



Ohio Administrative Code Rule 5537-4-01 Payment of toll.

Effective: September 1, 2023

(A) Every owner, lessee or operator of a motor vehicle shall obtain either a toll ticket upon entering the turnpike or shall have in their possession at the time of entry a valid and properly mounted electronic tolling transponder recognized by the E-ZPass group of tolling authorities. Upon exiting the turnpike, every operator using traveling on the turnpike shall pay the toll prescribed, as determined and set by the commission, through by either cash, remittance credit card, an electronic tolling transponder, or electronic means, any additional method of payment approved by the commission except when such use of the turnpike shall have been exempted from such payment by the commission. The toll prescribed shall be based upon the vehicle class assigned by the toll collection system and the distance traveled on the turnpike such other factors as determined by the commission for the operation and maintenance of the turnpike. The commission may issue one or more invoices to collect unpaid tolls from the registered owner, lessee or operator of a vehicle with unpaid tolls including late fees as identified in the published toll schedule.

(B) Contesting liability for tolls, fees, fines, or other administrative charges.

(1) The registered owner may submit a notice to contest liability for tolls, fees, fines, or other administrative charges upon receipt of the first or second invoice. If the commission issues a second invoice to the registered owner as provided in division (A)(16)(b) of section 5537.04 of the Revised Code, the registered owner must submit the notice to contest liability within sixty days after the invoice date of the second invoice.

(2) On receipt of a timely notice to contest liability, the commission shall schedule a hearing at which the registered owner may contest liability. The commission shall send reasonable notice in advance to the registered owner of the time, date, and location of the hearing.

(3) A hearing officer of the commission shall preside over the hearing. The hearing officer shall conduct the hearing at the location of the commission's principal office. The registered owner may present evidence at the hearing as to the reasons why the registered owner is not liable for payment



of the toll, fee, fine or other administrative charge. At the hearing, the hearing officer shall determine if the registered owner is liable for the payment of any toll, fee, fine or other administrative charge.

(4) Upon a finding by the hearing officer that the registered owner is not liable, the hearing officer shall enter that finding into the records of the commission and direct the cancellation of the contested toll, fee, fine or other administrative charge.

(5) If the vehicle is registered in Ohio and the hearing officer finds that the registered owner is liable, the hearing officer shall enter that finding into the records of the commission. If payment in full of all unpaid tolls, fees, fines and other administrative charges is not made within thirty days after the date of the hearing officer's decision, the commission may notify the Ohio registrar of motor vehicles of the hearing officer's decision that the registered owner is liable for payment of the tolls, fees, fines and other administrative charges. The commission also may include with the notification to the registrar a motor vehicle certificate of registration issuance prevention order. The commission shall give the registered owner a copy of the order. The order shall remain in effect until the commission notifies the registrar that all unpaid tolls, fees, fines and other administrative charges have been paid in full or that any remaining balance for tolls, fees, fines and other administrative charges has been dismissed.

(6) If the vehicle is registered in a state other than Ohio and the hearing officer finds that the registered owner is liable for payment of the toll, fee, fine or other administrative charge, the commission may send notice of the hearing officer's decision to the department, division, bureau, office, or other unit of government that is functionally equivalent to the state of Ohio bureau of motor vehicles. The commission may include with the notice the registration issuance prevention order, which shall have the same effect in another state or jurisdiction as in the state of Ohio. The commission shall give the registered owner a copy of the order. Upon full payment of all unpaid tolls, fees, fines and other administrative charges, the commission shall notify unit of government that is functionally equivalent to the state of Ohio bureau of motor vehicles.

(7) If, upon being held liable, the registered owner does not pay all unpaid tolls, fees, fines and other administrative charges within thirty days after the date of the hearing officer's decision, and the registered owner does not file an appeal as described in division (C) of this section within that same thirty-day time period, the commission may file a civil suit against the registered owner in a court of



competent jurisdiction as provided in section 5537.04 of the Revised Code.

(C) Appealing hearing findings.

(1) The registered owner may appeal a finding of liability by the hearing officer to the Cuyahoga County Court of Common Pleas as provided in division (A)(5) of section 5537.041 and Chapter 2506 of the Revised Code within thirty days after the date of the hearing officer's decision that the registered owner is liable for payment of such tolls, fees, fines or other administrative charges. If the registered owner fails to timely file an appeal, the registered owner is considered to have waived the registered owner's right to appeal the decision of the hearing officer.

(2) If the court affirms the decision of the commission and payment in full is not made to the commission within thirty days of the final order on appeal, the commission shall inform the registrar of the ruling and the failure by the registered owner to make payment in full to initiate a motor vehicle certificate of registration issuance prevention order. The commission shall give the registered owner a copy of the order. The order shall remain in effect until the commission notifies the registrar that all unpaid tolls, fees, fines and other administrative charges have been paid in full or that any remaining balance for tolls, fees, fines and other administrative charges has been dismissed. The commission also may file a civil suit against the registered owner in a court of competent jurisdiction as provided in section 5537.04 of the Revised Code.