

**As Introduced**

**132nd General Assembly  
Regular Session  
2017-2018**

**S. B. No. 148**

**Senators Kunze, Huffman**

---

**A BILL**

To amend sections 4501.81 and 5502.11 of the 1  
Revised Code to require an accident report to 2  
indicate whether any person involved in the 3  
accident wishes to be contacted for commercial 4  
solicitation purposes, to prohibit any person 5  
from using the information contained in an 6  
accident report for those purposes with regard 7  
to a person who did not agree to be contacted, 8  
and to allow a person to submit emergency 9  
contact information upon vehicle registration 10  
for inclusion in the next of kin database. 11

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

**Section 1.** That sections 4501.81 and 5502.11 of the 12  
Revised Code be amended to read as follows: 13

**Sec. 4501.81.** (A) The bureau of motor vehicles shall 14  
establish a database of the next of kin of persons who are 15  
issued driver's licenses, commercial driver's licenses, 16  
temporary instruction permits, motorcycle operator's licenses 17  
and endorsements, and identification cards and to whom vehicles 18  
are registered. Information in the database shall be accessible 19

only to employees of the bureau and to criminal justice agencies 20  
and is not a public record for purposes of section 149.43 of the 21  
Revised Code. 22

(B) When an individual submits an application to the 23  
registrar of motor vehicles or a deputy registrar for a driver's 24  
license, commercial driver's license, temporary instruction 25  
permit, motorcycle operator's license or endorsement, or 26  
identification card, ~~or a~~ a renewal of any of them, or a vehicle 27  
registration, the individual shall be furnished with a next of 28  
kin information form ~~on which~~. On the form, the individual may 29  
list the name, address, telephone number, and relationship to 30  
the individual of at least one contact person whom the 31  
individual wishes to be contacted if the individual is involved 32  
in a motor vehicle accident or emergency situation and the 33  
individual dies or is seriously injured or rendered unconscious 34  
and is unable to communicate with the contact person. The 35  
contact person may or may not be the next of kin of the 36  
applicant, except that if the applicant is under eighteen years 37  
of age and is not emancipated, the contact person shall include 38  
the parent, guardian, or custodian of the applicant. 39

The form described in this division shall inform the 40  
individual that, after completing the form, the individual may 41  
return the form to the registrar or any deputy registrar, each 42  
of whom shall accept the form from the individual without 43  
payment of any fee. The form also shall contain the mailing 44  
address of the bureau, to which the individual may mail the 45  
completed form, and also instructions whereby the individual may 46  
furnish the information described in this division to the 47  
registrar through use of the internet. 48

(C) The bureau, in accordance with Chapter 119. of the 49

Revised Code, shall adopt rules to implement this section. The 50  
rules shall address all of the following: 51

(1) The methods whereby a person who has submitted the 52  
name of a contact person for inclusion in the database may make 53  
changes to that entry; 54

(2) The contents of the next of kin information form; 55

(3) Any other aspect of the database or its operation that 56  
the registrar determines is necessary in order to implement this 57  
section. 58

(D) In the event of a motor vehicle accident or emergency 59  
situation in which a person dies or is seriously injured or 60  
rendered unconscious and is unable to communicate with the 61  
contact person specified in the database, an employee of a 62  
criminal justice agency shall make a good faith effort to notify 63  
the contact person of the situation, but neither the bureau nor 64  
the employee nor the criminal justice agency that employs that 65  
employee incurs any liability if the employee is not able to 66  
make contact with the contact person. 67

**Sec. 5502.11.** Every law enforcement agency representing a 68  
township, county, municipal corporation, or other political 69  
subdivision investigating a motor vehicle accident involving a 70  
fatality, personal injury, or property damage in an amount 71  
greater than one thousand dollars, within five days, shall 72  
forward a written report of such accident to the director of 73  
public safety on a form, which the director shall adopt subject 74  
to sections 119.01 to 119.13 of the Revised Code. The form shall 75  
include a statement as to whether any person involved in the 76  
accident wishes to be contacted for commercial solicitation 77  
purposes. No person shall use the information contained in an 78

accident report to contact any other person for commercial 79  
solicitation purposes unless that other person specified in the 80  
accident report that the person wishes to be contacted. 81

**Section 2.** That existing sections 4501.81 and 5502.11 of 82  
the Revised Code are hereby repealed. 83