

**As Introduced**

**127th General Assembly  
Regular Session  
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**H. B. No. 307**

**Representative Williams, S.**

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**A B I L L**

To amend sections 4503.20 and 4509.101 of the Revised 1  
Code to require the Bureau of Motor Vehicles to 2  
establish a procedure allowing courts to apply for 3  
money from the Financial Responsibility Compliance 4  
Fund to cover costs incurred by the courts in 5  
connection with the enforcement of the traffic 6  
laws. 7

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

**Section 1.** That sections 4503.20 and 4509.101 of the Revised 8  
Code be amended to read as follows: 9

**Sec. 4503.20.** (A) As used in this section: 10

(1) "Dealer engaged in the business of leasing motor 11  
vehicles" means any person engaged in the business of regularly 12  
making available, offering to make available, or arranging for 13  
another person to use a motor vehicle pursuant to a bailment, 14  
lease, or other contractual arrangement. 15

(2) "Motor vehicle" has the meaning set forth in section 16  
4509.01 of the Revised Code. 17

(B) An application for the registration of a motor vehicle 18  
shall contain a statement, to be signed by the applicant either 19

manually or by electronic signature, that does all of the 20  
following: 21

(1) States that the applicant maintains, or has maintained on 22  
the applicant's behalf, proof of financial responsibility at the 23  
time of application, and will not operate a motor vehicle in this 24  
state, unless the applicant maintains, with respect to that motor 25  
vehicle or the operation of such vehicle, proof of financial 26  
responsibility; 27

(2) Contains a brief summary of the purposes and operation of 28  
section 4509.101 of the Revised Code, the rights and duties of the 29  
applicant under that section, and the penalties for violation of 30  
that section; 31

(3) Warns the applicant that the financial responsibility law 32  
does not prevent the possibility that the applicant may be 33  
involved in an accident with an owner or operator of a motor 34  
vehicle who is without proof of financial responsibility. 35

(C)(1) A person who purchases any motor vehicle from a 36  
licensed motor vehicle dealer who agrees to make application for 37  
registration of the motor vehicle on behalf of the purchaser shall 38  
sign statements that comply with divisions (B) and (F) of this 39  
section. The dealer shall submit the statements to the deputy 40  
registrar where the dealer has agreed to make application for 41  
registration on behalf of the person. 42

(2) In the case of a person who leases any motor vehicle from 43  
a dealer engaged in the business of leasing motor vehicles who 44  
agrees to make application for registration of the motor vehicle 45  
on behalf of the lessee, the person shall sign a statement that 46  
complies with division (B) of this section, and the dealer shall 47  
do either of the following: 48

(a) Submit the statement signed by the person to the deputy 49  
registrar where the dealer has agreed to make application for 50

registration on behalf of the person; 51

(b) Sign and submit a statement to the deputy registrar that 52  
certifies that a statement has been signed and filed with the 53  
dealer or incorporated into the lease. 54

The dealer shall submit to the registrar or deputy registrar 55  
to whom the dealer submits the application for registration a 56  
statement signed by the person that complies with division (F) of 57  
this section. 58

(D) The registrar of motor vehicles shall prescribe the form 59  
of the statements required under divisions (B), (C), and (F) of 60  
this section, and the manner or manners in which the statements 61  
required under divisions (B) and (F) of this section shall be 62  
presented to the applicant. Any statement that is required under 63  
divisions (B), (C), and (F) of this section shall be designed to 64  
enable the applicant to retain a copy of it. 65

(E) Nothing within this section shall be construed to excuse 66  
a violation of section 4509.101 of the Revised Code. A motor 67  
vehicle dealer who makes application for the registration of a 68  
motor vehicle on behalf of the purchaser or lessee of the motor 69  
vehicle is not liable in damages in any civil action on account of 70  
the act of making such application for registration or the content 71  
of any such application for registration. 72

(F) In addition to the statements required by divisions (B) 73  
and (C) of this section, a person who makes application for 74  
registration of a motor vehicle shall be furnished with a form 75  
that lists in plain language all the possible penalties to which a 76  
person could be subject for a violation of the financial 77  
responsibility law, including driver's license suspensions; all 78  
fees, including nonvoluntary compliance and reinstatement fees; 79  
and vehicle immobilization or impoundment. The person shall read 80  
the form and either manually or by electronic signature sign the 81

form, which shall be submitted along with the application for 82  
registration as provided in this section. The form shall be 83  
retained by the registrar or deputy registrar who issues the motor 84  
vehicle registration or the registrar's or deputy registrar's 85  
successor for a period of two years from the date of issuance of 86  
the registration. 87

(G) Upon the registration of a motor vehicle, the owner of 88  
the motor vehicle is deemed to have agreed to the production of 89  
proof of financial responsibility by the owner or the operator of 90  
the motor vehicle, upon the request of a peace officer or state 91  
highway patrol trooper made in accordance with division ~~(E)~~(D)(2) 92  
of section 4509.101 of the Revised Code. 93

(H) The registrar shall adopt rules governing the renewal of 94  
motor vehicle registrations by electronic means and the completion 95  
and submission of statements that comply with divisions (B) and 96  
(F) of this section. The registrar shall adopt the rules 97  
prescribed by this division in accordance with Chapter 119. of the 98  
Revised Code. 99

**Sec. 4509.101.** (A)(1) No person shall operate, or permit the 100  
operation of, a motor vehicle in this state, unless proof of 101  
financial responsibility is maintained continuously throughout the 102  
registration period with respect to that vehicle, or, in the case 103  
of a driver who is not the owner, with respect to that driver's 104  
operation of that vehicle. 105

(2) Whoever violates division (A)(1) of this section shall be 106  
subject to the following civil penalties: 107

(a) Subject to divisions (A)(2)(b) and (c) of this section, a 108  
class E suspension of the person's driver's license, commercial 109  
driver's license, temporary instruction permit, probationary 110  
license, or nonresident operating privilege for the period of time 111  
specified in division (B)(5) of section 4510.02 of the Revised 112

Code and impoundment of the person's license. The court may grant 113  
limited driving privileges to the person only if the person 114  
presents proof of financial responsibility and has complied with 115  
division (A)(5) of this section. 116

(b) If, within five years of the violation, the person's 117  
operating privileges are again suspended and the person's license 118  
again is impounded for a violation of division (A)(1) of this 119  
section, a class C suspension of the person's driver's license, 120  
commercial driver's license, temporary instruction permit, 121  
probationary license, or nonresident operating privilege for the 122  
period of time specified in division (B)(3) of section 4510.02 of 123  
the Revised Code. The court may grant limited driving privileges 124  
to the person only if the person presents proof of financial 125  
responsibility and has complied with division (A)(5) of this 126  
section, and no court may grant limited driving privileges for the 127  
first fifteen days of the suspension. 128

(c) If, within five years of the violation, the person's 129  
operating privileges are suspended and the person's license is 130  
impounded two or more times for a violation of division (A)(1) of 131  
this section, a class B suspension of the person's driver's 132  
license, commercial driver's license, temporary instruction 133  
permit, probationary license, or nonresident operating privilege 134  
for the period of time specified in division (B)(2) of section 135  
4510.02 of the Revised Code. No court may grant limited driving 136  
privileges during the suspension. 137

(d) In addition to the suspension of an owner's license under 138  
division (A)(2)(a), (b), or (c) of this section, the suspension of 139  
the rights of the owner to register the motor vehicle and the 140  
impoundment of the owner's certificate of registration and license 141  
plates until the owner complies with division (A)(5) of this 142  
section. 143

(3) A person to whom this state has issued a certificate of 144

registration for a motor vehicle or a license to operate a motor 145  
vehicle or who is determined to have operated any motor vehicle or 146  
permitted the operation in this state of a motor vehicle owned by 147  
the person shall be required to verify the existence of proof of 148  
financial responsibility covering the operation of the motor 149  
vehicle or the person's operation of the motor vehicle under any 150  
of the following circumstances: 151

(a) The person or a motor vehicle owned by the person is 152  
involved in a traffic accident that requires the filing of an 153  
accident report under section 4509.06 of the Revised Code. 154

(b) The person receives a traffic ticket indicating that 155  
proof of the maintenance of financial responsibility was not 156  
produced upon the request of a peace officer or state highway 157  
patrol trooper made in accordance with division (D)(2) of this 158  
section. 159

(c) Whenever, in accordance with rules adopted by the 160  
registrar, the person is randomly selected by the registrar and 161  
requested to provide such verification. 162

(4) An order of the registrar that suspends and impounds a 163  
license or registration, or both, shall state the date on or 164  
before which the person is required to surrender the person's 165  
license or certificate of registration and license plates. The 166  
person is deemed to have surrendered the license or certificate of 167  
registration and license plates, in compliance with the order, if 168  
the person does either of the following: 169

(a) On or before the date specified in the order, personally 170  
delivers the license or certificate of registration and license 171  
plates, or causes the delivery of the items, to the registrar; 172

(b) Mails the license or certificate of registration and 173  
license plates to the registrar in an envelope or container 174  
bearing a postmark showing a date no later than the date specified 175

in the order. 176

(5) Except as provided in division (A)(6) or (L) of this 177  
section, the registrar shall not restore any operating privileges 178  
or registration rights suspended under this section, return any 179  
license, certificate of registration, or license plates impounded 180  
under this section, or reissue license plates under section 181  
4503.232 of the Revised Code, if the registrar destroyed the 182  
impounded license plates under that section, or reissue a license 183  
under section 4510.52 of the Revised Code, if the registrar 184  
destroyed the suspended license under that section, unless the 185  
rights are not subject to suspension or revocation under any other 186  
law and unless the person, in addition to complying with all other 187  
conditions required by law for reinstatement of the operating 188  
privileges or registration rights, complies with all of the 189  
following: 190

(a) Pays a financial responsibility reinstatement fee of 191  
seventy-five dollars for the first violation of division (A)(1) of 192  
this section, two hundred fifty dollars for a second violation of 193  
that division, and five hundred dollars for a third or subsequent 194  
violation of that division; 195

(b) If the person has not voluntarily surrendered the 196  
license, certificate, or license plates in compliance with the 197  
order, pays a financial responsibility nonvoluntary compliance fee 198  
in an amount, not to exceed fifty dollars, determined by the 199  
registrar; 200

(c) Files and continuously maintains proof of financial 201  
responsibility under sections 4509.44 to 4509.65 of the Revised 202  
Code. 203

(6) If the registrar issues an order under division (A)(2) of 204  
this section resulting from the failure of a person to respond to 205  
a financial responsibility random verification request under 206

division (A)(3)(c) of this section and the person successfully 207  
maintains an affirmative defense to a violation of section 4510.16 208  
of the Revised Code or is determined by the registrar or a deputy 209  
registrar to have been in compliance with division (A)(1) of this 210  
section at the time of the initial financial responsibility random 211  
verification request, the registrar shall do both of the 212  
following: 213

(a) Terminate the order of suspension or impoundment; 214

(b) Restore the operating privileges and registration rights 215  
of the person without payment of the fees established in divisions 216  
(A)(5)(a) and (b) of this section and without a requirement to 217  
file proof of financial responsibility. 218

(B)(1) Every party required to file an accident report under 219  
section 4509.06 of the Revised Code also shall include with the 220  
report a document described in division (G)(1) of this section. 221

If the registrar determines, within forty-five days after the 222  
report is filed, that an operator or owner has violated division 223  
(A)(1) of this section, the registrar shall do all of the 224  
following: 225

(a) Order the impoundment, with respect to the motor vehicle 226  
involved, required under division (A)(2)(d) of this section, of 227  
the certificate of registration and license plates of any owner 228  
who has violated division (A)(1) of this section; 229

(b) Order the suspension required under division (A)(2)(a), 230  
(b), or (c) of this section of the license of any operator or 231  
owner who has violated division (A)(1) of this section; 232

(c) Record the name and address of the person whose 233  
certificate of registration and license plates have been impounded 234  
or are under an order of impoundment, or whose license has been 235  
suspended or is under an order of suspension; the serial number of 236  
the person's license; the serial numbers of the person's 237



certificate of registration and license plates; and the person's 238  
social security account number, if assigned, or, where the motor 239  
vehicle is used for hire or principally in connection with any 240  
established business, the person's federal taxpayer identification 241  
number. The information shall be recorded in such a manner that it 242  
becomes a part of the person's permanent record, and assists the 243  
registrar in monitoring compliance with the orders of suspension 244  
or impoundment. 245

(d) Send written notification to every person to whom the 246  
order pertains, at the person's last known address as shown on the 247  
records of the bureau. The person, within ten days after the date 248  
of the mailing of the notification, shall surrender to the 249  
registrar, in a manner set forth in division (A)(4) of this 250  
section, any certificate of registration and registration plates 251  
under an order of impoundment, or any license under an order of 252  
suspension. 253

(2) The registrar shall issue any order under division (B)(1) 254  
of this section without a hearing. Any person adversely affected 255  
by the order, within ten days after the issuance of the order, may 256  
request an administrative hearing before the registrar, who shall 257  
provide the person with an opportunity for a hearing in accordance 258  
with this paragraph. A request for a hearing does not operate as a 259  
suspension of the order. The scope of the hearing shall be limited 260  
to whether the person in fact demonstrated to the registrar proof 261  
of financial responsibility in accordance with this section. The 262  
registrar shall determine the date, time, and place of any 263  
hearing, provided that the hearing shall be held, and an order 264  
issued or findings made, within thirty days after the registrar 265  
receives a request for a hearing. If requested by the person in 266  
writing, the registrar may designate as the place of hearing the 267  
county seat of the county in which the person resides or a place 268  
within fifty miles of the person's residence. The person shall pay 269

the cost of the hearing before the registrar, if the registrar's 270  
order of suspension or impoundment is upheld. 271

(C) Any order of suspension or impoundment issued under this 272  
section or division (B) of section 4509.37 of the Revised Code may 273  
be terminated at any time if the registrar determines upon a 274  
showing of proof of financial responsibility that the operator or 275  
owner of the motor vehicle was in compliance with division (A)(1) 276  
of this section at the time of the traffic offense, motor vehicle 277  
inspection, or accident that resulted in the order against the 278  
person. A determination may be made without a hearing. This 279  
division does not apply unless the person shows good cause for the 280  
person's failure to present satisfactory proof of financial 281  
responsibility to the registrar prior to the issuance of the 282  
order. 283

(D)(1) For the purpose of enforcing this section, every peace 284  
officer is deemed an agent of the registrar. 285

(a) Except as provided in division (D)(1)(b) of this section, 286  
any peace officer who, in the performance of the peace officer's 287  
duties as authorized by law, becomes aware of a person whose 288  
license is under an order of suspension, or whose certificate of 289  
registration and license plates are under an order of impoundment, 290  
pursuant to this section, may confiscate the license, certificate 291  
of registration, and license plates, and return them to the 292  
registrar. 293

(b) Any peace officer who, in the performance of the peace 294  
officer's duties as authorized by law, becomes aware of a person 295  
whose license is under an order of suspension, or whose 296  
certificate of registration and license plates are under an order 297  
of impoundment resulting from failure to respond to a financial 298  
responsibility random verification, shall not, for that reason, 299  
arrest the owner or operator or seize the vehicle or license 300  
plates. Instead, the peace officer shall issue a citation for a 301

violation of section 4510.16 of the Revised Code specifying the 302  
circumstances as failure to respond to a financial responsibility 303  
random verification. 304

(2) A peace officer shall request the owner or operator of a 305  
motor vehicle to produce proof of financial responsibility in a 306  
manner described in division (G) of this section at the time the 307  
peace officer acts to enforce the traffic laws of this state and 308  
during motor vehicle inspections conducted pursuant to section 309  
4513.02 of the Revised Code. 310

(3) A peace officer shall indicate on every traffic ticket 311  
whether the person receiving the traffic ticket produced proof of 312  
the maintenance of financial responsibility in response to the 313  
officer's request under division (D)(2) of this section. The peace 314  
officer shall inform every person who receives a traffic ticket 315  
and who has failed to produce proof of the maintenance of 316  
financial responsibility that the person must submit proof to the 317  
traffic violations bureau with any payment of a fine and costs for 318  
the ticketed violation or, if the person is to appear in court for 319  
the violation, the person must submit proof to the court. 320

(4)(a) If a person who has failed to produce proof of the 321  
maintenance of financial responsibility appears in court for a 322  
ticketed violation, the court may permit the defendant to present 323  
evidence of proof of financial responsibility to the court at such 324  
time and in such manner as the court determines to be necessary or 325  
appropriate. In a manner prescribed by the registrar, the clerk of 326  
courts shall provide the registrar with the identity of any person 327  
who fails to submit proof of the maintenance of financial 328  
responsibility pursuant to division (D)(3) of this section. 329

(b) If a person who has failed to produce proof of the 330  
maintenance of financial responsibility also fails to submit that 331  
proof to the traffic violations bureau with payment of a fine and 332  
costs for the ticketed violation, the traffic violations bureau, 333

in a manner prescribed by the registrar, shall notify the 334  
registrar of the identity of that person. 335

(5)(a) Upon receiving notice from a clerk of courts or 336  
traffic violations bureau pursuant to division (D)(4) of this 337  
section, the registrar shall order the suspension of the license 338  
of the person required under division (A)(2)(a), (b), or (c) of 339  
this section and the impoundment of the person's certificate of 340  
registration and license plates required under division (A)(2)(d) 341  
of this section, effective thirty days after the date of the 342  
mailing of notification. The registrar also shall notify the 343  
person that the person must present the registrar with proof of 344  
financial responsibility in accordance with this section, 345  
surrender to the registrar the person's certificate of 346  
registration, license plates, and license, or submit a statement 347  
subject to section 2921.13 of the Revised Code that the person did 348  
not operate or permit the operation of the motor vehicle at the 349  
time of the offense. Notification shall be in writing and shall be 350  
sent to the person at the person's last known address as shown on 351  
the records of the bureau of motor vehicles. The person, within 352  
fifteen days after the date of the mailing of notification, shall 353  
present proof of financial responsibility, surrender the 354  
certificate of registration, license plates, and license to the 355  
registrar in a manner set forth in division (A)(4) of this 356  
section, or submit the statement required under this section 357  
together with other information the person considers appropriate. 358

If the registrar does not receive proof or the person does 360  
not surrender the certificate of registration, license plates, and 361  
license, in accordance with this division, the registrar shall 362  
permit the order for the suspension of the license of the person 363  
and the impoundment of the person's certificate of registration 364  
and license plates to take effect. 365

(b) In the case of a person who presents, within the 366  
fifteen-day period, documents to show proof of financial 367  
responsibility, the registrar shall terminate the order of 368  
suspension and the impoundment of the registration and license 369  
plates required under division (A)(2)(d) of this section and shall 370  
send written notification to the person, at the person's last 371  
known address as shown on the records of the bureau. 372

(c) Any person adversely affected by the order of the 373  
registrar under division (D)(5)(a) or (b) of this section, within 374  
ten days after the issuance of the order, may request an 375  
administrative hearing before the registrar, who shall provide the 376  
person with an opportunity for a hearing in accordance with this 377  
paragraph. A request for a hearing does not operate as a 378  
suspension of the order. The scope of the hearing shall be limited 379  
to whether, at the time of the hearing, the person presents proof 380  
of financial responsibility covering the vehicle and whether the 381  
person is eligible for an exemption in accordance with this 382  
section or any rule adopted under it. The registrar shall 383  
determine the date, time, and place of any hearing; provided, that 384  
the hearing shall be held, and an order issued or findings made, 385  
within thirty days after the registrar receives a request for a 386  
hearing. If requested by the person in writing, the registrar may 387  
designate as the place of hearing the county seat of the county in 388  
which the person resides or a place within fifty miles of the 389  
person's residence. Such person shall pay the cost of the hearing 390  
before the registrar, if the registrar's order of suspension or 391  
impoundment under division (D)(5)(a) or (b) of this section is 392  
upheld. 393

(6) A peace officer may charge an owner or operator of a 394  
motor vehicle with a violation of section 4510.16 of the Revised 395  
Code when the owner or operator fails to show proof of the 396  
maintenance of financial responsibility pursuant to a peace 397

officer's request under division (D)(2) of this section, if a 398  
check of the owner or operator's driving record indicates that the 399  
owner or operator, at the time of the operation of the motor 400  
vehicle, is required to file and maintain proof of financial 401  
responsibility under section 4509.45 of the Revised Code for a 402  
previous violation of this chapter. 403

(7) Any forms used by law enforcement agencies in 404  
administering this section shall be prescribed, supplied, and paid 405  
for by the registrar. 406

(8) No peace officer, law enforcement agency employing a 407  
peace officer, or political subdivision or governmental agency 408  
that employs a peace officer shall be liable in a civil action for 409  
damages or loss to persons arising out of the performance of any 410  
duty required or authorized by this section. 411

(9) As used in this division and divisions (E) and (G) of 412  
this section, "peace officer" has the meaning set forth in section 413  
2935.01 of the Revised Code. 414

(E)(1) All fees, except court costs, collected under this 415  
section shall be paid into the state treasury to the credit of the 416  
financial responsibility compliance fund. The financial 417  
responsibility compliance fund shall be used ~~exclusively~~ to cover 418  
costs incurred by the bureau in the administration of this section 419  
and sections 4503.20, 4507.212, and 4509.81 of the Revised Code, 420  
and incurred by any law enforcement agency ~~employing any peace~~ 421  
~~officer who returns~~ in returning any license, certificate of 422  
registration, and license plates to the registrar pursuant to 423  
division ~~(C)~~(D)(1)(a) of this section and may be used to cover 424  
costs incurred by the courts in connection with the enforcement of 425  
traffic laws, except that the director of budget and management 426  
may transfer excess money from the financial responsibility 427  
compliance fund to the state bureau of motor vehicles fund if the 428  
registrar determines that the amount of money in the financial 429

responsibility compliance fund exceeds the amount required to 430  
cover such costs incurred by the bureau ~~or a~~ law enforcement 431  
~~agency agencies, and the courts~~ and requests the director to make 432  
the transfer. 433

All investment earnings of the financial responsibility 434  
compliance fund shall be credited to the fund. 435

(2) The bureau of motor vehicles shall establish a procedure 436  
pursuant to which a court may apply to the bureau for money from 437  
the financial responsibility compliance fund to cover the 438  
administrative and other costs the court incurs in the court's 439  
enforcement of the traffic laws of this state and of its political 440  
subdivisions. The bureau shall make the final determination 441  
regarding each application for money from the fund within ninety 442  
days from the date the bureau receives the application. The bureau 443  
may approve an application for full funding, approve an 444  
application for partial funding, or reject an application. 445

(F) Chapter 119. of the Revised Code applies to this section 447  
only to the extent that any provision in that chapter is not 448  
clearly inconsistent with this section. 449

(G)(1) The registrar, court, traffic violations bureau, or 450  
peace officer may require proof of financial responsibility to be 451  
demonstrated by use of a standard form prescribed by the 452  
registrar. If the use of a standard form is not required, a person 453  
may demonstrate proof of financial responsibility under this 454  
section by presenting to the traffic violations bureau, court, 455  
registrar, or peace officer any of the following documents or a 456  
copy of the documents: 457

(a) A financial responsibility identification card as 458  
provided in section 4509.103 of the Revised Code; 459

(b) A certificate of proof of financial responsibility on a 460

form provided and approved by the registrar for the filing of an 461  
accident report required to be filed under section 4509.06 of the 462  
Revised Code; 463

(c) A policy of liability insurance, a declaration page of a 464  
policy of liability insurance, or liability bond, if the policy or 465  
bond complies with section 4509.20 or sections 4509.49 to 4509.61 466  
of the Revised Code; 467

(d) A bond or certification of the issuance of a bond as 468  
provided in section 4509.59 of the Revised Code; 469

(e) A certificate of deposit of money or securities as 470  
provided in section 4509.62 of the Revised Code; 471

(f) A certificate of self-insurance as provided in section 472  
4509.72 of the Revised Code. 473

(2) If a person fails to demonstrate proof of financial 474  
responsibility in a manner described in division (G)(1) of this 475  
section, the person may demonstrate proof of financial 476  
responsibility under this section by any other method that the 477  
court or the bureau, by reason of circumstances in a particular 478  
case, may consider appropriate. 479

(3) A motor carrier certificated by the interstate commerce 480  
commission or by the public utilities commission may demonstrate 481  
proof of financial responsibility by providing a statement 482  
designating the motor carrier's operating authority and averring 483  
that the insurance coverage required by the certificating 484  
authority is in full force and effect. 485

(4)(a) A finding by the registrar or court that a person is 486  
covered by proof of financial responsibility in the form of an 487  
insurance policy or surety bond is not binding upon the named 488  
insurer or surety or any of its officers, employees, agents, or 489  
representatives and has no legal effect except for the purpose of 490  
administering this section. 491



(b) The preparation and delivery of a financial responsibility identification card or any other document authorized to be used as proof of financial responsibility under this division does not do any of the following:

(i) Create any liability or estoppel against an insurer or surety, or any of its officers, employees, agents, or representatives;

(ii) Constitute an admission of the existence of, or of any liability or coverage under, any policy or bond;

(iii) Waive any defenses or counterclaims available to an insurer, surety, agent, employee, or representative in an action commenced by an insured or third-party claimant upon a cause of action alleged to have arisen under an insurance policy or surety bond or by reason of the preparation and delivery of a document for use as proof of financial responsibility.

(c) Whenever it is determined by a final judgment in a judicial proceeding that an insurer or surety, which has been named on a document accepted by a court or the registrar as proof of financial responsibility covering the operation of a motor vehicle at the time of an accident or offense, is not liable to pay a judgment for injuries or damages resulting from such operation, the registrar, notwithstanding any previous contrary finding, shall forthwith suspend the operating privileges and registration rights of the person against whom the judgment was rendered as provided in division (A)(2) of this section.

(H) In order for any document described in division (G)(1)(b) of this section to be used for the demonstration of proof of financial responsibility under this section, the document shall state the name of the insured or obligor, the name of the insurer or surety company, and the effective and expiration dates of the financial responsibility, and designate by explicit description or

by appropriate reference all motor vehicles covered which may 523  
include a reference to fleet insurance coverage. 524

(I) For purposes of this section, "owner" does not include a 525  
licensed motor vehicle leasing dealer as defined in section 526  
4517.01 of the Revised Code, but does include a motor vehicle 527  
renting dealer as defined in section 4549.65 of the Revised Code. 528  
Nothing in this section or in section 4509.51 of the Revised Code 529  
shall be construed to prohibit a motor vehicle renting dealer from 530  
entering into a contractual agreement with a person whereby the 531  
person renting the motor vehicle agrees to be solely responsible 532  
for maintaining proof of financial responsibility, in accordance 533  
with this section, with respect to the operation, maintenance, or 534  
use of the motor vehicle during the period of the motor vehicle's 535  
rental. 536

(J) The purpose of this section is to require the maintenance 537  
of proof of financial responsibility with respect to the operation 538  
of motor vehicles on the highways of this state, so as to minimize 539  
those situations in which persons are not compensated for injuries 540  
and damages sustained in motor vehicle accidents. The general 541  
assembly finds that this section contains reasonable civil 542  
penalties and procedures for achieving this purpose. 543

(K) Nothing in this section shall be construed to be subject 544  
to section 4509.78 of the Revised Code. 545

(L)(1) The registrar may terminate any suspension imposed 546  
under this section and not require the owner to comply with 547  
divisions (A)(5)(a), (b), and (c) of this section if the registrar 548  
with or without a hearing determines that the owner of the vehicle 549  
has established by clear and convincing evidence that all of the 550  
following apply: 551

(a) The owner customarily maintains proof of financial 552  
responsibility. 553

(b) Proof of financial responsibility was not in effect for 554  
the vehicle on the date in question for one of the following 555  
reasons: 556

(i) The vehicle was inoperable. 557

(ii) The vehicle is operated only seasonally, and the date in 558  
question was outside the season of operation. 559

(iii) A person other than the vehicle owner or driver was at 560  
fault for the lapse of proof of financial responsibility through 561  
no fault of the owner or driver. 562

(iv) The lapse of proof of financial responsibility was 563  
caused by excusable neglect under circumstances that are not 564  
likely to recur and do not suggest a purpose to evade the 565  
requirements of this chapter. 566

(2) The registrar may grant an owner or driver relief for a 567  
reason specified in division (L)(1)(b)(i) or (ii) of this section 568  
whenever the owner or driver is randomly selected to verify the 569  
existence of proof of financial responsibility for such a vehicle. 570  
However, the registrar may grant an owner or driver relief for a 571  
reason specified in division (L)(1)(b)(iii) or (iv) of this 572  
section only if the owner or driver has not previously been 573  
granted relief under division (L)(1)(b)(iii) or (iv) of this 574  
section. 575

(M) The registrar shall adopt rules in accordance with 576  
Chapter 119. of the Revised Code that are necessary to administer 577  
and enforce this section. The rules shall include procedures for 578  
the surrender of license plates upon failure to maintain proof of 579  
financial responsibility and provisions relating to reinstatement 580  
of registration rights, acceptable forms of proof of financial 581  
responsibility, and verification of the existence of financial 582  
responsibility during the period of registration. 583

**Section 2.** That existing sections 4503.20 and 4509.101 of the 584

Revised Code are hereby repealed.

585