

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
Revised Code to require an accident report to
indicate whether any person involved in the
accident wishes to be contacted for commercial
solicitation purposes, to prohibit any person
from using the information contained in an
accident report for those purposes with regard
to a person who did not agree to be contacted,
and to allow a person to submit emergency
contact information upon vehicle registration
for inclusion in the next of kin database.

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

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

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

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