

**As Passed by the House**

**129th General Assembly  
Regular Session  
2011-2012**

**Am. S. B. No. 245**

**Senator Hughes**

**Cosponsors: Senators Beagle, Hite, Sawyer, Bacon, Balderson, Daniels,  
Jordan, Oelslager, Patton  
Representatives Yuko, Brenner, Celebrezze, Lundy, Murray**

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**A B I L L**

To amend section 4517.05 of the Revised Code to 1  
establish mandatory training for used motor 2  
vehicle dealers. 3

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

**Section 1.** That section 4517.05 of the Revised Code be 4  
amended to read as follows: 5

**Sec. 4517.05.** (A) Each person applying for a used motor 6  
vehicle dealer's license shall annually, before the first day of 7  
April, make out and deliver to the registrar of motor vehicles, 8  
upon a blank to be furnished by the registrar for that purpose, a 9  
separate application for license for each county in which such 10  
business is to be conducted. The application shall be in the form 11  
prescribed by the registrar, shall be signed and sworn to by the 12  
applicant, and, in addition to such other information as is 13  
required by the registrar, shall include the information specified 14  
in divisions (A) to (H) of section 4517.04 of the Revised Code. 15  
The application shall be accompanied by a photograph, as 16  
prescribed by the registrar, of each place of business operated, 17

or to be operated, by the applicant. An application for a used 18  
motor vehicle dealer's license by any person who is subject to 19  
division (B)(1) of this section shall be accompanied by 20  
documentation, as prescribed by the motor vehicle dealers board, 21  
showing that within the immediately preceding six months, an 22  
owner, officer, partner, or director of the business entity 23  
applying for the used motor vehicle dealer's license has 24  
successfully completed a used motor vehicle dealer training 25  
course. 26

(B)(1) Except as provided in divisions (B)(2) and (3) of this 27  
section, an owner, officer, partner, or director of a business 28  
entity applying for a used motor vehicle dealer license ninety 29  
days or more after the effective date of this amendment shall, 30  
within six months immediately preceding the date of applying for 31  
the license, successfully complete a used motor vehicle dealer 32  
training course that complies with the rules of the motor vehicle 33  
dealers board adopted under division (C) of this section. 34

(2) No person applying for a used motor vehicle dealer's 35  
license shall be required to have an owner, officer, partner, or 36  
director of the business entity complete a used motor vehicle 37  
dealer training course if any owner, officer, partner, or director 38  
of the business entity held a used or new motor vehicle dealer's 39  
license within the two-year period immediately preceding the date 40  
of application and the previously held license was not revoked or 41  
suspended. 42

(3) No person applying for a used motor vehicle dealer's 43  
license shall be required to have an owner, officer, partner, or 44  
director of the related business entity complete a used motor 45  
vehicle dealer training course if the person holds a salvage motor 46  
vehicle auction license pursuant to Chapter 4738. of the Revised 47  
Code or a motor vehicle auction owner license pursuant to Chapter 48  
4517. of the Revised Code. 49

(C)(1) In accordance with Chapter 119. of the Revised Code, 50  
the motor vehicle dealers board shall adopt rules governing used 51  
motor vehicle dealer training courses. The rules shall do all of 52  
the following: 53

(a) Require a course provider to be an institution of higher 54  
education, as defined in section 3345.12 of the Revised Code, or a 55  
relevant professional or trade association that has been in 56  
existence for more than five years and has a majority of members 57  
who are motor vehicle dealers licensed in this state; 58

(b) Establish any additional qualifications for course 59  
providers; 60

(c) Establish the course curriculum, which shall include 61  
information on applicable federal and state law, including 62  
consumer protection laws, and shall require at least six hours but 63  
not more than twenty-four hours of instruction; 64

(d) Prescribe the form for the certificate of completion, 65  
which shall require the course provider to attest that the person 66  
named on the certificate successfully completed at least six hours 67  
of used motor vehicle dealer training; 68

(e) Establish any other reasonable requirements the board 69  
considers necessary. 70

(2) The board shall maintain information received from any 71  
course provider concerning course location, content, length, and 72  
cost and shall provide the information to any person upon request. 73

(3) The registrar shall not issue a used motor vehicle dealer 74  
license to any person subject to division (B)(1) of this section 75  
unless an owner, officer, partner, or director of a business 76  
entity applying for the used motor vehicle dealer license has 77  
successfully completed a used motor vehicle dealer training course 78  
that complies with the requirements of this division. 79

<u>(D)(1) Any person offering used motor vehicle dealer training</u>	80
<u>courses shall do all of the following:</u>	81
<u>(a) Conform the course to rules of the motor vehicle dealers</u>	82
<u>board;</u>	83
<u>(b) Establish reasonable fees for courses offered;</u>	84
<u>(c) Issue, on a form prescribed by the board, a certificate</u>	85
<u>of completion to each person who successfully completes a course</u>	86
<u>of instruction;</u>	87
<u>(d) Notify the board of the course location, content, length,</u>	88
<u>and cost.</u>	89
<u>(2) A course provider may use information and material from</u>	90
<u>the bureau of motor vehicles and the attorney general.</u>	91
<u>(E) Nothing in this section shall affect or apply to new</u>	92
<u>motor vehicle dealer licensing.</u>	93
<b>Section 2.</b> That existing section 4517.05 of the Revised Code	94
is hereby repealed.	95