

**As Reported by the House Transportation, Public Safety, and  
Homeland Security Committee**

**130th General Assembly  
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**Am. S. B. No. 255**

**Senator Brown**

**Cosponsors: Senators Skindell, Seitz, Kearney, Smith, Turner, Manning,  
Gardner, Gentile, Burke, Coley, Eklund, Faber, LaRose, Obhof, Peterson,  
Sawyer, Schiavoni, Tavares, Uecker**

**Representatives Damschroder, Ruhl, Mallory, Celebrezze, Green, Perales**

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**A B I L L**

To amend sections 4503.20, 4509.101, 4509.102, 1  
4509.103, and 4509.45 of the Revised Code to 2  
permit a person to present proof of financial 3  
responsibility to the Registrar of Motor Vehicles, 4  
a peace officer, a traffic violations bureau, or a 5  
court through use of an electronic wireless 6  
communications device. 7

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

**Section 1.** That sections 4503.20, 4509.101, 4509.102, 8  
4509.103, and 4509.45 of the Revised Code be amended to read as 9  
follows: 10

**Sec. 4503.20.** (A) As used in this section: 11

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

lease, or other contractual arrangement. 16

(2) "Motor vehicle" has the meaning set forth in section 17  
4509.01 of the Revised Code. 18

(B) An application for the registration of a motor vehicle 19  
shall contain a statement, to be signed by the applicant either 20  
manually or by electronic signature, that does all of the 21  
following: 22

(1) States that the applicant maintains, or has maintained on 23  
the applicant's behalf, proof of financial responsibility at the 24  
time of application, and will not operate a motor vehicle in this 25  
state, unless the applicant maintains, with respect to that motor 26  
vehicle or the operation of such vehicle, proof of financial 27  
responsibility; 28

(2) Contains a brief summary of the purposes and operation of 29  
section 4509.101 of the Revised Code, the rights and duties of the 30  
applicant under that section, and the penalties for violation of 31  
that section; 32

(3) Warns the applicant that the financial responsibility law 33  
does not prevent the possibility that the applicant may be 34  
involved in an accident with an owner or operator of a motor 35  
vehicle who is without proof of financial responsibility. 36

(C)(1) A person who purchases any motor vehicle from a 37  
licensed motor vehicle dealer who agrees to make application for 38  
registration of the motor vehicle on behalf of the purchaser shall 39  
sign statements that comply with divisions (B) and (F) of this 40  
section. The dealer shall submit the statements to the deputy 41  
registrar where the dealer has agreed to make application for 42  
registration on behalf of the person. 43

(2) In the case of a person who leases any motor vehicle from 44  
a dealer engaged in the business of leasing motor vehicles who 45  
agrees to make application for registration of the motor vehicle 46

on behalf of the lessee, the person shall sign a statement that 47  
complies with division (B) of this section, and the dealer shall 48  
do either of the following: 49

(a) Submit the statement signed by the person to the deputy 50  
registrar where the dealer has agreed to make application for 51  
registration on behalf of the person; 52

(b) Sign and submit a statement to the deputy registrar that 53  
certifies that a statement has been signed and filed with the 54  
dealer or incorporated into the lease. 55

The dealer shall submit to the registrar or deputy registrar 56  
to whom the dealer submits the application for registration a 57  
statement signed by the person that complies with division (F) of 58  
this section. 59

(D) The registrar of motor vehicles shall prescribe the form 60  
of the statements required under divisions (B), (C), and (F) of 61  
this section, and the manner or manners in which the statements 62  
required under divisions (B) and (F) of this section shall be 63  
presented to the applicant. Any statement that is required under 64  
divisions (B), (C), and (F) of this section shall be designed to 65  
enable the applicant to retain a copy of it. 66

(E) Nothing within this section shall be construed to excuse 67  
a violation of section 4509.101 of the Revised Code. A motor 68  
vehicle dealer who makes application for the registration of a 69  
motor vehicle on behalf of the purchaser or lessee of the motor 70  
vehicle is not liable in damages in any civil action on account of 71  
the act of making such application for registration or the content 72  
of any such application for registration. 73

(F) In addition to the statements required by divisions (B) 74  
and (C) of this section, a person who makes application for 75  
registration of a motor vehicle shall be furnished with a form 76  
that lists in plain language all the possible penalties to which a 77

person could be subject for a violation of the financial 78  
responsibility law, including driver's license suspensions; all 79  
fees, including nonvoluntary compliance and reinstatement fees; 80  
and vehicle immobilization or impoundment. The person shall read 81  
the form and either manually or by electronic signature sign the 82  
form, which shall be submitted along with the application for 83  
registration as provided in this section. The form shall be 84  
retained by the registrar or deputy registrar who issues the motor 85  
vehicle registration or the registrar's or deputy registrar's 86  
successor for a period of two years from the date of issuance of 87  
the registration. 88

(G) Upon the registration of a motor vehicle, the owner of 89  
the motor vehicle is deemed to have agreed to the production of 90  
proof of financial responsibility by the owner or the operator of 91  
the motor vehicle, upon the request of a peace officer or state 92  
highway patrol trooper made in accordance with division ~~(E)~~(D)(2) 93  
of section 4509.101 of the Revised Code. 94

(H) The registrar shall adopt rules governing the renewal of 95  
motor vehicle registrations by electronic means and the completion 96  
and submission of statements that comply with divisions (B) and 97  
(F) of this section. The registrar shall adopt the rules 98  
prescribed by this division in accordance with Chapter 119. of the 99  
Revised Code. 100

**Sec. 4509.101.** (A)(1) No person shall operate, or permit the 101  
operation of, a motor vehicle in this state, unless proof of 102  
financial responsibility is maintained continuously throughout the 103  
registration period with respect to that vehicle, or, in the case 104  
of a driver who is not the owner, with respect to that driver's 105  
operation of that vehicle. 106

(2) Whoever violates division (A)(1) of this section shall be 107  
subject to the following civil penalties: 108

(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 141  
impoundment of the owner's certificate of registration and license 142  
plates until the owner complies with division (A)(5) of this 143  
section. 144

(3) A person to whom this state has issued a certificate of 145  
registration for a motor vehicle or a license to operate a motor 146  
vehicle or who is determined to have operated any motor vehicle or 147  
permitted the operation in this state of a motor vehicle owned by 148  
the person shall be required to verify the existence of proof of 149  
financial responsibility covering the operation of the motor 150  
vehicle or the person's operation of the motor vehicle under any 151  
of the following circumstances: 152

(a) The person or a motor vehicle owned by the person is 153  
involved in a traffic accident that requires the filing of an 154  
accident report under section 4509.06 of the Revised Code. 155

(b) The person receives a traffic ticket indicating that 156  
proof of the maintenance of financial responsibility was not 157  
produced upon the request of a peace officer or state highway 158  
patrol trooper made in accordance with division (D)(2) of this 159  
section. 160

(c) Whenever, in accordance with rules adopted by the 161  
registrar, the person is randomly selected by the registrar and 162  
requested to provide such verification. 163

(4) An order of the registrar that suspends and impounds a 164  
license or registration, or both, shall state the date on or 165  
before which the person is required to surrender the person's 166  
license or certificate of registration and license plates. The 167  
person is deemed to have surrendered the license or certificate of 168  
registration and license plates, in compliance with the order, if 169  
the person does either of the following: 170

(a) On or before the date specified in the order, personally 171

delivers the license or certificate of registration and license 172  
plates, or causes the delivery of the items, to the registrar; 173

(b) Mails the license or certificate of registration and 174  
license plates to the registrar in an envelope or container 175  
bearing a postmark showing a date no later than the date specified 176  
in the order. 177

(5) Except as provided in division (A)(6) or (L) of this 178  
section, the registrar shall not restore any operating privileges 179  
or registration rights suspended under this section, return any 180  
license, certificate of registration, or license plates impounded 181  
under this section, or reissue license plates under section 182  
4503.232 of the Revised Code, if the registrar destroyed the 183  
impounded license plates under that section, or reissue a license 184  
under section 4510.52 of the Revised Code, if the registrar 185  
destroyed the suspended license under that section, unless the 186  
rights are not subject to suspension or revocation under any other 187  
law and unless the person, in addition to complying with all other 188  
conditions required by law for reinstatement of the operating 189  
privileges or registration rights, complies with all of the 190  
following: 191

(a) Pays to the registrar or an eligible deputy registrar a 192  
financial responsibility reinstatement fee of one hundred dollars 193  
for the first violation of division (A)(1) of this section, three 194  
hundred dollars for a second violation of that division, and six 195  
hundred dollars for a third or subsequent violation of that 196  
division; 197

(b) If the person has not voluntarily surrendered the 198  
license, certificate, or license plates in compliance with the 199  
order, pays to the registrar or an eligible deputy registrar a 200  
financial responsibility nonvoluntary compliance fee in an amount, 201  
not to exceed fifty dollars, determined by the registrar; 202

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

(d) Pays a deputy registrar a service fee of ten dollars to compensate the deputy registrar for services performed under this section. The deputy registrar shall retain eight dollars of the service fee and shall transmit the reinstatement fee, any nonvoluntary compliance fee, and two dollars of the service fee to the registrar in the manner the registrar shall determine.

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

(a) Terminate the order of suspension or impoundment;

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

(B)(1) Every party required to file an accident report under section 4509.06 of the Revised Code also shall include with the report a document described in division (G)(1)(a) of this section or shall present proof of financial responsibility through use of an electronic wireless communications device as permitted by division (G)(1)(b) of this section.

If the registrar determines, within forty-five days after the



report is filed, that an operator or owner has violated division 234  
(A)(1) of this section, the registrar shall do all of the 235  
following: 236

(a) Order the impoundment, with respect to the motor vehicle 237  
involved, required under division (A)(2)(d) of this section, of 238  
the certificate of registration and license plates of any owner 239  
who has violated division (A)(1) of this section; 240

(b) Order the suspension required under division (A)(2)(a), 241  
(b), or (c) of this section of the license of any operator or 242  
owner who has violated division (A)(1) of this section; 243

(c) Record the name and address of the person whose 244  
certificate of registration and license plates have been impounded 245  
or are under an order of impoundment, or whose license has been 246  
suspended or is under an order of suspension; the serial number of 247  
the person's license; the serial numbers of the person's 248  
certificate of registration and license plates; and the person's 249  
social security account number, if assigned, or, where the motor 250  
vehicle is used for hire or principally in connection with any 251  
established business, the person's federal taxpayer identification 252  
number. The information shall be recorded in such a manner that it 253  
becomes a part of the person's permanent record, and assists the 254  
registrar in monitoring compliance with the orders of suspension 255  
or impoundment. 256

(d) Send written notification to every person to whom the 257  
order pertains, at the person's last known address as shown on the 258  
records of the bureau. The person, within ten days after the date 259  
of the mailing of the notification, shall surrender to the 260  
registrar, in a manner set forth in division (A)(4) of this 261  
section, any certificate of registration and registration plates 262  
under an order of impoundment, or any license under an order of 263  
suspension. 264

(2) The registrar shall issue any order under division (B)(1) 265  
of this section without a hearing. Any person adversely affected 266  
by the order, within ten days after the issuance of the order, may 267  
request an administrative hearing before the registrar, who shall 268  
provide the person with an opportunity for a hearing in accordance 269  
with this paragraph. A request for a hearing does not operate as a 270  
suspension of the order. The scope of the hearing shall be limited 271  
to whether the person in fact demonstrated to the registrar proof 272  
of financial responsibility in accordance with this section. The 273  
registrar shall determine the date, time, and place of any 274  
hearing, provided that the hearing shall be held, and an order 275  
issued or findings made, within thirty days after the registrar 276  
receives a request for a hearing. If requested by the person in 277  
writing, the registrar may designate as the place of hearing the 278  
county seat of the county in which the person resides or a place 279  
within fifty miles of the person's residence. The person shall pay 280  
the cost of the hearing before the registrar, if the registrar's 281  
order of suspension or impoundment is upheld. 282

(C) Any order of suspension or impoundment issued under this 283  
section or division (B) of section 4509.37 of the Revised Code may 284  
be terminated at any time if the registrar determines upon a 285  
showing of proof of financial responsibility that the operator or 286  
owner of the motor vehicle was in compliance with division (A)(1) 287  
of this section at the time of the traffic offense, motor vehicle 288  
inspection, or accident that resulted in the order against the 289  
person. A determination may be made without a hearing. This 290  
division does not apply unless the person shows good cause for the 291  
person's failure to present satisfactory proof of financial 292  
responsibility to the registrar prior to the issuance of the 293  
order. 294

(D)(1) For the purpose of enforcing this section, every peace 295  
officer is deemed an agent of the registrar. 296

(a) Except as provided in division (D)(1)(b) of this section, 297  
any peace officer who, in the performance of the peace officer's 298  
duties as authorized by law, becomes aware of a person whose 299  
license is under an order of suspension, or whose certificate of 300  
registration and license plates are under an order of impoundment, 301  
pursuant to this section, may confiscate the license, certificate 302  
of registration, and license plates, and return them to the 303  
registrar. 304

(b) Any peace officer who, in the performance of the peace 305  
officer's duties as authorized by law, becomes aware of a person 306  
whose license is under an order of suspension, or whose 307  
certificate of registration and license plates are under an order 308  
of impoundment resulting from failure to respond to a financial 309  
responsibility random verification, shall not, for that reason, 310  
arrest the owner or operator or seize the vehicle or license 311  
plates. Instead, the peace officer shall issue a citation for a 312  
violation of section 4510.16 of the Revised Code specifying the 313  
circumstances as failure to respond to a financial responsibility 314  
random verification. 315

(2) A peace officer shall request the owner or operator of a 316  
motor vehicle to produce proof of financial responsibility in a 317  
manner described in division (G) of this section at the time the 318  
peace officer acts to enforce the traffic laws of this state and 319  
during motor vehicle inspections conducted pursuant to section 320  
4513.02 of the Revised Code. 321

(3) A peace officer shall indicate on every traffic ticket 322  
whether the person receiving the traffic ticket produced proof of 323  
the maintenance of financial responsibility in response to the 324  
officer's request under division (D)(2) of this section. The peace 325  
officer shall inform every person who receives a traffic ticket 326  
and who has failed to produce proof of the maintenance of 327  
financial responsibility that the person must submit proof to the 328

traffic violations bureau with any payment of a fine and costs for 329  
the ticketed violation or, if the person is to appear in court for 330  
the violation, the person must submit proof to the court. 331

(4)(a) If a person who has failed to produce proof of the 332  
maintenance of financial responsibility appears in court for a 333  
ticketed violation, the court may permit the defendant to present 334  
evidence of proof of financial responsibility to the court at such 335  
time and in such manner as the court determines to be necessary or 336  
appropriate. In a manner prescribed by the registrar, the clerk of 337  
courts shall provide the registrar with the identity of any person 338  
who fails to submit proof of the maintenance of financial 339  
responsibility pursuant to division (D)(3) of this section. 340

(b) If a person who has failed to produce proof of the 341  
maintenance of financial responsibility also fails to submit that 342  
proof to the traffic violations bureau with payment of a fine and 343  
costs for the ticketed violation, the traffic violations bureau, 344  
in a manner prescribed by the registrar, shall notify the 345  
registrar of the identity of that person. 346

(5)(a) Upon receiving notice from a clerk of courts or 347  
traffic violations bureau pursuant to division (D)(4) of this 348  
section, the registrar shall order the suspension of the license 349  
of the person required under division (A)(2)(a), (b), or (c) of 350  
this section and the impoundment of the person's certificate of 351  
registration and license plates required under division (A)(2)(d) 352  
of this section, effective thirty days after the date of the 353  
mailing of notification. The registrar also shall notify the 354  
person that the person must present the registrar with proof of 355  
financial responsibility in accordance with this section, 356  
surrender to the registrar the person's certificate of 357  
registration, license plates, and license, or submit a statement 358  
subject to section 2921.13 of the Revised Code that the person did 359  
not operate or permit the operation of the motor vehicle at the 360

time of the offense. Notification shall be in writing and shall be 361  
sent to the person at the person's last known address as shown on 362  
the records of the bureau of motor vehicles. The person, within 363  
fifteen days after the date of the mailing of notification, shall 364  
present proof of financial responsibility, surrender the 365  
certificate of registration, license plates, and license to the 366  
registrar in a manner set forth in division (A)(4) of this 367  
section, or submit the statement required under this section 368  
together with other information the person considers appropriate. 369

If the registrar does not receive proof or the person does 370  
not surrender the certificate of registration, license plates, and 371  
license, in accordance with this division, the registrar shall 372  
permit the order for the suspension of the license of the person 373  
and the impoundment of the person's certificate of registration 374  
and license plates to take effect. 375

(b) In the case of a person who presents, within the 376  
fifteen-day period, ~~documents to show~~ proof of financial 377  
responsibility, the registrar shall terminate the order of 378  
suspension and the impoundment of the registration and license 379  
plates required under division (A)(2)(d) of this section and shall 380  
send written notification to the person, at the person's last 381  
known address as shown on the records of the bureau. 382

(c) Any person adversely affected by the order of the 383  
registrar under division (D)(5)(a) or (b) of this section, within 384  
ten days after the issuance of the order, may request an 385  
administrative hearing before the registrar, who shall provide the 386  
person with an opportunity for a hearing in accordance with this 387  
paragraph. A request for a hearing does not operate as a 388  
suspension of the order. The scope of the hearing shall be limited 389  
to whether, at the time of the hearing, the person presents proof 390  
of financial responsibility covering the vehicle and whether the 391  
person is eligible for an exemption in accordance with this 392

section or any rule adopted under it. The registrar shall 393  
determine the date, time, and place of any hearing; provided, that 394  
the hearing shall be held, and an order issued or findings made, 395  
within thirty days after the registrar receives a request for a 396  
hearing. If requested by the person in writing, the registrar may 397  
designate as the place of hearing the county seat of the county in 398  
which the person resides or a place within fifty miles of the 399  
person's residence. Such person shall pay the cost of the hearing 400  
before the registrar, if the registrar's order of suspension or 401  
impoundment under division (D)(5)(a) or (b) of this section is 402  
upheld. 403

(6) A peace officer may charge an owner or operator of a 404  
motor vehicle with a violation of section 4510.16 of the Revised 405  
Code when the owner or operator fails to show proof of the 406  
maintenance of financial responsibility pursuant to a peace 407  
officer's request under division (D)(2) of this section, if a 408  
check of the owner or operator's driving record indicates that the 409  
owner or operator, at the time of the operation of the motor 410  
vehicle, is required to file and maintain proof of financial 411  
responsibility under section 4509.45 of the Revised Code for a 412  
previous violation of this chapter. 413

(7) Any forms used by law enforcement agencies in 414  
administering this section shall be prescribed, supplied, and paid 415  
for by the registrar. 416

(8) No peace officer, law enforcement agency employing a 417  
peace officer, or political subdivision or governmental agency 418  
that employs a peace officer shall be liable in a civil action for 419  
damages or loss to persons arising out of the performance of any 420  
duty required or authorized by this section. 421

(9) As used in ~~this division and divisions (E) and (G) of~~ 422  
this section, "peace officer" has the meaning set forth in section 423  
2935.01 of the Revised Code. 424

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

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

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

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

(G)(1)(a) The registrar, court, traffic violations bureau, or 457  
peace officer may require proof of financial responsibility to be 458  
demonstrated by use of a standard form prescribed by the 459  
registrar. If the use of a standard form is not required, a person 460  
may demonstrate proof of financial responsibility under this 461  
section by presenting to the traffic violations bureau, court, 462  
registrar, or peace officer any of the following documents or a 463  
copy of the documents: 464

~~(a)(i)~~ A financial responsibility identification card as 465  
provided in section 4509.103 of the Revised Code; 466

~~(b)(ii)~~ A certificate of proof of financial responsibility on 467  
a form provided and approved by the registrar for the filing of an 468  
accident report required to be filed under section 4509.06 of the 469  
Revised Code; 470

~~(c)(iii)~~ A policy of liability insurance, a declaration page 471  
of a policy of liability insurance, or liability bond, if the 472  
policy or bond complies with section 4509.20 or sections 4509.49 473  
to 4509.61 of the Revised Code; 474

~~(d)(iv)~~ A bond or certification of the issuance of a bond as 475  
provided in section 4509.59 of the Revised Code; 476

~~(e)(v)~~ A certificate of deposit of money or securities as 477  
provided in section 4509.62 of the Revised Code; 478

~~(f)(vi)~~ A certificate of self-insurance as provided in 479  
section 4509.72 of the Revised Code. 480

(b) A person also may present proof of financial 481  
responsibility under this section to the traffic violations 482  
bureau, court, registrar, or peace officer through use of an 483  
electronic wireless communications device as specified under 484  
section 4509.103 of the Revised Code. 485

(2) If a person fails to demonstrate proof of financial 486



responsibility in a manner described in division (G)(1) of this 487  
section, the person may demonstrate proof of financial 488  
responsibility under this section by any other method that the 489  
court or the bureau, by reason of circumstances in a particular 490  
case, may consider appropriate. 491

(3) A motor carrier certificated by the interstate commerce 492  
commission or by the public utilities commission may demonstrate 493  
proof of financial responsibility by providing a statement 494  
designating the motor carrier's operating authority and averring 495  
that the insurance coverage required by the certificating 496  
authority is in full force and effect. 497

(4)(a) A finding by the registrar or court that a person is 498  
covered by proof of financial responsibility in the form of an 499  
insurance policy or surety bond is not binding upon the named 500  
insurer or surety or any of its officers, employees, agents, or 501  
representatives and has no legal effect except for the purpose of 502  
administering this section. 503

(b) The preparation and delivery of a financial 504  
responsibility identification card or any other document 505  
authorized to be used as proof of financial responsibility ~~under~~ 506  
~~this division~~ and the generation and delivery of proof of 507  
financial responsibility to an electronic wireless communications 508  
device that is displayed on the device as text or images does not 509  
do any of the following: 510

(i) Create any liability or estoppel against an insurer or 511  
surety, or any of its officers, employees, agents, or 512  
representatives; 513

(ii) Constitute an admission of the existence of, or of any 514  
liability or coverage under, any policy or bond; 515

(iii) Waive any defenses or counterclaims available to an 516  
insurer, surety, agent, employee, or representative in an action 517

commenced by an insured or third-party claimant upon a cause of 518  
action alleged to have arisen under an insurance policy or surety 519  
bond or by reason of the preparation and delivery of a document 520  
for use as proof of financial responsibility or the generation and 521  
delivery of proof of financial responsibility to an electronic 522  
wireless communications device. 523

(c) Whenever it is determined by a final judgment in a 524  
judicial proceeding that an insurer or surety, which has been 525  
named on a document or displayed on an electronic wireless 526  
communications device accepted by a court or the registrar as 527  
proof of financial responsibility covering the operation of a 528  
motor vehicle at the time of an accident or offense, is not liable 529  
to pay a judgment for injuries or damages resulting from such 530  
operation, the registrar, notwithstanding any previous contrary 531  
finding, shall forthwith suspend the operating privileges and 532  
registration rights of the person against whom the judgment was 533  
rendered as provided in division (A)(2) of this section. 534

(H) In order for any document or display of text or images on 535  
an electronic wireless communications device described in division 536  
(G)(1)~~(b)~~ of this section to be used for the demonstration of 537  
proof of financial responsibility under this section, the document 538  
or words or images shall state the name of the insured or obligor, 539  
the name of the insurer or surety company, and the effective and 540  
expiration dates of the financial responsibility, and designate by 541  
explicit description or by appropriate reference all motor 542  
vehicles covered which may include a reference to fleet insurance 543  
coverage. 544

(I) For purposes of this section, "owner" does not include a 545  
licensed motor vehicle leasing dealer as defined in section 546  
4517.01 of the Revised Code, but does include a motor vehicle 547  
renting dealer as defined in section 4549.65 of the Revised Code. 548  
Nothing in this section or in section 4509.51 of the Revised Code 549

shall be construed to prohibit a motor vehicle renting dealer from 550  
entering into a contractual agreement with a person whereby the 551  
person renting the motor vehicle agrees to be solely responsible 552  
for maintaining proof of financial responsibility, in accordance 553  
with this section, with respect to the operation, maintenance, or 554  
use of the motor vehicle during the period of the motor vehicle's 555  
rental. 556

(J) The purpose of this section is to require the maintenance 557  
of proof of financial responsibility with respect to the operation 558  
of motor vehicles on the highways of this state, so as to minimize 559  
those situations in which persons are not compensated for injuries 560  
and damages sustained in motor vehicle accidents. The general 561  
assembly finds that this section contains reasonable civil 562  
penalties and procedures for achieving this purpose. 563

(K) Nothing in this section shall be construed to be subject 564  
to section 4509.78 of the Revised Code. 565

(L)(1) The registrar may terminate any suspension imposed 566  
under this section and not require the owner to comply with 567  
divisions (A)(5)(a), (b), and (c) of this section if the registrar 568  
with or without a hearing determines that the owner of the vehicle 569  
has established by clear and convincing evidence that all of the 570  
following apply: 571

(a) The owner customarily maintains proof of financial 572  
responsibility. 573

(b) Proof of financial responsibility was not in effect for 574  
the vehicle on the date in question for one of the following 575  
reasons: 576

(i) The vehicle was inoperable. 577

(ii) The vehicle is operated only seasonally, and the date in 578  
question was outside the season of operation. 579

(iii) A person other than the vehicle owner or driver was at 580  
fault for the lapse of proof of financial responsibility through 581  
no fault of the owner or driver. 582

(iv) The lapse of proof of financial responsibility was 583  
caused by excusable neglect under circumstances that are not 584  
likely to recur and do not suggest a purpose to evade the 585  
requirements of this chapter. 586

(2) The registrar may grant an owner or driver relief for a 587  
reason specified in division (L)(1)(b)(i) or (ii) of this section 588  
whenever the owner or driver is randomly selected to verify the 589  
existence of proof of financial responsibility for such a vehicle. 590  
However, the registrar may grant an owner or driver relief for a 591  
reason specified in division (L)(1)(b)(iii) or (iv) of this 592  
section only if the owner or driver has not previously been 593  
granted relief under division (L)(1)(b)(iii) or (iv) of this 594  
section. 595

(M) The registrar shall adopt rules in accordance with 596  
Chapter 119. of the Revised Code that are necessary to administer 597  
and enforce this section. The rules shall include procedures for 598  
the surrender of license plates upon failure to maintain proof of 599  
financial responsibility and provisions relating to reinstatement 600  
of registration rights, acceptable forms of proof of financial 601  
responsibility, the use of an electronic wireless communications 602  
device to present proof of financial responsibility, and 603  
verification of the existence of financial responsibility during 604  
the period of registration. 605

(N)(1) When a person utilizes an electronic wireless 606  
communications device to present proof of financial 607  
responsibility, only the evidence of financial responsibility 608  
displayed on the device shall be viewed by the registrar, peace 609  
officer, employee or official of the traffic violations bureau, or 610  
the court. No other content of the device shall be viewed for 611

purposes of obtaining proof of financial responsibility. 612

(2) When a person provides an electronic wireless 613  
communications device to the registrar, a peace officer, an 614  
employee or official of a traffic violations bureau, or the court, 615  
the person assumes the risk of any resulting damage to the device 616  
unless the registrar, peace officer, employee, or official, or 617  
court personnel purposely, knowingly, or recklessly commits an 618  
action that results in damage to the device. 619

**Sec. 4509.102.** No person who has knowingly failed to maintain 620  
proof of financial responsibility in accordance with section 621  
4509.101 of the Revised Code shall produce any document or present 622  
to a peace officer an electronic wireless communications device 623  
that is displaying any text or images with the purpose to mislead 624  
a peace officer upon the request of a peace officer for proof of 625  
financial responsibility made in accordance with division (D)(2) 626  
of section 4509.101 of the Revised Code. ~~Any person who~~ Whoever 627  
violates this ~~division~~ section is guilty of falsification under 628  
section 2921.13 of the Revised Code. 629

**Sec. 4509.103.** (A) As used in this section and sections 630  
4509.101 and 4509.102 of the Revised Code, "electronic wireless 631  
communications device" includes any of the following: 632

(1) A wireless telephone, including a cellular telephone; 633

(2) A personal digital assistant; 634

(3) A computer, including a laptop computer, a netbook 635  
computer, and a tablet computer; 636

(4) Any other substantially similar wireless device that is 637  
designed or used to communicate and displays text or images. 638

(B) Each insurer writing motor vehicle liability insurance in 639  
this state shall provide financial responsibility identification 640

cards to every policyholder in this state to whom it has delivered 641  
or issued for delivery a motor vehicle liability insurance policy. 642  
A minimum of one financial responsibility identification card 643  
shall be issued for every motor vehicle insured under a motor 644  
vehicle liability insurance policy. 645

~~(B)~~ A financial responsibility identification card shall be 646  
valid only for the policy period. The card shall be in a form 647  
prescribed by the registrar of motor vehicles. It shall disclose 648  
the policy period and shall contain such other information as 649  
required by the registrar. 650

(C) Each insurer writing motor vehicle liability insurance in 651  
this state also may provide to every policyholder in this state to 652  
whom it has delivered or issued for delivery a motor vehicle 653  
liability insurance policy the ability to utilize an electronic 654  
wireless communications device to present proof of financial 655  
responsibility to a traffic violations bureau, court, registrar, 656  
or peace officer when required to do so by section 4509.101 of the 657  
Revised Code. The text or images that are displayed on such a 658  
device as the result of the generation and delivery by the insurer 659  
of information and data to the device shall conform to the 660  
requirements applicable to such text or images that the registrar 661  
prescribes in rules adopted under section 4509.101 of the Revised 662  
Code. 663

**Sec. 4509.45.** (A) As used in this section, "electronic 664  
wireless communications device" has the same meaning as in section 665  
4509.103 of the Revised Code. 666

(B) Proof of financial responsibility when required under 667  
section 4509.101, 4509.33, 4509.34, 4509.38, 4509.40, 4509.42, 668  
4509.44, or 4510.038 of the Revised Code may be given by filing 669  
any of the following: 670

(1) A financial responsibility identification card as 671

provided in section 4509.104 of the Revised Code; 672

(2) A certificate of insurance as provided in section 4509.46 673  
or 4509.47 of the Revised Code; 674

(3) A bond as provided in section 4509.59 of the Revised 675  
Code; 676

(4) A certificate of deposit of money or securities as 677  
provided in section 4509.62 of the Revised Code; 678

(5) A certificate of self-insurance, as provided in section 679  
4509.72 of the Revised Code, supplemented by an agreement by the 680  
self-insurer that, with respect to accidents occurring while the 681  
certificate is in force, the self-insurer will pay the same 682  
amounts that an insurer would have been obligated to pay under an 683  
owner's motor vehicle liability policy if it had issued such a 684  
policy to the self-insurer. 685

~~(B)~~(C) When proof of financial responsibility is required to 686  
be given under section 4509.101 of the Revised Code, such proof 687  
also may be given through use of an electronic wireless 688  
communications device as provided in that section. 689

(D) Proof under division ~~(A)~~(B) of this section shall be 690  
filed and maintained for five years from the date of the 691  
registrar's imposition of a class A, B, or C suspension of 692  
operating privileges and shall be filed and maintained for three 693  
years from the date of the registrar's imposition of a class D, E, 694  
or F suspension of operating privileges. Proof of financial 695  
responsibility that is required to be filed and maintained with 696  
the registrar during a period of suspension of operating 697  
privileges described in this division shall not be given through 698  
the use of an electronic wireless communications device. 699

**Section 2.** That existing sections 4503.20, 4509.101, 700  
4509.102, 4509.103, and 4509.45 of the Revised Code are hereby 701  
repealed. 702