

**As Reported by the Senate Insurance, Commerce and Labor
Committee**

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

Am. S. B. No. 245

Senator Hughes

Cosponsors: Senators Beagle, Hite, Sawyer

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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 section 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

(D)(1) Any person offering used motor vehicle dealer training 80

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 That existing section 4517.05 of the Revised Code is hereby repealed.	88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