapter 4507.

(3) No person, except those expressly exempted under Ohio R.C. 4507.03 to 4507.05, inclusive, shall operate any motorcycle upon a street or highway or any public or private property used by the public for purposes of vehicular travel or parking in the Municipality unless the person has a valid license as a motorcycle operator, which license was issued upon application by the registrar of motor vehicles under Ohio R.C. Chapter 4507. The license shall be in the form of an endorsement, as determined by the registrar, upon an operator's or chauffeur's license, if the person has a valid license to operate a motor vehicle, or in the form of a restricted license as provided in Ohio R.C. 4507.14, if the person does not have a valid license to operate a motor vehicle. (ORC 4507.02)

(b) Nonresidents, permitted to drive upon the highways of their own states, may operate any motor vehicle upon any street or highway in this Municipality without examination or license under Ohio R.C. Chapter 4507, upon condition that such nonresidents may be required at any time or place to prove lawful possession, or their right to operate, such motor vehicle, and to establish proper identity. (ORC 4507.04)

(c) No person shall operate any motor vehicle in violation of any restriction imposed on his operator's or chauffeur's license by the Ohio Registrar of Motor Vehicles pursuant to Ohio R.C. 4507.14.

## 335.011 MOTORIZED BICYCLE OPERATOR; REQUIREMENTS

(a) No person shall operate a motorized bicycle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking, unless all of the following conditions are met:

(1) The person is fourteen years of age or older, and holds a valid operator's license issued under Ohio R.C. Chapter 4507, or a valid motorized bicycle license issued after the person has passed the test provided for in Ohio R.C. Chapter 4511;

(2) The motorized bicycle is equipped in accordance with the rules adopted under division (b) of this section and is in proper working order;

(3) The person, if he is under eighteen years of age, is wearing a protective helmet on his head with the chin strap properly fastened and the motorized bicycle is equipped with a rear-view mirror;

(4) The person operates the motorized bicycle when practicable within three feet of the right edge of the roadway obeying all traffic rules applicable to vehicles.

(b) The director of highway safety, subject to Ohio R.C. sections 119.01 to 119.13, shall adopt and promulgate rules concerning protective helmets, the equipment of motorized bicycles, and the testing and qualifications of persons who do not hold a valid operator's license issued under Ohio R.C. Chapter 4507. The test shall be as near as practicable to the examination required for a motorcycle operator's endorsement under Ohio R.C. 4507.11. The test shall also require the operator to give an actual demonstration of his ability to operate and control a motorized bicycle by driving one under the supervision of an examining officer.

(c) Every motorized bicycle license expires on the birthday of the applicant in the fourth year after the date it is issued, but in no event shall any motorized bicycle license be issued for a period longer than four years.

(d) No person operating a motorized bicycle shall carry another person upon the motorized bicycle.

(e) The protective helmet and rear-view mirror required shall, on

and after January 1, 1985, conform with rules adopted by the Director under division (b) of this section. (ORC 4511.521)

335.02 POSSESSION OF MORE THAN ONE LICENSE PROHIBITED

No person shall receive an operator's or chauffeur's license, or a motorcycle operator's endorsement of an operator's or chauffeur's license, unless and until he surrenders to the Registrar all valid licenses in his possession issued to him by another jurisdiction recognized by the State of Ohio. No person shall be permitted to have more than one valid license at any time. (ORC 4507.02A4)

335.03 DRIVING WITH TEMPORARY INSTRUCTION PERMIT WITHOUT LICENSED DRIVER.

No person, who is the holder of a temporary instruction permit, issued by the Ohio Registrar of Motor Vehicles pursuant to Ohio R.C. 4507.05, shall drive a motor vehicle upon a street or highway, except when having such permit in his immediate possession and when accompanied by a licensed operator or chauffeur who is actually occupying a seat beside the driver. (ORC 4507.05)

335.04 CERTAIN ACTS PROHIBITED.

No person shall:

(a) Display, or cause or permit to be displayed, or possess any operator's or chauffeur's license or temporary instruction permit knowing the same to be fictitious, or to have been canceled, revoked, suspended or altered;

(b) Lend to a person not entitled thereto, or knowingly permit him to use any operator's or chauffeur's license or temporary instruction permit issued to the person so lending or permitting the use thereof;

(c) Display or represent as one's own, any operator's or chauffeur's license or temporary instruction permit not issued to the person so displaying the same;

(d) Fail to surrender to the Ohio Registrar of Motor Vehicles, upon his demand, any operator's or chauffeur's license or temporary instruction permit which has been suspended, canceled or revoked;

(e) Use a false or fictitious name, or give a false or fictitious address, in any application for an operator's or chauffeur's license or temporary instruction permit, or any renewal or duplicate thereof, or knowingly make a false statement, or knowingly conceal a material fact or otherwise commit a fraud in any such application. (ORC 4507.30)

### 335.05 OWNER OR OPERATOR ALLOWING ANOTHER TO DRIVE.

No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven by any person who has no legal right to do so or whose act of driving such vehicle would violate Ohio R. C. 4507.01 to 4507.39, inclusive. (ORC 4507.33)

### 335.06 DISPLAY OF LICENSE.

The operator or chauffeur of a motor vehicle shall display his license, or furnish satisfactory proof that he has such license, upon demand of any peace officer or of any person damaged or injured in any collision in which such licensee may be involved. When a demand is properly made and the operator or chauffeur has his license on or about his person, he shall not refuse to display such license. Failure to furnish satisfactory evidence that such person is licensed under Ohio R. C. 4507.01 to 4507.30, inclusive, when such person does not have his license on or about his person shall be prima-facie evidence of his not having obtained such license. (ORC 4507.35)

## 335.07 DRIVING UNDER SUSPENSION OR REVOCATION

(a) No person, whose operator's or chauffeur's license or permit or nonresident's operating privilege has been suspended or revoked pursuant to Chapter 4509 (Financial Responsibility) of the Ohio Revised Code, shall operate any motor vehicle within this Municipality, or knowingly permit any motor vehicle owned by him to be operated by another person in the Municipality, during the period of the suspension or revocation, except as specifically authorized by Ohio R.C. Chapter 4509.

(b) No person, whose operator's or chauffeur's license or permit has been suspended pursuant to Ohio R.C. 4511.191 or division (B) of Ohio R.C. 4507.16, shall operate any motor vehicle within the Municipality until after he has paid the license reinstatement fee required pursuant to division (J) of Ohio R.C. 4511.191 and the license or permit has been returned to the person.

(c) No person, whose operator's or chauffeur's license or permit or nonresident operating privilege has been suspended or revoked under any provision of the Ohio Revised Code other than Chapter 4509 (Financial Responsibility) or under any applicable law in any other jurisdiction in which the person's license or permit was issued, shall operate any motor vehicle upon the streets or highways within the Municipality during the period of the suspension or within one year after the date of the revocation. No person who is granted occupational driving privileges by any court shall operate any motor vehicle upon the streets or highways in the Municipality except in accordance with the terms of the privileges.

It is an affirmative defense to any prosecution brought pursuant to this section that the alleged offender drove under suspension because of a substantial emergency, provided that no other person was reasonably available to drive in response to the emergency. (ORC 4507.02)

335.08 OPERATION OR SALE WITHOUT CERTIFICATE OF TITLE

No person shall:

(a) Operate in this Municipality a motor vehicle for which a certificate of title is required without having such certificate in accordance with Ohio R.C. 4505.01 to 4505.21, inclusive, or upon which the certificate of title has been canceled;

(b) Display or display for sale or sell as a dealer or acting on behalf of a dealer, a motor vehicle without having obtained a manufacturer's or importer's certificate or a certificate of title therefor as provided in Ohio R.C. 4505.01 to 4505.21, inclusive;

(c) Fail to surrender any certificate of title or any certificate of registration or license plates upon cancellation of the same by the Ohio Registrar of Motor Vehicles and notice thereof as prescribed in Ohio R.C. 4505.01 to 4505.21, inclusive;

(d) Fail to surrender the certificate of title to the Clerk of the Court of Common Pleas as provided in Ohio R.C. 4505.01 to 4505.21, inclusive, in case of the destruction or dismantling or change of a motor vehicle in such respect that it is not the motor vehicle described in the certificate of title;

(e) Violate Ohio R.C. 4505.01 to 4505.21, inclusive, for which no penalty is otherwise provided, or any lawful rules or regulations promulgated pursuant to such sections.

(f) Except as otherwise provided in Ohio R.C. Chapter 4517, sell at wholesale a motor vehicle the ownership of which is not evidenced by an Ohio certificate of title, or the current certificate of title issued for the motor vehicle, or the manufacturer's certificate of origin, and all title assignments that evidence the seller's ownership of the motor vehicle, and an odometer disclosure statement that complies with Ohio R.C. 4505.06 and subchapter IV of the "Motor Vehicle Information and Cost Savings Act," 86 Stat. 961 (1972), 15 U.S.C. 1981.

This section does not apply to persons engaged in the business of warehousing or transporting motor vehicles for the purpose of salvage disposition. (ORC 4505.18)

335.09 DISPLAY OF LICENSE PLATES; EXPIRED OR UNLAWFUL PLATES

(a) 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 such motor vehicle the distinctive number and registration mark, including any county identification sticker and any validation sticker issued under Ohio R.C. 4503.19 and 4503.191, furnished by the Ohio Director of Highway Safety, except that 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, manufactured home, trailer, or semitrailer shall display on the rear only. Such number plates shall be securely fastened so as not to swing, and shall not be covered by any material which obstructs their visibility.

No person to whom a temporary license placard or windshield sticker has been issued for the use of a motor vehicle under Ohio R.C. 4503.182, and no operator of such vehicle, shall fail to display such 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 such windshield sticker in plain view on the rear window of the motor vehicle. Such temporary license placard or windshield sticker shall not be covered by any material which obstructs its visibility. (ORC 4503.21)

(b) No person who is the owner of a motor vehicle which is parked or operated upon the public streets or highways shall fail to annually file the application for registration or to pay the tax therefor, as required by Ohio R.C. Chapter 4503. (ORC 4503.11)

(c) No person shall park or operate upon the public streets or highways a motor vehicle acquired from a former owner who has registered the same in Ohio, while such vehicle displays the distinctive number or identification mark assigned to it upon its original registration. (ORC 4549.11)

(d) No person who is the owner of a motor vehicle and a resident of Ohio shall park or operate such motor vehicle upon the public streets or highways, while it displays a distinctive number or identification mark issued by or under the authority of another state, without complying with the laws of Ohio relating to the registration and identification of motor vehicles. (ORC 4549.12)

(e) No person shall park or operate any vehicle upon any public street or highway upon which are displayed any license plates for any period of time which has expired, or any license plates issued in another state for which the period of reciprocal agreement with the state of issue has expired.



## 335.10 RENUMBERED

Revised and included in 335.09a

## 335.11 USE OF ILLEGAL LICENSE PLATES

No person shall operate or drive a motor vehicle upon the streets of this Municipality if it displays a distinctive number or identification mark which:

- (a) Is fictitious;
  - (b) Is a counterfeit or an unlawfully made copy of any distinctive number or identification mark;
  - (c) Belongs to another motor vehicle, provided that this section does not apply to a person who fails to comply with the transfer of registration provisions of Ohio R.C. 4503.12.
- (ORC 4549.08)

335.12 STOPPING AFTER ACCIDENT UPON STREETS; COLLISION WITH UNATTENDED VEHICLE.

In case of accident to or collision with persons or property upon any of the public streets or highways, due to the driving or operation thereon of any motor vehicle, the person so driving or operating such motor vehicle, having knowledge of such accident or collision, shall immediately stop his motor vehicle at the scene of the accident or collision and shall remain at the scene of such accident or collision until he has given his name and address and, if he is not the owner, the name and address of the owner of such motor vehicle, together with the registered number of such motor vehicle, to any person injured in such accident or collision or to the operator, occupant, owner or attendant of any motor vehicle damaged in such accident or collision, or to any police officer at the scene of such accident or collision.

In the event the injured person is unable to comprehend and record the information required to be given by this section, the other driver involved in such accident or collision shall forthwith notify the nearest police authority concerning the location of the accident or collision, and his name, address and the registered number of the motor vehicle he was operating, and then remain at the scene of the accident or collision until a police officer arrives, unless removed from the scene by an emergency vehicle operated by a political subdivision or an ambulance.

If such accident or collision is with an unoccupied or unattended motor vehicle, the operator so colliding with such motor vehicle shall securely attach the information required to be given in this section, in writing, to a conspicuous place in or on such unoccupied or unattended motor vehicle. (ORC 4549.02)

### 335.13 STOPPING AFTER ACCIDENT UPON PROPERTY OTHER THAN STREETS.

In case of accident or collision resulting in injury or damage to persons or property upon any public or private property other than public streets or highways, due to the driving or operation thereon of any motor vehicle, the person so driving or operating such motor vehicle, having knowledge of such accident or collision, shall stop, and, upon request of the person injured or damaged, or any other person, shall give such person his name and address, and, if he is not the owner, the name and address of the owner of such motor vehicle, together with the registered number of such motor vehicle, and, if available, exhibit his operator's or chauffeur's license.

If the owner or person in charge of such damaged property is not furnished such information, the driver of the motor vehicle involved in the accident or collision shall, within twenty-four hours after such accident or collision, forward to the Police Department the same information required to be given to the owner or person in control of such damaged property and give the date, time and location of the accident or collision.

If such accident or collision is with an unoccupied or unattended motor vehicle, the operator so colliding with such motor vehicle shall securely attach the information required to be given in this section, in writing, to a conspicuous place in or on such unoccupied or unattended motor vehicle. (ORC 4549.021)

### 335.14 VEHICLE ACCIDENT RESULTING IN DAMAGE TO REALTY.

The driver of any vehicle involved in an accident resulting in damage to real property, or personal property attached to such real property, legally upon or adjacent to a public street or highway, shall immediately stop and take reasonable steps to locate and notify the owner or person in charge of such property of such fact, of his name and his address, and of the registration number of the vehicle he is driving and shall, upon request and if available, exhibit his operator's or chauffeur's license.

If the owner or person in charge of such property cannot be located after reasonable search, the driver of the vehicle involved in the accident resulting in damage to such property shall, within twenty-four hours after such accident, forward to the Police Department the same information required to be given to the owner or person in control of such property and give the location of the accident and a description of the damage insofar as it is known. (ORC 4549.03)

### 335.99 PENALTY.

(EDITOR'S NOTE: See Section 303.99 for misdemeanor classifications and penalties.)