

4501:1-1-35

Residency for driving and identification purposes; nonresident driving privileges.

- (A) No Ohio driver's license, commercial driver's license, motorcycle operator's license, temporary instruction permit identification card (TIPIC) or identification card other than a nonrenewable license or a nonrenewable identification card shall be issued to any person unless that person qualifies as a resident of Ohio under this rule.
- (B) The registrar of motor vehicles and all deputy registrars, in determining the residency of a person applying for an Ohio driver's license, commercial driver's license, motorcycle operator's license, TIPIC, or identification card shall be governed by this rule.
- (C) For the purpose of this rule, "resident" of Ohio means a person who is a native-born or naturalized citizen of the United States or a person who presents credible evidence from the United States citizen and immigration services (USCIS) that the person is a permanent resident of the United States; and
- (1) The person currently either lives within Ohio; or
 - (2) The person has left Ohio, for temporary purposes only, with a specific intention to return to Ohio to live.
- (D) For the purposes of this rule, "nonresident" of Ohio means a person who does not live in Ohio and has no specific intention to move to or return to Ohio to live; or a person who currently lives in Ohio, for temporary purposes only, with a specific intention to return to live in a different state or country of residence.
- (E) An Ohio driver's license or identification card issued under paragraph (C) of this rule shall not be considered evidence of the person's residency in Ohio for any other purpose.
- (F) Proof of Ohio residence must be shown in accordance with the acceptable documentation set forth in this chapter.
- (G) Pursuant to section 4507.04 of the Revised Code, nonresidents of Ohio who are residents of another state or territory of the United States and who are permitted to drive upon the highways of their own state or territory, may operate any motor vehicle upon any highway in this state without examination or license under ~~sections 4507.01 to 4507.39~~ Chapter 4507, of the Revised Code, 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.

(H) Pursuant to the "Convention on the Regulation of Inter-American Auto-MotiveTraffic," (December 15, 1943), nonresidents of Ohio who are residents of any country that is a signatory to said convention, who are permitted to drive upon the highways of their own country, and who possess a valid, unexpired H-2A visa, may operate a motor vehicle, other than a commercial motor vehicle as defined in section 4506.01 of the Revised Code, upon any highway in this state without examination or license under ~~sections 4507.01 to 4507.39~~Chapter 4507. of the Revised Code, upon condition that such nonresidents may be required at any time or place to present all of the following:

- (1) A valid driver's license issued by their own country and that country is a signatory to said convention;
- (2) A valid, unexpired H-2A visa;
- (3) Proof of valid registration of the motor vehicle;
- (4) Proof of financial responsibility for the operation of the vehicle.

The "Convention on the Regulation of Inter-American Auto-Motive Traffic," (December 15, 1943) may be accessed at:

http://www.oas.org/dil/treaties_C-11_Convention_on_the_Regulation_of_Inter-American_Auto-Motive_Traffic_sign.htm

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Certification

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