

As Introduced

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H. B. No. 71

Representative Roegner

**Cosponsors: Representatives Derickson, Duffey, Stebelton, Brenner,
O'Brien, Lynch, Damschroder, Ruhl, Huffman, Maag, Anielski, Patmon,
Terhar, Wachtmann, Young**

—

A BILL

To amend sections 4503.10, 4503.20, 4509.03, 1
4509.101, and 4510.04, to enact sections 4509.031 2
and 4509.032 of the Revised Code, and to repeal 3
Section 3 of Am. Sub. S.B. 20 of the 120th General 4
Assembly, as subsequently amended, to require the 5
Registrar of Motor Vehicles to establish an 6
electronic motor vehicle insurance verification 7
system, to require an insurance company to notify 8
the Registrar upon the cancellation or lapse of a 9
motor vehicle liability insurance policy, to 10
eliminate the financial responsibility random 11
verification program of the Bureau of Motor 12
Vehicles, and to make other changes in the 13
procedures for verifying proof of financial 14
responsibility regarding a motor vehicle. 15

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

Section 1. That sections 4503.10, 4503.20, 4509.03, 4509.101, 16
and 4510.04 be amended and sections 4509.031 and 4509.032 of the 17
Revised Code be enacted to read as follows: 18

Sec. 4503.10. (A) The owner of every snowmobile, off-highway motorcycle, and all-purpose vehicle required to be registered under section 4519.02 of the Revised Code shall file an application for registration under section 4519.03 of the Revised Code. The owner of a motor vehicle, other than a snowmobile, off-highway motorcycle, or all-purpose vehicle, that is not designed and constructed by the manufacturer for operation on a street or highway may not register it under this chapter except upon certification of inspection pursuant to section 4513.02 of the Revised Code by the sheriff, or the chief of police of the municipal corporation or township, with jurisdiction over the political subdivision in which the owner of the motor vehicle resides. Except as provided in section 4503.103 of the Revised Code, every owner of every other motor vehicle not previously described in this section and every person mentioned as owner in the last certificate of title of a motor vehicle that is operated or driven upon the public roads or highways shall cause to be filed each year, by mail or otherwise, in the office of the registrar of motor vehicles or a deputy registrar, a written or electronic application or a preprinted registration renewal notice issued under section 4503.102 of the Revised Code, the form of which shall be prescribed by the registrar, for registration for the following registration year, which shall begin on the first day of January of every calendar year and end on the thirty-first day of December in the same year. Applications for registration and registration renewal notices shall be filed at the times established by the registrar pursuant to section 4503.101 of the Revised Code. A motor vehicle owner also may elect to apply for or renew a motor vehicle registration by electronic means using electronic signature in accordance with rules adopted by the registrar. Except as provided in division (J) of this section, applications for registration shall be made on blanks furnished by

the registrar for that purpose, containing the following 51
information: 52

(1) A brief description of the motor vehicle to be 53
registered, including the year, make, model, and vehicle 54
identification number, and, in the case of commercial cars, the 55
gross weight of the vehicle fully equipped computed in the manner 56
prescribed in section 4503.08 of the Revised Code; 57

(2) The name and residence address of the owner, and the 58
township and municipal corporation in which the owner resides; 59

(3) The district of registration, which shall be determined 60
as follows: 61

(a) In case the motor vehicle to be registered is used for 62
hire or principally in connection with any established business or 63
branch business, conducted at a particular place, the district of 64
registration is the municipal corporation in which that place is 65
located or, if not located in any municipal corporation, the 66
county and township in which that place is located. 67

(b) In case the vehicle is not so used, the district of 68
registration is the municipal corporation or county in which the 69
owner resides at the time of making the application. 70

(4) Whether the motor vehicle is a new or used motor vehicle; 71

(5) The date of purchase of the motor vehicle; 72

(6) Whether the fees required to be paid for the registration 73
or transfer of the motor vehicle, during the preceding 74
registration year and during the preceding period of the current 75
registration year, have been paid. Each application for 76
registration shall be signed by the owner, either manually or by 77
electronic signature, or pursuant to obtaining a limited power of 78
attorney authorized by the registrar for registration, or other 79
document authorizing such signature. If the owner elects to apply 80

for or renew the motor vehicle registration with the registrar by 81
electronic means, the owner's manual signature is not required. 82

(7) The owner's social security number, driver's license 83
number, or state identification number, or, where a motor vehicle 84
to be registered is used for hire or principally in connection 85
with any established business, the owner's federal taxpayer 86
identification number. The bureau of motor vehicles shall retain 87
in its records all social security numbers provided under this 88
section, but the bureau shall not place social security numbers on 89
motor vehicle certificates of registration. 90

(B) Except as otherwise provided in this division, each time 91
an applicant first registers a motor vehicle in the applicant's 92
name, the applicant shall present for inspection a physical 93
certificate of title or memorandum certificate showing title to 94
the motor vehicle to be registered in the name of the applicant if 95
a physical certificate of title or memorandum certificate has been 96
issued by a clerk of a court of common pleas. If, under sections 97
4505.021, 4505.06, and 4505.08 of the Revised Code, a clerk 98
instead has issued an electronic certificate of title for the 99
applicant's motor vehicle, that certificate may be presented for 100
inspection at the time of first registration in a manner 101
prescribed by rules adopted by the registrar. An applicant is not 102
required to present a certificate of title to an electronic motor 103
vehicle dealer acting as a limited authority deputy registrar in 104
accordance with rules adopted by the registrar. When a motor 105
vehicle inspection and maintenance program is in effect under 106
section 3704.14 of the Revised Code and rules adopted under it, 107
each application for registration for a vehicle required to be 108
inspected under that section and those rules shall be accompanied 109
by an inspection certificate for the motor vehicle issued in 110
accordance with that section. The application shall be refused if 111
any of the following applies: 112

(1) The application is not in proper form.	113
(2) The application is prohibited from being accepted by division (D) of section 2935.27, division (A) of section 2937.221, division (A) of section 4503.13, division (B) of section 4510.22, or division (B)(1) of section 4521.10 of the Revised Code.	114 115 116 117
(3) A certificate of title or memorandum certificate of title is required but does not accompany the application or, in the case of an electronic certificate of title, is required but is not presented in a manner prescribed by the registrar's rules.	118 119 120 121
(4) All registration and transfer fees for the motor vehicle, for the preceding year or the preceding period of the current registration year, have not been paid.	122 123 124
(5) The owner or lessee does not have an inspection certificate for the motor vehicle as provided in section 3704.14 of the Revised Code, and rules adopted under it, if that section is applicable.	125 126 127 128
<u>(6) The registrar or deputy registrar was unable to verify a current, valid motor-vehicle liability policy or other proof of financial responsibility under section 4503.20 of the Revised Code.</u>	129 130 131 132
This section does not require the payment of license or registration taxes on a motor vehicle for any preceding year, or for any preceding period of a year, if the motor vehicle was not taxable for that preceding year or period under sections 4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the Revised Code. When a certificate of registration is issued upon the first registration of a motor vehicle by or on behalf of the owner, the official issuing the certificate shall indicate the issuance with a stamp on the certificate of title or memorandum certificate or, in the case of an electronic certificate of title, an electronic stamp or other notation as specified in rules	133 134 135 136 137 138 139 140 141 142 143

adopted by the registrar, and with a stamp on the inspection 144
certificate for the motor vehicle, if any. The official also shall 145
indicate, by a stamp or by other means the registrar prescribes, 146
on the registration certificate issued upon the first registration 147
of a motor vehicle by or on behalf of the owner the odometer 148
reading of the motor vehicle as shown in the odometer statement 149
included in or attached to the certificate of title. Upon each 150
subsequent registration of the motor vehicle by or on behalf of 151
the same owner, the official also shall so indicate the odometer 152
reading of the motor vehicle as shown on the immediately preceding 153
certificate of registration. 154

The registrar shall include in the permanent registration 155
record of any vehicle required to be inspected under section 156
3704.14 of the Revised Code the inspection certificate number from 157
the inspection certificate that is presented at the time of 158
registration of the vehicle as required under this division. 159

(C)(1) Except as otherwise provided in division (C)(1) of 160
this section, for each registration renewal with an expiration 161
date on or after October 1, 2003, and for each initial application 162
for registration received on and after that date, the registrar 163
and each deputy registrar shall collect an additional fee of 164
eleven dollars for each application for registration and 165
registration renewal received. For vehicles specified in divisions 166
(A)(1) to (21) of section 4503.042 of the Revised Code, commencing 167
with each registration renewal with an expiration date on or after 168
October 1, 2009, and for each initial application received on or 169
after that date, the registrar and deputy registrar shall collect 170
an additional fee of thirty dollars for each application for 171
registration and registration renewal received. The additional fee 172
is for the purpose of defraying the department of public safety's 173
costs associated with the administration and enforcement of the 174
motor vehicle and traffic laws of Ohio. Each deputy registrar 175

shall transmit the fees collected under division (C)(1) of this 176
section in the time and manner provided in this section. The 177
registrar shall deposit all moneys received under division (C)(1) 178
of this section into the state highway safety fund established in 179
section 4501.06 of the Revised Code. 180

(2) In addition, a charge of twenty-five cents shall be made 181
for each reflectorized safety license plate issued, and a single 182
charge of twenty-five cents shall be made for each county 183
identification sticker or each set of county identification 184
stickers issued, as the case may be, to cover the cost of 185
producing the license plates and stickers, including material, 186
manufacturing, and administrative costs. Those fees shall be in 187
addition to the license tax. If the total cost of producing the 188
plates is less than twenty-five cents per plate, or if the total 189
cost of producing the stickers is less than twenty-five cents per 190
sticker or per set issued, any excess moneys accruing from the 191
fees shall be distributed in the same manner as provided by 192
section 4501.04 of the Revised Code for the distribution of 193
license tax moneys. If the total cost of producing the plates 194
exceeds twenty-five cents per plate, or if the total cost of 195
producing the stickers exceeds twenty-five cents per sticker or 196
per set issued, the difference shall be paid from the license tax 197
moneys collected pursuant to section 4503.02 of the Revised Code. 198

(D) Each deputy registrar shall be allowed a fee of three 199
dollars and fifty cents for each application for registration and 200
registration renewal notice the deputy registrar receives, which 201
shall be for the purpose of compensating the deputy registrar for 202
the deputy registrar's services, and such office and rental 203
expenses, as may be necessary for the proper discharge of the 204
deputy registrar's duties in the receiving of applications and 205
renewal notices and the issuing of registrations. 206

(E) Upon the certification of the registrar, the county 207

sheriff or local police officials shall recover license plates 208
erroneously or fraudulently issued. 209

(F) Each deputy registrar, upon receipt of any application 210
for registration or registration renewal notice, together with the 211
license fee and any local motor vehicle license tax levied 212
pursuant to Chapter 4504. of the Revised Code, shall transmit that 213
fee and tax, if any, in the manner provided in this section, 214
together with the original and duplicate copy of the application, 215
to the registrar. The registrar, subject to the approval of the 216
director of public safety, may deposit the funds collected by 217
those deputies in a local bank or depository to the credit of the 218
"state of Ohio, bureau of motor vehicles." Where a local bank or 219
depository has been designated by the registrar, each deputy 220
registrar shall deposit all moneys collected by the deputy 221
registrar into that bank or depository not more than one business 222
day after their collection and shall make reports to the registrar 223
of the amounts so deposited, together with any other information, 224
some of which may be prescribed by the treasurer of state, as the 225
registrar may require and as prescribed by the registrar by rule. 226
The registrar, within three days after receipt of notification of 227
the deposit of funds by a deputy registrar in a local bank or 228
depository, shall draw on that account in favor of the treasurer 229
of state. The registrar, subject to the approval of the director 230
and the treasurer of state, may make reasonable rules necessary 231
for the prompt transmittal of fees and for safeguarding the 232
interests of the state and of counties, townships, municipal 233
corporations, and transportation improvement districts levying 234
local motor vehicle license taxes. The registrar may pay service 235
charges usually collected by banks and depositories for such 236
service. If deputy registrars are located in communities where 237
banking facilities are not available, they shall transmit the fees 238
forthwith, by money order or otherwise, as the registrar, by rule 239
approved by the director and the treasurer of state, may 240

prescribe. The registrar may pay the usual and customary fees for 241
such service. 242

(G) This section does not prevent any person from making an 243
application for a motor vehicle license directly to the registrar 244
by mail, by electronic means, or in person at any of the 245
registrar's offices, upon payment of a service fee of three 246
dollars and fifty cents for each application. 247

(H) No person shall make a false statement as to the district 248
of registration in an application required by division (A) of this 249
section. Violation of this division is falsification under section 250
2921.13 of the Revised Code and punishable as specified in that 251
section. 252

(I)(1) Where applicable, the requirements of division (B) of 253
this section relating to the presentation of an inspection 254
certificate issued under section 3704.14 of the Revised Code and 255
rules adopted under it for a motor vehicle, the refusal of a 256
license for failure to present an inspection certificate, and the 257
stamping of the inspection certificate by the official issuing the 258
certificate of registration apply to the registration of and 259
issuance of license plates for a motor vehicle under sections 260
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 261
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 262
4503.47, and 4503.51 of the Revised Code. 263

(2)(a) The registrar shall adopt rules ensuring that each 264
owner registering a motor vehicle in a county where a motor 265
vehicle inspection and maintenance program is in effect under 266
section 3704.14 of the Revised Code and rules adopted under it 267
receives information about the requirements established in that 268
section and those rules and about the need in those counties to 269
present an inspection certificate with an application for 270
registration or preregistration. 271

(b) Upon request, the registrar shall provide the director of environmental protection, or any person that has been awarded a contract under section 3704.14 of the Revised Code, an on-line computer data link to registration information for all passenger cars, noncommercial motor vehicles, and commercial cars that are subject to that section. The registrar also shall provide to the director of environmental protection a magnetic data tape containing registration information regarding passenger cars, noncommercial motor vehicles, and commercial cars for which a multi-year registration is in effect under section 4503.103 of the Revised Code or rules adopted under it, including, without limitation, the date of issuance of the multi-year registration, the registration deadline established under rules adopted under section 4503.101 of the Revised Code that was applicable in the year in which the multi-year registration was issued, and the registration deadline for renewal of the multi-year registration.

(J) Subject to division (K) of this section, application for registration under the international registration plan, as set forth in sections 4503.60 to 4503.66 of the Revised Code, shall be made to the registrar on forms furnished by the registrar. In accordance with international registration plan guidelines and pursuant to rules adopted by the registrar, the forms shall include the following:

(1) A uniform mileage schedule;

(2) The gross vehicle weight of the vehicle or combined gross vehicle weight of the combination vehicle as declared by the registrant;

(3) Any other information the registrar requires by rule.

(K) The registrar shall determine the feasibility of implementing an electronic commercial fleet licensing and management program that will enable the owners of commercial

tractors, commercial trailers, and commercial semitrailers to 303
conduct electronic transactions by July 1, 2010, or sooner. If the 304
registrar determines that implementing such a program is feasible, 305
the registrar shall adopt new rules under this division or amend 306
existing rules adopted under this division as necessary in order 307
to respond to advances in technology. 308

If international registration plan guidelines and provisions 309
allow member jurisdictions to permit applications for 310
registrations under the international registration plan to be made 311
via the internet, the rules the registrar adopts under this 312
division shall permit such action. 313

Sec. 4503.20. (A) As used in this section: 314

(1) "Dealer engaged in the business of leasing motor 315
vehicles" means any person engaged in the business of regularly 316
making available, offering to make available, or arranging for 317
another person to use a motor vehicle pursuant to a bailment, 318
lease, or other contractual arrangement. 319

(2) "Motor vehicle," ~~has~~ "motor-vehicle liability policy," 320
and "proof of financial responsibility" have the meaning meanings 321
set forth in section 4509.01 of the Revised Code. 322

(B) An application for the registration or registration 323
renewal of a motor vehicle shall contain a statement, to be signed 324
by the applicant either manually or by electronic signature, that 325
does all of the following: 326

(1) States that the applicant maintains, or has maintained on 327
the applicant's behalf, proof of financial responsibility at the 328
time of application, and will not operate a motor vehicle in this 329
state, unless the applicant maintains, with respect to that motor 330
vehicle or the operation of such vehicle, proof of financial 331
responsibility; 332

(2) Contains a brief summary of the purposes and operation of 333
section 4509.101 of the Revised Code, the rights and duties of the 334
applicant under that section, and the penalties for violation of 335
that section; 336

(3) Notifies the applicant that the application will be 337
refused if, on and after July 1, 2014, the registrar or deputy 338
registrar is unable to verify a current, valid motor-vehicle 339
liability policy or other proof of financial responsibility; 340

(4) Warns the applicant that the financial responsibility law 341
does not prevent the possibility that the applicant may be 342
involved in an accident with an owner or operator of a motor 343
vehicle who is without proof of financial responsibility. 344

(C)(1) A person who purchases any motor vehicle from a 345
licensed motor vehicle dealer who agrees to make application for 346
registration of the motor vehicle on behalf of the purchaser shall 347
sign statements that comply with divisions (B) and (F) of this 348
section. The dealer shall submit the statements to the deputy 349
registrar where the dealer has agreed to make application for 350
registration on behalf of the person. 351

(2) In the case of a person who leases any motor vehicle from 352
a dealer engaged in the business of leasing motor vehicles who 353
agrees to make application for registration of the motor vehicle 354
on behalf of the lessee, the person shall sign a statement that 355
complies with division (B) of this section, and the dealer shall 356
do either of the following: 357

(a) Submit the statement signed by the person to the deputy 358
registrar where the dealer has agreed to make application for 359
registration on behalf of the person; 360

(b) Sign and submit a statement to the deputy registrar that 361
certifies that a statement has been signed and filed with the 362
dealer or incorporated into the lease. 363

The dealer shall submit to the registrar or deputy registrar 364
to whom the dealer submits the application for registration a 365
statement signed by the person that complies with division (F) of 366
this section. 367

(D) The registrar of motor vehicles shall prescribe the form 368
of the statements required under divisions (B), (C), and (F) of 369
this section, and the manner or manners in which the statements 370
required under divisions (B) and (F) of this section shall be 371
presented to the applicant. Any statement that is required under 372
divisions (B), (C), and (F) of this section shall be designed to 373
enable the applicant to retain a copy of it. 374

(E) Nothing within this section shall be construed to excuse 375
a violation of section 4509.101 of the Revised Code. A motor 376
vehicle dealer who makes application for the registration of a 377
motor vehicle on behalf of the purchaser or lessee of the motor 378
vehicle is not liable in damages in any civil action on account of 379
the act of making such application for registration or the content 380
of any such application for registration. 381

(F) In addition to the statements required by divisions (B) 382
and (C) of this section, a person who makes application for 383
registration or registration renewal of a motor vehicle shall be 384
furnished with a form that lists in plain language all the 385
possible penalties to which a person could be subject for a 386
violation of the financial responsibility law, including driver's 387
license suspensions; all fees, including nonvoluntary compliance 388
and reinstatement fees; and vehicle immobilization or impoundment. 389
The person shall read the form and either manually or by 390
electronic signature sign the form, which shall be submitted along 391
with the application for registration or registration renewal as 392
provided in this section. The form shall be retained by the 393
registrar or deputy registrar who issues the motor vehicle 394
registration or the registrar's or deputy registrar's successor 395

for a period of two years from the date of issuance of the 396
registration. 397

(G)(1) On and after July 1, 2014, upon receipt of an 398
application for registration or registration renewal, the 399
registrar or deputy registrar shall access the electronic motor 400
vehicle insurance verification system established under section 401
4509.03 of the Revised Code to verify compliance with the proof of 402
financial responsibility requirements of section 4509.101 of the 403
Revised Code. An applicant who maintains proof of financial 404
responsibility that is not a motor-vehicle liability policy but 405
that is otherwise acceptable under Chapter 4509. of the Revised 406
Code shall provide the registrar or deputy registrar with 407
documents or a copy of the documents authorized under division (G) 408
of section 4509.101 of the Revised Code. If the registrar or 409
deputy registrar is unable to verify current, valid proof of 410
financial responsibility with respect to the applicant, the 411
registrar or deputy registrar shall refuse the application for 412
registration or registration renewal. 413

(2) Upon the registration of a motor vehicle, the owner of 414
the motor vehicle is deemed to have agreed to the production of 415
proof of financial responsibility by the owner or the operator of 416
the motor vehicle, upon the request of a peace officer or state 417
highway patrol trooper made in accordance with division ~~(E)~~(D)(2) 418
of section 4509.101 of the Revised Code. 419

(H) The registrar shall adopt rules governing the renewal of 420
motor vehicle registrations by electronic means and the completion 421
and submission of statements that comply with divisions (B) and 422
(F) of this section. The registrar shall adopt the rules 423
prescribed by this division in accordance with Chapter 119. of the 424
Revised Code. 425

Sec. 4509.03. (A) The registrar of motor vehicles shall 426

administer and enforce sections 4509.01 to 4509.78 of the Revised Code. He The registrar may make rules necessary for such administration and shall provide for hearings upon request of persons aggrieved by ~~his~~ the registrar's orders or acts in accordance with sections 119.01 to 119.13 of the Revised Code except as otherwise provided under section 4509.101 or any other section of the Revised Code.

(B) The registrar, with the approval of the director of public safety, shall provide suitable forms for the purposes of sections 4509.01 to 4509.78 of ~~of~~ the Revised Code.

(C)(1) The registrar, with the approval of the director of public safety, shall adopt rules in accordance with Chapter 119. of the Revised Code to establish an electronic motor vehicle insurance verification system to verify compliance with the proof of financial responsibility requirements of this chapter when maintained through a motor-vehicle liability policy. The rules shall require the system to:

(a) Receive information from insurers under section 4509.031 of the Revised Code to verify current, valid motor-vehicle liability policy proof of financial responsibility and identify motor vehicles that are not covered by such a policy;

(b) Include appropriate provisions to secure the system's data against unauthorized access;

(c) Be accessible, without fee, to authorized personnel of the bureau of motor vehicles, deputy registrars, the courts, and peace officers;

(d) Be available twenty-four hours a day, seven days a week to verify the insurance status of motor vehicles operated in this state, subject to reasonable allowances for scheduled maintenance or temporary system failures;

(2) The system shall be installed and operational not later

than July 1, 2014, following an appropriate testing period. 458

(3) Information in the system shall be available to the 459
department of public safety for all purposes authorized by law. 460

(4) The registrar may contract with a private vendor to 461
establish and maintain the system. The registrar may use any 462
existing, secure network available to peace officers to exchange 463
information for the purposes of division (D)(2) of section 464
4509.101 of the Revised Code. 465

(5) Each insurer that delivers, issues for delivery, or 466
renews in this state motor-vehicle liability policies that provide 467
proof of financial responsibility under section 4509.101 of the 468
Revised Code shall cooperate with the registrar in establishing 469
and maintaining the system. In addition, each such insurer shall 470
provide information necessary to verify current, valid proof of 471
financial responsibility for any person to whom it issues or has 472
issued a motor-vehicle liability policy in accordance with section 473
4509.031 of the Revised Code. 474

Sec. 4509.031. (A) Each insurer that delivers, issues for 475
delivery, or renews in this state motor-vehicle liability policies 476
that provide proof of financial responsibility under section 477
4509.101 of the Revised Code shall furnish the bureau of motor 478
vehicles with the following information: 479

(1) The names and addresses, as shown in its records, of both 480
of the following: 481

(a) All persons to whom it issues such policies; 482

(b) All persons who cancel such policies of the insurer or 483
allow such policies to lapse through failure to pay the premium 484
due. 485

(2) For each person identified under division (A)(1) of this 486
section, a brief description of each motor vehicle that is covered 487

by the motor-vehicle liability policy, including the year, make, model, and vehicle identification number. 488
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(B) Each insurer shall furnish the bureau with the information described in division (A) of this section not later than five business days after the date of issuance of the motor-vehicle liability policy or the date of cancellation or lapsing of the policy, as the case may be. 490
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(C) The registrar of motor vehicles shall promptly enter the information described under division (A) of this section into the electronic motor vehicle insurance verification system created under section 4509.03 of the Revised Code. The registrar may require such information to be sent to the bureau via electronic means. 495
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Sec. 4509.032. (A) The bureau of motor vehicles shall monitor the electronic motor vehicle insurance verification system created under section 4509.03 of the Revised Code. If, through monitoring, the bureau determines that a person has not maintained the person's motor-vehicle liability policy that provides proof of financial responsibility, the registrar shall do the following: 501
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(1) Notify the person that the electronic motor vehicle insurance verification system indicates the person does not have a current, valid motor-vehicle liability policy for proof of insurance and that the person must present the registrar with proof of financial responsibility in accordance with division (G) of section 4509.101 of the Revised Code. Notification shall be in writing and shall be sent to the person at the person's last known address as shown on the records of the bureau of motor vehicles. The person, within twenty-one days after the date of the mailing of notification, shall do one of the following: 507
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(a) Demonstrate that the person currently has a valid motor-vehicle liability policy or other proof of financial 517
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responsibility as required by this chapter; 519

(b) Surrender the certificate of registration, license plates, and license to the registrar in a manner set forth in division (A)(4) of section 4509.101 of the Revised Code; or 520
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(c) Submit a statement subject to section 2921.13 of the Revised Code that the person did not operate or permit the operation of the motor vehicle without maintaining proof of financial responsibility as required under this chapter, together with other information the person considers appropriate. 523
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(2) If, within twenty-one days of the mailing of the notice under division (A)(1) of this section, the person does not take any action described in divisions (A)(1)(a) to (c) of this section, the registrar shall send a second notice to the person advising the person that the person is in violation of division (A) of section 4509.101 of the Revised Code and that the registrar shall order the suspension of the person's driver's license in accordance with division (A)(2)(a), (b), or (c) of section 4509.101 of the Revised Code and the impoundment of the person's certificate of registration and license plates in accordance with division (A)(2)(d) of section 4509.101 of the Revised Code effective thirty days after the date of the mailing of the second notification. 528
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(B) If, prior to the end of the thirty-day period described in division (A)(2) of this section, the person does not take any action described in divisions (A)(1)(a) to (c) of this section, the registrar shall order the suspension of the license of the person in accordance with division (A)(2)(a), (b), or (c) of section 4509.101 of the Revised Code and the impoundment of the person's certificate of registration and license plates in accordance with division (A)(2)(d) of section 4509.101 of the Revised Code. 541
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(C) Any person adversely affected by the order of the registrar under this section, within ten days after the issuance of the order, may request an administrative hearing before the registrar, who shall provide the person with an opportunity for a hearing in accordance with division (D)(5)(c) of section 4509.101 of the Revised Code.

(D) Except as provided in division (E) of this section, the registrar shall not restore a person's operating privileges or registration rights suspended under this section, or return any license, certificate of registration, or license plates impounded under this section, unless the person complies with division (A)(5) of section 4509.101 of the Revised Code or unless those rights and privileges are otherwise restored pursuant to this section and section 4509.101 of the Revised Code.

(E) In accordance with division (L) of section 4509.101 of the Revised Code, the registrar may terminate any suspension imposed under this section and not require the owner to comply with divisions (A)(5)(a), (b), and (c) of section 4509.101 of the Revised Code.

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

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

(a) Subject to divisions (A)(2)(b) and (c) of this section, a class (F) suspension of the person's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for the period of time

specified in division (B)(6) of section 4510.02 of the Revised Code and impoundment of the person's license.

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

(c) If, within five years of the violation, the person's operating privileges are suspended and the person's license is impounded two or more times for a violation of division (A)(1) of this section, a class B suspension of the person's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for the period of time specified in division (B)(2) of section 4510.02 of the Revised Code. The court may grant limited driving privileges to the person only if the person presents proof of financial responsibility and has complied with division (A)(5) of this section, except that no court may grant limited driving privileges for the first thirty days of the suspension.

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

(3) A person to whom this state has issued a certificate of registration for a motor vehicle or a license to operate a motor vehicle or who is determined to have operated any motor vehicle or permitted the operation in this state of a motor vehicle owned by the person shall be required to verify the existence of proof of financial responsibility covering the operation of the motor vehicle or the person's operation of the motor vehicle under ~~any~~ either of the following circumstances:

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

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

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

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

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

(b) Mails the license or certificate of registration and license plates to the registrar in an envelope or container

bearing a postmark showing a date no later than the date specified 644
in the order. 645

(5) Except as provided in division (A)(6) or (L) of this 646
section, the registrar shall not restore any operating privileges 647
or registration rights suspended under this section, return any 648
license, certificate of registration, or license plates impounded 649
under this section, or reissue license plates under section 650
4503.232 of the Revised Code, if the registrar destroyed the 651
impounded license plates under that section, or reissue a license 652
under section 4510.52 of the Revised Code, if the registrar 653
destroyed the suspended license under that section, unless the 654
rights are not subject to suspension or revocation under any other 655
law and unless the person, in addition to complying with all other 656
conditions required by law for reinstatement of the operating 657
privileges or registration rights, complies with all of the 658
following: 659

(a) Pays to the registrar or an eligible deputy registrar a 660
financial responsibility reinstatement fee of one hundred dollars 661
for the first violation of division (A)(1) of this section, three 662
hundred dollars for a second violation of that division, and six 663
hundred dollars for a third or subsequent violation of that 664
division; 665

(b) If the person has not voluntarily surrendered the 666
license, certificate, or license plates in compliance with the 667
order, pays to the registrar or an eligible deputy registrar a 668
financial responsibility nonvoluntary compliance fee in an amount, 669
not to exceed fifty dollars, determined by the registrar; 670

(c) Files and continuously maintains proof of financial 671
responsibility under sections 4509.44 to 4509.65 of the Revised 672
Code; 673

(d) Pays a deputy registrar a service fee of ten dollars to 674

compensate the deputy registrar for services performed under this 675
section. The deputy registrar shall retain eight dollars of the 676
service fee and shall transmit the reinstatement fee, any 677
nonvoluntary compliance fee, and two dollars of the service fee to 678
the registrar in the manner the registrar shall determine. 679

~~(6) If the registrar issues an order under division (A)(2) of 680
this section resulting from the failure of a person to respond to 681
a financial responsibility random verification request under 682
division (A)(3)(c) of this section and the person successfully 683
maintains an affirmative defense to a violation of section 4510.16 684
of the Revised Code or is determined by the registrar or a deputy 685
registrar to have been in compliance with division (A)(1) of this 686
section at the time of the initial financial responsibility random 687
verification request, the registrar shall do both of the 688
following: 689~~

~~(a) Terminate the order of suspension or impoundment; 690~~

~~(b) Restore the operating privileges and registration rights 691
of the person without payment of the fees established in divisions 692
(A)(5)(a) and (b) of this section and without a requirement to 693
file proof of financial responsibility. 694~~

(B)(1) Every party required to file an accident report under 695
section 4509.06 of the Revised Code also shall include with the 696
report a document described in division (G)(1) of this section. 697

If the registrar determines, within forty-five days after the 698
report is filed, that an operator or owner has violated division 699
(A)(1) of this section, the registrar shall do all of the 700
following: 701

(a) Order the impoundment, with respect to the motor vehicle 702
involved, required under division (A)(2)(d) of this section, of 703
the certificate of registration and license plates of any owner 704
who has violated division (A)(1) of this section; 705

(b) Order the suspension required under division (A)(2)(a), 706
(b), or (c) of this section of the license of any operator or 707
owner who has violated division (A)(1) of this section; 708

(c) Record the name and address of the person whose 709
certificate of registration and license plates have been impounded 710
or are under an order of impoundment, or whose license has been 711
suspended or is under an order of suspension; the serial number of 712
the person's license; the serial numbers of the person's 713
certificate of registration and license plates; and the person's 714
social security account number, if assigned, or, where the motor 715
vehicle is used for hire or principally in connection with any 716
established business, the person's federal taxpayer identification 717
number. The information shall be recorded in such a manner that it 718
becomes a part of the person's permanent record, and assists the 719
registrar in monitoring compliance with the orders of suspension 720
or impoundment. 721

(d) Send written notification to every person to whom the 722
order pertains, at the person's last known address as shown on the 723
records of the bureau. The person, within ten days after the date 724
of the mailing of the notification, shall surrender to the 725
registrar, in a manner set forth in division (A)(4) of this 726
section, any certificate of registration and registration plates 727
under an order of impoundment, or any license under an order of 728
suspension. 729

(2) The registrar shall issue any order under division (B)(1) 730
of this section without a hearing. Any person adversely affected 731
by the order, within ten days after the issuance of the order, may 732
request an administrative hearing before the registrar, who shall 733
provide the person with an opportunity for a hearing in accordance 734
with this paragraph. A request for a hearing does not operate as a 735
suspension of the order. The scope of the hearing shall be limited 736
to whether the person in fact demonstrated to the registrar proof 737

of financial responsibility in accordance with this section. The 738
registrar shall determine the date, time, and place of any 739
hearing, provided that the hearing shall be held, and an order 740
issued or findings made, within thirty days after the registrar 741
receives a request for a hearing. If requested by the person in 742
writing, the registrar may designate as the place of hearing the 743
county seat of the county in which the person resides or a place 744
within fifty miles of the person's residence. The person shall pay 745
the cost of the hearing before the registrar, if the registrar's 746
order of suspension or impoundment is upheld. 747

(C) Any order of suspension or impoundment issued under this 748
section or division (B) of section 4509.37 of the Revised Code may 749
be terminated at any time if the registrar determines upon a 750
showing of proof of financial responsibility that the operator or 751
owner of the motor vehicle was in compliance with division (A)(1) 752
of this section at the time of the traffic offense, motor vehicle 753
inspection, or accident that resulted in the order against the 754
person. A determination may be made without a hearing. This 755
division does not apply unless the person shows good cause for the 756
person's failure to present satisfactory proof of financial 757
responsibility to the registrar prior to the issuance of the 758
order. 759

(D)(1)(a) For the purpose of enforcing this section, every 760
peace officer is deemed an agent of the registrar. 761

~~(a) Except as provided in division (D)(1)(b) of this section,~~ 762
~~any~~ (b) Any peace officer who, in the performance of the peace 763
officer's duties as authorized by law, becomes aware of a person 764
whose license is under an order of suspension, or whose 765
certificate of registration and license plates are under an order 766
of impoundment, pursuant to this section, may confiscate the 767
license, certificate of registration, and license plates, and 768
return them to the registrar. 769

~~(b) Any peace officer who, in the performance of the peace officer's duties as authorized by law, becomes aware of a person whose license is under an order of suspension, or whose certificate of registration and license plates are under an order of impoundment resulting from failure to respond to a financial responsibility random verification, shall not, for that reason, arrest the owner or operator or seize the vehicle or license plates. Instead, the peace officer shall issue a citation for a violation of section 4510.16 of the Revised Code specifying the circumstances as failure to respond to a financial responsibility random verification.~~

(2) A peace officer shall request the owner or operator of a motor vehicle to produce proof of financial responsibility in a manner described in division (G) of this section at the time the peace officer acts to enforce the traffic laws of this state and during motor vehicle inspections conducted pursuant to section 4513.02 of the Revised Code. A peace officer may access an electronic motor vehicle insurance verification system available in accordance with section 4509.03 of the Revised Code to verify compliance with the proof of financial responsibility requirements of this section. For a motor-vehicle liability policy, the response received from the system supersedes any motor-vehicle liability policy proof of financial responsibility produced by a motor vehicle owner or operator. If the electronic verification system indicates that the person does not have a current, valid motor-vehicle liability policy and the person does not provide other valid proof of financial responsibility, the peace officer shall proceed in the same manner as if the person was unable to produce proof of financial responsibility.

(3) A peace officer shall indicate on every traffic ticket whether the person receiving the traffic ticket produced proof of the maintenance of financial responsibility in response to the

officer's request under division (D)(2) of this section. The peace 802
officer shall inform every person who receives a traffic ticket 803
and who has failed to produce proof of the maintenance of 804
financial responsibility that the person must submit proof to the 805
traffic violations bureau with any payment of a fine and costs for 806
the ticketed violation or, if the person is to appear in court for 807
the violation, the person must submit proof to the court. 808

(4)(a) If a person who has failed to produce proof of the 809
maintenance of financial responsibility appears in court for a 810
ticketed violation, the court may permit the defendant to present 811
evidence of proof of financial responsibility to the court at such 812
time and in such manner as the court determines to be necessary or 813
appropriate. In a manner prescribed by the registrar, the clerk of 814
courts shall provide the registrar with the identity of any person 815
who fails to submit proof of the maintenance of financial 816
responsibility pursuant to division (D)(3) of this section. 817

(b) If a person who has failed to produce proof of the 818
maintenance of financial responsibility also fails to submit that 819
proof to the traffic violations bureau with payment of a fine and 820
costs for the ticketed violation, the traffic violations bureau, 821
in a manner prescribed by the registrar, shall notify the 822
registrar of the identity of that person. 823

(5)(a) Upon receiving notice from a clerk of courts or 824
traffic violations bureau pursuant to division (D)(4) of this 825
section, the registrar shall order the suspension of the license 826
of the person required under division (A)(2)(a), (b), or (c) of 827
this section and the impoundment of the person's certificate of 828
registration and license plates required under division (A)(2)(d) 829
of this section, effective thirty days after the date of the 830
mailing of notification. The registrar also shall notify the 831
person that the person must present the registrar with proof of 832
financial responsibility in accordance with this section, 833

surrender to the registrar the person's certificate of 834
registration, license plates, and license, or submit a statement 835
subject to section 2921.13 of the Revised Code that the person did 836
not operate or permit the operation of the motor vehicle at the 837
time of the offense. Notification shall be in writing and shall be 838
sent to the person at the person's last known address as shown on 839
the records of the bureau of motor vehicles. The person, within 840
fifteen days after the date of the mailing of notification, shall 841
present proof of financial responsibility, surrender the 842
certificate of registration, license plates, and license to the 843
registrar in a manner set forth in division (A)(4) of this 844
section, or submit the statement required under this section 845
together with other information the person considers appropriate. 846

If the registrar does not receive proof or the person does 847
not surrender the certificate of registration, license plates, and 848
license, in accordance with this division, the registrar shall 849
permit the order for the suspension of the license of the person 850
and the impoundment of the person's certificate of registration 851
and license plates to take effect. 852

(b) In the case of a person who presents, within the 853
fifteen-day period, documents to show proof of financial 854
responsibility, the registrar shall terminate the order of 855
suspension and the impoundment of the registration and license 856
plates required under division (A)(2)(d) of this section and shall 857
send written notification to the person, at the person's last 858
known address as shown on the records of the bureau. 859

(c) Any person adversely affected by the order of the 860
registrar under division (D)(5)(a) or (b) of this section, within 861
ten days after the issuance of the order, may request an 862
administrative hearing before the registrar, who shall provide the 863
person with an opportunity for a hearing in accordance with this 864
paragraph. A request for a hearing does not operate as a 865

suspension of the order. The scope of the hearing shall be limited 866
to whether, at the time of the hearing, the person presents proof 867
of financial responsibility covering the vehicle and whether the 868
person is eligible for an exemption in accordance with this 869
section or any rule adopted under it. The registrar shall 870
determine the date, time, and place of any hearing; provided, that 871
the hearing shall be held, and an order issued or findings made, 872
within thirty days after the registrar receives a request for a 873
hearing. If requested by the person in writing, the registrar may 874
designate as the place of hearing the county seat of the county in 875
which the person resides or a place within fifty miles of the 876
person's residence. Such person shall pay the cost of the hearing 877
before the registrar, if the registrar's order of suspension or 878
impoundment under division (D)(5)(a) or (b) of this section is 879
upheld. 880

(6) A peace officer may charge an owner or operator of a 881
motor vehicle with a violation of section 4510.16 of the Revised 882
Code when the owner or operator fails to show proof of the 883
maintenance of financial responsibility pursuant to a peace 884
officer's request under division (D)(2) of this section, if a 885
check of the owner or operator's driving record indicates that the 886
owner or operator, at the time of the operation of the motor 887
vehicle, is required to file and maintain proof of financial 888
responsibility under section 4509.45 of the Revised Code for a 889
previous violation of this chapter. 890

(7) Any forms used by law enforcement agencies in 891
administering this section shall be prescribed, supplied, and paid 892
for by the registrar. 893

(8) No peace officer, law enforcement agency employing a 894
peace officer, or political subdivision or governmental agency 895
that employs a peace officer shall be liable in a civil action for 896
damages or loss to persons arising out of the performance of any 897

duty required or authorized by this section. 898

(9) As used in this division and divisions (E) and (G) of 899
this section, "peace officer" has the meaning set forth in section 900
2935.01 of the Revised Code. 901

(E) All fees, except court costs, fees paid to a deputy 902
registrar, and those portions of the financial responsibility 903
reinstatement fees as otherwise specified in this division, 904
collected under this section shall be paid into the state treasury 905
to the credit of the financial responsibility compliance fund. The 906
financial responsibility compliance fund shall be used exclusively 907
to cover costs incurred by the bureau in the administration of 908
this section and sections 4503.20, 4507.212, and 4509.81 of the 909
Revised Code, and by any law enforcement agency employing any 910
peace officer who returns any license, certificate of 911
registration, and license plates to the registrar pursuant to 912
division (C) of this section, except that the director of budget 913
and management may transfer excess money from the financial 914
responsibility compliance fund to the state bureau of motor 915
vehicles fund if the registrar determines that the amount of money 916
in the financial responsibility compliance fund exceeds the amount 917
required to cover such costs incurred by the bureau or a law 918
enforcement agency and requests the director to make the transfer. 919

Of each financial responsibility reinstatement fee the 920
registrar collects pursuant to division (A)(5)(a) of this section 921
or receives from a deputy registrar under division (A)(5)(d) of 922
this section, the registrar shall deposit twenty-five dollars of 923
each one-hundred-dollar reinstatement fee, fifty dollars of each 924
three-hundred-dollar reinstatement fee, and one hundred dollars of 925
each six-hundred-dollar reinstatement fee into the state treasury 926
to the credit of the indigent defense support fund created by 927
section 120.08 of the Revised Code. 928

All investment earnings of the financial responsibility 929

compliance fund shall be credited to the fund. 930

(F) Chapter 119. of the Revised Code applies to this section 931
only to the extent that any provision in that chapter is not 932
clearly inconsistent with this section. 933

(G)(1) The registrar, court, traffic violations bureau, or 934
peace officer may require proof of financial responsibility to be 935
demonstrated by use of a standard form prescribed by the 936
registrar. If the use of a standard form is not required, a person 937
may demonstrate proof of financial responsibility under this 938
section by presenting to the traffic violations bureau, court, 939
registrar, or peace officer any of the following documents or a 940
copy of the documents: 941

(a) A financial responsibility identification card as 942
provided in section 4509.103 of the Revised Code; 943

(b) A certificate of proof of financial responsibility on a 944
form provided and approved by the registrar for the filing of an 945
accident report required to be filed under section 4509.06 of the 946
Revised Code; 947

(c) A policy of liability insurance, a declaration page of a 948
policy of liability insurance, or liability bond, if the policy or 949
bond complies with section 4509.20 or sections 4509.49 to 4509.61 950
of the Revised Code; 951

(d) A bond or certification of the issuance of a bond as 952
provided in section 4509.59 of the Revised Code; 953

(e) A certificate of deposit of money or securities as 954
provided in section 4509.62 of the Revised Code; 955

(f) A certificate of self-insurance as provided in section 956
4509.72 of the Revised Code. 957

(2) If a person fails to demonstrate proof of financial 958
responsibility in a manner described in division (G)(1) of this 959

section, the person may demonstrate proof of financial 960
responsibility under this section by any other method that the 961
court or the bureau, by reason of circumstances in a particular 962
case, may consider appropriate. 963

(3) A motor carrier certificated by the interstate commerce 964
commission or by the public utilities commission may demonstrate 965
proof of financial responsibility by providing a statement 966
designating the motor carrier's operating authority and averring 967
that the insurance coverage required by the certificating 968
authority is in full force and effect. 969

(4)(a) A finding by the registrar or court that a person is 970
covered by proof of financial responsibility in the form of an 971
insurance policy or surety bond is not binding upon the named 972
insurer or surety or any of its officers, employees, agents, or 973
representatives and has no legal effect except for the purpose of 974
administering this section. 975

(b) The preparation and delivery of a financial 976
responsibility identification card or any other document 977
authorized to be used as proof of financial responsibility under 978
this division does not do any of the following: 979

(i) Create any liability or estoppel against an insurer or 980
surety, or any of its officers, employees, agents, or 981
representatives; 982

(ii) Constitute an admission of the existence of, or of any 983
liability or coverage under, any policy or bond; 984

(iii) Waive any defenses or counterclaims available to an 985
insurer, surety, agent, employee, or representative in an action 986
commenced by an insured or third-party claimant upon a cause of 987
action alleged to have arisen under an insurance policy or surety 988
bond or by reason of the preparation and delivery of a document 989
for use as proof of financial responsibility. 990

(c) Whenever it is determined by a final judgment in a 991
judicial proceeding that an insurer or surety, which has been 992
named on a document accepted by a court or the registrar as proof 993
of financial responsibility covering the operation of a motor 994
vehicle at the time of an accident or offense, is not liable to 995
pay a judgment for injuries or damages resulting from such 996
operation, the registrar, notwithstanding any previous contrary 997
finding, shall forthwith suspend the operating privileges and 998
registration rights of the person against whom the judgment was 999
rendered as provided in division (A)(2) of this section. 1000

(H) In order for any document described in division (G)(1)(b) 1001
of this section to be used for the demonstration of proof of 1002
financial responsibility under this section, the document shall 1003
state the name of the insured or obligor, the name of the insurer 1004
or surety company, and the effective and expiration dates of the 1005
financial responsibility, and designate by explicit description or 1006
by appropriate reference all motor vehicles covered which may 1007
include a reference to fleet insurance coverage. 1008

(I) For purposes of this section, "owner" does not include a 1009
licensed motor vehicle leasing dealer as defined in section 1010
4517.01 of the Revised Code, but does include a motor vehicle 1011
renting dealer as defined in section 4549.65 of the Revised Code. 1012
Nothing in this section or in section 4509.51 of the Revised Code 1013
shall be construed to prohibit a motor vehicle renting dealer from 1014
entering into a contractual agreement with a person whereby the 1015
person renting the motor vehicle agrees to be solely responsible 1016
for maintaining proof of financial responsibility, in accordance 1017
with this section, with respect to the operation, maintenance, or 1018
use of the motor vehicle during the period of the motor vehicle's 1019
rental. 1020

(J) The purpose of this section is to require the maintenance 1021
of proof of financial responsibility with respect to the operation 1022

of motor vehicles on the highways of this state, so as to minimize 1023
those situations in which persons are not compensated for injuries 1024
and damages sustained in motor vehicle accidents. The general 1025
assembly finds that this section contains reasonable civil 1026
penalties and procedures for achieving this purpose. 1027

(K) Nothing in this section shall be construed to be subject 1028
to section 4509.78 of the Revised Code. 1029

(L)(1) The registrar may terminate any suspension imposed 1030
under this section and not require the owner to comply with 1031
divisions (A)(5)(a), (b), and (c) of this section if the registrar 1032
with or without a hearing determines that the owner of the vehicle 1033
has established by clear and convincing evidence that all of the 1034
following apply: 1035

(a) The owner customarily maintains proof of financial 1036
responsibility. 1037

(b) Proof of financial responsibility was not in effect for 1038
the vehicle on the date in question for one of the following 1039
reasons: 1040

(i) The vehicle was inoperable. 1041

(ii) The vehicle is operated only seasonally, and the date in 1042
question was outside the season of operation. 1043

(iii) A person other than the vehicle owner or driver was at 1044
fault for the lapse of proof of financial responsibility through 1045
no fault of the owner or driver. 1046

(iv) The lapse of proof of financial responsibility was 1047
caused by excusable neglect under circumstances that are not 1048
likely to recur and do not suggest a purpose to evade the 1049
requirements of this chapter. 1050

(2) The registrar may grant an owner or driver relief for a 1051
reason specified in division ~~(L)(1)(b)(i) or (ii) of this section~~ 1052

~~whenever the owner or driver is randomly selected to verify the
existence of proof of financial responsibility for such a vehicle.
However, the registrar may grant an owner or driver relief for a
reason specified in division (L)(1)(b)(iii) or (iv) of this
section only if the owner or driver has not previously been
granted relief under division (L)(1)(b)(iii) or (iv) of this
section.~~

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

Sec. 4510.04. It is an affirmative defense to any prosecution
brought under section 4510.11, 4510.14, 4510.16, or 4510.21 of the
Revised Code or under any substantially equivalent municipal
ordinance that the alleged offender drove under suspension,
without a valid permit or driver's or commercial driver's license,
or in violation of a restriction because of a substantial
emergency, and because no other person was reasonably available to
drive in response to the emergency.

~~It is an affirmative defense to any prosecution brought under
section 4510.16 of the Revised Code that the order of suspension
resulted from the failure of the alleged offender to respond to a
financial responsibility random verification request under
division (A)(3)(c) of section 4509.101 of the Revised Code and
that, at the time of the initial financial responsibility random
verification request, the alleged offender was in compliance with
division (A)(1) of section 4509.101 of the Revised Code as shown~~

~~by proof of financial responsibility that was in effect at the~~ 1084
~~time of that request.~~ 1085

Section 2. That existing sections 4503.10, 4503.20, 4509.03, 1086
4509.101, and 4510.04 of the Revised Code are hereby repealed. 1087

Section 3. That Section 3 of Am. Sub. S.B. 20 of the 120th 1088
General Assembly, as amended by Am. Sub. H.B. 215 of the 122nd 1089
General Assembly and Am. Sub. H.B. 163 of the 123rd General 1090
Assembly, is hereby repealed. 1091